

Accounts and Regulatory Committee

**Grand Jury Room, Town Hall
26 June 2012 at 6.00pm**

This committee deals with items such as the approval of the Council's Statement of Accounts, hearing and determining all appeals by employees relating to dismissal, and makes recommendations to the Council on functions such as Health and Safety and Elections.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services.

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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 refer to Attending Meetings and "Have Your Say" at www.colchester.gov.uk

Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off or switched to silent before the meeting begins and note that photography or audio recording is not permitted.

Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or telephone (01206) 282222 or textphone 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

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www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL
ACCOUNTS AND REGULATORY COMMITTEE
26 June 2012 at 6:00pm

Members

Chairman : Councillor Dennis Willetts.
Deputy Chairman : Councillor Marcus Harrington.
Councillors Cyril Liddy, Jon Manning, Gerard Oxford,
Ray Gamble, Glenn Granger, Scott Greenhill, Julia Havis
and Theresa Higgins.

Substitute Members : All members of the Council who are not Cabinet members or members of this Panel

Agenda - Part A

(open to the public including the media)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

Pages

1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

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

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

2. Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

3. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

4. Declarations of Interest

The Chairman to invite Councillors to declare individually any personal

interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

5. Minutes

1 - 2

a) To confirm as a correct record the minutes of the meeting held on 24 January 2012.

b) To confirm as a correct record the minutes of the meeting held on 23 May 2012.

6. Have Your Say!

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

7. Community Governance Review - Myland Community Council 3 - 22

See report from the Head of Corporate Management.

8. Honorary Alderman 23 - 24

See report from the Head of Corporate Management.

9. Governance Framework and Draft Annual Governance Statement 25 - 36

See report from the Head of Resource Management.

10. Exclusion of the public

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) 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).

ACCOUNTS AND REGULATORY COMMITTEE

24 JANUARY 2012

Present :- Councillor Sue Lissimore (Chairman)
Councillors Mark Cory, Annie Feltham, Scott Greenhill,
Justin Knight, Michael Lilley, Jon Manning,
Gerard Oxford and Will Quince

Substitute Member :- Councillor Mike Hardy for Councillor Pauline Hazell

16. Minutes

RESOLVED that the minutes of the meeting held on 18 October 2011 was confirmed as a correct record.

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

17. Community Governance Review - Myland Parish

Mrs. Sarah Cheek, Electoral Services Manager presented the report on the Community Governance Review for Myland Parish.

Mrs. Cheek explained that the Community Governance Review (CGR) would be carried out under the terms set out in the Local Government and Public Involvement in Health Act 2007 (LGPIH). This review follows a request from Myland Community Council supporting a petition to conduct a Community Governance Review to change the boundary of Myland Parish by incorporating the area of New Braiswick Park and the unparished part of Bergholt Road.

In response to Councillor Quince, Mrs. Cheek said under the LGPIH at least 10% of the electors within the Parish must sign-up to the petition to conduct a CGR. In this case the signatories were from residents in both the area of New Braiswick Park and Myland. Mrs. Cheek said that Myland Community Council have been making residents aware of the Council Tax precepts, and confirmed that the consultation process could include an estimate of the cost of the Parish precept.

RESOLVED that following a request form Myland Community Council, the Committee agreed that a Community Governance Review should be carried out in accordance with the Terms of Reference as set out in the Local Government and Public Involvement in Health Act 2007.

ACCOUNTS AND REGULATORY COMMITTEE
23 MAY 2012

Present :- Councillor Dennis Willetts (Chairman)
Councillors Ray Gamble, Glenn Granger,
Scott Greenhill, Marcus Harrington, Julia Havis,
Theresa Higgins, Cyril Liddy, Jon Manning and
Gerard Oxford

1. Chairman

RESOLVED that Councillor Willetts be appointed Chairman for the ensuing Municipal Year.

2. Deputy Chairman

RESOLVED that Councillor Harrington be appointed Deputy Chairman for the ensuing Municipal Year.



Title of Committee/Panel

Item

7

26 June 2012

Report of	Head of Corporate Management	Author	Sarah Cheek
Title	Draft Recommendation Community Governance Review Myland Community Council		
Wards affected	Mile End Ward		

This report concerns a request from Myland Community Council to review the parish boundary

1. Decision(s) Required

- 1.1 To report the outcome of the initial public consultation and agree the draft recommendations to alter the proposed boundary of Myland Parish.

2. Reasons for Decision

- 2.1 Colchester Borough Council received a request from Myland Community Council to undertake a review of the parish boundary, this was supported by a petition signed by 991 electors. The review focused on whether the parish boundary should include the area known as New Braiswick Park and the unparished part of Bergholt road (see Appendix A).
- 2.2 Colchester Borough Council, as the principal authority, has the power to conduct a Community Governance Review and make certain decisions concerning parish councils in its area. This function is a non-executive function and has been delegated to this committee. Local Government and Public Health Involvement in Health Act 2007 requires that after the consultation period the council will make a recommendation as to whether the existing area of the parish should be altered. The recommendation of the council must be published and any interested parties informed.

3. Alternative Options

- 3.1 Current parish boundary remains the same.

4. Supporting Information

- 4.1 Following the Accounts and Regulatory meeting held on the 24 January 2012 it was agreed that a review would be undertaken commencing with the publication of the Terms of Reference document on the 10 February 2012, setting out the request from Myland Community Council and the considerations of the Borough Council. Residents and interested parties were invited to give their views on the proposals. Information relating to the Community Governance Review was available for inspection on the Councils website and at the Council offices. The Terms of Reference was intended to prompt local consideration, initiate discussion and the exchange of ideas and this intern would help the council to prepare the draft proposals.

4.2 Section 95(3) of the Local Government and Public Involvement in Health Act gives consideration to parish areas, new and existing. It sets out that thought must be given to the need to review existing parish boundaries and to be aware of the need to respond to changing boundaries due to new development. Section 93 of the Act also advises that the Borough Council must consider the following before reaching its recommendation:

- The parish must reflect the identity and interest of the community involved
- Be effective and convenient
- And take into account any other arrangements for community representation

The Community Council have identified, in their supporting information that this area is a significant part of Mile End only being excluded during the last review due to the fact that at that time this area was predominately non residential. It is now considered to be a part of the Myland parish area and reflects the same interests. Both Myland Parish and the review area fall within the Mile End borough ward.

It is felt that there is a strong identity with Myland parish and that there is clear distinctive and recognisable community interest.

Along with the request from Myland Community Council to conduct this review a petition containing 991 signatures supporting the alteration in boundary was submitted. All the properties in the defined area were consulted individually along with notification of the review in the Myland Parish area and following that a further two submission were received in favour of the change.

5. Proposals

5.1 Having taken into account the petition, Community Councils comments and consultation responses and having regard to the interests and identity of the community the Borough Council consider the request Council and approve the draft recommendations for further consultation:

- That the Myland parish boundary should include the defined unparished area identified on the associated map (Appendix A(ii)).
- The proposal will seek final approval at the Accounts and Regulatory Committee on the 25 September 2012.
- The reorganisation order will come into force on the 1 April 2013.

6. Strategic Plan References

6.1 Although there is an indistinct association to the provision of quality services provided by rural communities, there are no explicit links to the strategic plan.

7. Consultation

7.1 The purpose of this report is to outline the response from the initial public consultation. Key stake holders and residents were invited to make their representation and comments to the council by 30 March 2012. Two representations were received in writing.

J P Mills	In Support of the request-This area is part of Mile End. It was only omitted from the Parish at its formation in 1999 because it consisted mainly of Woods factory and just a handful of houses
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	and residents. At the time no-one could have foreseen that the area would become residential development, full of new Mile End residents who could benefit from the advantages of being part of the Parish and, perhaps, contribute to the well-being of the Parish.
M Payne	In Support of the request to include Braiswick area to take into account of the population increase

The Borough & County Councillors representing Myland were consulted along with Essex County Council.

8. Publicity Considerations

- 8.1 This decision will primarily affect the business of Myland Community Council and the electors of the New Braiswick Park and the unparished part of Bergholt Road (see Appendix A(ii)).

9. Financial Implications

- 9.1 Myland Community Council obtains some funding by setting a parish precept. This precept is levied on all properties in Myland Parish and would then also be charged to the proposed area. The Council Tax Base is an estimate of how much revenue would be raised for each £ of Council Tax set for a Band D property. At present a property in Band D in an unparished part of Colchester is currently £175.25 and the same banding in the Myland Parish area is £191.12.
- 9.2 It would be beneficial to wait until the 1st April to implement any change as there are potential financial implications with the possible need to recharge residents and the implications on grants. These readjustments, if delayed, could be built into the new year's precept.

10. Equality, Diversity and Human Rights implications

- 10.1 The electoral process underpins the right to democratic representation.

11. Community Safety Implications

- 11.1 There are no community safety implications.

12. Health and Safety Implications

- 12.1 There are no health and safety implications associated with this decision.

13. Risk Management Implications

- 13.1 There are no risk management implications.

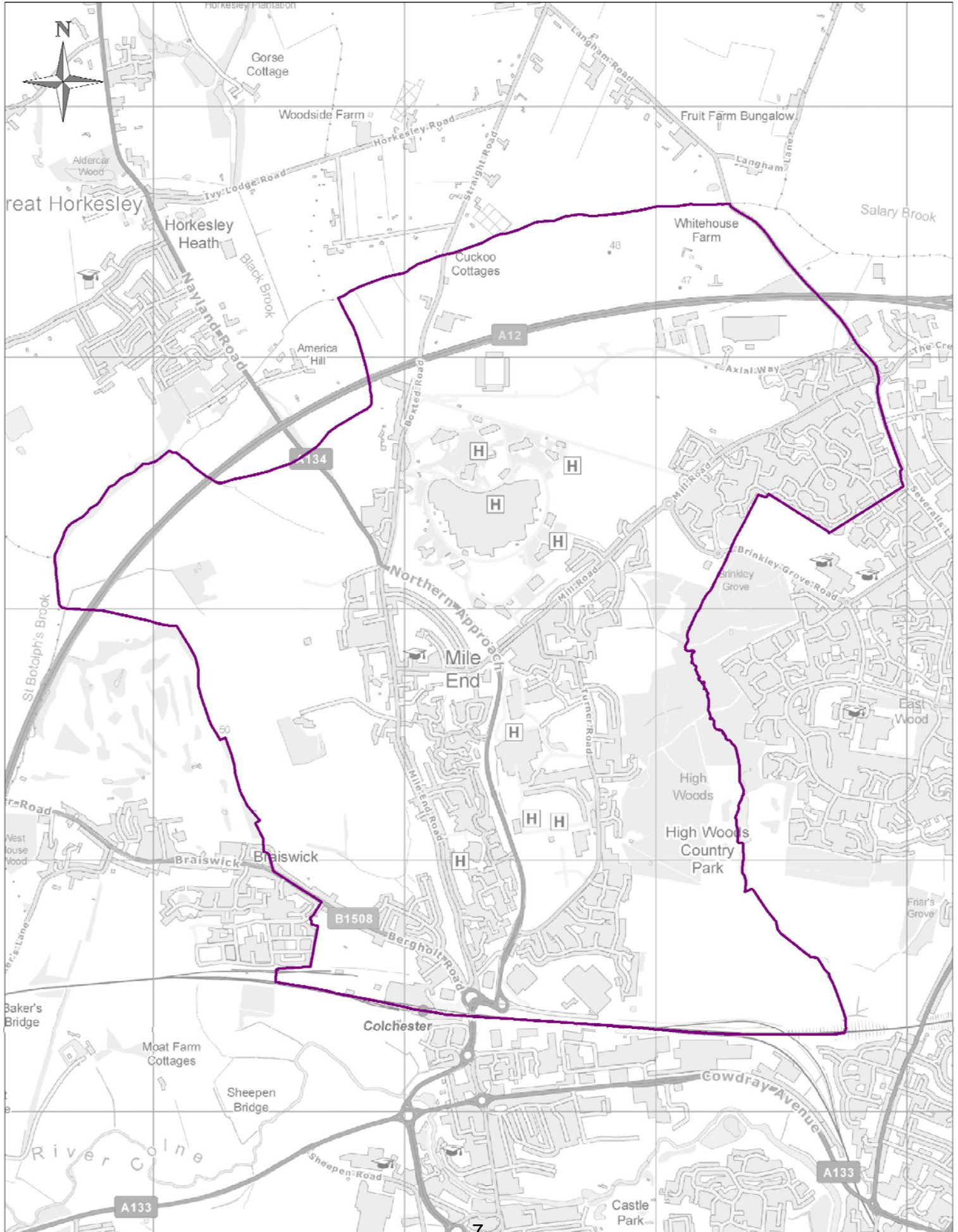
Background Papers

Appendix A (i) Myland parish boundary
(ii) Proposed area to be included

Appendix B Draft Recommendation of Myland Community Governance Review

Appendix C Terms of Reference

Myland Parish Boundary



Myland Parish - Proposed Boundary Change



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**COMMUNITY GOVERNANCE REVIEW FOR THE
PARISH OF MYLAND**

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT
IN HEALTH ACT 2007**

DRAFT RECOMMENDATION

Published by Colchester Borough Council on the 3 July 2012
Comments to be made by 6 August 2012

COMMUNITY GOVERNANCE REVIEW FOR THE PARISH OF MYLAND

CONTENTS

1. INTRODUCTION
2. ELECTORAL ARRANGEMENTS
3. INFORMATION SUBMITTED BY MYLAND COMMUNITY COUNCIL
4. PROPOSED CHANGES
5. CONSEQUENTIAL MATTERS
6. SUMMARY OF DRAFT PTOPOSALS
7. WHAT HAPPENS NEXT
8. HOW TO SUBMIT YOUR VIEWS

ANNEX SUMMARY

- A. MAP OF RELEVANT AREA
 - (i) MYLAND PARISH BOUNDARY
 - (ii) PROPOSED AREA TO BE INCLUDED IN THE PARISH BOUNDARY
- B. INFORMATION FROM MYLAND COMMUNITY COUNCIL

Introduction to the Review

Colchester Borough Council received a request from Myland Community Council supported by a petition of 991 registered electors requesting the review of the parish boundary. The reviews focus is on whether the parish boundary should include the area known as New Braiswick Park and the unparished part of Bergholt Road (see Annex A(ii)).

The review commenced with the publication of the Terms of Reference document on the 13 February 2012. Residents and interested parties were invited to give their views on the proposals. Information relating to the Community Governance Review was available for inspection on the Councils website and held at the offices in Rowan House 33 Sheepen Road Colchester. The Terms of Reference was intended to prompt local consideration, initiate discussion and the exchange of ideas and this intern would help the council to prepare the draft proposals.

The purpose of this report is to outline the responses from the initial public consultation and sets out the recommendations of the council. Key stake holders and residents were invited to make their representation and comments to the council by 30 March 2012. Two representations were received in writing.

J P Mills	In Support of the request-This area is part of Mile End. It was only omitted from the Parish at its formation in 1999 because it consisted mainly of Woods factory and just a handful of houses and residents. At the time no-one could have foreseen that the area would become residential development, full of new Mile End residents who could benefit from the advantages of being part of the Parish and, perhaps, contribute to the well-being of the Parish.
M Payne	In Support of the request to include Braiswick area to take into account of the population increase

The Borough, County Councillors representing Myland and Essex County Council were consulted.

Electoral Arrangements

The parish of Myland Parish is divided into two wards and has a council of seventeen members, three representing Myland East ward and fourteen representing Myland West.

Myland Community Council Information

Myland Community Council has set out their proposals and reasons for the enlargement of the parish, as follows;

- New Braiswick Park is a significant part of Mile End which for historical reasons was omitted from the original application to form the Parish when it was submitted to Colchester Borough Council on 23rd June 1998.
- The area was omitted in 1998 because it was then, and for some years afterwards, the site of Woods of Colchester, the world renowned fan-making factory. As such there were only a handful of residents on the site. The applicants, Myland Parish Council Steering Group, therefore decided to exclude Tufnell Way, the feeder road for the Woods site, and the homes on the south side of Bergholt Road north-west of Tufnell Way.
- There are now 700+ homes in New Braiswick Park. Mile End is a distinct and relatively self-contained community within the Colchester area, separated from Colchester itself by significant physical barriers. New Braiswick Park is part of this community. In common with the rest of Mile End, its interests are similar but not identical to those of the town.
- In Myland Community Council, most of Mile End has a body whose purpose is to speak for their interests. The residents of New Braiswick Park, supported by the rest of Mile End, have shown by petition that they want to be included in the Parish of Myland so that Myland Community Council can speak for them as well. The effective way to achieve this is to enlarge the Parish to include New Braiswick Park.
- We believe that the Community Council will enable the New Braiswick Park residents to work more closely with their Ward Councillors than has been possible in the past.
- The Community Council scrutinises and responds to all local planning applications, taking into account resident's views. It also offers considered and robust commentary on the Borough Council's development plans.
- The Community Council keeps local residents informed about local issues.
- Residents of New Braiswick Park will have access to all 17 Community Councillors and a full time Clerk who can direct residents where to go for local advice. The Community Council Office is available for more detailed information, planning applications and the like.
- Community Councillors live throughout Mile End and have close and detailed knowledge of what is best for Mile End, aided by their personal knowledge of grass roots opinion about local issues and concerns.
- The Community Council will be able to represent New Braiswick Park residents in such local issues as footpaths, open space, public seating, bus shelters, litter bins, landscaping and light pollution.
- Finally, we believe that the inclusion of New Braiswick Park in the Parish will benefit not just New Braiswick Park but also the Borough Council, since the Community Council will be well placed to convey grass roots opinion to our Ward Councillors.

Proposed Changes

Section 95(3) of the Local Government and Public Involvement in Health Act gives consideration to parish areas, for both new and existing. It sets out that consideration must be given to the requirement to review existing parish boundaries and to be aware of the need to respond to changing boundaries due to development. Section 93 of the Act also advises that the Borough Council must consider the following before reaching its recommendation:

- The parish must reflect the identity and interest of the community involved
- Be effective and convenient
- And take into account any other arrangements for community representation

The Community Council have identified, in their supporting information that this area is a significant part of Mile End only being excluded during the last review due to the fact that at that time this area was predominately non residential. It is now considered to be a part of the Myland parish area and reflects the same interests. Both Myland Parish and the review area fall within the Mile End borough ward. It is felt that there is a strong identity with Myland parish and that there is clear distinctive and recognisable community interest.

Along with the request from Myland Community Council to conduct this review a petition containing 991 signatures supporting the alteration in boundary was submitted. All the properties in the defined area were consulted individually along with notification of the review in the Myland Parish area and following that a further two submission were received in favour of the change.

The commencement date would take place on the 1 April 2013 for financial and administrative purposes.

Consequential Matters

Myland Community Council obtains some funding by receiving an amount that is added to the local council tax bill, this is called the parish precept. This precept is levied on all properties in Myland Parish and would then also be charged to the proposed area. The Council Tax Base is an estimate of how much revenue would be raised for each £ of Council Tax set for a Band D property. At present a property in Band D in an unparished part of Colchester is currently £175.25 and the same banding in the Myland Parish area is £191.12.

Summary of Draft Proposals

- That the Myland parish boundary should include the defined unparished area identified on the associated map (Annex A).
- The proposal will seek final approval at the Accounts and Regulatory Committee on the 25 September 2012.
- The reorganisation order will come into force on the 1 April 2013.

What Happens Next

Action	Relevant Date
Draft Proposals are published	2 July 2012
Consultations	3 July – 6 August 2012
Final proposals are prepared	August 2012
Accounts and Regulatory Committee recommendations	25 September 2012
Council publishes the Reorganization Order	1 April 2013

How to Submit your Views

Comments should be submitted by letter to;

Electoral Services
Colchester Borough Council
Rowan House
33 Sheepen Road
Colchester
CO3 3WG

Or by email to;

sarah.cheek@colchester.gov.uk

COMMUNITY GOVERNANCE REVIEW FOR THE PARISH OF MYLAND

**LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN
HEALTH ACT 2007**

TERMS OF REFERENCE

Published by Colchester Borough Council on the 6 February 2012
Representations to be made by 23 March 2012

COMMUNITY GOVERNANCE REVIEW FOR THE PARISH OF MYLAND

CONTENTS

1. INTRODUCTION
2. CONSULTATION
3. ELECTOR AND DEMOGRAPHIC FORECAST
4. THE PRESENT STRUCTURE OF THE PARISH AND THE ELECTORAL ARRANGEMENTS IN THE REVIEW AREA
5. PARISH COUNCIL AND PRECEPT INFORMATION
6. INFORMATION SUBMITTED BY MYLAND COMMUNITY COUNCIL
7. ELECTORAL ARRANGEMENT
8. THE PROCESS OF THE REVIEW
9. CONSEQUENTIAL MATTERS

ANNEX SUMMARY

- A. MAP OF RELEVANT AREA
 - (i) MYLAND PARISH BOUNDARY
 - (ii) PROPOSED AREA TO BE INCLUDED IN THE PARISH BOUNDARY

INTRODUCTION

Request for a Review

Colchester Borough Council has received a request from Myland Community Council, supporting a petition of 991 registered electors, requesting the review of the parish boundary. The review will focus on whether the parish boundary should include the area known as New Braiswick Park and the unparished part of Bergholt Road (see Annex A (ii)).

The Accounts and Regulatory Committee has delegated powers on all electoral arrangements and have agreed the Terms of Reference for the Community Governance Review setting out the matters on which the review will be undertaken. The Terms of Reference is the document to prompt local consideration, discussion and the exchange of views.

The Leglative Framework

The Local Government and Public Involvement in Health Act 2007 provides for local authorities to undertake reviews of Parish Council arrangements known as Community Governance Reviews. This power was previously the responsibility of the Local Government Boundary Commission for England. Principal Councils (such as Colchester Borough Council) can commence a Community Governance Review at any time. They are also required to undertake a review if a petition is receive consisting of a prescribed number of signatures from residents of the area affected.

In undertaking this Review the Council will be guided by the following legislation and government guidance:

- The Local Government and Public Involvement in Health Act 2007 The Local Government Act 1972.
- Guidance on Community Governance Reviews issued by the Department for Communities and Local Government, dated 2010.
- Consequential matters arising from the review may be impacted by the Local Government (Parishes and Parish Council) (England) Regulations 2008 and Local Government Finance (New Parishes) Regulations 2008.

The Terms of Reference Document

Section 81 of the Local Government and Public Involvement in Health Act 2007 requires the Council to publish a Terms of Reference document for a Community Governance Review. This sets out:

- how the Review will be conducted;
- expected timescales;
- what the Review will focus on;
- what the key considerations should be;
- factual electoral and parish information

This information is set out in the following sections of this Terms of Reference document

The Area that will be Subject to the Community Governance Review

The existing area of Myland Parish and the area of New Braiswick Park and the unparished part of Bergholt Road (see Annex A)

What is a Community Governance Review

A Community Governance Review considers the following topics for the area under review:

- Parish areas – creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes - creating a council, the number of councillors to be elected, parish warding
- Consequential matters – i.e. the effect on existing parishes; dealing with parish assets; resolving issues relating to employees of existing parishes; setting a precept for a new Council; setting a date for the first elections and the subsequent electoral cycles.

Consequently this Review will look at **all** options for future parish governance arrangements. These will include:

- Extending the parish boundary as defined in Annex A
- Keeping the status quo and keeping the current parish boundary the same
- Any other arrangements which may come out of the consultation process

Parish Governance

The Council values the important role that parish councils play in their local area both in terms of community empowerment and engagement and the delivery of local services and this is reflected in the Council's strategic objectives. Ultimately the recommendations made in a Community Governance Review should bring about improved community engagement, more cohesive communities and better local democracy.

CONSULTATION

Proposals for consultation during the Community Governance Review

In considering and making recommendations within these Terms of Reference the Council will take account of the views of local people. The 2007 Act requires that the Council consults the local government electors for the area under review and any other person or body who appears to have an interest in the review. The Council must take representations into account by judging them against criteria laid out in the Act.

The Council proposes to use the following mechanisms to keep consultees informed:

- Council website.
- Key documents on deposit at the Council Offices at Rowan House, 33 Sheepen Road, Colchester.
- Key documents on deposit with Myland Community Council

- Direct communication with each property within the defined area

The council will endeavour to ensure the consultation process is cost effective.

Timeframe for the review

The Accounts and Regulatory Committee has agreed the following time frame for the conduct of the review. The Committee will endeavour to keep to these dates and will certainly not reduce the length of any consultation periods.

Action	Relevant Date
Accounts and Regulatory Committee agree the Terms of Reference	24 January 2012
Terms of Reference are published	6 February 2012
Introductory stage – submissions are invited	7 February 2012 – 23 March 2012
Draft proposals are prepared	April 2012
Accounts and Regulatory Committee draft agree the draft proposals	26 June 2012
Draft proposals are published	2 July 2012
Consultations	3 July – 6 August 2012
Final proposals are prepared	August 2012
Accounts and Regulatory Committee recommendations	25 September 2012
Council publishes the Reorganization Order	Publication of the 2013 Electoral Register

PLEASE NOTE THIS IS AN ESTIMATED TIMEFRAME AND WHILST WE WILL ENDEAVOUR TO KEEP TO THE DATES, ANY CHANGES WILL BE PUBLISHED ON THE COUNCILS WEBSITE

How to submit your views

Comments should be submitted by letter to;

Electoral Services
Colchester Borough Council
Rowan House
33 Sheepen Road
Colchester
CO3 3WG

or by email to;

elections@colchester.gov.uk

The council will notify each consultee and other persons or bodies that have made representation of the out come of the review. The Council intends to publish all correspondence received and all decisions that it takes in the review, giving its

reasons for taking these decisions. This will be done via the council's website and by written communication.

ELECTORATE AND DEMOGRAPHICS

The Electorate for the Review Area

The council has used the latest electorate figures for the 2011 register of electors published on the 1 December 2011.

Area	Properties
Myland Parish (AP,AU,AV,AW)	4882
New Braswick and part Bergholt Road (part AT)	710

No significant residential developments have been identified within the Local Development Framework for the area of review. Property statistics are therefore representative for the foreseeable future.

Due to current financial and housing market conditions it is difficult to give a realistic projection of electorates within each polling district. The review therefore adopts a neutral projection on both property and electorate totals.

THE PRESENT STRUCTURE OF PARISHES AND THEIR ELECTORAL ARRANGEMENTS IN THE REVIEW AREA

The parish areas

Myland Community Council is represented by 17 councillors and there is no intention to increase this number at the present time.

The current boundary of Myland parish and the unparished area under review are shown in maps Annex A (i) and (ii).

The Colchester (Electoral Changes) Order 2002 uses the parish wards as the building blocks for the Borough wards, and the boundaries of the parishes. The Borough wards are co-terminus by-and-large but Mile End ward does not follow this rule. One polling district in the Myland parish falls within the Highwoods ward. Borough wards cannot be altered by the Council in a Community Governance Review; these are the responsibility of the Electoral Commission and the Boundary Committee for England. At this stage in undertaking this review, the Council does not envisage any changes arising to the present Borough wards.

PRECEPT INFORMATION

Myland Community Council obtains some funding by receiving an amount that is added to the local council tax bill, this is called the parish precept. This precept is levied on all properties in Myland Parish and would then also be charged to the proposed area.

The Council Tax Base is an estimate of how much revenue would be raised for each £ of Council Tax set for a Band D property.

Conversely, if you divide the Parish Precept requirement by the Council Tax Base, it will indicate the additional annual amount to be added to a Band D Council Tax for properties in the Parish. It is important to note that if a Parish Tax Base changes from one year to the next, the amount payable may also change for residents within the Parish even if the total Precept requirement is the same.

The current levels of parish precept for Myland parish 2011/2012 is
Council Tax Band D equivalent 2011/2012 £15.89

MYLAND COMMUNITY COUNCIL INFORMATION

Myland Community Council has set out their proposals and reasons for the enlargement of the parish, as follows;

- New Braiswick Park is a significant part of Mile End which for historical reasons was omitted from the original application to form the Parish when it was submitted to Colchester Borough Council on 23rd June 1998.
- The area was omitted in 1998 because it was then, and for some years afterwards, the site of Woods of Colchester, the world renowned fan-making factory. As such there were only a handful of residents on the site. The applicants, Myland Parish Council Steering Group, therefore decided to exclude Tufnell Way, the feeder road for the Woods site, and the homes on the south side of Bergholt Road north-west of Tufnell Way.
- There are now 700+ homes in New Braiswick Park. Mile End is a distinct and relatively self-contained community within the Colchester area, separated from Colchester itself by significant physical barriers. New Braiswick Park is part of this community. In common with the rest of Mile End, its interests are similar but not identical to those of the town.
- In Myland Community Council, most of Mile End has a body whose purpose is to speak for their interests. The residents of New Braiswick Park, supported by the rest of Mile End, have shown by petition that they want to be included in the Parish of Myland so that Myland Community Council can speak for them as well. The effective way to achieve this is to enlarge the Parish to include New Braiswick Park.
- We believe that the Community Council will enable the New Braiswick Park residents to work more closely with their Ward Councillors than has been possible in the past.
- The Community Council scrutinises and responds to all local planning applications, taking into account resident's views. It also offers considered and robust commentary on the Borough Council's development plans.
- The Community Council keeps local residents informed about local issues.
- Residents of New Braiswick Park will have access to all 17 Community Councillors and a full time Clerk who can direct residents where to go for local advice. The Community Council Office is available for more detailed information, planning applications and the like.
- Community Councillors live throughout Mile End and have close and detailed knowledge of what is best for Mile End, aided by their personal knowledge of grass roots opinion about local issues and concerns.
- The Community Council will be able to represent New Braiswick Park residents in such local issues as footpaths, open space, public seating, bus shelters, litter bins, landscaping and light pollution.
- Finally, we believe that the inclusion of New Braiswick Park in the Parish will benefit not just New Braiswick Park but also the Borough Council, since the Community Council will be well placed to convey grass roots opinion to our Ward Councillors.

All the supporting information submitted by Myland Community Council is contained in Annex B.

Communities of Identity'

In considering this review the Council should deliberate the need for parishes to reflect distinctive and recognisable communities of interest, with their own sense of identity and, therefore, the feeling of local community and the wishes of local inhabitants and other interested bodies.

Government guidance indicates that electors should be able to identify clearly with the area or parish in which they are resident because it considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride. The Council considers that an adequate infrastructure should exist to support that community of identity which in turn justifies parish governance. We envisage this infrastructure as comprising meeting points, community facilities, local school, neighbourhood stores, community organisations, voluntary groups, etc., through which the community builds its sense of local identity.

PROGRESSING THE REVIEW

If you have a clear interest in this review or are impacted by its outcome as a resident, the Council would like to hear your views and we invite submissions and comments in response to the questions posed by the 23 March 2012.

The Account and Regulatory Committee will consider all responses and will then draw up Draft Recommendations on parish governance arrangements for the Myland Parish area.

The Account and Regulatory Committee will then consider the comments received on the Draft Recommendations and produce a Final Proposals document.

If that decision makes any changes to the existing parish governance structure then the Council will make a Reorganisation Order which will enable the implementation of these changes to take place.


CONSEQUENTIAL MATTERS

This section covers the issues that will need to be addressed if the review results in new parish arrangements. These issues include:

- Commencement dates for new arrangements
- Recommendations to the Electoral Commission - Boundary Commission for England, for changes to borough ward boundaries
- Transfer of property, rights and liabilities

The Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/265) and the Local Government Finance (New Parishes) (England) Regulations 2008 (SI2008/626) provide guidance on these matters.

26 June 2012

Report of	Head of Corporate Management	Author	Amanda Chidgey
Title	Appointment of Honorary Aldermen		 2227
Wards affected	Not Applicable		

This report gives details of a request from Councillor Turrell that former Councillors Bouckley, Garnett and Spyvee be appointed Honorary Aldermen.

1. Decision(s) Required

- 1.1 The Committee is requested to consider a proposition that former Councillors John Bouckley, Christopher Garnett and Henry Spyvee be appointed an Honorary Alderman.
- 1.2 The Committee is further requested to consider approving the following recommendation to the Council:

“*RECOMMENDED* that –

- (i) A special meeting of the Council be convened for the purpose of passing the following resolution:

“That in pursuance of the provisions of Section 249 of the Local Government Act 1972, this Council confers the title of “Honorary Alderman” on former Councillors John Gordon Bouckley, John Christopher Garnett and William Henry Forester Spyvee in recognition of their loyal and eminent service as Members of the Council and its constituent authority”

- (ii) An illuminated transcript of the resolution be given to each former Councillor concerned.”

2. Alternative Options

- 2.1 The Committee has discretion as to how it wishes to respond to the proposal from Councillor Turrell.

3. Supporting Information

- 3.1 Making recommendations regarding the conferment of the title of Honorary Alderman currently falls within the terms of reference of this Committee.
- 3.2 At the Council meeting held on 20 February 2008, this Council’s eligibility criteria for the conferment of the title of Honorary Alderman was determined as follows:

“Former Councillors who have either acquired at least 20 years service as Members of the Council or who have held the office of Mayor of the Borough.”

- 3.3 Councillor Garnett has served on the Council for 30 years, from 6 May 1982 to 3 May 2012 and was Mayor in 2000/01.
- 3.4 Councillor Bouckley has served on the Council for 22 years, from 3 May 1990 to 3 May 2012 and was Mayor in 2004/05.
- 3.5 Councillor Spyvee has served on the Council for 20 years, from 7 May 1992 to 3 May 2012 and was Mayor in 2009/10.
- 3.6 Should the recommendation contained in this report be approved it will be referred to the Council meeting on 18 July 2012 and arrangements will need to be made for a subsequent special meeting of the Council to confer the titles. It is suggested that this special meeting take place on 17 October 2012, to coincide with the date of the next regular meeting of the Council.

4. Publicity Considerations

- 4.1 Should the proposal from Councillor Turrell be approved, arrangements will be made for a press release to be published at the appropriate time.

5. Financial Implications

- 5.1 Set out below are the required arrangements and associated likely cost implications:
- a special meeting of the Council (no significant cost);
 - the presentation of a framed, illuminated transcript of the Council Resolution (£600);
 - The Council's current stock of serviceable robes for use by Aldermen on civic occasions (16) is only just sufficient to meet existing requirements (20 Honorary Aldermen, 5 unlikely to attend).
- 5.2 The Mayoralty Task and Finish Group recommended in December 2010 that, in respect of future Honorary Aldermen ceremonies, the Council would provide the Illuminated Resolutions and free use of the Town Hall Civic Suite for a reception and the new Alderman would meet the cost of any reception, together with the cost of any new robes. As mentioned above, the appointment of additional Honorary Aldermen will require additional robes to be purchased and this cost will fall on the individual Honorary Aldermen.
- 5.3 There is no specific budget allocation for the appointment of Honorary Aldermen but it is anticipated that, with the arrangements being made in accordance with the Task and Finish Group recommendations, capacity will need to be made available within the Civic Fund budget to absorb the cost of the three illuminated resolutions.

6. Equality, Diversity and Human Rights implications

- 6.1 There are no direct implications for Equality and Diversity from these proposals and as such a full EQIA has not been deemed necessary.

7. Standard References

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



Accounts & Regulatory Committee

Item

9

26 June 2012

Report of	Head of Resource Management	Author	Hayley McGrath 508902
Title	Review of the Governance Framework and Draft Annual Governance Statement		
Wards affected	Not applicable		

**This report concerns the Annual Governance Statement for
2011/12**

1. Decisions Required

- 1.1 To consider and note the review of the Council's compliance with the six principles of good governance including the review of effectiveness of the internal control arrangements.
- 1.2 To approve the Annual Governance Statement for 2011/12.

2. Reasons for Decision(s)

- 2.1 Regulation 4(1) of the Accounts and Audit Regulations 2011 states that :
'The relevant body is responsible for ensuring that the financial management of the body is adequate and effective and that the body has a sound system of internal control which facilitates the effective exercise of that body's functions and which includes arrangements for the management of risk.'
- 2.2 The regulation goes on to place a requirement on the Council to conduct a review of the effectiveness of its system of internal control at least once a year and to report the findings to this committee. Following the review the committee must approve an Annual Governance Statement (AGS), prepared in accordance with proper practices in relation to internal control.
- 2.3 The review of the system of internal control assesses the Council's compliance with the six principals of good corporate governance (CIPFA / SOLACE guidance – Delivering Good Governance in Local Government) and the effectiveness of the policies and procedures that make up the Council's governance framework. The process also produces a management action plan to address any identified weaknesses.
- 2.4 CIPFA's proper practice requires the Chief Executive and the Leader of the Council to sign the AGS. They must be satisfied that the document is supported by reliable evidence and accurately reflects the authority's governance and control arrangements.

3. Alternative Options

- 3.1 None.

4. Supporting Information

4.1 Colchester Borough Council has adopted a Local Code of Corporate Governance based on the 2007 CIPFA and SOLACE guidance document – Delivering Good Governance in Local Government. The purpose of the AGS is to review compliance with the six principles of good governance outlined in the guidance and contained in Colchester’s Local Code of Corporate Governance.

4.2 The six principles of Corporate Governance are:

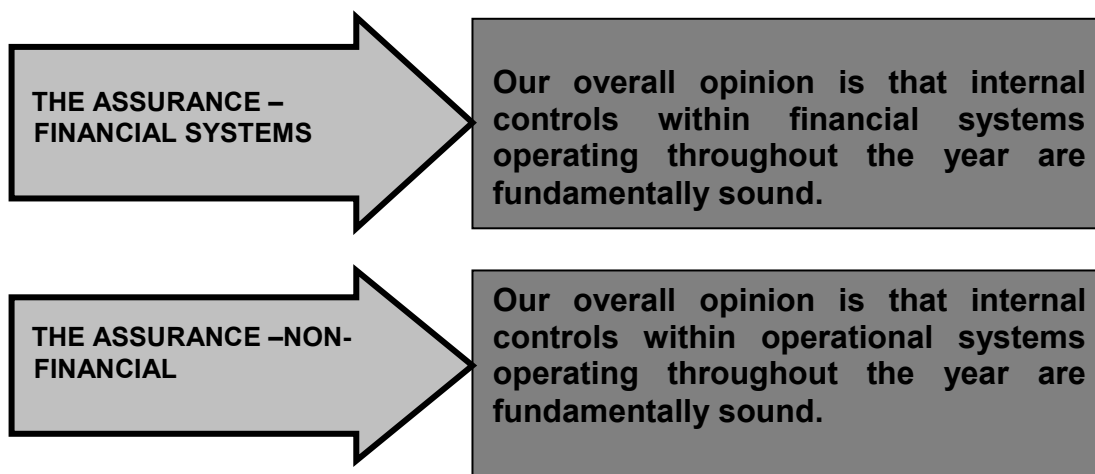
- **Focusing on the purpose** of the authority and on outcomes for the community and creating and implementing a vision for the local area
- **Members and officers working together** to achieve a common purpose with clearly defined functions and roles.
- **Promoting values** for the authority and demonstrating 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 accountability.

4.3 As part of the governance review it is a requirement that the Council reviews the effectiveness of internal control and this is primarily evidenced by the Head of Internal Audit Report produced by the Council’s Internal Audit provider, Deloitte. A copy of the report is provided as a background paper. The key statement from this report is detailed below:-

2011/12 Year Opinion

Internal Control

From the Internal Audit work undertaken in 2011/2 it is our opinion that we can provide satisfactory assurance that the system of internal control that has been in place at Colchester Borough Council for the year ended 31st March 2012 accords with proper practice, except for any details of significant internal control issues as documented in the detailed report. The assurance can be further broken down between financial and non-financial systems, as follows:



- 4.4 The overall summary from the report states 'We have noted a generally consistent performance in Colchester Borough Council's control environment during the audit year. During the 2011/12 year, some [23] (85%) of internal audit projects were rated 'full/substantial assurance' compared with [37] (90%) in the prior year. There has been a similar number [four] of audits rated as 'limited assurance' although the percentage has increased as a result in the reduction in the number of overall audits, coupled with an increase in those where an audit opinion was not given. There has also been one project (4%) rated as 'no assurance' compared to none in 2010/11. It is noted that the audit plans also contain a number of regularity audits for which no opinion was given. In 2011/12 there were 11 regularity audits within the plan whilst in 2010/11 there were seven.
- 4.5 In addition, the further steps taken in producing the AGS have been as follows:-
- The creation of a working group consisting of the Monitoring Officer, the Policy and Projects Officer and the Risk and Resilience Manager. This group was responsible for gathering and reviewing evidence in support of the AGS and reporting to the Executive Director.
 - A full review of the Council's code of corporate governance including detailed assessment of evidence supporting each principle.
 - Assurance assessments relating to key areas of governance and control have been completed by senior management.
 - Consideration of risk management issues.
 - Detailed follow up of issues with relevant managers to provide evidence of controls in place.
 - Review of the action plan from the Statement of Internal Control for 2010/11.
 - Review of the implementation of recommendations made by Internal Audit.
 - Review of issues raised in External Audit reports, principally the Annual Audit Letter.
 - Assessment that the financial arrangements comply with the governance requirements of the CIPFA statement on the Role of the Chief Financial Officer in Local Government (2010).
- 4.6 The AGS for 2011/2012 is attached at appendix 1. The format of the statement takes into account both the mandatory pro-forma contained within CIPFA's proper practice guidance, together with subsequent examples of best practice.
- 4.7 The AGS includes a table showing significant internal control issues and planned actions to address these. A more detailed action plan is set out within this report at Appendix 2. The AGS should be an ongoing assessment and therefore a review of the progress against the recommendations has been programmed into the internal audit plan for 2012/13. The results of this review will be reported to the Finance and Audit Scrutiny Panel in the normal manner.
- 4.8 As stated earlier this Committee is required to approve the AGS, which will then be signed and included within the Statement of Accounts.
- 5. Proposals**
- 5.1 That the panel consider the review of governance and internal control arrangements and approve the Annual Governance Statement for 2011/12.

6. Strategic Plan Implications

- 6.1 The achievement of the strategic plan requires a sound system of governance to ensure the effective delivery of services. Therefore improving on existing governance arrangements will help to ensure that the strategic plan objectives can be achieved.

7. Risk Management Implications

- 7.1 Risk Management is a fundamental part of the Governance process and a failure to implement the action plan may have an effect on the ability of the Council to control its risks. Therefore the actions should be incorporated into the risk management process.

8. Other Standard References

- 8.1 There are no direct Publicity, Financial, Consultation, Human Rights, Community Safety or Health and Safety implications as a result of this report.

Background Papers

Head of Internal Audit report for the year ended 31 March 2012 by Deloitte

DRAFT
**COLCHESTER BOROUGH COUNCIL
ANNUAL GOVERNANCE STATEMENT
FOR THE YEAR ENDED 31 MARCH 2012**

Appendix 1

Scope of responsibility

Colchester Borough Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. Colchester Borough Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, Colchester Borough Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk. The Council is also responsible for ensuring that any companies owned by the Council, and any jointly operated services, also have proper arrangements in place for the governance of their affairs.

Colchester Borough Council has approved and adopted a code of corporate governance, which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the code is on the Council website at www.colchester.gov.uk or can be obtained from Colchester Borough Council, P.O.Box 884, Town Hall, High Street, Colchester, CO1 1FR.

This statement explains how Colchester Borough Council has complied with the code and also meets the requirements of regulation 4 of the Accounts and Audit Regulations 2011 in relation to the publication of a statement on internal control.

DELIVERING GOOD GOVERNANCE IN LOCAL GOVERNMENT:

The purpose of the governance framework

The governance framework comprises the systems and processes, and culture and values, by which the authority is directed and controlled. Which in turn directs the activities through which it accounts to, engages with and leads the community. It enables the authority to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of Colchester Borough Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

The governance framework has been in place at Colchester Borough Council for the year ended 31 March 2012 and up to the date of approval of the annual accounts.

Elements of the Framework

The framework consists of comprehensive processes that each ensure that the Authority complies with the principals of good governance. These include:

- **The Strategic Plan** – which identifies and communicates the authority’s vision of its purpose and intended outcomes for citizens and service users. This is supported by an action plan that is updated annually.
- **The Strategic Risk Register** – which reflects the objectives of the strategic plan and indentifies the implications for the Council’s governance arrangements.
- **The Constitution** - This is the fundamental basis of the authority’s governance arrangements and includes:
 - Defining and documenting the roles and responsibilities of the executive, nonexecutive, scrutiny and officer functions, with clear delegation arrangements and protocols for effective communication.
 - Reviewing and updating standing orders, standing financial instructions, a scheme of delegation and supporting procedure notes / manuals, which clearly define how decisions are taken.
 - The Policy Framework which includes the documents relating to Corporate Governance including:
 - The Local Code of Corporate Governance.
 - A risk management strategy detailing processes and controls required to manage risks.
 - The Anti-Fraud and Corruption Policy
 - The Ethical Framework which includes documents relating to standards of conduct and good practice which include:
 - A code of conduct which defines the standards of behaviour for all members.
 - Planning procedures Code of Practice
 - Protocol on Members/officer Relations
 - Media Protocol
 - Operational Protocol relating to Administration Arrangements
 - Monitoring Officer Protocol
 - Chief Finance Officer Protocol
 - Resources Protocol
 - A whistle blowing policy for receiving and investigating complaints from the public and staff.
 - Gifts and Hospitality Guidance
- **The Chief Finance Officer Protocol** sets out the responsibilities to conform with the governance requirements of the CIPFA statement on the Role of the Chief Financial Officer in Local Government (2010)
- **The operation of the Finance and Audit Scrutiny Panel** which undertakes the core functions of an audit committee, as identified in CIPFA’s document ‘Audit Committees – Practical Guidance for Local Authorities’.
- **The operation of the Strategic Overview and Scrutiny Panel** to ensure that the actions of the Cabinet accord with the policies and budget of the Council, monitor the financial performance of the Council, link spending proposals to the Council’s policy priorities and review progress and to review decisions of the Cabinet via the call-in procedure.
- **The operation of a Standards Committee**, that enforces the code of conduct for members.
- **A performance management system** for all officers that identifies key objectives and development needs.

- **A members training programme.**
- **A communications strategy** which establishes clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation.
- **A partnership strategy** that ensures that the quality of the Council's partnerships are improved and that all partnerships, both current and proposed, add value.
- **Treasury management practices and policies**

During 2011/12 there was an interim Head of Resource Management which was a shared post with a neighbouring authority. The Finance Manager (Management Accounting) was formally appointed as the Section 151 Officer for Colchester Borough Council during this period. The arrangements in place ensured that Colchester Borough Council's financial management arrangements conformed with the governance requirements of the CIPFA statement on the Role of the Chief Financial Officer in Local Government (2010).

DELIVERING GOOD GOVERNANCE IN LOCAL GOVERNMENT:

Review of effectiveness

Colchester Borough Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the senior managers within the authority who have responsibility for the development and maintenance of the governance environment, the Internal Audit annual report, and also by comments made by the external auditors and other review agencies and inspectorates including the Benefits Fraud Inspectorate, Equal Opportunities Commission, Lexcel, Investors In People, the Vehicle Inspectorate, DEFRA, East England Tourist Board, the Office of Surveillance Commissioners and the Local Government Ombudsman.

As well as the annual review, the governance and control frameworks are maintained and reviewed by a series of comprehensive processes throughout the year. These include:

- **A robust Internal Audit function** where the planned work is based on identified key systems and risk areas
- **An embedded reporting system** for both internal and external audit issues that ensures that senior managers and members are fully briefed on key issues, which includes the requirement to report to the Finance and Audit Scrutiny Panel at least every quarter.
- **A comprehensive risk management process** that ensures the key risks across the authority, both operational and strategic, are captured and reported to senior officers and members.
- **The reports of the Chief Financial Officer** to members and the senior management team including financial assessments of key projects and decisions.
- **The operation of an independent Standards Committee** that is fully briefed to review the conduct of members.
- **Reporting of key performance issues** to the Strategic Overview and Scrutiny Panel.
- **A comprehensive budget monitoring process** that is reported monthly to senior managers.
- **A partnership register** that records the details of all of the partnerships that the Council is involved in.

The significant control issues found during the course of the review are highlighted in the table at the end of the statement. However it should be noted that none of the key financial systems received limited or no assurance levels from internal audit during the year.

Effectiveness of Other Organisations

The Council owns two companies, Colchester Borough Homes (CBH) which was created in 2003 and Colchester Community Stadium Limited (CCSL) that was created in 2007. As these are limited companies there is no requirement for them to produce Governance Statements in this format. However it is recognised by the Council that it is essential for these companies to operate effective governance procedures to ensure appropriate and cost effective service provision and protection of Council assets.

Whilst CBH is an 'arms length' company it is still necessary for the Council to ensure that it operates effectively to ensure that it provides an effective and economical service to housing tenants that the Council's asset, the housing stock, is adequately protected. Whilst it has not been possible to finalise the governance audit of CBH prior to the completion of this report there have been no significant control weaknesses identified during the year either through this review process or through the audit programme.

A review of the management arrangements for CCSL was carried out as part of the preparation of this statement. Whilst CCSL is an 'arms length' company it is still necessary for the Council to ensure that it operates effectively to ensure that it can make the necessary loan repayments to the Council and that the Council's asset, the stadium, is adequately protected. Previous governance reviews had highlighted some weaknesses in control arrangements of the stadium which have been resolved.

The Council is the lead partner in a joint museum service with Ipswich Borough Council. Due to the nature of the arrangement, the joint museum service is required to produce its own annual return which includes an assessment of internal control. Therefore it is not intended to include any details relating to this service within this statement.

The North Essex Parking Partnership was created on 1 April 2011 with Colchester Borough Council as the lead partner. The partnership is required to produce its own annual return which includes an assessment of internal control. Therefore it is not intended to include any details relating to the service within this statement.

The Council has a comprehensive partnership strategy and maintains a detailed register of the partnerships that it participates in. The strategy defines what a partnership is and details the governance arrangements that should be in place for all partnerships, both present and new. It also provides a mechanism for improving the effectiveness of the partnerships.

Internal Audit Opinion

From the work undertaken in 2011/12, Internal Audit has provided satisfactory assurance that the system of internal control that has been in place at the Council for the year ended 31 March 2012 accords with proper practice. This is excepting any details of significant internal control issues as documented hereafter. It is also the opinion of Internal Audit that the Council's corporate governance framework complies with the best practice guidance on corporate governance issued by CIPFA/SOLACE.

Significant Governance Issues

The review of the effectiveness of the governance and internal control arrangements has identified some areas where actions are required to ensure that the authority continues to provide appropriate and cost effective services. The issues and action plans are shown in the table below. These will be monitored and reviewed via the Internal Audit reporting process.

No.	Issue	Action
1.	<p>Vehicle Workshop An external audit review of assets carried out in 2011/12 found that a recorded vehicle could not be located. This led to a further internal audit review of the systems in place at the vehicle workshop. This review found that there were insufficient controls in place and a no assurance report was issued. During the review concerns were raised over the income being received for Ministry of Transport (MOT) testing. Further work on this area was carried out and a member of staff was dismissed as a result.</p>	<p>The management of the workshop and fleet was outsourced on 01 April 2012. However it is recognised that the failures in control could occur in other service areas, therefore a formal process has been put in place to review the control weaknesses and ensure that all functions operate correctly.</p>
2.	<p>Contract Register A contracts register has been compiled and is maintained by Resource Management. However it was found that in some cases it is not being updated by service areas. It was also found that procurement processes were not always being complied with. This issue was also highlighted in 2010/11.</p>	<p>A guide to letting contracts should be agreed and issued as soon as possible. Followed up by specific training for key staff.</p>
3.	<p>Parking Services An internal audit of Parking Services income was carried out in December 2011. This produced 11 level 2 recommendations relating to policies and procedures, health and safety processes, security, authorisation processes and reporting performance to members. An audit of the partnership arrangements, carried out in March 2012, has flagged two priority 1 recommendations. The recommendations related to preparation of budgets and monthly reconciliations.</p>	<p>Management have agreed the recommendations in the report and these include:</p> <ul style="list-style-type: none"> •Updating policies •Reviewing risk assessments •Reviewing vehicles and processes used for cash collection •Carrying out reconciliations •Updating authorisation processes •Regularly reporting to the Portfolio Holder <p>Many of the recommendations have already been implemented. This service only began on 1 April 2011 and the audit was a useful check on new policies and procedures.</p>
4.	<p>Corporate Debt An internal audit of corporate debt highlighted issues surrounding debt write-offs and appointment of bailiffs. The audit showed that not all services were following the corporate debt management policy and there is not a corporate approach to appointing bailiffs.</p>	<p>A formal procedure for processing write offs for parking services is to be included in the corporate debt policy.</p> <p>A formal tender exercise is to be carried out to appoint bailiffs.</p>

We have been advised on the implications of the result of the review of the effectiveness of the governance framework by the Accounts & Regulatory Committee and we propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation and operation as part of our next annual review.

Signed:

.....
Leader of the Council

.....
& Chief Executive

on behalf of Colchester Borough Council

Colchester Borough Council
Annual Governance Statement – Action Plan for 2012/13
Significant Internal Control Issues – Relating to 2011/12 Financial Year

No.	Issue	Action	Due Date	Responsible Officer	How this Issue was Identified
1.	<p>Vehicle Workshop</p> <p>An external audit review of assets carried out in 2011/12 found that a recorded vehicle could not be located. This lead to a further internal audit review of the systems in place at the vehicle workshop. This review found that there were insufficient controls in place and a no assurance report was issued. During the review concerns were raised over the income being received for Ministry of Transport (MOT) testing. Further work on this area was carried out and a member of staff was dismissed as a result.</p>	<p>The management of the workshop and fleet was outsourced on 01 April 2012. However it is recognised that the failures in control could occur in other service areas, therefore a formal process has been put in place to review the control weaknesses and ensure that all functions operate correctly.</p>	Ongoing	Executive Director (Customer Excellence)	Issue arising in year & Internal Audit report
2.	<p>Contract Register</p> <p>A contracts register has been compiled and is maintained by Resource Management. However it was found that in some cases it is not being updated by service areas. It was also found that procurement processes were not always being complied with. This issue was also highlighted in 2010/11.</p>	<p>A guide to letting contracts should be agreed and issued as soon as possible. Followed up by specific training for key staff.</p>	December 2012	Head of Resource Management	Annual governance review process

No.	Issue	Action	Due Date	Responsible Officer	How this Issue was Identified
3.	<p>Parking Services</p> <p>An internal audit of Parking Services income was carried out in December 2011. This produced 11 level 2 recommendations relating to policies and procedures, health and safety processes, security, authorisation processes and reporting performance to members. An audit of the partnership arrangements, carried out in March 2012, has flagged two priority 1 recommendations. The recommendations related to preparation of budgets and monthly reconciliations.</p>	<p>Management have agreed the recommendations in the report and these include:</p> <ul style="list-style-type: none"> • Updating policies • Reviewing risk assessments • Reviewing vehicles and processes used for cash collection • Carrying out reconciliations • Updating authorisation processes • Regularly reporting to the Portfolio Holder <p>Many of the recommendations have already been implemented. This service only began on 1 April 2011 and the audit was a useful check on new policies and procedures.</p>	June 2012	Parking Manager	Internal Audit report
4.	<p>Corporate Debt</p> <p>An internal audit of corporate debt highlighted issues surrounding debt write-offs and appointment of bailiffs. The audit showed that not all services were following the corporate debt management policy and there is not a corporate approach to appointing bailiffs.</p>	<p>A formal procedure for processing write offs for parking services is to be included in the corporate debt policy.</p> <p>A formal tender exercise is to be carried out to appoint bailiffs.</p>	June 2012 July 2012	Head of Resource Management	Internal Audit report

