

The Council Meeting

Old Library, Town Hall
24 March 2010 at 6.00pm

Information for Members of the Public

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The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please pick up the leaflet called "Have Your Say" at Council offices and at www.colchester.gov.uk

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COLCHESTER BOROUGH COUNCIL

TO ALL MEMBERS OF THE COUNCIL

22 March 2010

You are hereby summoned to attend a meeting of the Council to be held at the Old Library, Town Hall on **24 March 2010 at 6:00pm** for the transaction of the business stated below.



Chief Executive

AGENDA

Pages

1. Welcome and Announcements

(a) The Mayor to welcome members of the public and Councillors and to invite the Chaplain to address the meeting. The Mayor to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Mayor's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched to off or to silent;
- location of toilets;
- introduction of members of the meeting.

2. Have Your Say!

(a) The Mayor to ask members of the public to indicate if they wish to ask a question, make a statement or present a petition on any matter relating to the business of the Council – either on an item on the agenda for this meeting or on a general matter not on this agenda (Council Procedure Rule 6(2)).

(b) The Mayor to invite contributions from members of the public who wish to address the Council on a general matter not on this agenda.

(Note: A period of up to 15 minutes is available for general statements and questions under 'Have Your Say!').

3. Minutes

1 - 8

A... Motion that the Minutes of the meeting held on 17 February 2010 be confirmed as a correct record.

4. Mayor's Announcements

Mayor's Announcements (if any) and matters arising pursuant to Council Procedure Rule 8(3).

5. Personal Interests of Members

Disclosures by Members under Council Procedure Rule 9(3) to 9(9) (if any).

6. Prejudicial Interests of Members

Disclosures by Members under Council Procedure Rules 9(10) and 9(11) (if any).

(Note: Members should only declare personal and/or prejudicial interests on items that are to be considered at the meeting).

7. Items (if any) referred under the Call-in Procedure

To consider any items referred by the Strategic Overview and Scrutiny Panel or the Finance and Audit 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.

8. Recommendations of the Cabinet, Panels and Committees

i. Standards Committee Annual Report 2009/10

9 - 15

B... Motion that the recommendation contained in minute 19 of the Standards Committee meeting of 5 March 2010 be approved and adopted.

ii. Review of Standards Committee Composition

16

C... Motion that the recommendation contained in minute 21 of the Standards Committee meeting of 5 March 2010 be approved and adopted.

iii. Review of Local Code of Corporate Governance

17

D... Motion that the recommendation in minute 73 of the Cabinet meeting of 17 March 2010 be approved and adopted.

9. Colchester in 2031

18 - 23

The Leader of the Council to introduce a debate on Colchester in 2031: see report by the Executive Director and the Head of Strategic Policy and Regeneration

10. Notices of Motion pursuant to Council Procedure Rule 11

At the time of publication, there were none.

11. Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

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

(Note: A period of up to 90 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)).

Questioner: Councillor Chillingworth

To the Portfolio Holder for Communication, Customers and Leisure

Following my questions to him at the February Council Meeting, is he aware that very few of the March edition of the Courier have, once again, been delivered to residents in my ward? My enquires are proceeding, but so far I have only found 2 households who have received copies. Obviously it is impossible to know the full extent of the failure, but I have not received one.

12. Schedules of Decisions taken by Portfolio Holders

24 - 31

To note schedules covering the period 6 February 2010 - 11 March 2010

13. Reports Referred to in Recommendations

32 - 62

The reports specified below are submitted for information and are referred to in the recommendations specified in item 8 on the agenda:

Standards Committee Annual Report 2009-2010

Review of Standards Committee Composition

14. Urgent items

To consider any business not specified in this summons which by reason of special circumstances the Mayor determines should be considered at the meeting as a matter of urgency.

15. Exclusion of the Public

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).

COUNCIL
17 FEBRUARY 2010

Present :- Councillor Henry Spyvee (the Mayor) (Chairman)
Councillor Sonia Lewis (Deputy Mayor)
Councillors Christopher Arnold, Nick Barlow,
Lyn Barton, Kevin Bentley, Mary Blandon,
Elizabeth Blundell, John Bouckley, Nigel Chapman,
Peter Chillingworth, Helen Chuah, Barrie Cook,
Nick Cope, Mark Cory, Robert Davidson,
Beverly Davies, Tina Dopson, John Elliott,
Andrew Ellis, Margaret Fisher, Stephen Ford,
Wyn Foster, Ray Gamble, Martin Goss,
Chris Hall, Mike Hardy, Dave Harris,
Pauline Hazell, Peter Higgins, Theresa Higgins,
Mike Hogg, Martin Hunt, John Jowers,
Margaret Kimberley, Justin Knight, Michael Lilley,
Sue Lissimore, Jackie Maclean, Jon Manning,
Richard Martin, Kim Naish, Nigel Offen,
Beverley Oxford, Gerard Oxford, Gaye Pyman,
Ann Quarrie, Lesley Scott-Boutell, Paul Smith,
Terry Sutton, Laura Sykes, Nick Taylor, Jill Tod,
Anne Turrell, Dennis Willetts, Julie Young and
Tim Young

The meeting was opened with prayers by the Mayor's Chaplain, The Reverend David Harper.

44. Minutes

The minutes of the meeting on 10 December 2009 were confirmed as a correct record subject to the following amendments:-

(i) The addition of the following declaration of interest to paragraph 35:-

“Councillor Hogg (in respect of Cllr Chuah being his spouse) in relation to the item at minute 41.”

(ii) At paragraph 41, the reference to Councillor Turrell to be replaced with Councillor Hunt.

45. Have Your Say!

Bob Russell MP addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) to express his concern that the funding for Colchester's secondary schools would be less than the £130 million originally promised and referred to in the motion approved by Council on 14 October 2009. It now appeared that part of the funding would be going to the Greensward School at Hockley. He would be making a formal complaint to the Local Government Ombudsman about this matter as he considered that residents and the Council had been misled.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, thanked Mr Russell for his comments and indicated that a written reply would be sent. Councillor Bentley also responded to state that he had written to Mr Russell about this matter. The County Council had confirmed that approximately £130 million would be invested in secondary schools in Colchester.

Mr Cross addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) to propose a new system of allocating housing to ensure a fair system of allocations between the indigenous and non-indigenous population.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, thanked Mr Cross and invited him to provide further details so his scheme could be considered.

Marcus Harrington addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) to express his concern about anti-social behaviour in the High Street, especially on Friday and Saturday nights. Not enough was being done to deal with this. Attention was drawn to the impact of zero tolerance schemes such as those introduced in New York and Middlesbrough in reducing anti-social behaviour. Zero tolerance approaches had also curtailed pitch invasions at football matches.

Councillor T. Young, Portfolio Holder for Street and Waste Services, explained that the levels of investment were higher than under the previous administration. A number of initiatives aimed at tackling anti-social behaviour, such as the SOS bus and street pastors had been introduced. A detailed written response would be sent.

Mr Quince addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) to present a Union flag to the Council to fly from the flag pole at Rowan House,

Councillor Turrell received the flag and undertook to see whether it could be flown from Rowan House, subject to health and safety considerations.

Andy Hamilton addressed the Council pursuant to the provisions of Council Procedure Rule 6(2). He considered that the Roman Circus should be the priority for funding this year. He criticised the legal action being taken against the previous contractors for the Visual Arts Facility, as he believed the fault lay with the Council rather than the contractors. He believed the Member of Parliament should call for a public inquiry and that the terms of the use of the Visual Arts Facility should be renegotiated with the Arts Council.

Councillor Smith, Portfolio Holder for Resources, Diversity, Culture and the Arts, responded to state that he believed that most residents would support the legal action. The legal action was proceeding well and the Council had already had a judgement in its favour, with costs awarded.

Paula Whitney addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) to urge the Council to take account of climate change issues in all its decision making. Whilst the government had set a target of a reduction of 34% in carbon emissions by 2020, Friends of the Earth were urging Councils to sign up to its Get Serious campaign and commit to a reduction of 40% by 2020.

Councillor Barton, Portfolio Holder for Planning, Sustainability and the Environment responded that very high targets for carbon emissions were in place. The Council had recently been accepted onto the Energy Saving Trust 1:1 Support programme which aimed to help local authorities deliver more sustainable services. The initial stages of the programme included an in depth look into the Council's services and the development of some key recommendations. The Council was now working to develop a full action and implementation plan that would cover all service areas within the Council

46. Mayor's Announcements

The Mayor announced that a Colchester in Bloom meeting would take place on Saturday 27 February 2010 and encouraged Councillors to support the competition.

The Mayor announced that the Council had won an Arts and Business East award for its community involvement work and Colchester Borough Council, National Express East Anglia and Essex County Council had received a Highly Commended at the National Rail Business Awards, in recognition of partnership work to improve Colchester Station. The Mayor was presented with the awards by the respective Portfolio Holders.

47. Appointment of Cabinet Member and Consequential Amendments to the Membership of Panels

RESOLVED that Councillor Barlow be appointed to the Cabinet for the remainder of the Municipal Year and that as a consequence Councillor Manning be appointed to the Strategic Overview and Scrutiny Panel and Councillor Scott-Boutell be appointed to the Policy Review and Development Panel for the remainder of the Municipal Year (MAJORITY voted in favour).

48. Suspension of Council Procedure Rule 14(3)

RESOLVED that Council Procedure Rule 14(3) be suspended for the following item to allow the Leader of the Council, Group Leaders and the Portfolio Holder for Resources, Diversity, Culture and the Arts to speak untimed and all other speakers to be limited to five minutes.

Councillor Elizabeth Blundell (in respect of her membership of Copford Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Anne Turrell (in respect of her membership of Essex County Council and Myland Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Laura Sykes (in respect of her membership of Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Christopher Arnold (in respect of his membership of Great Horkeley Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Martin Goss (in respect of his membership of Myland Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Margaret Fisher, Councillor Theresa Higgins, Councillor John Jowers and Councillor Julie Young (in respect of membership of Essex County Council) declared a

personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Peter Higgins and Councillor Tim Young (in respect of their respective spouses membership of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

49. 2010/2011 Revenue Budget and Medium Term Financial Forecast

It was PROPOSED by Councillor Turrell that the recommendations contained in minute 58 of the Cabinet meeting of 27 January 2010 and the recommendations contained in the Head of Resource Management's report entitled Precept and Council Tax Levels 2010/2011 be approved and adopted.

A MAIN AMENDMENT was proposed by Councillor Bentley as follows:-

“That the recommendations contained in minute 58 of the Cabinet meeting of 27 January 2010 and the recommendations contained in the Head of Resource Management's report entitled Precept and Council Tax Levels 2010-2011 be approved and adopted, subject to:-

(i) At paragraph (b) of the recommendations contained in Cabinet minute 58, the replacement of Appendices C and D of the Head of Resource Management's report with Appendix L entitled “Conservative Budget for 2010/2011”;

(ii) At paragraph (c) of the recommendations contained in Cabinet minute 58 the deletion of the words “the 2010/2011 Revenue Budget be set at £25,670,000” and their replacement with the words “the 2010/2011 Revenue Budget be set at £25,050,000”;

(iii) At paragraph (g) of the recommendations contained in Cabinet minute 58 the deletion of the words “Colchester's element of the Council Tax for 2010/11 be set at £175.23 for Band D properties which is an increase of £4.23 per annum (2.47%)” and their replacement with the words “Colchester's element of the Council Tax for 2010/11 be set at £171.00 for Band D properties which is an increase of 0%.”

(iv) The Head of Resource Management be given delegated authority to make the necessary consequential changes to the 2010/2011 revenue budget and to the Precept and Council Tax statutory resolution contained in his report to this meeting.”

Pursuant to the provisions of Council Procedure Rule 14(11) Councillor Turrell

indicated that the MAIN AMENDMENT was not accepted.

On being put to the vote, the MAIN AMENDMENT was lost.

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

Those who voted FOR were:-

Councillors Arnold, Bentley, Blundell, Bouckley, Chapman, Chillingworth, Davidson, Davies, Elliott, Ellis, Foster, Hardy, Hazell, Jowers, Kimberley, Lissimore, Maclean, Martin, Pyman, Quarrie, Sutton, Taylor, Tod and Willetts.

Those who voted AGAINST were:-

Councillors Barlow, Barton, Blandon, Chuah, Cook, Cope, Cory, Dopson, Fisher, Ford, Gamble, Goss, Hall, Harris, P. Higgins, T. Higgins, Hogg, Hunt, Knight, Lilley, Manning, Naish, Offen, B. Oxford, G. Oxford, Scott-Boutell, Smith, Sykes, Turrell, J. Young and T. Young.

Those who ABSTAINED from voting were:-

The Deputy Mayor (Lewis) and the Mayor (Spyvee).

The SUBSTANTIVE MOTION was thereupon put and CARRIED (MAJORITY voted in favour).

50. Single Equality Scheme

RESOLVED that the recommendation contained in minute 60 of the Cabinet meeting of 27 January 2010 be approved and adopted (UNANIMOUS).

51. Councillor Development

RESOLVED that the recommendations contained in minute 63 of the Cabinet meeting of 27 January 2010 be approved and adopted (MAJORITY voted in favour)

52. Colchester Borough Council Safeguarding Children Policy and Procedures

RESOLVED that the recommendations contained in minute 64 of the Cabinet

meeting of 27 January 2010 be approved and adopted (MAJORITY voted in favour)

53. Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Questioner	Subject	Response
Pre-Notified Questions		
Councillor Bouckley	After praising the facilities at Charter Hall to residents after attending the formal opening, I have frequently been told it is too expensive to hire and organisations are forced to go elsewhere. On reading page 77 of the current Summons the position appears to be exactly the same, so may I ask if a solution has ever been sought by examining the problem in depth?	Direct verbal response provided by the Portfolio Holder for Customers, Communication and Leisure
Councillor Chillingworth	At the December Council Meeting I raised the question of the apparent failure to distribute the November issue of the Courier to most residents in my Ward. Subsequently, I have had further complaints from members of my five Parish Councils, particularly with regard to their participation in the Waste and Recycling survey, which I had highlighted at their November meetings. What assurances can he give my residents that there will be 100% delivery to all households for the March issue?	Direct verbal answer provided by the Portfolio Holder for Customers, Communication and Leisure.
Oral Questions		
Councillor Naish	Timescale for the repair of the Vineyard Street lift.	Written response to be sent by the Portfolio Holder for Street and Waste Services.
Councillor	Whether the Portfolio Holder had sight	Direct verbal answer

Sutton	of the business plan before donating £30,000 to the Roman Circus appeal.	provided by the Portfolio Holder for Resources, Diversity, Culture and the Arts.
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54. Schedules of Decisions taken by Portfolio Holders

RESOLVED that the Schedule of Portfolio Holder decisions for the period 28 November 2009 – 5 February 2010 be noted.

Extract from the Minutes of the Standards Committee meeting on 5 March 2010

19. Standards Committee Annual Report 2009/2010

The Committee considered a report from the Monitoring Officer presenting a draft Standards Committee Annual Report for 2009/2010. The Monitoring Officer explained that draft would be updated before submission to Council to take account of the Committee's activities to the end of March 2010.

Two independent members of the Standards Committee had been invited to sit on Suffolk County Council's Allegations Sub-Committee. The Committee requested that reference to the help provided to Suffolk County Council be included in the report as this reflected well on the expertise and reputation of the Committee. At section 3 reference should also be made to the proposals to increase the membership of Borough Councillors on the Committee. It was also agreed that statistical information about the numbers of Parish Councillors who had attended training sessions organised by the Monitoring Officer should be included at section 5.4 of the report.

The Committee expressed its thanks to the Monitoring Officer for the high quality of the support and advice it received and asked that the final paragraph of section 3 be amended accordingly.

RESOLVED that:-

- (a) the Standards Committee Annual Report for 2009/2010 be approved subject to the amendments above;
- (b) the Monitoring Officer be authorised, in consultation with the Chairman, to make any necessary changes to the Annual Report to give effect to the Committee's activities up to the end of March 2010.

RECOMMENDED to Council that the Annual Report of the Standards Committee for 2009/2010 be noted.

The final version of the Standards Committee Annual Report 2009/2010 incorporating the amendments detailed above is attached.



COLCHESTER BOROUGH COUNCIL

STANDARDS COMMITTEE

Annual Report 2009/2010

1. Introduction

This is the second Annual Report of Colchester Borough Council's Standards Committee and covers the period from 1 April 2009 to 31 March 2010. In reviewing the activities and looking back at issues highlighted in 2009/10, it also looks forward to next year.

The Borough Council is required by law to establish a Standards Committee which has an important role to play in providing training for and maintaining ethical conduct of Councillors. Article 9 and Part 3 of the Council's Constitution contain the requirements for and composition of the Standards Committee.

2. Roles and functions of the Standards Committee

The Committee's roles and functions are as follows:

- (a) To promote and maintain high ethical standards of conduct for elected and co-opted Members.
- (b) To help elected and co-opted Members to observe the Members' Code of Conduct.
- (c) To give the Council advice on adoption or revision of the Members' Code of Conduct and on informal codes/protocols covering matters such as planning and Member/officer relations.
- (d) To monitor the effectiveness of the Members' Code of Conduct.
- (e) To train or arrange training for elected and co-opted Members on matters relating to the Members' Code of Conduct.
- (f) To assess and review complaints that elected and co-opted Members have breached the Members' Code of Conduct and in connection with this function.
- (g) To develop and adopt:
 - (i) Assessment criteria for dealing with complaints;
 - (ii) Policies for dealing with vexatious, persistent and anonymous complaints and requests by complainants for confidentiality;
 - (iii) Arrangements for dealing with complaints and publicising the arrangements;
 - (iv) Procedures for dealing with local investigations; and
 - (v) Such other provisions and procedures as may be required.
- (h) To establish and maintain the following three sub-committees each with their own terms of reference:
 - Allegations Sub-Committee
 - Allegations Appeals Sub-Committee
 - Hearings Sub-Committee

- (i) To conduct Hearings and make determinations in respect of complaints that elected and co-opted Members have breached the Members' Code of Conduct in accordance with relevant statutory requirements and guidance issued by the Standards Board for England and in connection with this function; and
- (j) To develop and adopt procedures for dealing with such Hearings.
- (k) To grant dispensations to elected and co-opted Members with prejudicial interests.
- (l) To grant exemptions from politically restricted posts.
- (m) To maintain an overview of the Council's arrangements for dealing with complaints and Local Government Ombudsman investigations.
- (n) To undertake the functions set out at (a) to (k) above in respect of all Parish and Town Councils wholly or mainly within the Borough of Colchester and the Members of those Parish or Town Councils.

Part 5 of the Borough Council's Constitution contains its Ethical Framework comprising various Codes and protocols relevant to the functions of the Committee and in respect of which the Committee has previously given advice and made recommendations.

3. Composition

The Committee comprises Independent Members, Parish Representatives and Borough Councillors. The Borough Council agreed, at its meeting on 20 May 2009, the membership of the Committee for the 2009/2010 municipal year as follows:

Independent Members;

- Mr D Coe (Chairman)
- Mr P Fitton (Deputy Chairman)
- Mr I Andrews
- Mr S Farmer
- Mr S Roberts-Mee

Parish Representatives;

- Councillor M Bartier
- Councillor G Brown
- Councillor V Eden

Borough Councillors;

- Councillor N Chapman
- Councillor R Gamble
- Councillor S Lewis

The Independent Members were appointed by the Borough Council for a term expiring in May 2011 following a public recruitment process although three of the five were previous members who sought re-appointment and have provided a valuable pool of experience. The Parish Representatives are nominated annually to the Council by the Colchester

Association of Local Councils. The Borough Councillors are appointed annually and are senior members who have had/are soon to have mayoral responsibilities.

The Committee has request the Council to increase the number of Borough Councillors on the Committee for the next Municipal Year in order to give more flexibility and to avoid any potential conflicts of interests.

The Committee wishes to express its appreciation for the high level of support it receives from the Monitoring Officer, Andrew Weavers and Democratic Services Officer, Richard Clifford.

4. The Committee's Work Programme

The Committee agreed a work programme for 2009/2010 which covered:

- Review of the Local Assessment process
- Review of the Council's Local Code of Corporate Governance
- Review of the Council's Ethical Framework
- Review and provision of training for Members on the Members Code of Conduct
- Review of Guidance to Members and Officers on Gifts and Hospitality
- Review of Guidance to Members on Outside Bodies
- Review of the Council's Anti- Fraud and Corruption Policy
- Consideration of the Local Government Ombudsman's Annual Letter
- Scheduled meetings so as to be able to respond to complaints within time limits

5. Main Areas of Work

5.1 Implementation of Local Assessment of Allegations Process

In May 2008 the responsibility for the initial assessment of allegations whether or not councillors had failed to follow the Members Code of Conduct was transferred from Standards for England to local Standards Committees.

Following recommendations from Standards for England, the Committee created three Sub-Committees; Allegations Sub-Committee, Allegations Appeals Sub-Committee and the Hearings Sub-Committee. The Committee itself and each of its Sub-Committees are chaired by an Independent Member.

The Committee has a duty to ensure adequate publicity for the Local Assessment process and has kept this under review.

The Local Assessment process has required meetings of the Allegations Sub-Committee (which deals with the initial assessment of allegations) to be diarised monthly. In accordance with the law these meetings are held in private.

During 2009/2010:

The Allegations Sub-Committee met on five occasions and considered ten complaints. Of these, eight related to Borough Councillors and two in relation to Town and Parish Councillors.

The Sub Committee made the following decisions:

- 9 complaints - no further action.
- 1 complaint – referred to the Monitoring Officer for investigation.

The Allegations Sub-Committee was able to consider eight of the complaints within the recommended time limit of 20 days from receipt. The remaining two were received shortly after the scheduled monthly meeting of the Sub-Committee and were duly considered at its next meeting.

The Allegations Appeals Sub-Committee met on four occasions to consider appeals following a decision of no further action by the Allegations Sub-Committee. Following an independent consideration of the complaints, the Sub-Committee made the following decisions:

- 3 complaints – no further action
- 1 complaint – referred to the Monitoring Officer for investigation (subsequently no further action following receipt of Investigating Officer’s report)

The Hearings Sub-Committee (which hears and determines the findings of an investigating officers report where it is found that a Councillor has not followed the Code of Conduct) met once. This hearing was to determine a complaint that had been referred for investigation by the Allegations Sub-Committee in 2008/09. The Sub-Committee found that the Councillor concerned had failed to follow the code of conduct and imposed a sanction of a six week suspension from office.

5.2 Review of the Local Assessment Process

The Committee undertook a review of its experiences in operating the process and was satisfied that it was functioning correctly. It will keep this under annual review.

5.3 Review of Ethical Governance

The Committee undertook a review of the suite of nine documents contained in the Council’s Ethical Framework contained at Part 5 of the Constitution. In addition, it reviewed the Council’s Anti-Fraud and Corruption Policy which was subsequently endorsed by the full council. A review was also undertaken of the guidance to both Members and Officers on Gifts and Hospitality. In addition, the guidance provided to Members on Outside Bodies was also considered. All of the policies and guidance were agreed fit for purpose and followed best practice and was agreed that the Committee would keep them under regular review.

The Committee has requested that it receive an annual report on whistleblowing and gifts and hospitality in the desire for transparency.

5.4 Training for Members on the Code of Conduct

The Committee organised via the Monitoring Officer several training sessions throughout the year for both the 60 Borough and the 255 Town and Parish Councillors in the 27 Town and Parish Councils situated in the Borough. The Independent Members ensured that at least one of them was present at each session.

One session for Borough Councillors was run and 11 Councillors attended. Two sessions were run for Parish Councillors and 21 Councillors attended.

The Committee is concerned that all Councillors receive adequate training on the Code of Conduct to ensure that they are up to date with developments and able to fulfil the functions for which they are elected in a proper manner. In the coming year the Committee will be facilitating further training and will be monitoring attendance particularly where there has been evidence of non-compliance with the Code.

7. Request for Assistance from another Authority

During the year a request was received from Suffolk County Council for two of our Independent Members to assist it in determining an allegation against one of their members. The two Independent Members were pleased to be able to assist a neighbouring authority with this process.

8. Work Programme for 2010/2011

The main focus of the Committee in the coming year will be on the proposed revised Members' Code of Conduct and possibly that for Officers should such a document be produced in this time period. The Committee will continue to monitor the Local Assessment process and also review the Borough Council's Ethical Framework and governance arrangements.

9. Conclusions

In a busy year, the Committee has completed its work programme and is well placed to continue to face the continuing challenges of handling the initial assessment of allegations and progressing matters that it considers necessary to investigate. Colchester Borough Council and the Town and Parish Council's with the Borough continues to have a sound record in ensuring good standards of conduct and it is our intention to promote, maintain and enhance those standards.

Dated March 2010

Derek Coe
Chairman

**Extract from the Minutes of the Standards Committee meeting on 5
March 2010**

21. Review of Standards Committee Composition

The Committee considered a report from the Monitoring Officer recommending that the number of Borough Councillors on the Committee be increased to four.

The need to increase the Borough Councillor representation on the Committee had arisen as there had been occasions when potential difficulties had occurred in arranging for Borough Councillor representation on a particular Sub-Committee due to work commitments or potential conflicts of interest. These difficulties had not arisen with the Parish representatives or Independent members.

RECOMMENDED to Council that the number of Borough Councillors appointed to the Standards Committee be increased to four and the Monitoring Officer be authorised to make any consequential amendments to the Constitution.

Agenda item 8(iii)

Extract from the minutes of the Cabinet meeting on 17 March 2010

73. Review of Local Code of Corporate Governance

The Monitoring Officer submitted a report a copy of which had been circulated to each Member and a copy of which appears as Appendix D to these minutes in the Minute Book together with a copy of minute 20 of the Standards Committee meeting of 5 March 2010.

Andy Hamilton addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2). He considered that the lack of public information about the legal action being taken against the contractors on the Visual Arts Facility was contrary to the principles of the Local Code of Corporate Governance. Both the current and previous administration had acted against the public interest in relation to the Visual Arts Facility.

Councillor Smith, Portfolio Holder for Resources, Diversity, Culture and the Arts, explained that details of the legal action could not be made public at this stage. Some of the details were sub-judice and it would not be in the public interest to reveal details at this stage as to do so may jeopardise the prospects of the legal action.

RESOLVED that the updated Local Code of Corporate Governance be approved.

RECOMMENDED to Council that the updated Local Code of Corporate Governance be included in the Council's Policy Framework.

REASONS

(a) The Council strives to meet the highest standards of corporate governance to help ensure it meets its objectives. Members and Officers are responsible for putting in place proper arrangements for the governance of the Council's affairs and the stewardship of the resources at its disposal.

(b) Cabinet at its meeting on 18 March 2009 approved the Code and subsequently the Full Council at its meeting on 22 April 2009 included it within the Council's Policy Framework. The revised Code needed to be reviewed annually.

ALTERNATIVE OPTIONS

Not to approve the revised Code or to approve it subject to amendments.



Council

Item

9

24 March 2010

Report of	Executive Director	Author	Ian Vipond ☎ 282717
Title	Council Debate - Colchester 2031		
Wards affected	All		

**This report provides background information for
the Council debate on 'Colchester 2031'**

1. Decision Required

- 1.1 To indicate where the Council sees the Borough in 2031 and suggest what action the Council might wish to take to help deliver the best long term future outcome for its residents and visitors.

2. Background

- 2.1 2031 is a little over twenty years away but already the Regional Assembly has been considering how the Region might change in that period, what challenges it must face and where it might hope to bring about change for the better. It has begun the process of mapping out a scenario that provides the best social, economic and environmental outcomes for the region and its various parts including Colchester.
- 2.2 In summarising the Challenges facing the region the draft plan states:

It is certainly a region of challenges. There are communities and places in need of regeneration, infrastructure to be provided, and businesses to be supported. More people are becoming pensioners, with fewer workers and young people. Much travel has to be made by car, and national transport routes and international gateways cross the region. The effects of climate change raise further challenges in dealing with, for example, flood risk and water supply .

- 2.3 One can see from this summary that many of the Challenges that face Colchester going forward are a microcosm of those facing the region.
- 2.4 In responding to these challenges the Region Plan sets out a vision:

By 2031 the East of England will be realising its economic potential and providing a high quality of life for its people, including by meeting their housing needs in sustainable inclusive communities. At the same time it will continue adapting to and reducing its impact on climate change and the environment, including through savings in energy and water use and by strengthening its stock of environmental assets.

- 2.5 Again it could be suggested that a vision for Colchester might have similar elements to that of the region, but Colchester is an individual and unique place and it is for the people of Colchester to decide what the vision for the Borough should be going

forward. This Council debate helps inform the choices that the leaders of Colchester will make to shape Colchester's destiny.

3.0 What are the challenges facing Colchester?

3.0.1 The future of Colchester will, to a certain extent, be determined by trends and factors which are already built into the environment and demographics of the Borough.

3.0.2 The Borough's current population is estimated at 181,000. Discounting existing unitary authorities, London Borough's, metropolitan districts and counties, Colchester is the 2nd largest district in England and Colchester continues to grow.

3.0.3 The following table highlights the estimated population growth of Colchester:

Projected population in 2011 = **190,100 people**
Projected population in 2021 = **223,500 people**
Projected population in 2031 = **251,400 people**

Population change from 2006 to 2011 = **11.3% (19,300 people)**
Population change from 2006 to 2021 = **30.9% (52,700 people)**
Population change from 2006 to 2031 = **47.2% (80,600 people)**

Source: 2006-based Sub-national population projections, ONS.

3.0.4 Assumptions for future levels of births, deaths and migration are based on observed levels over the previous five years and show what the population may be if recent trends continue. Whereas migration trends may vary to reflect economic issues the birth and death trends tend to be very consistent. In this regard it is worth noting that about half of the change in Colchester's population going forward is built into the birth and death characteristics of Colchester's existing population.

3.0.5 In the 2001 Census, the percentage of Colchester's population listed as born in England was 86% of the population. EU countries (2%) made up the largest number of non UK born residents, followed by Asia (2%). All the evidence suggests that throughout this decade the diversity of Colchester's population has continued to change and grow. The mid-year estimate for 2006 suggests ethnic minority groups accounted for 7.09%. It is difficult to forecast what this figure might be in 2031, but the trend would suggest a significantly more diverse community.

3.1 Improving the balance of homes and jobs

3.1.1 One of the key premises of sustainable development is ensuring a balance between homes and jobs. Although Colchester's projected employment growth in terms of job numbers is ahead of target (net increase 710 per year) there remain concerns relating to the quality of employment growth and the skill base of the population. Colchester has a diverse and growing business community with 5,000 VAT registered businesses and around 15,000 non VAT registered firms that reflect a local economy predominantly made up of small to medium size businesses which is underpinned by a strong public sector with major employers such as the Garrison, Hospital and University of Essex.

3.1.2 Given the significant rising population, one of the key challenges for Colchester will be how to ensure that by 2031 the balance between jobs and homes is achieved

and in so doing the levels of commuting to and from Colchester are kept in reasonable alignment.

3.2 Address the shortages of affordable housing

3.2.1 The population growth of Colchester is undoubtedly going to present challenges. Demand for housing from the existing population will push prices for accommodation up unless house building matches demand. The creation of new households continues irrespective of economic conditions while the actual provision of new housing has slowed over the recent year. There are 71,192 dwellings in Colchester with a regional target to build another 855 per year for the current 20 year period. However there is a net increase in households of 1425 per annum leaving a clear gap in the aspirations of the community to be housed. Average household income is £31,396 (medium is lower at £23,874) affording little opportunity for many Colchester families to enter the private sector market. Colchester has a policy for seeking to achieve 35% affordable housing on new planning schemes, but the provision of accommodation which is good quality while affordable to meet the needs of the Colchester community is going to remain a large challenge for Colchester in the years up to 2031.

3.3 Realise our economic potential and skills development

3.3.1 In 2006, Colchester had 69,893 jobs according to the Annual Business Inquiry (ABI). Our target for job growth for 2008 was 73,339 and Colchester exceeded this with 80,100. This means that we are well on target for meeting our 2021 target of 82,877.

3.3.2 Colchester's current economy is markedly service dominated with 85% of all employees in this broad activity area. In 2007:

Females were largely employed in

- Public administration, education and health
- Distribution, hotels and restaurants

Males were mostly employed in

- Distribution, hotels and restaurants
- Banking, finance and insurance

3.3.3 Gross Value Added growth across the whole of the Haven Gateway is projected to be lower than the regional average and there is a concern that left to its own devices economic growth will focus on low wage/low skill activities. Skill levels across the sub-region are relatively poor and although 30% of Colchester's workforce (33,100) have qualifications of NVQ4 and above (well above the regional average) conversely 37.2% are not qualified to NVQ level 2. The question remains that to ensure Colchester's economic strength by 2031 there is an imperative need to address skills development.

3.3.4 High-tech engineering is an important anchor for the economy of Colchester. The local economy also features a high percentage of modern R&D-led practices working in ventilation systems, advanced water screening solutions and refrigeration and air conditioning, alongside the embryonic but dynamic creative industry and environmental technology sectors. These last two sectors could be the basis of Colchester's economic success by 2031 using the existing skill base in Colchester but needing support to develop further markets and centres of expertise.

- 3.3.5 Also the advantages of being right next door to the largest container port complex in the UK at Harwich and Felixstowe, as well as Stansted Airport, makes Colchester an ideal base for a large number of businesses including the logistics sector.
- 3.3.6 The opportunity that The University of Essex and the potential Knowledge Gateway presents for Colchester cannot be overstated. The creation of a world class centre for democracy and human rights based on the excellent research and academic reputation of the University stands to provide Colchester a unique asset which by the year 2031 could put Colchester firmly on the world stage.

3.4 Reduce the impact on and adapt to the effects of climate change

- 3.4.1 Global changes to the Earth's climate have significant local impacts. Colchester like the rest of The East of England is faced with rising sea levels, wetter winters, hotter drier summers, and more frequent extreme weather events. It is therefore vital to plan and prepare for these changes whether in the design of buildings, the protection of vital infrastructure, maintaining the supply of drinking water, or adjusting farming methods for drier summers. The Stern Review (2006) concluded that the benefits of strong, early action on climate change considerably outweighs the costs, which is why existing communities and infrastructure also need to be made resilient to the changes that could occur beyond 2031. Reducing the emission of greenhouse gases is vital to avoid the most dangerous effects of climate change but past emissions mean that some changes are now inevitable. The Climate Change Act (2008) commits the Government to achieving greenhouse gas emission reductions of at least 80% by 2050 against a 1990 baseline. A regional target sets an interim target of 60% reduction of CO₂, by 2031.
- 3.4.2 The Council has already committed to promoting efficient use of energy and resources, alongside waste minimisation and recycling. Through the Core Strategy, the Council is encouraging the delivery of renewable energy projects, including micro-generation, in the Borough to reduce Colchester's carbon footprint. New development will be expected to demonstrate that over 15% of energy demand will be produced by local renewable or low carbon technology. In addition, new dwellings will be required to reduce carbon emissions by 25% from 2010, 44% from 2013 and 100% from 2016 from a 2006 baseline in line with revised national building regulations for all homes to be zero carbon after this date. In order to lead by example, Colchester Borough Council has signed up to the Nottingham Declaration and the Local Authority Carbon Management (LACM) scheme in order to reduce our own carbon footprint by 25% by 2012. Additionally, Colchester Borough Council also seeks to increase its current recycling rate from about 40% to 60% recycling of household waste by 2021.
- 3.4.3 Colchester in 2031 needs to have adapted to the impacts of climate change as well as significantly reduced its impact on the climate. To achieve that Colchester will have to be quite a different place in many ways.

3.5 Improve the quality of life of our residents

- 3.5.1 England's accelerating elderly population is a significant demographic change that has not been seen before, but it is one that will have a very real impact on our services. The change brings both challenges and opportunities and there is a need for local authorities to make an independent life an option to as many people as possible, for as long as possible. In the most recent population estimate for Colchester almost a third of this population were estimated to be aged 50 years old

or over at this time and at least 10% of the whole population were aged 70 years or over. This is set to rise continually with a quarter of the population by 2021 being what we currently consider pensionable age. As this carries through to 2031 the ability of a smaller group of the population to support this growing older population will question many of the established rules of society as it currently operates with significant changes to working age and pressure on health care. The Council, with its partners, clearly needs to start planning now to ensure that the appropriate facilities are in place to support an older population.

- 3.5.2 However, economic stability and growth has generally increased the population's wealth and with that has been the ability to pay for more goods and services. With an overall regeneration programme of over £3 billion, many things are happening in Colchester. In addition to being Britain's oldest recorded town with an array of national and international tourist attractions, this ambitious and exciting renaissance programme is already transforming Colchester aiming to be one of the regions most vibrant and dynamic centres. What is less clear is the precise role of individual neighbourhoods, villages and towns. Questions as to what settlements within Colchester Borough will provide to residents and visitors in the future are critical not only to its economic future to but to the life style and wellbeing of its residents.

3.6 Improve and conserve Colchester's environment and heritage

- 3.6.1 Colchester Borough has a wealth of natural and built heritage and its importance cannot be overstated. A high quality environment for its residents and visitors is recognised as bringing many benefits, attracting jobs but also delivering a high quality of life. Colchester in 2031 would need to have not only preserved the best of the heritage for future generations, but hopefully have improved the environment.
- 3.6.2 With climate changes expected to have significant impacts on the rural environment and particularly coastal areas there are some difficult choices ahead for investment in flood defences as well as how to accommodate pressures from retirement and tourism.

3.7 Infrastructure provision

- 3.7.1 It is well documented that the housing and economic growth that Colchester has delivered in the past decade or so has not been matched by sufficient infrastructure investment and in many ways Colchester seems always to be playing catch-up. The commencement of the new junction on the A12 at Cuckoo Farm is welcomed, but it could be argued to be years behind when it was first needed. Infrastructure is not just about roads or public transport it includes broadband, health and educational facilities, local community facilities, and open space. One of the key questions for a vision for Colchester in 2031 is how additional infrastructure can be provided to support genuinely sustainable neighbourhoods and communities.

4. Strategic Plan References

- 4.1 The key aim of the strategic plan is to make Colchester a place where people want live, work and visit.

5. Financial Considerations

- 5.1 There are no direct financial implications of this report, but the consequences of the challenges facing Colchester are significant and therefore the financial implications of decisions will have a potentially large impact on resources.

6. Equality, Diversity and Human Rights Implications

- 6.1 The Council has a commitment to achieve fair access, removing where possible physical, financial, administrative and communication barriers to ensure that everyone, regardless of age, gender, disability, race, wealth and social status, has the opportunity to use our services. Where it is impossible to remove a barrier, then the aim is to reduce it or find alternative methods of access.
- 6.2 This also relates to intellectual access, communicating information so that it is understandable to the widest possible audience. In practice this means providing information at a number of levels using a variety and combination of techniques (text, image, spoken, etc) to enable people to understand, appreciate and respect Colchester as a place in which to live, work, visit, study and do business.

7. Publicity and Consultation Considerations

- 7.1 Following the debate by Council it may be necessary to consider the publicity and consultation considerations further.

8. Community Safety, Health & Safety and Risk Management Implications

- 8.1 No direct implications.

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio – Business and Tourism					
Date	Number	Report Title	Author	Decision	Result
1/2/10	BUS-001-09	Disposal of land at 63 Gosbecks Road, Colchester	Michael Timmins	Approval to the disposal of the land on terms as reported	Agreed 9/2/10

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio – Communication, Customers and Leisure						
Date	Number	Report Title	Author	Decision	Result	
22/1/10	COM-006-09	Colchester Tree Policy	Bob Penny	To adopt the Colchester Tree Policy	Agreed 9/2/10	
5/2/10	COM-007-09	Equipped play area review	Bob Penny	Review of equipped play areas and recommends an approach to identify the priorities for play area provision and refurbishment	Agreed 18/2/10	
24/2/10	COM-008-09	Management Plan, High Woods Country Park 2010-2015	Paul Vickers	To adopt the management plan for High Woods Country Park 2010-2015	Agreed 05/03/10	

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio - Neighbourhoods					
Date	Number	Report Title	Author	Decision	Result
18/2/10	NEI-007-09	Colchester Borough Response to the East of England Draft Regional Housing Statement	Richard Hughes	To approve CBC response to the draft East of England Regional Housing Statement	Agreed 1/3/10

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio - Performance and Partnerships					
Date	Number	Report Title	Author	Decision	Result
19/1/10	PER-003-09	Grants to Parish Councils 2010/11	Steve Heath	To approve the distribution of grants to Parish Councils 2010/11	Agreed 9/2/10
27/1/10	PER-004-09	Approval of the Council's Health Inequalities Strategy and associated workplan for the joint Council/NHS post	Bridget Tighe	To approve the Health Inequalities Strategy and the associated workplan for the joint Council/NHS post	Agreed 16/2/10

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio – Planning, Sustainability and the Environment					
Date	Number	Report Title	Author	Decision	Result
17/2/10	PLA-006-09	Consultation on draft National Policy Statements for Energy Infrastructure	Robert Judd	To agree Council's response to the Government's Consultation on draft National Policy Statements for Energy Infrastructure	Agreed 26/2/09

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio - Resources, Diversity, Culture and the Arts					
Date	Number	Report Title	Author	Decision	Result
26/2/10	RES-001-09	Design services for the Egyptian Gallery, Ipswich Museum	Peter Berridge Philip Wise	Design services for the Egyptian Gallery, Ipswich Museum	Agreed 26/2/10
26/2/10	RES-002-09	Cash banking Contract	Peter Evans	To award the contract for cash Banking to the Cooperative Bank plc for a period of 3 years	Agreed 9/3/10
26/2/10	RES-003-09	Local Authority Mortgage Interest Rates	Peter Evans	To set the Locally Determined Interest Rate as 6.02% for the 6 months starting 1 April 2010	Agreed 9/3/10
1/3/10	RES-004-09	Irrecoverable Debts over £5,000	Peter Evans	To approve the writing off of debts which have proved irrecoverable	Due 12/3/10

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio - Strategy					
Date	Number	Report Title	Author	Decision	Result

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
6 February 2010 – 11 March 2010**

Portfolio - Street and Waste Services						
Date	Number	Report Title	Author	Decision	Result	
2/2/10	STS-014-09	Response to Department for Transport 'Setting Local Speed Limits' Circular 01/06 revision Consultation	Sarah Ward	To approve the Borough Council's response to the Department for Transport 'Setting Local Speed Limits' Circular 01/06 revision Consultation	Agreed 12/2/10	
24/2/10	STS-015-09	Supply of sacks for recycling and waste collection	Paul English/ Dave McManus	To award contract for the supply of sacks for recycling and waste collection	Agreed 5/3/10	



Standards Committee

Item
5

5 March 2010

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Standards Committee Annual Report 2009/2010		
Wards affected	Not applicable		

**This report recommends that the committee approves its
Annual Report for 2009/2010**

1. Decision(s) Required

- 1.1 To consider and approve the Standards Committee Annual Report for 2009/2010 and to recommend to the Full Council that it be noted.
- 1.2 To authorise the Monitoring Officer in consultation with the Chairman to make any necessary changes to the Annual Report to give effect to the Committees activities up to the end of March 2010.

2. Background

- 2.1 An Annual report is a method by which the Committee can inform the Council and the public of its activities and raise awareness of ethical issues both within the Borough Council and the Town and Parish Council's situated in the Borough. An Annual Report is seen as good practice and attached to this report is a draft second Annual report for the Committee which covers the period from April 2009 to March 2010.
- 2.3 The draft Annual Report highlights particularly the work undertaken by the Sub-Committees in dealing with the Local Assessments of allegations made against members. The Committee is also requested to recommend the Annual Report to Council for its information.

3. Strategic Plan References

- 3.1 The Council's ethical arrangements forms parts of the Council's commitment to customer excellence which underpins the Council's Strategic Plan vision.

4. Financial Considerations

- 5.1 None.

5. Equality, Diversity and Human Rights Implications

- 5.1 No particular implications.

6. Publicity Considerations

- 6.1 The Annual Report will be placed on the Council's website.

7. Consultation Implications

7.1 None.

8. Community Safety Implications

8.1 None

9. Health and Safety Implications

9.1 None

10. Risk Management Implications

10.1 None.



Standards Committee

Item
7

5 March 2010

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Review of Standards Committee Composition		
Wards affected	Not applicable		

This report recommends that the committee approves a revised composition

1. Decision(s) Required

- 1.1 To recommend to Full Council that the number of Borough Councillors appointed to the Standards Committee be increased to four and that the Monitoring Officer be authorised to make any consequential amendments to the Constitution.

2. Background

- 2.1 The Committee at its meeting on 24 April 2008 considered a report from the Monitoring Officer on the changes needed to the Committee's composition consequent on the introduction of the Local Assessment Framework. The Committee agreed that it should comprise 5 Independent Members, 3 Town and Parish representatives and 2 Borough Councillors. This was ratified by the Full Council at its meeting on 14 May 2008.
- 2.2 The purpose of this report is to review the composition in light of experience of operating the Local Assessment Framework for nearly two years.
- 2.3 The five Independent Members were appointed by the Council following a public recruitment exercise for a term which expires in May 2011. A fresh recruitment exercise will need to be undertaken by the Council in early 2011. Each of the Independent Members were appointed on the basis of their individual skills and experience that they could bring to the role. This has proved very successful and the Independent members bring external challenge to the process.
- 2.4 The three Town and Parish Representatives are nominated annually by the Colchester Association of Local Councils to serve on the Committee for the forthcoming Municipal Year. A Town and Parish Representative must be present whenever the Committee deals with a Town or Parish Council complaint. The Town and Parish Representatives bring their individual experience and skills in relation parish matters which have proved invaluable.
- 2.5 The three Borough Councillors are appointed at the Borough Council's Annual Meeting to serve on the Committee for the forthcoming Municipal Year. A Borough Councillor must be present whenever the Committee deals with a Borough Council complaint. The Council had decided that the appointments to the Committee should be senior councillors who either were due to be Mayor i.e. the Deputy Mayor, or who were former Mayors. The Councillors bring their individual experience and skills in relation District Council matters which have proved invaluable.

3. Proposals

- 3.1 The Committee has formally reviewed its handling of the Local Assessment process twice and concluded that it is fit for purpose. However experience has shown that there have been occasions when there have been potential difficulties in arranging for one of the Borough Councillors to hear matter due to either work commitments or potential conflicts of interest. This has not arisen with the Town and Parish representatives or the Independent Members.
- 3.2 Accordingly, it is proposed that the number of Borough Councillors on the Committee be increased from three to four to avoid any future problems and that the Monitoring Officer be authorised to make any necessary consequently amendments to the Constitution.
- 3.3 This would mean that the total number on the Committee would be twelve. This change would still mean that the Committee is compliant with the Standards Committee regulations.
- 3.4 The Committee at its first meeting on 11 June 2010 will need to determine the composition of the Sub-Committees. However, if there is a need for the Allegations Sub-Committee to meet before then, it is proposed that the Chairman be given authority to convene a meeting as appropriate.

4. Strategic Plan References

- 4.1 The Council's ethical arrangements forms parts of the Council's commitment to customer excellence which underpins the Council's Strategic Plan vision.

5. Financial Considerations

- 5.1 None.

6. Equality, Diversity and Human Rights Implications

- 6.1 No particular implications

7. Publicity Considerations

- 7.1 The Annual Report will be placed on the Council's website.

8. Consultation Implications

- 8.1 None.

9. Community Safety Implications

- 9.1 None

10. Health and Safety Implications

- 10.1 None

11. Risk Management Implications

- 11.1 None.



Cabinet

Item
10(i)

17 March 2010

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Review of Local Code of Corporate Governance		
Wards affected	Not applicable		

**This report recommends that Cabinet approves an updated
Local Code of Corporate Governance**

1. Decision(s) Required

- 1.1 To approve the updated Local Code of Corporate Governance and to recommend to Council that it be included in the Council's Policy Framework.

2. Background

- 2.1 Governance is about how the Council ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and cultures and values, by which such bodies are directed and controlled and through which they account to, engage with and, where appropriate, lead their communities.
- 2.2 The Council strives to meet the highest standards of corporate governance to help ensure it meets its objectives. Members and Officers are responsible for putting in place proper arrangements for the governance of the Council's affairs and the stewardship of the resources at its disposal.
- 2.3 Cabinet at its meeting on 18 March 2009 approved the Code and subsequently the Full Council at its meeting on 22 April 2009 included it within the Council's Policy Framework. The revised Code is subject to an annual review which is dealt within this report.
- 2.4 The Council approved a Local Code of Corporate Governance several years ago which has been updated. The attached revised Local Code of Corporate Governance has been developed in accordance with guidance issued in 2007 jointly by CIPFA (The Chartered Institute of Public Finance and Accountancy) and SOLACE (The Society of Local Authority Chief Executives) entitled "Delivering Good Governance in Local Authorities".
- 2.5 This Guidance identified six Core Principles against which local authorities should review their existing corporate governance arrangements and develop and maintain a local code of governance. The principles are;
- Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area;
 - Members and officers working together to achieve a common purpose with clearly defined functions and roles;
 - Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour;

- Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- Developing the capacity and capability of members and officers to be effective; and
- Engaging with local people and other stakeholders to ensure robust public accountability.

2.2 The six core principles each have a number of supporting principles, which in turn have a range of specific requirements that apply across the range of Council business.

2.3 Attached to this report at appendix 1 is an updated Local Code of Corporate Governance which has been prepared in light of the Guidance and the six principles. It has been the subject of consultation with officers and was considered by the Standards Committee at its meeting on 5 March 2010. A draft minute of the Standard’s Committee’s consideration of this item is at appendix 2.

2.4 The Code takes each of the principles in turn and elaborates on how the Council will meet its aims, what source documents or processes evidence the aims and in addition highlights any further or ongoing work. This in turn links into the Council’s Annual Governance Statement.

2.5 The following changes to the Code are highlighted for the Cabinet’s information:

The items highlighted were shown as “Further work ongoing” and have now been completed and are now “Source documents/ processes”. Some items appear more than once as they relate to more than one of the Core Principles.

Core Principle 1

Source documents / Processes	Further work ongoing
Place Survey	Strategic Plan Action Plan
Annual Monitoring report	“Council Achievements” section on web site
Audit Commission Annual Letter, Comprehensive Area Assessment, Organisational Assessment and Use of Resources Assessment	Annual review of key lines of enquiry under Audit Commission’s Use of Resources Assessment.
Partnership Strategy and Register	Fundamental Service Reviews
Performance Dashboard and Performance report	

Core Principle 2

Source documents / Processes	Further work ongoing
Partnership Strategy and Register	Strategic Plan Action Plan
	Review of Financial Procedure Rules

Core Principle 3

Source documents / Processes	Further work ongoing
Safeguarding Children Policy	Strategic Plan Action Plan
Equality Scheme	Annual review of Whistleblowing Policy and Gifts and Hospitality
Partnership Strategy and Register	Annual review of Anti-Fraud and Corruption Policy

	Safeguarding Vulnerable Adults Policy
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Core Principle 4

Source documents / Processes	Further work ongoing
Equality Impact Assessments	Annual review of Anti-Fraud and Corruption Policy
Equality Scheme	Fundamental Service Reviews

Core Principle 5

Source documents / Processes	Further work ongoing
Colchester Learning Managers and Customer Excellence awards	Strategic Plan Action Plan
Audit Commission Annual Letter, Comprehensive Area Assessment, Organisational Assessment and Use of Resources Assessment	
Mosaic and Touchstone	
Consultations	
Equality Scheme	

Core Principle 6

Source documents / Processes	Further work ongoing
Partnership Strategy and Register	Strategic Plan Action Plan
Equality Scheme	"Council Achievements" section on web site
Place Survey	

Some new "Source documents/ Processes" have been included which are now recognised to contribute toward the Core Principles but were not included in the previous version of the Code.

- 2.6 Progress has been made during the year in strengthening the Council's governance arrangements. This includes the work of this Committee which is reflected both in the changes to the "Further work ongoing" column and also inclusion in the "Source documents/ Processes" column.

3. Strategic Plan References

- 3.1 Governance forms parts of the Council's commitment to customer excellence which underpins the Council's Strategic Plan vision.

4. Financial Considerations

- 4.1 None.

5. Equality, Diversity and Human Rights Implications

- 5.1 No particular implications.

6. Publicity Considerations

- 6.1 The Local Code of Corporate Governance will be included in the Constitution and will be placed on the Council's website.

7. Consultation Implications

7.1 None.

8. Community Safety Implications

8.1 None.

9. Health and Safety Implications

9.1 None.

10. Risk Management Implications

10.1 None.



COLCHESTER BOROUGH COUNCIL

CODE OF CORPORATE GOVERNANCE

Contents

- Core Principle 1** *Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area.*
- Core Principle 2** *Members and officers working together to achieve a common purpose with clearly defined functions and roles.*
- Core Principle 3** *Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.*
- Core Principle 4** *Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.*
- Core Principle 5** *Developing the capacity and capability of members and officers to be effective.*
- Core Principle 6** *Engaging with local people and other stakeholders to ensure robust public accountability.*

**COLCHESTER BOROUGH COUNCIL
CODE OF CORPORATE GOVERNANCE**

INTRODUCTION

“Governance is about how local government bodies ensure that they are doing the right things, in the right way for everyone, in a timely, inclusive, open, honest and accountable manner.

It comprises the systems and processes, and cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and where appropriate, lead their communities”.

Delivering Good Governance in Local Authorities (CIPFA/SOLACE 2007)

The CIPFA/SOLACE guidance “Delivering Good Governance in Local Authorities” identified six Core Principles against which local authorities should review their existing corporate governance arrangements and develop and maintain a local code of governance. These principles are;

- *Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area*
- *Members and officers working together to achieve a common purpose with clearly defined functions and roles*
- *Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour*
- *Taking informed and transparent decisions which are subject to effective scrutiny and managing risk*
- *Developing the capacity and capability of members and officers to be effective*
- *Engaging with local people and other stakeholders to ensure robust public accountability.*

This Code of Governance has been prepared in accordance with the Guidance and will be reviewed by the Accounts and Regulatory Committee and the Standards Committee on an annual basis.

Additionally authorities are required to prepare and publish an Annual Governance Statement in accordance with this framework under Regulation 4(2) of the Accounts and Audit (Amendment) (England) Regulations 2006. The Annual Governance Statement is a key corporate document. The Chief Executive and the Leader of the Council have joint responsibility as signatories for its accuracy and completeness.

COLCHESTER BOROUGH COUNCIL: CODE OF CORPORATE GOVERNANCE

Core Principle 1 – Focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area		
<p>Our aims in relation to focusing on the purpose of the Council and outcomes for the community and creating and implementing a vision for the local area are to:</p> <p>1.1 Exercise strategic leadership by developing and clearly communicating the authority’s purpose, vision and its intended outcome for citizens and service users</p> <p>1.2 Ensure users receive a high quality service whether directly, or in partnership, or by commissioning</p> <p>1.3 Ensure that the authority makes best use of resources and that tax payers and service users receive excellent value for money</p>		
In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>1.1.1 Develop and promote the Council’s purpose and vision</p>	<p>Strategic Plan 2009-12 Service Plans Sustainable Community Strategy Local Area Agreement Communications Strategy Consultation – “Knowing Your Community” Policy Framework Performance and reward system links to strategic objectives Council website – www.colchester.gov.uk Place Survey</p>	<p>Strategic Plan 2009-12 Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis</p>
<p>1.1.2 Review on a regular basis the Council’s vision for the local area and its impact on the authority’s governance arrangements</p>	<p>Strategic Plan 2009-12 Medium Term Financial Strategy and Capital Programme Sustainable Community Strategy Local Code of Corporate Governance Annual Governance Statement and Assurance Framework Place Survey</p>	<p>Local Code of Corporate Governance updated as required by CIPFA Guidance</p>

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>1.1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties</p> <p>1.1.4 Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance</p>	<p>Strategic Plan 2009-12 Sustainable Community Strategy Local Area Agreement Public Service Partnership Partnership Strategy Partnership Register Place Survey Statement of Accounts Council's website www.colchester.gov.uk</p>	<p>Research is currently being undertaken into establishing the Council's partners key values and vision</p> <p>Strategic plan actions and annual monitoring of delivery "Council Achievements" – new section set up on the Council's website. Plans to add a performance section underway</p> <p>Govmetric</p> <p>Fundamental Service Reviews – Housing Review, Revenues and Benefits, Street Services</p>
<p>1.2.1 Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available</p>	<p>Performance Dashboard which is underpinned by an on-line performance management system. Customer Excellence. Consultation – "Knowing Your Community" Mosaic and Touchstone customer research tools Place Survey Annual Monitoring Report Audit Commission annual audit letter and recommendations Comprehensive Area Assessment – organisational assessment and Use of Resources judgements</p>	

In order to achieve our aims we have/will:	Source documents/processes	Further work ongoing
<p>1.2.2 Put in place effective arrangements to identify and deal with failure in service delivery</p>	<p>National Indicators Performance Dashboard and Performance Report Local Area Agreement Complaints Procedure Internal Audit Process Finance and Audit Scrutiny Panel Executive Director for People and Performance Performance Management Board Customer Service Centre responsible for web site management Audit Commission annual audit letter and recommendations Comprehensive Area Assessment – organisational assessment and Use of Resources judgements</p>	<p>Group monitoring of summary service plan delivery</p>
<p>1.3.1 Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions.</p>	<p>Use of Resources Assessment Performance Dashboard Local Area Agreement Local Authority Carbon Management Nottingham Declaration Strategy and Action Plan Audit Commission annual audit letter and recommendations Comprehensive Area Assessment – organisational assessment and Use of Resources judgements</p>	<p>Value for money methodology as described in Value for Money section of Use of Resources Carbon Management programme Sustainability assessments for Local Development Framework Annual review of Key Lines of Enquiry (KLOE) set out under the Audit Commission's Use of Resources guidance. These include specific KLOE's around value for money and performance KLOE 3.1 looks at effective use of natural resources and impact on the environment (new for 2009/10)</p>

Core Principle 2 – Members and Officers working together to achieve a common purpose with clearly defined functions and roles		
Our aims in relation to Members and Officers working together to achieve a common purpose with clearly defined functions and roles are to:		
2.1	Ensure effective leadership throughout the authority and being clear about executive and non-executive functions and of the roles and responsibilities of the scrutiny function	
2.2	Ensure that a constructive working relationship exists between authority members and officers and the responsibilities of members and officers are carried out to a high standard	
2.3	Ensure relationships between the authority, its partners and the public are clear so that each knows what to expect of the other	
In order to achieve our aims we have/will:		Further work ongoing
2.1.1	Set out a clear statement of the respective roles and responsibilities of the executive and of the executive's members individually and the authority's approach towards putting this into practice	The Constitution will continue to be reviewed on a rolling basis.
2.1.2	Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and of senior officers	Development of a protocol to cover the working arrangements between Portfolio Holders and senior Officers.
2.2.2	Make the chief executive or equivalent responsible and accountable to the authority for all aspects of operational management	The Constitution will continue to be reviewed on a rolling basis. Support for this from Executive Director People and Performance
Source documents/Processes		
Constitution (Cabinet terms of reference) Record of decisions and supporting materials Member/Officer Protocol Member Training and Development Senior officer training		
Constitution (Statutory Officer positions, Terms of Reference for Committees, Member roles) Protocols on planning, the representational role of Members, Chairmen, Officer/Members Schemes of Delegation Conditions of Employment		
Chief Executive designated Head of Paid Service Constitution (Head of Paid Service responsibilities) Conditions of Employment Schemes of Delegation Job Accountability Statement / Person Specification Signature on Annual Governance Statement		

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
2.2.3 Develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained	Constitution Member/Officer Protocol Regular 1:2:1's	The Constitution will continue to be reviewed on a rolling basis.
2.2.4 Make a senior officer (usually the section 151 officer) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control	Head of Resource Management has been appointed as the Council's Chief Financial Officer (S151 Officer). Constitution Job Accountability Statement / Person Specification S151 Officer Protocol Report template includes financial implications before report considered by Members	Review of Financial Procedure Rules
2.2.5 Make a senior officer (other than the responsible financial officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes, regulations are complied with (usually the Monitoring Officer)	Legal Services Manager has been appointed as the Council's Monitoring Officer Monitoring Officer Protocol Report template requires that Legal Services are consulted before a report considered by Members	
2.3.1 Develop protocols to ensure effective communication between members and officers in their respective roles	Member / Officer Protocol Planning Procedures Code of Practice Outside Bodies advice given to Members Member and Officer Codes of Conduct	
2.3.2 Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process including an effective remuneration panel (if applicable)	Pay and conditions policies and practices Independent Remuneration Panel Terms of Reference and Reports Regular liaison meeting with Unison	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
2.3.3 Ensure that effective mechanisms exist to monitor service delivery	Performance Dashboard National Indicators Local Area Agreement Executive Director for People and Performance Complaints Procedure Heads of Service monitoring Service Plans Performance Management Board Performance system Scrutiny Panels	New performance management framework to reflect changes in relation to Local Area Agreements, Comprehensive Area Assessments and new National Indicators. Customer insight work
2.3.4 Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated	Strategic Plan 2009-2012 underpinned by a review of all existing consultation work. Specific consultation with hard to reach groups. Medium Term Financial Strategy National Indicators Performance Dashboard Local Area Agreement Website Communications Strategy Courier	Strategic Plan 2009-12 Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis
2.3.5 When working in partnership ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority	Constitution Individual Partnership Agreements Service Level Agreements Advice given to members in relation to outside bodies Partnership Strategy Partnership Register	Research is currently being undertaken into establishing the Council's partners key values and vision

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>2.3.6 When working in partnership:</p> <ul style="list-style-type: none"> • ensure that there is clarity about the legal status of the partnership • ensure that representatives or organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions. 	<p>Constitution Individual Partnership Agreements Service Level Agreements Advice given to Members in relation to outside bodies Partnership Strategy Partnership Register</p>	<p>Research is currently being undertaken into establishing the Council's partners key values and vision</p>

Core Principle 3 – Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour

Our aims in relation to promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour are to:

- 3.1 Ensuring authority members and officers exercise leadership by behaving in ways that exemplify high standards of conduct and effective governance
- 3.2 Ensuring that organisational values are put into practice and are effective

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>3.1.1 Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect</p>	<p>Constitution Chief Executives and Leaders blog on the Council's intranet Performance Dashboard Leadership days Standards Committee has an overall view of conduct issues established by their terms of reference Member and Officer Codes of Conduct Increased numbers of Independent Members appointed to Standards Committee Member/Officer Protocol Whistleblowing Policy Anti Fraud and Corruption Policy Freedom of Information Policy statement and publication scheme Monitoring Officer and S151 Officer Protocols Planning Procedures Code of Practice Officer Register of Gifts and Hospitality Officer voluntary register of interests Member's Register of Interests Website and Hub</p>	<p>Best Councils' survey work</p> <p>Quarterly briefing for staff</p> <p>Annual review of Whistleblowing Policy and Gifts and Hospitality</p> <p>Annual review of Anti Fraud and Corruption Policy</p>

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
	<p>Corporate Roadshows by Chief Executive for staff Executive Management Team shadowing Hub and Spokes Officers focus group Portfolio Holders monthly sessions with senior officers</p>	
<p>3.1.2 Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conduct and protocols</p>	<p>Members and Officer Codes of Conduct Performance System Complaints procedures Anti-fraud and Corruption Policy Member/Officer Protocols Member Development Programme Officer training on Member/ officer relationship Whistleblowing Policy Information and Communication Technology (ICT) Security Policy Safeguarding Children's Policy</p>	<p>Safeguarding Vulnerable Adults Policy Annual review of Whistleblowing Policy Annual review of Anti Fraud and Corruption Policy</p>
<p>3.1.3 Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice</p>	<p>Member and Officer Codes of Conduct Equality and Diversity training for Members and Officers Financial Procedure Rules, Contract Procedure Rules Anti-Fraud and Corruption Policy Whistleblowing Policy Registers of Interests (Officers and Members) Services and processes are underpinned by Equality Impact Assessments Equality Scheme Officer induction and training</p>	<p>Annual review of Whistleblowing Policy Annual review of Anti Fraud and Corruption Policy</p>

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
3.2.1 Develop and maintain shared values including leadership values both for the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners	Member and Officer Codes of Conduct Strategic Plan 2009-12 Administration's vision, 3 objectives and 9 priorities in place and being shared Way We Work Programme - organisational values for People, Customer Excellence, Place Shaping and Flexible Working Performance Dashboard Customer Excellence	Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis People Strategy actions
3.2.2 Put in place arrangements to ensure that procedures and operations are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice	Contract Procedure Rules Anti-Fraud and Corruption Policy Whistle Blowing Policy Member and Officer Codes of Conduct Monitoring of the above takes place by the Standards Committee ICT Security Policy	Reporting through to Standards Committee on a regular basis
3.2.3 Develop and maintain an effective Standards Committee	Agenda and Minutes Terms of Reference Regular meetings The number of Independent Members and Parish Representatives exceeds statutory minimum Local Assessment of complaints Framework implemented Annual Report Work programme	Annual review of the Local Assessment Framework by the Standards Committee. Annual Report

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>3.2.4 Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority</p>	<p>Member and Officer Codes of Conduct Strategic Plan 2009-12 Administration's vision, 3 objectives and 9 priorities in place and being shared Way We Work Programme Performance and Reward Customer Excellence Leadership days Portfolio Holder sessions with Senior Managers</p>	<p>Strategic Plan 2009-12 Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis</p>
<p>3.2.5 In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively</p>	<p>Values agreed with each partner Partnership Register Partnership Strategy</p>	

Core Principle 4 – Taking informed and transparent decisions which are subject to effective scrutiny and managing risk

Our aims in relation to taking informed and transparent decisions which are subject to effective scrutiny and managing risk are to:

- 4.1 Being rigorous and transparent about how decisions are taken and listening and acting on the outcomes of constructive scrutiny
- 4.2 Having good quality information, advice and support to ensure that services are delivered effectively and are what the community wants/needs
- 4.3 Ensuring that an effective risk management system is in place
- 4.4 Using their legal powers to the full benefit of the citizens and communities in their areas

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>4.1.1. Develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the organisation's performance overall and of any organisation for which it is responsible</p>	<p>Scrutiny is supported by robust evidence and data analysis Agenda and Minutes Work programme Successful outcome of reviews Training on developing meaningful work programme Training for scrutiny chairman Scrutiny of partners and joint projects</p>	<p>Individual skills for successful scrutiny training in for members in conjunction with Ipswich and Tendring District Council</p>
<p>4.1.2 Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based</p>	<p>Constitution Decision making protocols Record of decisions and supporting materials Report template Decision list published</p>	<p>Meetings Factory on website</p>
<p>4.1.3 Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice</p>	<p>Member and Officer Codes of Conduct Member and Officer Registers of Interests Declaration of Interests at meetings Code of Conduct guidance and training provided to Members and Officers</p>	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
	<p>Planning procedures Code of Practice Standards Committee have responsibility for these issues Monitoring Officer reports on these issues Politically restricted posts Anti-Fraud and Corruption Policy</p>	<p>Annual review of Anti- Fraud and Corruption Policy</p>
<p>4.1.4 Develop and maintain an effective Audit Committee (or equivalent) which is independent or make other appropriate arrangements for the discharge of the functions of such a committee</p>	<p>Finance and Audit Scrutiny Panel Terms of Reference Accounts and Regulatory Committee Audit awareness training Agenda and Minutes</p>	
<p>4.1.5 Put in place effective transparent and accessible arrangements for dealing with complaints</p>	<p>Complaints procedure Local Assessment Framework</p>	<p>Customer insight work</p>
<p>4.2.1 Ensure that those making decisions whether for the authority or partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications</p>	<p>Website Report templates dealing with key aspects Report by Head of Service with necessary technical expertise included Training and professional development Equality Impact Assessments</p>	
<p>4.2.2 Ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately</p>	<p>Report template requires that consultation is undertaken with Monitoring Officer and S151 Officer before report considered by Members Record of decision making and supporting materials S151 and Monitoring Officer Protocols Equality Impact Assessments</p>	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
4.3.1 Ensure that risk management is embedded into the culture of the organisation, with members and managers at all levels recognising that risk management is part of their job	<p>Risk Management Strategy part of the Policy Framework</p> <p>Corporate Risk Manager</p> <p>Corporate/service planning</p> <p>Cabinet Member with accountability for risk management</p> <p>Finance and Audit Scrutiny Panel monthly monitoring role of top 5 risks and regular review of whole risk register</p> <p>Performance Management Board quarterly risk review</p> <p>Risk Registers- Strategic, Operational and Project</p> <p>Risk and Control self assessment completed by all managers</p> <p>Training for Members and Officers</p>	<p>Currently developing Members training session. Officer training as and when required through Group Management Teams</p> <p>Fundamental Service reviews look at different ways of delivering services, with risk taken into account</p>
4.3.2 Ensure that arrangements are in place for whistleblowing to which staff and all those contracting with the authority have access	<p>Whistleblowing Policy</p> <p>Information for contractors</p> <p>Monitoring Officer</p> <p>Constitution</p>	<p>Annual review of Whistleblowing Policy</p>
4.4.1 Actively recognise the limits of lawful activity placed on them by, for example the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities	<p>Constitution</p> <p>Monitoring Officer</p> <p>Report templates</p> <p>Equality Impact Assessments</p> <p>Equality Scheme</p>	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>4.4.2 Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law</p>	<p>Availability of professional legal advice Monitoring Officer Protocol S151 Officer Protocol Report templates Constitution Equality Impact Assessments Equality Scheme</p>	
<p>4.4.3 Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice into their procedures and decision making processes</p>	<p>Monitoring Officer Protocol S151 Officer Protocol Procedure Rules Report template Constitution Format for quasi judicial committees “Have Your Say” leaflet Planning Procedure Code of Practice Equality Impact Assessments Equality Scheme</p>	

Core Principle 5 – Developing the capacity and capability of Members and Officers to be effective

Our aims in relation to developing the capacity and capability of Members and Officers to be effective are:

- 5.1 Making sure that Members and Officers have the skills, knowledge, experience and resources they need to perform well in their roles
- 5.2 Developing the capability of people with governance responsibilities and evaluating their performance as an individual and as a group
- 5.3 Encouraging new talent for membership of the authority so that best use can be made of individuals' skills and resources in balancing continuity and renewal

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
5.1.1 Provide induction programmes tailored to individual needs and opportunities for Members and Officers to update their knowledge on a regular basis	Member training and development Member and Officer Induction programmes Refresher courses Briefings Officer Development Plan (individual and corporate) Appraisals for officers People Strategy Personal Development Plans Learning and Development Strategy/Annual Plan	Member skills development
5.1.2 Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the organisation	Appraisals Training Induction Monitoring Officer and S151 Officer Protocols Employee Policies Learning and Development Strategy/Annual Learning and Development Plan	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
5.2.1 Assess the skills required by Members and Officers and make a commitment to develop those skills to enable roles to be carried out effectively	<p>Appraisals for officers SMART objectives Personal Development Plans for officers Member training and development People Strategy Learning and Development Strategy/Annual Learning and Development Plan</p>	Member skills development
5.2.2 Develop skills on a continuing basis to improve performance including the ability to scrutinise and challenge and to recognise when outside expert advice is needed	<p>Appraisals for officers Personal Development Plans for officers Member training and development Member scrutiny training People Strategy Colchester Learning Managers and Customer Excellence awards</p>	Member skills development
5.2.3 Ensure that effective arrangements are in place for reviewing the performance of the authority as a whole and of individual members and agreeing an action plan which might for example aim to address any training or development needs	<p>Performance Dashboard and Performance Report Performance management and appraisals for officers SMART objectives People Strategy Investors in People Assessment Comprehensive Area Assessment Annual Audit Letter Use of Resources Organisational Assessment</p>	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>5.3.1 Ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority</p>	<p>Equality Impact Assessments on services and policies Knowing your community on web site Voluntary Sector Compact Mosaic and Touchstone Public meetings Equality Scheme Strategic Plan Consultation Local Development Framework consultation Life opportunities and Community development work Neighbourhood Action Panels Consultations (eg waste survey carried out using a range of communication methods to encourage participation)</p>	
<p>5.3.2 Ensure that career structures are in place for Members and Officers to encourage participation and development</p>	<p>People Strategy Internal Recruitment Process Internal Secondments</p>	<p>Human Resource Plans Member skills development</p>

Core Principle 6 – Engaging with local people and other stakeholders to ensure robust public accountability

Our aims in relation to engaging with local people and other stakeholders to ensure robust public accountability are to:

- 6.1 Exercise leadership through a robust scrutiny function which engages effectively with local people and all local institutional stakeholders, including partnerships, and develops constructive accountability relationships
- 6.2 Take an active and planned approach to dialogue with and accountability to the public to ensure effective and appropriate service delivery whether directly, in partnership or by commissioning
- 6.3 Make best use of human resources by taking an active and planned approach to meet responsibility to staff

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
6.1.1 Make clear to themselves, all staff and the community, to whom they are accountable and for what	Constitution Community Strategy Stakeholder identification Targets and Performance Monitoring Website and intranet Consultation Strategy Communications Strategy Satisfaction Surveys	
6.1.2 Consider those institutional stakeholders to whom they are accountable and assess the effectiveness of the relationships and any changes required	Stakeholder identification Statutory provisions Stakeholder surveys Consultation Strategy Communications Strategy Partnership Strategy Partnership Register	
6.1.3 Produce an annual report on scrutiny function activity	Annual Report	

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
6.2.1 Ensure that clear channels of communication are in place with all sections of the community and other stakeholders including monitoring arrangements to ensure that they operate effectively	Communications Strategy Web sites Equality Impact Assessments Courier Safeguarding Children Policy	Safeguarding Vulnerable Adults Policy
6.2.2 Hold meetings in public unless there are good reasons for confidentiality	Constitution Access to information rules	
6.2.3 Ensure arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands	Strategic Plan 2009-12 Web site - "Knowing Your Community" section Consultation strategy Communications strategy Community strategy Equality Scheme and Equality Impact Assessments Place Survey Corporate business plan Service Plans Budget Consultation Meeting	Strategic Plan 2009-12 Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis
6.2.4 Establish a clear policy on the types of issues they will meaningfully consult on or engage with the public and service users including a feedback mechanism for those consultees to demonstrate what has changed as a result	Statement of Community Involvement Customer Excellence Customer insight project team Partnership framework Communication strategy Consultation Strategy Budget Consultation meeting Strategic Plan consultation Mosaic and Touchstone	Govmetric

In order to achieve our aims we have/will:	Source documents/Processes	Further work ongoing
<p>6.2.5 On an annual basis, publish a performance plan giving information on the authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period</p>	<p>Statement of Accounts Strategic Plan 2009-12 Website www.colchester.gov.uk Performance Dashboard and Performance Report Place Survey (every 2 years)</p>	<p>Strategic Plan 2009-12 Strategic Plan Action Plan – progress is reported to scrutiny on a half yearly basis “Council Achievements” – new section set up on the Council’s website. Plans to add a performance section underway</p>
<p>6.2.6 Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so</p>	<p>Constitution Customer service standards Voluntary Sector Compact “Have Your Say” at meetings Freedom of Information Act Publication Scheme Member and Officer Codes of Conduct Way We Work Programme Whistle Blowing Policy Anti-Fraud and Corruption Policy Monitoring Officer Protocol Communications Policy Data Protections Policy ICT Security Policy</p>	<p>Annual review of Whistleblowing Policy Annual review of Anti-Fraud and Corruption Policy</p>
<p>6.3.1 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making</p>	<p>Investors in People Facilities and Recognition Agreement with UNISON</p>	

