

CABINET

9 OCTOBER 2013

Present :- Councillor Anne Turrell (the Leader of the Council)
(Chairman)
Councillors Nick Barlow, Tina Bourne, Annie Feltham,
Martin Hunt (Deputy Leader) , Beverley Oxford,
Paul Smith and Tim Young

Also in Attendance :- Councillor Mary Blandon
Councillor Nick Cope
Councillor Pauline Hazell
Councillor Jo Hayes
Councillor Gerard Oxford
Councillor Colin Sykes
Councillor Laura Sykes
Councillor Dennis Willetts

38. Minutes

The minutes of the meeting held on 4 September 2013 were confirmed as a correct record.

39. Have Your Say!

Melva Lingard addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) to express concern about the 40% increase in rents for allotments proposed over the next five years. The trend of increased demand for allotments and long waiting lists was now being reversed. The Council was compounding the problem by not letting vacant plots quickly. . This imposed a double cost on the Council, who lost income and had to meet the costs of maintaining the allotment. Therefore, if the Council were able to let the vacant plots costs would come down and income would be generated. If the costs of allotments were to increase, then residents, particularly those on fixed incomes, would lose both access to cheap produce and the health benefits of maintaining an allotment.

Councillor Feltham, Portfolio Holder for Communities and Leisure Services, invited Melva Lingard to attend the Scrutiny Panel meeting on 17 October 2013 where a recent Portfolio Holder decision relating to allotments was due to be discussed.

Nick Chilvers addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) to express his concern about the state of the gardens opposite and around the Minories. This was discouraging him from taking a group of students from Sweden to visit firstsite as it would create a poor impression of Colchester. He urged the Council to use some its resources to improve this area.

Councillor Barlow, Portfolio Holder for Regeneration, Councillor T. Young, Portfolio

Holder for Planning, Community Safety and Culture, and Councillor Feltham, Portfolio Holder for Communities and Leisure Services, responded and indicated that they would look into the situation. If the land belonged to the Council, they would arrange for its improvement and if not, contact the landowner.

Councillor Hazell addressed the Cabinet pursuant to the provisions of Meetings General Procedure Rule 5(2) about a recent letter in local media about the impact of the “bedroom tax” subsidy and discretionary housing payments. She was concerned as the views in the letter were contrary to the information that Councillors had been provided with in briefings about the changes to the welfare system which had stressed the pre-emptive work the Council was undertaking to support those residents who were affected.

Councillor Smith, Portfolio Holder for Business and Resources and Councillor Bourne, Portfolio Holder for Housing, explained the support mechanisms that had been put in place for residents. These had helped a large number of residents and in addition freed up a number of large properties for families to use. The support the Council had put in place had been identified in a Department of Work and Pensions Guide as best practice. The financial support provided by Essex County Council was acknowledged.

40. Policy Review and Development Panel: Delivering Community Benefits from EU Funding in Colchester

Minute 9 of the Policy Review and Development Panel meeting of 5 August was submitted to the Cabinet. Josie Worner, Regeneration Partnerships Officer, made a presentation to the Cabinet covering details of the main schemes in the Borough funded by the European Union, how the South East Local Enterprise Partnership (SELEP) was looking to secure further EU funding and the projects that may benefit from EU funding in the future.

Councillor G. Oxford attended and with the consent of the Chairman addressed the Cabinet. He welcomed the support provided by the EU to businesses in Colchester and hoped that the support given to research and to business incubation would help retain students studying at Essex University.

Councillor Hayes attended and with the consent of the Chairman addressed the Cabinet to stress the benefits of membership of the EU. The benefits set out in the report and presentation would be lost if Britain were to withdraw. The business community, who had been silent on the issue, and the City were beginning to speak out in favour of EU membership. Regional exports to the EU were worth £16 billion and over half the region’s exports went to EU member states. It was no surprise that the richest parts of the UK were those which traded most with the EU.

Councillor Willetts attended and with the consent of the Chairman addressed the Cabinet. He congratulated the administration on its success in gaining funding for some interesting projects, particularly the redevelopment of the Castle. However, the large regeneration projects in Colchester, such as Vineyard Gate, St Botolphs and the Cultural Quarter had not progressed sufficiently to the stage where EU funding could

be secured. Also no indication was given as to the level of funding the Council hoped to secure from SELEP's bid. He estimated that the average household in the Borough paid approximately £440 per annum in towards the EU for little direct benefit. The Cabinet should prepare a proper plan for EU funding for the next 10 years, setting out what funding it expected to receive and how it may be used so that residents could see what they might get in return for the taxation they paid.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, indicated that the Council was already doing what was requested. She noted that the recommendations had come from the all party Policy Review and Development Panel and that it had not indentified any issue with the way EU funding was secured.

Councillor Barlow, Portfolio Holder for Regeneration, Councillor Smith, Portfolio Holder for Business and Resources and Councillor T. Young, Portfolio Holder for Planning, Community Safety and Culture, also indicated their support for the recommendation from the Policy Review and Development Panel. It was indicated that a number of large scale developments were underway in Colchester, such as the refurbishment of Williams and Griffin. Colchester was well placed to receive funding from SELEP and in the first round had received 26% of the available funding.

RESOLVED that the following issues be borne in mind when consideration is given to how to maximise the benefits from EU funding for Colchester in the future:

- Acknowledgement be given to the significant work already undertaken by the Council and with very limited resources to secure EU funding streams for the benefit of the community;
- The need for continued support to be given by the Council to the identification of EU funding streams in the future;
- The need for continued support to be available for the local Small and Medium Sized Enterprise sector and the creative industries in Colchester;
- Opportunities be sought to work collectively with the University of Essex and Anglian Water to secure appropriate funding streams and to deliver tangible solutions to local issues of concern such as the odour problem in the area of the Hythe;
- Efforts be concentrated on securing as much support as possible for Colchester from the South East Local Enterprise Partnership, bearing in mind the extent of the geographical area that the SELEP covers and the need to align funding opportunities with the 2015-2020 three priority themes;
- The need for greater awareness of the sources of funding from the EU to be generated within local communities;
- The importance of finding projects which include elements of innovation and sustainability such as the domestic sprinkler example for Colchester Borough Homes to consider.

REASONS

There were clear benefits to the Borough from EU funding, as set out in the report and minute of the Policy Review and Development Panel and the presentation to Cabinet.

ALTERNATIVE OPTIONS

It was open to the Cabinet not to accept the recommendations from the Policy Review and Development Panel.

41. To Approve the Delegation of Authority for the Award of the Cash in Transit Contract

The Head of Customer Services submitted a report a copy of which had been circulated to each Member. Councillor Smith, Portfolio Holder for Business and Resources, indicated that it was now the intention to let the Cash in Transit contract in lots and that only Lot 1 required authority to be delegated to the Head of Customer Services in consultation with the Portfolio Holder for Business and Resources.

RESOLVED that authority be delegated to the Head of Customer Services in consultation with the Portfolio Holder for Business and Resources to approve the award of Lot 1 of the Cash in Transit Contract.

REASONS

The Council is currently engaged in an exercise to procure the cash collection and counting element of Income Management. The planned date for the appointment of the preferred contractor is 1 December 2013. There are timescale constraints due to the implications regarding TUPE transfer due to 30 day consultation and the operational needs of the North Essex Parking Partnership over the Christmas period.

The cost of Lot 1 of the contract, over the course of five years will exceed the financial limit of £500,000 which currently determines who can approve such expenditure.

ALTERNATIVE OPTIONS

To progress the approval through the normal channels and ask the Cabinet to consider the contract award at its 27 November meeting and to extend the current Cash in Transit Contract for a further 8 weeks.

To continue to count cash in house and increase the capacity of the Income team to incorporate the additional cash counting from the North Essex Parking Partnership and to move the existing secure office to another location. Vacation of the current office is due by 1 March 2014.

42. Capital Housing Investment Programme: Appointment of a Single Contractor to Install Windows and Doors in Council Homes

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

RESOLVED that:-

(a) Anglian Windows be appointed to deliver the PVCu Windows and Doors contract.

(b) The Council enter into the latest version of the Joint Contracts Tribunal (JCT) Measured Term Form of Contract with Anglian Windows to deliver the works.

REASONS

The contractor previously delivering this service decided to invoke a Break Clause, which existed in the three individual contracts that were in place, and as a result it has been necessary to undertake a procurement exercise.

In order to maintain services to customers, the Portfolio Holder for Housing together with the Proper Officer agreed in February 2013 that Contract Procedure Rule 2(2) should be invoked to allow an exemption from the normal procurement requirements to be followed and Cabinet Procedure Rule 22 was also invoked to deal with the situation under "Matters of Urgency".

As a result during an interim period while a new tender process was being conducted services have continued to be delivered to customers through Colchester Borough Homes using a local supply chain.

The procurement approach agreed by Cabinet on 1st December 2010 as part of the Asset Management Strategy is to let a JCT Form of Contract for this and similar types of work.

The external replacements programme has a direct effect on the individual properties energy efficiency which can be measured on a 1 to 120 scale through the Standard Assessment Procedure (SAP) score. The SAP score increases by 3 points when replacing single glazed windows with double glazing which represents a carbon saving of 0.377 tonnes per annum. This can be further represented as a financial saving on the tenants heating bill of £69.00 per annum (modelled on a 1950's 3 bed semi-detached house). Due to the advances in technology the SAP score still increases by 1 point when replacing existing double glazed windows and PVCu doors can assist in draft proofing.

ALTERNATIVE OPTIONS

Not to accept the tender but this would impede the delivery of previous Cabinet decisions and may not deliver best value which the Council has a duty to seek.

Not to continue with the programme but again this would be at odds with the previous Cabinet decisions.

43. Policy Review and Development Panel: Work Programme 2013/14

Minute 10 of the Policy Review and Development Panel meeting of 5 August 2013 was

referred to the Cabinet.

Councillor T. Young explained that a very good report on fracking had been prepared by officers and circulated to all councillors. The report made it clear that Colchester was not a suitable location for fracking. This could now be made publicly available.

RESOLVED that:-

(a) The report on fracking provided to Councillors be noted and made publicly available;

(b) In view of the provision of the report to Councillors, there was no need for the submission of a report on fracking to a future meeting of the Policy Review and Development Panel.

REASONS

Officers had produced a report on fracking which had been distributed to Councillors. The report had demonstrated that Colchester was not an appropriate location for fracking.

ALTERNATIVE OPTIONS

It was open to Cabinet to request further work on the issue, if it considered this was necessary.

44. Progress of Responses to the Public

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

RESOLVED that the contents of the Progress Sheet be noted.

REASONS

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

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.

The Cabinet/Panel resolved under Section 100A(4) of the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public from the meeting for the following item as it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

45. Capital Housing Investment Programme: Appointment of Single Contractor to Provide PVCu Windows and Doors to Council Homes

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

RESOLVED that:-

- (a) The information in the Head of Commercial Services report be noted.
- (b) Anglian Windows be appointed to deliver the PVCu Windows and Doors contract.
- (c) The Council enter into the latest version of the Joint Contracts Tribunal (JCT) Measured Term Form of Contract with Anglian Windows to deliver the works.

REASONS

As set out in minute 42

ALTERNATIVE OPTIONS

As set out in minute 42.