

Policy and Public Initiatives Panel Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ**

Wednesday, 04 March 2020 at 18:00

The Policy and Public Initiatives Panel provides legislative, improvement and policy advice to Cabinet and Portfolio Holders on issues that may affect executive functions. The Panel considers issues at the request of Cabinet and Portfolio Holders and must seek approval from Cabinet on whether and how issues proactively identified by the Panel are examined. The Panel also considers initiatives for review from members of the public.

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Policy and Public Initiatives Panel – Terms of Reference

- (1) To proactively identify issues and legislative changes that may require review and improvement and to seek Cabinet's agreement as to whether and how they should be examined.
- (2) To review strategies and policies at the request of the Cabinet and to make recommendations back to Cabinet for decision.
- (3) To review issues at the request of a Portfolio Holder and to make recommendations back to the Portfolio Holder for decision.

COLCHESTER BOROUGH COUNCIL
Policy and Public Initiatives Panel
Wednesday, 04 March 2020 at 18:00

The Scrutiny Panel Members are:

Councillor Phil Coleman	Chairman
Councillor Martyn Warnes	Deputy Chairman
Councillor Christopher Arnold	
Councillor Helen Chuah	
Councillor John Jowers	
Councillor Derek Loveland	
Councillor Lee Scordis	

The Policy and Public Initiatives Panel Substitute Members are:

All members of the Council who are not Cabinet members.

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Please note that Agenda items 1 to 5 are normally dealt with briefly.

1 Welcome and Announcements

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

2 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 Urgent Items

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or

participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

5 Minutes of Previous Meeting

The Councillors will be invited to confirm that the minutes are a correct record of the meeting held on 20 January 2020.

Policy and Public Initiatives Panel Minutes 20 January 2020 7 - 12

6 Have Your Say!

The Chairman will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the terms of reference of the meeting. Please indicate your wish to speak at this point if your name has not been noted by Council staff.

7 Public Initiatives

The Chairman will invite members of the public who wish to suggest ideas for review by the Policy and Public Initiatives Panel. Speaking arrangements for this item would be the same as Have Your Say.

8 Universal Credit 13 - 16

The Panel is invited to review and comment on the actions taken to date by Colchester Borough Council, Colchester Borough Homes and the Department for Work and Pensions.

9 Review of Political Management Arrangements 17 - 24

This report provides a review of our political management governance arrangements i.e. Leader and Cabinet executive and provides details of the committee system model.

10 Work Programme 2019-20 25 - 28

This report sets out the current Work Programme 2019-2020 for the Policy and Public Initiatives Panel, providing details of the items of business that are scheduled for each meeting during the municipal year.

11 Exclusion of the Public (not Scrutiny or Executive)

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

Part B
(not open to the public including the press)

POLICY AND PUBLIC INITIATIVES PANEL

20 January 2020

Attendees: Councillors Arnold, Coleman, Jowers, Loveland, Scordis and Warnes.

Substitutes: Councillor Scott-Boutell for Councillor Chuah.

Also Present: Councillors Harris and J. Young.

45. Minutes

RESOLVED that the minutes of the meeting held on 27 November 2019 be confirmed as a correct record.

46. Next steps regarding options for Colchester High Street: agreeing objectives, gathering data and consulting stakeholders and the public

Councillor Jowers (by reason of being a member of Essex County Council) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7 (5).

The Chairman clarified that this item was to discuss the future of Colchester High Street in general terms and consider the potential for reducing the amount of traffic using it.

Sir Bob Russell addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). Sir Bob gave his view that pedestrianisation of the High Street would disturb the equilibrium of the Town centre and should not be introduced. Banning traffic from the High Street would cause problems for the surrounding areas and would disrupt bus networks. Sir Bob estimated that around 80% of the Town centre was already pedestrianised.

Sir Bob Russell raised issues which he believed should be addressed instead. These included a review of bus stop placements in the Town Centre, and improvement in paving especially where damaged, such as at the southern end of West Stockwell Street.

A member of the Panel described historic investigations carried out on traffic movements using the High Street, around the year 2000. These had shown that many vehicles used the High Street as a through route. It was put forward that these were the journeys which should be re-directed to alternative routes, by finding ways to lower congestion in other parts of Colchester.

Mr Nick Chilvers addressed the Panel pursuant to the provisions of Meetings

General Procedure Rule 5(1) and raised his concern over weaknesses in the Town's road network, especially in the South East. Of particular concern was the difficulty in reaching the A12 or facilities in the North of Town, as experienced by those living to the South East, from Middlewick to Rowhedge. Mr Chilvers asked if the Borough Council had influence on the County Council's transport strategy.

Mr Chilvers further questioned what demolition work would be required to allow the proposed Rapid Transit System (RTS) to be routed into Colchester and requested that High Street pedestrianisation be avoided and other traffic issues be prioritised.

Karen Syrett, Housing and Planning Manager, introduced the report, which was an update on progress since the report the Panel received on Colchester High Street in January 2019. The report covered impacts on the High Street, Town Centre, and beyond. It referenced the Rapid Transit System (RTS) and the County Council's emerging Transport Strategy, both of which have evolved over the past twelve months, with the draft Transport Strategy due for consultation in the near future, whilst the RTS scheme had gained millions in Government funding. The recently-announced Towns Fund was described, with work progressing on the Town Deal which will be needed for Colchester to successfully bid for up to £25m in central government funding. The objectives for this were for long-term economic and productivity growth, encompassing land use and regeneration, improvements to skills and enterprise, and connectivity (both digital and transport links). These issues were seen as being interconnected, and so officers were considering them in this context.

The relationship between the new Strategic Priorities and Colchester High Street were highlighted, in particular the priorities for the Town Centre, and on promoting the use of walking and cycling links. There were a range of possible options, from doing nothing through to full pedestrianisation. Research and consultation would be necessary to inform the Town Deal and the related investment plan.

Matthew Brown, Economic Development Manager, provided further information on work towards the Town Deal Plan, which was expected to be ready by June/July of this year. The content was specific, such as a focus on infrastructure, enabling measures and the mitigation of identified blocking factors. A small team had been and was being appointed to oversee the necessary work, including an engagement officer. The Town Deal area included much of the residential area of Colchester and much of the key infrastructure.

A member of the Panel noted that the possibility of High Street pedestrianisation had been raised several times over past decades, that the RTS and link roads are related to the North Essex Garden Communities Project and that it was not expected that this would necessitate any demolitions. Addressing the points made by Mr Chilvers, a number of Panel members agreed that there was potential and need for a Southern bypass and/or relief road, especially were further development be carried out to the South of Colchester. This would be of use to villages to the South of the Town, and help improve East-West links from Tendring, easing pressure on existing links. It was further opined that Essex County Council (ECC) did listen to its partners, including borough and district councils, and that Colchester Borough Council (CBC) had additional links to ECC, with a member of CBC also being the Deputy Leader and Cabinet Member for Infrastructure at ECC.

The Panel noted that the Colchester bus network primarily ran through the Town Centre, and especially the High Street, potentially due to roads around the centre being as heavily congested as the High Street. The Panel queried whether, as part of a consultation exercise, the feasibility of changing bus routes could be assessed, potentially to see if these could avoid using the High Street. Past suggestions had included a circular bus route around the Town, possibly using electric buses and including a transport hub near Colchester's main railway station.

A Panel member opined that bus routes offered and fares charged were evidence that buses were a low priority. Routes were not convenient for those with restricted mobility and some areas, particularly rural areas, had been reduced to an hourly or once-every-two-hours service. Residents often saw this as a disincentive to use buses rather than their cars and the Panel member suggested that efforts should be made to investigate whether some services could be provided by community interest groups, where gaps existed. The Housing and Planning Manager cautioned that the Council would need to adhere to rules relating to state aid, should it look at options for community bus provision. Rachel Forkin further advised that community demand would need to be evidenced before a community bus service could be introduced. The Panel noted that there was often a difference between what respondents to consultations said they wanted, and what they would actually use, and that this should be borne in mind.

Concern was raised that the County Council's Transport Strategy was emerging before the work to set out a vision for Colchester could produce results, potentially leading to a transport strategy being put in place prior to the vision that it should be designed to support. It was queried whether this could potentially limit the options for the centre of Colchester.

The Housing and Planning Manager confirmed that the four potential routes for the proposed link road all aimed to avoid the need for demolition of existing properties. She further agreed that significant forward planning was needed to examine ways to progress towards the building of a southern relief road. It was also confirmed that ECC had worked with bus operators on the drafting of their emerging Transport Strategy, but that it was not known if this had included discussion of route changes. It was known that bus operators were concerned at parking prices in Colchester being relatively low, thus incentivising car use over buses. It was considered possible to develop the vision for Colchester alongside the new transport strategy. The emerging Transport Strategy would not be finalised for some time to come following an engagement exercise.

The Panel requested more detail on funding secured for the RTS and the A120/133 Link Road. The Housing and Planning Manager confirmed that £99.9 million of government funding had been secured toward the cost of the RTS and the Link Road, with more secured via Section 106 agreements. Concern was raised by Panel members that, should the West Tey North Essex Garden Community go ahead, there would be additional strain on the road links through to Ipswich and Tendring. Should development also occur in the Middlewick area, it was argued by a Panel member that measures would need to be taken to assist through traffic in diverting around that area.

A Panel member focused on the report being a report on the High Street and that efforts should be made to press for improvements in the existing paving and reduction in traffic density. It was affirmed that this was in context of needing to examine the future for the wider Town and that all stakeholders would need to work together, including ECC, CBC and bus companies to provide traffic reduction, better bus routes, relief roads and other measures to support the Town centre vision, once created. The Housing and Planning Manager confirmed that this was the approach being pursued by Council officers. She further confirmed that she would investigate an ongoing and specific traffic issue raised by Councillor Scott Boutell and concerning Warren Lane.

The future development of Park and Ride in Colchester was discussed and the Housing and Planning Manager explained that no specific location for an eastern terminus had been identified, but that an additional Park and Ride from the East of Town was being considered and was recognised as being desirable, given the growth expected to the East of Colchester.

The Panel reiterated the importance of considering any knock-on effects that changes to the High Street might have and drew on past experience of where changes had caused problems in the surrounding road network. The Panel did, however, welcome the proposed examination of different options and ideas to reduce traffic density through the High Street, potentially including improvements to alternative cross-town routes. This would provide the best change of producing a more-successful urban network.

RESOLVED that the Policy and Public Initiatives Panel had noted and discussed the report.

RECOMMENDED to CABINET that alongside consultation and engagement exercises linked to each of the above work programmes, Officers commission a study looking at the options for reducing traffic in the High Street.

47. Secure and Covered Cycle Storage Options

Mr William Bramhill addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1). Mr Bramhill spoke to agree with the report's recommendations and request that pressure be exerted to improve the requirements for provision of cycle storage to be included in new-build residential developments, which in his view was currently insufficient and acted as a disincentive to modal shift from car use to cycling as an alternative.

The Panel raised caution that any requirements laid down for cycle storage within individual dwellings may be used for purposes other than cycle storage. A Panel member highlighted the issue of high-density developments, where space for external covered storage was reduced, and any provision of internal storage would act to increase property prices. It was further suggested that briefings on Section 106 requirements be expanded to specify requirements for cycle storage in new developments.

It was ventured by a Panel member that secure public cycle storage in the Town Centre and key areas was the crucial issue to be addressed, as the lack of such

storage disincentivises the use of bicycles. Traditional cycle racks did not act sufficiently to deter theft or prevent damage, and it was put forward that cyclists should be asked for recommendations as to where to site secure covered storage in the Borough. The Panel agreed that cycling would be encouraged if cyclists could be given safer cycle routes and secure and protective cycle storage throughout Colchester.

Officers were asked to see whether data regarding the level of usage of electric bikes was available.

A discussion was held on the potential difficulties in siting secure storage areas in Colchester High Street, including the current one-way system, which resulted in cyclists from the East of Town having to dismount and push their bikes to where existing (unsecured) cycle racks are currently located. Several possible sites were suggested, including the Town Hall car park on St. Runwald Street, Holy Trinity Church and Vineyard Street Car Park and other car parks within the Town. The Town Hall car park was covered by a monitored CCTV system, whilst Holy Trinity Church could be used to provide covered storage in an easily-monitored location. Empty retail units were also suggested as a possible site for a cycle storage and repair centre for the Town Centre. A Panel member informed the Panel that the founder of 'Repair, Reuse and Recycle', Chris Blomley, had requested help to set up a centre which would include a bicycle repair service, amongst other services.

The Panel agreed that it would be worthwhile for officers to explore options for both secure public cycle storage at key locations, and options for secure and covered cycle storage in residential areas, consulting with residents as appropriate. It was suggested that land owned by the Council in residential estates could be used for residents' covered cycle storage. The cost of this was noted as being much higher than unsecured storage but would offer far better protection from damage or theft. Use of CCTV covering unsecured storage would increase safety but would be less reliable than secured storage. The Chairman argued that better advice and education should be provided to cyclists on how to maximise the security and protection of bicycles when parked.

In addition, it was noted that there remained broken links in the Colchester cycling network, which should be addressed. Rachel Forkin, Transport and Sustainability Manager, gave assurance that work was being conducted on wider cycling initiatives for the Borough, and that this included possible storage improvements and joining up the cycle network where links are currently not present. She laid out a number of possible options for Town Centre and residential secure parking and emphasised the need for any installation to be demand-led. Wide consultation would be required to identify need, and requirements for management and access arrangements would then be considered for each type of storage proposed. A Panel member noted that Colchester Town Station and the Hythe (Essex) Station did not have secure cycle storage options and so little cycle parking was to be seen at those locations. It was also noted that provision of station cycle parking was not within the Council's remit but was a responsibility of Network Rail.

The Panel stressed the need for any storage areas to be well-lit and overlooked by properties and passing pedestrians. This would be vital to ensure that cyclists felt safe utilising them.

The Transport and Sustainability Manager explained that she would obtain cost details for the range of options for secured cycle storage, should a recommendation be made and agreed to take this work further. The Housing and Planning Manager informed the Panel that it might be possible to bid for and obtain funding for cycle storage from the Town Fund, as part of the overall bid for this funding.

Councillor Julie Young attended and with the consent of the Chair addressed the Panel. Councillor Young explained that she had conducted a fact-finding visit to the 'Mini-Holland' area in Waltham Forest, which was aimed at improving links, safety and experiences for cyclists and pedestrians. She informed the Panel that the scheme had proved to be very successful, and that the secure and covered cycle storage option used there for residents' parking involved half-moon storage units, with keys provided to residents, which stored five or six bicycles each and cost around £2,500 per unit.

RESOLVED that the report had been noted and discussed.

RECOMMENDED to CABINET that officers be directed to explore options for secure and covered public cycle storage in the Town Centre and at key locations, and explore options for secure and covered cycle storage in residential areas, consulting with residents as appropriate and sourcing information as to the cost of potential options to meet identified demand. This should be carried out as part of wider work already progressing on cycle initiatives and efforts to complete the network of cycle routes in Colchester.

48. Work Programme 2019/20

The Panel considered the draft Work Programme for 2019/20. It was noted that the next meeting of the Panel would cover items on the Council's approach to supporting those residents in receipt of Universal Credit, and on a comparison of the Committee and Cabinet models of council administration.

The Panel requested that the results of consultations carried out relating to the High Street/Town centre be reported back to the Panel at such time as this is possible, and that this be provisionally scheduled in to the 2020/21 work programme as soon as it is possible to ascertain when this will be available. Mandy Jones, Assistant Director – Place and Client Services, stated that there was to be a planned information-only report to be provided to the Panel at its September meeting, which would give an update on all the work which had progressed from all items considered by the Panel in 2019/20, and from recommendations made by the Panel.

RESOLVED that the Work Programme for 2019/20 be noted.



Policy and Public Initiatives Panel

Item

8

4 March 2020

Report of	Assistant Director Customer	Author	Jason Granger ☎ 508824
Title	Universal Credit		
Wards affected	All Wards		

1. Executive Summary

1.1 The Welfare Reform Act 2012 introduced significant changes to the national Welfare Benefit Landscape. Universal Credit, alongside other Welfare Reforms, were introduced nationally from 1 April 2013. This report highlights Colchester Borough Council's and Colchester Borough Homes' response to the Welfare Reform agenda, summarises the work of specialist officers and details the partnerships formed to best support residents.

2. Action Required

2.1 The Panel is invited to review and comment on the actions taken to date by Colchester Borough Council, Colchester Borough Homes and the Department for Work and Pensions.

3. Reason for Review

3.1 The subject matter was suggested by a member of the public. It was then approved by Cabinet at its meeting on 13 March 2019 for future consideration by the Policy and Public Initiatives Panel.

4. Background Information

- 4.1 The Welfare Reform Act 2012 introduced various Welfare Reforms including: removal of the spare room subsidy, the benefit cap, freezing of benefit rates, localisation of Council Tax Support and the introduction of a new benefit - Universal Credit.
- 4.2 Alongside this package of reforms central government increased our funding for Discretionary Housing Payments. In addition, Colchester Borough Council has provided an additional £50k per annum to the scheme since 2013.
- 4.3 In response to the reform agenda Colchester Borough Council formed cross-service strategic and operational groups. These groups included senior leads from all relevant areas of our organisation and allowed for effective planning and adjustment ahead of the introduction of the reforms commencing on 1 April 2013.
- 4.4 Operationally, officers were used to form a team that commenced a programme of proactive support to best help residents manage changes in their income levels. This team included officers from Colchester Borough Homes, Colchester Borough Council and the Department for Work and Pensions. The team contacted all affected residents and provided support and advice tailored to residents' specific needs. This proactive and collaborative approach was recognised nationally as being highly effective.
- 4.5 As the reform agenda progressed the model of support evolved, and this included the forming of the Customer Support Team, based in the Library and Community Hub, and in addition Colchester Borough Homes Financial Inclusion Team. Both teams included officers who were skilled in technical benefit knowledge, employment and training, carried a wide understanding of support networks/partners and were, of course, adept in providing practical yet sensitive advice.
- 4.6 Colchester Borough Homes' Financial Inclusion Team offer one-to-one financial support, Welfare Benefit advice and debt resolution specifically to Council Tenants. The team have developed key partnerships with other agencies to support tenants to sustain their tenancies.
- 4.7 Universal Credit is a significant adjustment to the Welfare Benefit Landscape, incorporating six means-tested benefits/tax credits into one monthly payment, including Housing Benefit. Entitlement is paid to a resident after the end of a monthly assessment period and payments will be generally made directly to the resident. Universal Credit was introduced in Colchester in March 2015 to a single group of claimants. From July 2018 it was expanded to all working age claimant groups with full migration expected to be completed nationally by 2024.
- 4.8 Since Universal Credit has been introduced, working age Housing Benefit claims have reduced whilst take up of Local Council Tax Support has increased mainly due to officers proactively promoting this discount.
- 4.9 Discretionary Housing Payments awarded to those in receipt of Universal Credit has increased. For the financial year 2019/2020 the Discretionary Housing Payment fund is £375k. To date half of all applications awarded have been to those receiving Universal Credit.

4.10 The introduction and expansion of Universal Credit has provided challenges to some residents in the maintenance of a Universal Credit claim and in meeting rent / Council Tax payments. This has required services to adjust and provide different types of support to resident and tenants. Overall, Colchester Borough Homes is managing the impact on tenants and rent accounts but at a cost. There has been a sharp increase of households on Universal Credit from 4% in 2018/2019 to 10% 2019/2020. Arrears have increased £100k from the same point last year. However, the average arrear of CBH tenants claiming UC is below the national average £250 (national average £320).

There have been several factors that are having a positive impact:

- Increased resources in the rent collection team and Financial Inclusion Team
- Investment in financial wellbeing services – which include funding a Citizens Advice Officer, Family Intervention resource and Open Road Officer to extend financial support and debt advice to our tenants.
- Financial Inclusion Team working with Signpost to open pathways of getting people back into work.
- Partnership with Colchester Borough Council and Department for Work and Pensions

4.11 The Department for Work and Pensions has funded a full time Community Support Officer within Colchester Borough Council. This role supports those furthest from the employment market and also residents who may have difficulties in making the transition from Housing Benefit to Universal Credit. This role has proved successful especially in the way organisational barriers are overcome to deliver quick resolutions.

4.12 Colchester Borough Homes have also extended their partnership working. In January 2020, a Citizens Advice drop-in surgery is now running out of the Greenstead Local Housing Office, co-locating with the Financial Inclusion Team. This service is already popular within the community.

5. Equality, Diversity and Human Rights implications

5.1 This report provides a summary of activities and interventions conducted since 2012. Individual policies would have been assessed using Equality Impact Assessments.

6. Standard References

6.1 There are no particular references to consultation, publicity considerations health and safety, risk management implications or environmental and sustainability Implications.

7. Strategic Plan References

7.1 The Council's Strategic Plan sets out four themes, one of which being: 'Wellbeing - Making Colchester an even better place to live and supporting those who need most help'.

One of the five priorities under the Wellbeing theme is to:

'Target support to the most disadvantaged residents and communities'

7.2 Colchester Borough Council has created specific roles and support mechanisms in recognition of the difficulties some residents will have. These proactive interventions have provided a range of services including flexible payment plans, debt and back to work advice as well as administration of discretionary funds.

8. Financial implications

8.1 As Universal Credit expands, working age claims for Housing Benefit will begin to fall. It is expected the Department for Work and Pensions grants which partly cover the administrative cost of awarding Housing Benefit will also decrease.

9. Health, Wellbeing and Community Safety Implications

9.1 The proposals contain provision for dealing with welfare concerns of residents, particularly vulnerable people. It is intended to limit hardship to avoid giving rise to crime and disorder.



Policy and Public Initiatives Panel

Item
9

4 March 2020

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Review of Political Management Arrangements		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report provides a review of our political management governance arrangements i.e. Leader and Cabinet executive and provides details of the committee system model.

2. Action Required

- 2.1 To note the contents of this report.
- 2.2 To consider whether the Panel wishes to make any recommendations to Cabinet following consideration of this report.

3. Reasons for Review

- 3.1 The Panel at its meeting on 19 June 2019 recommended to Cabinet that approval be given for a review to be included in the Panel's work programme of the Council's Leader and Cabinet model of administrative arrangements to determine whether the Council should continue with these arrangements or revert to a committee model. The Cabinet subsequently gave approval for this at its meeting on 10 July 2019.

4. Background Information

- 4.1 The Local Government Act 1972 established the governance framework for Local Authorities. This created the traditional method of decision making, with the Full Council and its service committees making the decisions. Delegation of decision making to an individual councillor was not permitted and some decisions were routinely referred to Full Council or referred if a councillor thought that a decision should be made by Full Council. There were various well-rehearsed arguments both for and against this type of governance arrangements, for example: for; it enabled more inclusive decision making by involving more councillors, and against; it could lead to slow and protracted decision making.
- 4.2 Accordingly with these concerns in mind, the Government of the day legislated, as part of its Local Government modernising agenda, to change Local Authority political governance arrangements, which culminated in the Local Government Act 2000. This Act included the requirement for each Local Authority to have a Constitution to detail how their arrangements worked. The 2000 Act introduced the concept of executive arrangements and required most Local Authorities to adopt an Executive system by undertaking a process and adopting one of the specified models. These were:
- Directly elected Mayor and Cabinet
 - Leader and Cabinet
 - Directly elected Mayor and Council Manager

- Alternative arrangements (*committee system but only available to Local Authorities with populations below 85,000*)

4.3 The Council in 1999, with the knowledge of the then forthcoming requirements of the 2000 Act, decided to embrace the Government's modernising agenda and sought to modernise early. Following a public consultation, a pilot Leader and Cabinet executive structure was set up in February 2000.

4.4 Following the commencement of the 2000 Act, the lessons learned from the pilot executive structure were used as the basis for refining the model into a more efficient and transparent methodology of taking decisions in Colchester. In 2001 the Council undertook a further public consultation and of the 1,476 responses received the result was:

- Directly elected Mayor and Cabinet – 27.2% in favour
- Leader and Cabinet – 62.1% in favour
- Directly elected Mayor and Council Manager* - 8.4% in favour
- Spoilt - 2.3%

*[*NB this option was abolished in 2007.]*

Subsequently the Full Council in July 2001 resolved that the Council adopt the Leader and Cabinet model of executive arrangements. These came into effect on 15 May 2002.

4.5 The Local Government and Public Involvement in Health Act 2007 required Local Authorities to reconsider how decision making by the Executive (i.e. Cabinet) would operate from May 2011. The 2007 Act required the Council to undertake a public consultation on which option it should adopt. The options were:

- Leader and Cabinet
- Directly Elected Mayor and Cabinet

This revised Leader and Cabinet model introduced the concept of a "strong leader". This was due to all executive power being vested in the Leader personally who then determines how it is discharged, as opposed to the previous version where it was vested in the Cabinet collectively. In addition, the Leader was also to be elected for a four-year term of office and have to power to hire and fire Cabinet members including a Deputy Leader.

4.6 The 106 responses to the public consultation undertaken in 2010 were as follows:

- Leader and Cabinet – 57.5% in favour
- Directly Elected Mayor and Cabinet - 40.5% in favour
- No preference - 2%

The Full Council in December 2010 resolved that the Council adopt the Leader and Cabinet model of executive arrangements. These came into effect on 8 May 2011.

4.7 The Localism Act 2011 introduced further changes to Local Authority political governance arrangements by providing that a Local Authority may operate either:

- Executive arrangements or;
- A committee system

Under the committee system, a Local Authority can decide how its functions are delivered. The full council can delegate certain responsibilities to a committee, sub-committee or an officer.

- **A traditional committee system** will have a relatively large number of service committees often aligning closely with council departments. There may or may not be a policy and resources committee to co-ordinate work programmes. Scrutiny committees are optional but if appointed they have the same powers as under executive arrangements. Usual regulatory committees.
- **A streamlined committee system** consists of two or three service committees, which may be supplemented by one or more overview and scrutiny committees. Scrutiny committees are optional but if appointed they have the same powers as under executive arrangements. Usual regulatory committees.

4.8 The following table provides a high-level comparison between executive arrangements and the committee system.

Leader and Cabinet Executive	Committee System
<p>Leader is elected by the Council for a term of up to four years. The Leader appoints a Deputy.</p> <p>The Leader appoints and removes the councillors in the Cabinet. At least two and up to nine councillors can be appointed to the Cabinet. Each Councillor has a portfolio of responsibilities such as Health and Wellbeing or Economic Development and Regeneration upon which they have delegated authority to make decisions.</p> <p>The Cabinet makes decisions on key strategic issues including the budget and is responsible for implementing the agreed policies of the Council.</p> <p>The Scrutiny Panel holds the Cabinet to account for the decisions it and the councillors within it make. The Panel comprises councillors who are not members of the Cabinet (i.e. backbenchers) Their role is to assist the Cabinet with policy development and to scrutinise the decisions that the Cabinet is about to take or has already taken.</p> <p>Advantages:</p> <ul style="list-style-type: none"> • Strategic decisions can be taken in a swifter and more coordinated way • Easier for partnership organisations to work with a Cabinet rather than a number of committees • Portfolio Holders offer a clear point of contact within local authorities. This is a mechanism through which partners can access and navigate the organisation and its information <p>Disadvantages:</p> <ul style="list-style-type: none"> • The political balance on scrutiny committees can favour the majority party • Councillors not on the Cabinet can feel disengaged with the decision-making process • Great deal of responsibility in the hands of a few 	<p>Decisions are taken by committees comprising members from all political groups (where there are at least two councillors in that group). The Council appoints the committees and sets their Terms of Reference.</p> <p>Committees receive briefings and commission reviews to develop council policy. They are concerned with matters that must be dealt with at councillor level and not with the day-to-day administration of the Council, which is the responsibility of the officers. They can be permanent standing committees, or temporary task and finish committees.</p> <p>Optional whether to include overview and scrutiny but if it does include it, committee has same powers as under executive arrangements but as a committee of Council.</p> <p>Advantages:</p> <ul style="list-style-type: none"> • More councillors directly involved • Wider range of views influencing decisions <p>Disadvantages:</p> <ul style="list-style-type: none"> • There is a risk of decisions being made in silos as cross-cutting issues can be difficult to identify and address • Widely considered to be inefficient, slow in decision making and overly focused on operational matters rather than policy and results. • Can require a greater amount of council officer time to provide briefings and support than has generally been experienced under most executive arrangements • More meetings to transact business

4.9 In Essex, all local authorities operate Leader and Cabinet executive arrangements with the exception of Basildon Borough Council, Brentwood Borough Council and Maldon District Council who are all operating the committee system.

5. Review of Colchester’s Executive Arrangements

5.1 As can be seen from above the Council’s executive arrangements have evolved over time and are kept under review by the Monitoring Officer as an integral part of the statutory role to keep the Council’s Constitution under review.

5.2 Both executive arrangements and the committee system are required to have committees that deal with regulatory matters which are the responsibility of full council; i.e. planning and licensing. It is optional whether a committee system has a scrutiny function, but if it does, it has the same functions as under executive arrangements.

5.3 Under executive arrangements, there is a presumption that a function is the responsibility of Cabinet unless regulations provide otherwise. Accordingly, Cabinet is the most important meeting and is at the core of decision making. The following table shows the split between our executive and non-executive decision-making meetings.

Executive	Non-Executive
Cabinet	Full Council
Revolving Investment Fund Committee	Planning Committee
Portfolio Holders	Licensing Committee
Task & Finish Groups	Licensing Sub-Committees
Colchester & Ipswich Museums Service Joint Committee	Local Plan Committee
North Essex Parking Partnership Joint Committee	Governance and Audit Committee
Essex Countywide Traveller Joint Committee	
Scrutiny Panel	
Policy & Public Initiatives Panel	

5.4 The Constitution states (Article 12.01) “one of the purposes of the executive structure is to expedite the decision-making process. It is the intention of the Council that decision taking should be delegated in the interests of speed where that is consistent with the democratic process in terms of accountability and openness.

The various levels of decision making are: -

- (a) Council – Panels / Committees – delegations to Officers
- (b) Cabinet – Cabinet Members – delegations to Officers.”

5.5 Figure 1 shows our current executive arrangements and Figure 2 is an illustrative example of a committee system structure.

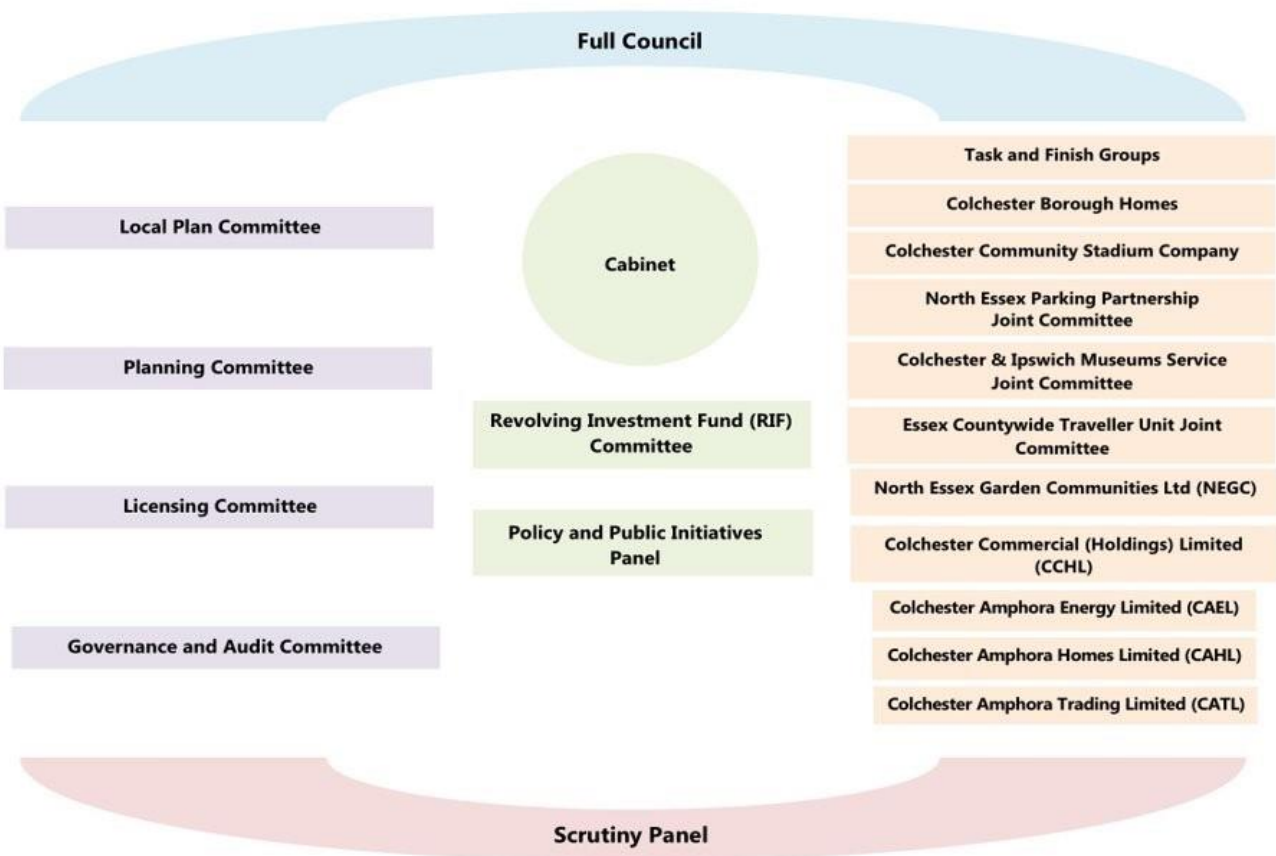


Figure 1.

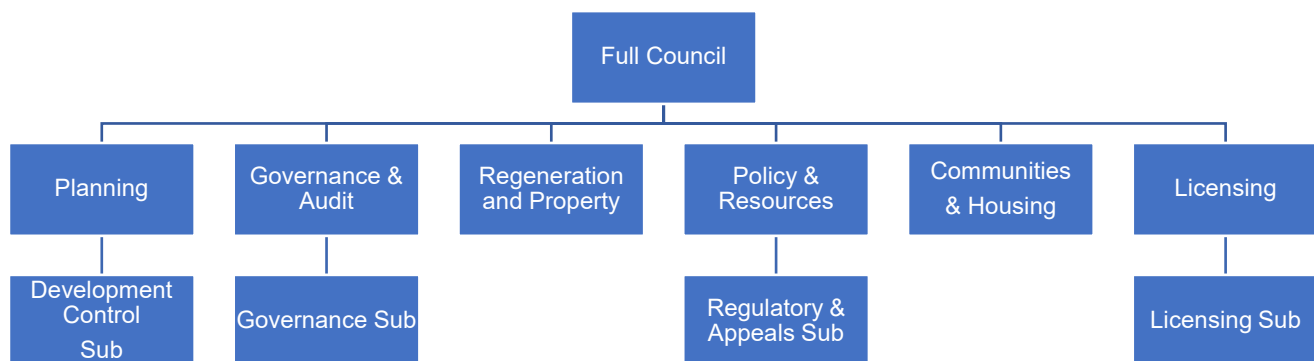


Figure 2.

- 5.6 There is an overriding principle that local authority decisions are taken in public. This applies to whatever form of governance arrangements are implemented. Furthermore, public accessibility to record, etc, the meetings has been enshrined in legislation and the Council along with most other local authorities broadcasts its public meetings thus enabling public access in accordance with the transparency agenda.
- 5.7 Under executive arrangements it is the responsibility of the Cabinet to take decisions within the Budget and Policy Framework agreed by the Full Council. As a balance to the Cabinet the Scrutiny Panel holds it to account and scrutinises policies and performance. It can also consider other matters of local concern. The Scrutiny Panel also acts as the Council's Crime and Disorder Committee. As part of the transparency agenda, notice of certain decisions is required to be published in advance on the Forward Plan. These are known as key decisions and give prior notice of important decisions. In addition, the Cabinet is required to give notice of any decisions that it proposes to take which may comprise exempt information (within the meaning of the Local Government Act 1972; e.g. containing personal information) and require the decision to be taken in private.

- 5.8 One feature of Colchester's executive arrangements has been a Scheme of Delegation of responsibilities to Cabinet Members (portfolio holders). This type of scheme is optional and without it all decisions would be required to be considered by Cabinet. This inevitably leads to longer Cabinet agendas and less responsive decision making unless Cabinet meets more frequently. Delegated decisions made in accordance with the Scheme of Delegation to Cabinet Members are subject to the same call-in arrangements, in accordance with our overview and scrutiny procedure, as Cabinet decisions. Under a committee system there is no scheme of delegation to individual councillors and accordingly all decisions are required to be considered by a committee. This leads either to slower decision making or the necessity for much more frequent meetings with the consequent additional call on councillors' time etc. Both governance systems permit the delegation to officers as appropriate.
- 5.9 Cabinet Members also represent the Council on joint committees. These are joint committees of the respective Authorities' executives; i.e. Colchester and Ipswich Museums Joint Committee, North Essex Parking Partnership Joint Committee and the Essex Countywide Traveller Joint Committee. As these are taking executive decisions, they are subject to scrutiny arrangements.
- 5.10 The Cabinet has established a sub-committee, the Revolving Investment Fund Committee which has delegated authority to manage the Revolving Investment Fund, which has been established for the commercial management, disposal of and investment into key assets in order to drive forward income generation projects. This enables a more in-depth consideration of issues whilst again being subject to our scrutiny arrangements.
- 5.11 The Policy and Public Initiatives Panel provides legislative, improvement and policy advice to Cabinet and Portfolio Holders on issues that may affect executive functions. The Panel considers issues at the request of Cabinet and Portfolio Holders and must seek approval from Cabinet on whether and how issues proactively identified by the Panel are examined. The Panel also considers initiatives for review from members of the public. The Panel, which consists of backbench councillors from across the party groups, decided on a proportional basis, and provides Cabinet with advice and also enables a wider councillor input by consisting of non-executive councillors.
- 5.12 Task and Finish Groups have enabled the Cabinet to involve non-executive councillors in examining and developing policies on its behalf. The Task and Finish Group will examine in depth agreed areas of work or policies and should report back to Cabinet within an agreed timescale. The current Task and Finish Groups are: Conservation and Environmental Sustainability, Heritage and Tourism, and Alternative Service Delivery. The Scrutiny Panel at its meeting on 5 February 2020 considered a report on the review of the Council's Task and Finish Groups and has made a series of recommendations to Cabinet. These will be considered by Cabinet and any agreed changes will be reflected in the Constitution.
- 5.13 Colchester's executive arrangements are well established and have evolved over the years and have been the subject of public consultation. In my view they are fit for purpose and enable an ambitious organisation to respond and make timely decisions in an appropriate manner. However, it is for the Panel to consider this on its merits and decide whether they wish to recommend to Cabinet that further work be undertaken on the Councils' political management arrangements.

6. Process for changing governance arrangements

- 6.1 The Localism Act specifies that, in order to change from executive arrangements to a

committee system, a local authority must:

- Pass a resolution (simple majority) in full council to change their governance arrangements and to specify when it proposed that they be introduced
- Ensure copies of the documents setting out the arrangements that will have effect following the resolution must be available for inspection by members of the public
- As soon as practicable after passing the resolution, publish in one or more newspapers circulating in the area a notice advertising the decision to change its governance arrangements and date on which the change will take effect (from an Annual Meeting).

6.2 Prior to the above formal resolution considerable detailed work would be required to determine what the committee structure will look like, terms of reference for committees, etc. This is the most critical part of the process to ensure that the structures are fit for purpose and would need to be considered in detail before any decision is taken by full council.

6.3 There is no requirement to consult on a change of governance arrangements however best practice would suggest that this would be appropriate. In addition, a Local Authority can decide to hold a referendum on the proposed change. The proposal can only be implemented if approved under the referendum. Once a resolution to change is made it is not permissible to make a further change in governance arrangements within the period of five years from the date of resolution unless approved in a referendum. Another consequence of changing to a committee system is that it would be necessary to re-align the special responsibility allowances in the Members' Allowances scheme to reflect the changed roles and responsibilities.

6.4 The Local Government Association and Centre for Public Scrutiny have published a toolkit for local authorities looking to make a change to their governance arrangements. The toolkit covers the steps that local authorities should consider when thinking about making changes including putting together a set of design principles and considering which of the existing governance options best fits those principles.
<https://www.cfps.org.uk/wp-content/uploads/Rethinking-Governance.pdf>

7. Strategic Plan References

7.1 The manner in which Council governs its business is an underpinning mechanism in the Council's Strategic Plan aims to lead our communities in delivering high quality accessible services.

8. Financial Considerations

8.1 Any change to our political management arrangements would draw on a considerable amount of Member and officer time. Any specific financial implications are not possible to quantify at this stage.

9. Publicity Considerations, Equality, Diversity and Human Rights Implications, Consultation Implications, Community Safety Implications, Health and Safety Implications, Risk Management Implications and Environmental and Sustainability Implications

9.1 None



Policy and Public Initiatives Panel

Item
10

4 March 2020

Report of	Assistant Director – Corporate and Improvement Services	Author	Owen Howell ☎ 282518
Title	Work Programme 2019-20		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report sets out the current Work Programme 2019-2020 for the Policy and Public Initiatives Panel, providing details of the items of business that are scheduled for each meeting during the municipal year.

2. Recommended Decision

- 2.1 The Panel is asked to note and approve the contents of the Panel's Work Programme for 2019-2020 as set out below and to confirm the appropriate scheduling of work for the municipal year.
- 2.2 The Panel is asked to consider what subject/s it may wish to request approval from Cabinet to consider at the Panel meeting scheduled for 17 June 2020.

3. Alternative Options

- 3.1 This function forms part of the Panel's Terms of Reference and, as such, no alternative options are presented.

4. Background Information

- 4.1 The Policy and Public Initiatives Panel's Work Programme will evolve as the municipal year progresses. Items can be added to the Work Programme in two ways, either through Cabinet approving a request from the Panel, or Portfolio Holders and Cabinet requesting policies, strategies or other issues be reviewed. The Panel may also receive outline scoping reports on service reviews that are taking place across the Council and these will be added to the work programme when appropriate.

5. Standard References

- 5.1 There are no specific references to publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

6. Strategic Plan References

- 6.1 Policy review is integral to delivery of the Strategic Plan's priorities for the Borough, set out under the themes of growth, responsibility, opportunity and wellbeing.

7. Appendix

7.1 Appendix A – Work Programme for 2019-20

Policy and Public Initiatives Panel Work Programme 2019-20

19 June 2019
<ol style="list-style-type: none"> 1. Responsible Dog Ownership 2. Work Programme 2019-20 and suggestion of items for consideration
31 July 2019
<ol style="list-style-type: none"> 1. The use of the River Colne in terms of encouraging more effective use from environmental and activity aspects.
25 September 2019
<ol style="list-style-type: none"> 1. Public Engagement – Survey Responses and Contributions at the meeting.
27 November 2019
<ol style="list-style-type: none"> 1. Potential for providing a Youth Zone sports and social centre
20 January 2020
<ol style="list-style-type: none"> 1. Next steps regarding options for Colchester High Street: agreeing objectives, gathering data and consulting stakeholders and the public. 2. Secure and covered cycle storage options
4 March 2020
<ol style="list-style-type: none"> 1. Review of the Cabinet and Leader model of Council administration and the alternative committee model 2. Universal Credit
17 June 2020
<ol style="list-style-type: none"> 1. Work Programme 2020/21

Requests awaiting consideration by Cabinet:

- None currently outstanding.

