

# Cabinet

**Grand Jury Room, Town Hall  
26 May 2010 at 6.00pm**

The Cabinet deals with the implementation of all council services, putting into effect the policies agreed by the council and making recommendations to the council on policy issues and the budget.

# Information for Members of the Public

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# COLCHESTER BOROUGH COUNCIL CABINET

**26 May 2010 at 6:00pm**

Leader (& Chairman): Councillor Anne Turrell (Liberal Democrats)  
Deputy Chairman: Councillor Martin Hunt (Liberal Democrats)  
Councillor Nick Barlow (Liberal Democrats)  
Councillor Lyn Barton (Liberal Democrats)  
Councillor Tina Dopson (Labour)  
Councillor Beverley Oxford (The Highwoods Group)  
Councillor Paul Smith (Liberal Democrats)  
Councillor Tim Young (Labour)

## **AGENDA - Part A**

(open to the public including the media)

### **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. 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.

#### **3. 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.

#### **4. 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.

#### **5. Minutes**

To confirm as a correct record the minutes of the meeting held on 17 March 2010.

#### **6. Call-in Procedure**

To consider any items referred by the Strategic Overview and Scrutiny Panel under the Call-In Procedure. At the time of the publication of this Agenda there were none.

#### **7. Housing and Community Safety**

##### **i. External Overview Contract**

**1 - 5**

See report by the Head of Strategic Policy and Regeneration

#### **8. Communities**

- i. Colchester Borough Council Safeguarding Adults Policy** **6 - 48**  
See report by the Head of Life Opportunities

## **9. Resources and Diversity**

- i. Procurement Exception (Visual Arts Facility)** **49 - 51**  
See report by the Executive Director

## **10. Economic Development, Culture and Tourism**

- i. Investment in Colchester's Art and Culture** **52 - 61**  
See recommendations in minute 55 of the Strategic Overview and Scrutiny Panel meeting of 2 March 2010

## **11. General**

- i. Appointments to External Organisations and Council Groups** **62 - 79**  
See report by the Head of Corporate Management

- ii. Progress of Responses to the Public** **80 - 83**  
To note the contents of the Progress Sheet

## **12. 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).



**COLCHESTER BOROUGH COUNCIL  
CABINET**

**26 May 2010 at 6:00pm**

**AGENDA - Part B**

(not open to the public or the media)

**Pages**

**13. Resources and Diversity**

The following report contains exempt information (financial/business affairs of a particular person, including the authority holding information) as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

**i. Design and Print Contract Award**

See report by the Head of Corporate Management



## Cabinet

26 May 2010

Item  
**7(i)**

<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Lindsay Barker/John Rock</b>
<b>Title</b>	<b>External Overview Contract</b>		<b>☎ 282253/2762</b>
<b>Wards affected</b>	All wards		

**This report sets out the procurement process for tendering the External Overview contract for the Council's housing stock and recommends an appointment to provide the service.**

### 1. Decision(s) Required

- 1.1 To agree to appoint Axis Europe Plc to deliver the External Overview contract.
- 1.2 To agree to enter with the successful contractor into a 4 + 2 year JCT Standard Form of Measured Term Contract 2006 Edition incorporating Revision 2 (2009), further amended as set out in the Tender Document.

### 2. Reasons for Decision(s)

- 2.1 Housing property related services are currently being provided through a signed Deed of Variation with Colchester Borough Homes (CBH). The signing took place on Thursday 9 October 2008 and varies the Management Agreement between Colchester Borough Council and Colchester Borough Homes. The first period of the agreement came to an end on 31 March 2009 and the second 9 month period commenced on 1<sup>st</sup> April 2009.
- 2.2 During the Interim period and to comply with Cabinet decisions on 21 May 2008 and 28 January 2009 it was intended to prepare for and let a fully compliant OJEU contract or set of contracts for the remaining Capital and Revenue work packages. The work packages were designed to cover
  - Responsive repairs, voids and adaptations
  - Gas Servicing
  - External overview – planned programmes such as external painting etc

Cabinet will be aware that the original decision taken by Cabinet above was reviewed and this formed part of a separate report which was taken to Cabinet on Wednesday 9<sup>th</sup> September 2009. As a result of the Cabinet decision, the first package 'Responsive repairs, voids and adaptations' will continue to be delivered by CBH and a robust benchmarking exercise was to be conducted to ensure the Council complies with its best value obligations. A new Deed of Variation has been prepared to recognise the new arrangements and the parties have agreed to the necessary amendments. The new Deed was signed and dated 10<sup>th</sup> December 2009. The new Deed is essentially designed to align with the completion date for the Management Agreement and recognise the period January 2010 to March 2010 as an extension to the current Deed which ended in December 2009, periods thereafter will be annual from 1<sup>st</sup> April.



- 2.3 As Cabinet originally instructed, work proceeded to expose Gas Servicing and the External overview contracts to competitive tender. This report is concerned with the External Overview contract which is designed to include external redecorations, internal decorations to communal areas and private areas under the Special Internal Decorations Scheme, external building fabric repairs and renewal of soffits, fascias, gutters and downpipes.
- 2.4 The External Overview contract was advertised using the local newspaper series together with the trade journal "Building". Expressions of interest were sought through a Pre Qualification Questionnaire (PQQ) process from which prospective contractors were selected. The results of this exercise conducted by Ridge and Partners were shared with Tenants, Leaseholders, Members and Staff from both CBH and CBC.
- 2.5 Out of this exercise nine contractors were selected to be invited to tender for the works. Tenders were returned and opened by officers on Tuesday 30<sup>th</sup> March 2010 and following a further analysis exercise three contractors were interviewed and out of this a final recommendation was concluded.
- 2.6 The procurement approach was consistent with that agreed by Cabinet on 28 January 2009 with the Council acting as the awarding body for any contracts placed and Colchester Borough Homes (CBH) acting as the employer's agent (Contract Administrator).

### **3. Alternative Options**

- 3.1 There are few alternative options as this programme forms part of the continued programme to maintain the housing asset. The programme has slipped over the last few years and this contract revives an essential piece of work for both tenants and leaseholders alike.

### **4. Supporting Information**

- 4.1 Following the January Cabinet decision, the Council engaged the support of Ridge & Partners (property consultants) to assist with managing the procurement process.
- 4.2 In October 2009 a joint planning meeting took place with representatives from the Council, CBH and Ridge & Partners to formulate a detailed project plan and timeline to complete the procurement process.
- 4.3 In November 2009, advertisements were placed inviting contractors to submit an interest in tendering for the External Overview Contract.
- 60 contractors responded to the advertisement with 33 submitting completed Pre-Qualifying Questionnaires (PQQ). For report see Background Papers.
  - Ridge & Partners carried out a robust analysis of the completed PQQ's which resulted in a presentation to a joint meeting attended by officers from CBC & CBH, Councillor Smith, and both tenant and leaseholder representatives. Ridge presented their recommendations to the meeting on the contractors who should be short listed to continue and complete the full tender documentation
  - Following discussion 9 contractors were short listed and invited to complete the full tender documentation. The closing date for the return of tenders was 30 March 2010.

- On the 30 March, 8 tenders were received and opened by the Legal Services Manager.
- Ridge & Partners carried out a full evaluation of the returned tenders and contractors delivery Method Statements. The scores from the evaluation exercise were based on 70% Price 25% Method Statements and 5% Resident visits/Interview (if called). For report see Background Papers.
- Following the outcome of the evaluation three contractors were invited to attend an interview on 22 April 2010. The contractors selected for interview were Roalco, Mears and Axis.

The interview panel consisted of the following representatives:

Ridge & Partners – Peter Frank

CBC – Councillor Beverley Oxford, John Rock

Tenant representative – Gordon Seymour

Leaseholder representative – Rita Pryor

CBH – Matthew Armstrong, Charles Cowling and Michael Gurton

- 4.5 A copy of the full tender evaluation report prepared by Ridge & Partners is available as a Background Paper. Appendix B and C contains commercially sensitive information and although available for inspection does not form part of the report.
- 4.6 As part of the procurement process a robust tender specification was developed by CBC, CBH and Ridge & Partners to ensure the Council and its tenants receive best value on the evaluation criteria of price and quality. The documentation included a comprehensive performance framework which included Performance Indicators and a strong emphasis on quality, resident satisfaction, complaints procedures and environmental policies.
- 4.7 The Form of Contract recommended by Ridge & Partners to deliver the contract is the JCT Standard Form of Measured Term Contract 2006 Edition Revision 2 (2009) The successful contractor will be awarded a 4 year contract with an option to extend by agreement with the Council for a further period of 2 years, depending on their performance over the contract period.
- 4.9 As set out in the January 2009 Cabinet report, the current robust controls and monitoring arrangements will continue as a minimum standard. The formal monthly Operational Site Meeting (OSM) attended by both CBC and CBH has put in place arrangements to capture the performance monitoring of the contract which will include progress against the agreed programme, monitoring of expenditure against agreed budgets, analysis of performance against KPI's, the quality and standard of the services provided to tenants by reviewing customer satisfaction reports and direct liaison with tenants. In addition, a progress report on the performance of the contractors and their progress will be presented to the Portfolio for Neighbourhoods on a monthly basis at each Portfolio Holder liaison meeting
- 4.10 CBH's role as the Contract Administrator (CA) is key to the success of this contract. CBH will manage the contract on behalf of the Council which will include managing day to day issues/arrangements of the contract and act as the main point of contact for all parties through their nominated representative. The CA through the nominated representative will attend the monthly OSM to report on the contractor's performance. The role of CA is also clearly defined within the JCT form of contract.

## **5. Proposals**

- 5.1 To accept the recommendations of Ridge & Partners and officers by:
- 5.2 Awarding the contract to deliver the External Overview contract to Axis Europe Plc
- 5.4 To enter, with the successful contractor, into a 4 + 2 year JCT Standard Form of Measured Term Contract 2006 Edition incorporating Revision 2 (2009), further amended as set out in the Tender Document.

## **6. Strategic Plan References**

- 6.1 This decision is part of delivering against the Homes for All priority in the Council's Strategic Priorities 2009 – 12 by ensuring the decency and upkeep of the Council's housing stock. It is also a key action in the Housing Strategy adopted by Cabinet in 2008.

## **7. Consultation**

- 7.1 Tenants and Leaseholders have taken an active part within the overall procurement process in various ways which include, attending the presentation/consultation by Ridge & Partners on the outcome and recommendations of the PQQ's and taking part in the final interviews for selection of the contractor.
- 7.2 There will be further consultation with individual tenants where there is any choice to be made over internal decorations and choice of materials and colours.
- 7.3 The Council, through CBH, will also be consulting with its leaseholders in respect of any qualifying works in accordance with its statutory obligations.

## **8. Publicity Considerations**

- 8.1 Good communication with tenants is vital and the Council, working closely with CBH, will issue information to its tenants to advise them of the restart of the programme, how it will affect them with ongoing updates as the programme progresses. Again this information will follow once the contracts are let and more detail discussions have taken place with the successful contractor.

## **9. Financial implications**

- 9.1 The financial implications are contained within the main body of the recommendation report with appendix B. This contains commercially sensitive information and should only be viewed as a representation of spend to enable contractors to be equally assessed against each other. However the anticipated annual spend is £400,000.00.

## **10. Equality, Diversity and Human Rights implications**

- 10.1 As part of the contractor's tender submissions, Equality and Diversity was a key element of the evaluation process. Contractors were both evaluated and questioned at interview stage with regard to how they will deliver services to tenants from BME origins, with disabilities and other support needs. Contractors are aware of the need to tailor the service they provide to meet the individual needs of tenants. This may include support, information in various languages and the temporary provision of alternative accommodation whilst work is being carried out etc.

## **11. Community Safety Implications**

11.1 There are none directly arising from this report.

## **12. Health and Safety Implications**

12.1 Colchester Borough Council has appointed NPS South East Ltd to provide the role of CDM Co-ordinator. Through the role of Contract Administrator CBH will be responsible for ensuring Health and Safety requirements are fully complied with.

## **13. Risk Management Implications**

13.1 By following an exhaustive and comprehensive tender process and by implementing the controls and recommendations as set out in this report, the Council is seeking to mitigate against any potential risks or challenges.

### **Background Papers**

Report on Responses to Pre-Qualification Questionnaire

Recommendation Report for Contractor Appointment (Appendix B and C excluded)



## Cabinet

Item  
**8(i)**

26 May 2010

<b>Report of</b>	<b>Head of Life Opportunities</b>	<b>Author</b>	<b>Gareth Mitchell</b>
<b>Title</b>	<b>Colchester Borough Council Safeguarding Adults Policy</b>		
<b>Wards affected</b>	All Wards		

**This report seeks approval for the Council's Safeguarding Adults Policy**

### 1. Decisions Required

- 1.1 To approve the Safeguarding Adults Policy at Appendix 1.
- 1.2 To recommend to Full Council the adoption of the Safeguarding Adults Policy and its addition to the Council's Policy Framework.

### 2. Reasons for Decisions

- 2.1 This Safeguarding Adults Policy sets out the roles and responsibilities of Colchester Borough Council in working together with other professionals and agencies to promote vulnerable adults' welfare and safeguard them from abuse and neglect.
- 2.2 "No secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse" was published by the Department of Health in 2000 to give guidance to local agencies who have a responsibility to investigate and take action when a vulnerable adult is believed to be suffering abuse. It offers a structure and content for the development of local inter-agency policies, procedures and joint protocols which will draw on good practice nationally and locally.
- 2.3 In a Written Ministerial Statement published in January 2010, Government signalled their intention to strengthen arrangements for the safeguarding of vulnerable adults. The proposed measures included introducing new legislation to strengthen the local governance of safeguarding adults by putting Safeguarding Adults Boards on a statutory footing.
- 2.4 Social Services local authorities are already required to ensure that there is an Adult Safeguarding Board covering their area, which brings together representatives of each of the main agencies and professionals responsible for helping to protect vulnerable adults from abuse and neglect. In the Colchester context, the relevant body is the Essex Safeguarding Adults Board (ESAB). The Council already participates actively in the Essex Safeguarding Adults Board and its North East Essex Locality Board.
- 2.5 By adopting this policy, Colchester Borough Council is signing up to the following principles laid down within the Essex Safeguarding Adults Board Guidelines:-
  - To take action to identify and prevent abuse from happening.
  - Respond appropriately when abuse has or is suspected to have occurred.
  - Ensure that the agreed safeguarding adults' procedures are followed at all times.
  - Provide support, advice and resources to staff in responding to safeguarding adult issues.

- Inform staff of any local or national issues relating to safeguarding adults.
- Ensure staff are aware of their responsibilities to attend training and to support staff in accessing these events.
- Ensuring that the organisation has a dedicated staff member with an expertise in safeguarding adults.
- Ensuring staff have access to appropriate consultation and supervision regarding safeguarding adults.
- Understand how diversity, beliefs and values of people who use services may influence the identification, prevention and response to safeguarding concerns.

### **3. Alternative Options**

- 3.1 To not approve the Policy. This would prevent the Council from having up to date and compliant policy and procedures and put at risk the authority's ability to work effectively to safeguard the welfare of vulnerable adults in the community and to respond to scrutiny from the ESAB.
- 3.2 To request amendments to the Policy. The Policy is derived directly from a "model" policy developed and approved by the ESAB for adoption by partner agencies such as the Council.

### **4. Supporting Information**

- 4.1 A vulnerable adult is defined as:
- any person aged 18 or over
  - who is or may be in need of community care services by reason of mental, or other disability age or illness
  - and who is or maybe unable to take care of him or herself or unable to protect him or herself against significant harm or serious exploitation

*No Secrets (2000) – Department of Health*

- 4.2 The main different forms of abuse identified in Government guidance are:-
- physical abuse
  - sexual abuse
  - psychological abuse
  - financial or material abuse
  - neglect and acts of omission
  - discriminatory abuse
- 4.3 The role of the Essex Safeguarding Adults Board (ESAB), as set out in Government guidance, is as follows:-
- To develop and agree local policies and procedures for inter-agency work to protect vulnerable adults
  - To audit and evaluate how well local services work together to protect vulnerable adults
  - To put in place objectives and performance indicators for adult protection
  - To encourage and help develop effective working relationships between different services and professional groups, based upon trust and mutual understanding
  - To ensure agreement across agencies about operational definitions and thresholds for intervention
  - To improve local ways of working in light of knowledge gained through national and local experience and research, and to make sure lessons are acted upon

- To help improve the quality of vulnerable adult protection work through inter-agency training and development
- To raise awareness within the wider community for the need to safeguard vulnerable adults and explain how the wider community can contribute to these objectives.

(‘No Secrets’ – Department of Health 2000)

- 4.4 The ESAB has asked all relevant agencies in Essex, including Colchester Borough Council, to audit their safeguarding adults’ practices and procedures. The audit process requires the Council to demonstrate:
- senior management commitment to the importance of safeguarding and promoting adults’ welfare
  - a clear statement of the council’s responsibilities towards adults, available for all staff
  - a clear line of accountability within the organisation for work on safeguarding and promoting the welfare of adults
  - service development that takes account of the need to safeguard and promote welfare – and is informed by the views of adults and families
  - safe recruitment procedures
  - training on safeguarding and promoting the welfare of adults for all staff working with, or in contact with, adults and families, including work on case studies
  - effective inter-agency working to safeguard and promote the welfare of adults

The approval of this policy will enable the Council to demonstrate compliance with a number of the areas identified in the audit process.

- 4.5 The scope of this policy includes the Council’s tenants who are served on a day-to-day basis by Colchester Borough Homes.

## **5. Proposals**

- 5.1 That Cabinet approve the Safeguarding Adults Policy attached at Appendix 1
- 5.2 That Cabinet recommend to Full Council the adoption of the Safeguarding Adults Policy and its addition to the Council’s Policy Framework.

## **6. Strategic Plan References**

- 6.1 “Addressing older people’s needs” is one of the nine priorities for action identified in the Council’s Strategic Plan 2009-12.

## **7. Consultation**

- 7.1 No formal consultation has been conducted in the development of this Policy as it concerns compliance with statutory requirements.

## **8. Publicity Considerations**

- 8.1 The adoption of the Safeguarding Policy and Procedures can provide reassurance to residents and customers that the Council takes the welfare of vulnerable adults seriously.

## **9. Financial implications**

- 9.1 There are no additional financial implications from the adoption of this Policy.

## **10. Equality, Diversity and Human Rights implications**

- 10.1 The Equality, Diversity and Human Rights aspects of safeguarding vulnerable adults are a fundamental principle underlying this Policy and are reflected in the content of the document.
- 10.2 An Equality Impact Assessment (EIA) has been completed for this Policy and can be found here.  
[http://www.colchester.gov.uk/Info\\_page\\_two\\_pic\\_2\\_det.asp?art\\_id=8001&sec\\_id=1988](http://www.colchester.gov.uk/Info_page_two_pic_2_det.asp?art_id=8001&sec_id=1988)

## **11. Community Safety Implications**

- 11.1 The links between the Safeguarding Adults agenda and Community Safety are strong and are reflected in the multi-agency protocols and practices outlined in the Policy.

## **12. Health and Safety Implications**

- 12.1 There are strong links between the Safeguarding Adults agenda and the Council's Health and Safety responsibilities.

## **13. Risk Management Implications**

- 13.1 The welfare of vulnerable adults using and interacting with the Council's services is an area of potentially significant risk, and the principle purpose of this Policy is to manage and mitigate these risks.

## **Background Papers**

Appendix 1 - Colchester Borough Council Safeguarding Adults Policy and Procedures

Appendix 2 – Safeguarding Adult Staff Handbook

Appendix 3 – SET SAF1 Form



Colchester Borough Council

Safeguarding Adults Policy

May 2010

Reference	
Version 1	February 2010
Named Safeguarding Lead	Gareth Mitchell
Review Date	February 2011
File Location	
Signed	
Name	
Date	

## Contents

Aims	3
Introduction	3
Scope	3
Definition of vulnerable adult	3
Responsibilities for organisation	4
Responsibilities for staff	4
Training	4
Reporting abuse	5
Alleged abuser and victims who are both service users	5
Allegation of abuse by staff member	5
Confidentiality and Information sharing	6
Monitoring	6
Useful contact details	7
Appendices	8
<ul style="list-style-type: none"><li>• Safeguarding Adult Staff Handbook</li><li>• SET SAF 1 form</li></ul>	

## **Aims**

Colchester Borough Council is committed to:

- Ensuring that the welfare of adults is paramount at all times
- Maximising people's choice, control and inclusion and protecting their human rights
- Working in partnership with others in order to safeguarding vulnerable adults
- Ensuring safe and effective working practices are in place.
- Supporting staff within the organisation.

## **Introduction**

This policy sets out the roles and responsibilities of Colchester Borough Council in working together with other professionals and agencies in promoting adults welfare and safeguarding them from abuse and neglect.

This policy is intended to support staff working within Colchester Borough Council. It does not replace, but is supplementary to the Southend, Essex, Thurrock (SET) Safeguarding Adults Guidelines (2008) available at [www.essexsab.org](http://www.essexsab.org).

Policies linked with this will include: whistle blowing, complaints, information sharing, safeguarding children, domestic violence, disciplinary and equality and diversity.

## **Scope**

This policy applies to all staff (permanent, seconded or temporary) of Colchester Borough Council as well as all people who work on behalf of Colchester Borough Council.

## **Definitions**

A vulnerable adult is defined as:

- any person aged 18 or over
- who is or may be in need of community care services by reason of mental, or other disability age or illness
- and who is or maybe unable to take care of him or herself or unable to protect him or herself against significant harm or serious exploitation

*No Secrets (2000) – Department of Health*

Thus all adults who meet the above criteria may be defined as vulnerable adults.

Definitions of the types of abuse and adult safeguarding principles are identified within the Southend, Essex, Thurrock Safeguarding Adults Guidelines.

### **Responsibilities of Colchester Borough Council**

- Colchester Borough Council has signed up and accepts the principles laid down within the Essex Safeguarding Adults Board Guidelines.
- To take action to identify and prevent abuse from happening.
- Respond appropriately when abuse has or is suspected to have occurred.
- Ensure that the agreed safeguarding adults procedures are followed at all times, these are available at [www.essexsab.org](http://www.essexsab.org)
- Provide support, advice and resources to staff in responding to safeguarding adult issues.
- Inform staff of any local or national issues relating to safeguarding adults.
- Ensure staff are aware of their responsibilities to attend training and to support staff in accessing these events.
- Ensuring that the organisation has a dedicated staff member with an expertise in safeguarding adults.
- Ensuring staff have access to appropriate consultation and supervision regarding safeguarding adults.
- Understand how diversity, beliefs and values of people who use services may influence the identification, prevention and response to safeguarding concerns.

### **Responsibilities of all staff**

- Follow the safeguarding policies and procedures at all times, particularly if concerns arise about the safety or welfare of a vulnerable adult.
- Participate in safeguarding adults training and maintain current working knowledge.
- Become familiar with the SET Safeguarding Adults Guidelines.
- Discuss any concerns about the welfare of a vulnerable adult with their line manager.
- Contribute to actions required including information sharing and attending meetings.
- Work collaboratively with other agencies to safeguarding and protect the welfare of people who use services.
- Remain alert at all times to the possibility of abuse.
- Recognise the impact that diversity, beliefs and values of people who use services can have.

### **Training**

All staff should receive a basic safeguarding adults awareness training at a level according to their role and as stated within the Essex Safeguarding Adults Board Training Strategy. This should be refreshed as a minimum every two years.

## **Reporting Abuse**

It is expected that all staff follow the SET Safeguarding Adults Guidelines (for full set of procedures see [www.essexsab.org](http://www.essexsab.org)). The 'Pre-Stage One – Initial Response Flowchart' from these procedures can be found at Appendix 1.

1. If staff suspect a vulnerable person is being abused or is at risk of abuse, they are expected to report concerns to a line manager (unless they suspect that the line manager is implicated – in such circumstances the whistle blowing policy should be followed).
2. If at any time staff feel the person needs urgent medical assistance, they have a duty to call for an ambulance or arrange for a doctor to see the person at the earliest opportunity.
3. If at the time staff have reason to believe the vulnerable person is in immediate and serious risk of harm or that a crime has been committed the police must be called.
4. A SET SAF 1 form must be completed where there are allegations of abuse and sent to the relevant Social Care area. Guidance notes are available on [www.essexsab.org](http://www.essexsab.org).

All service users need to be safe. Throughout the process the service users needs remain paramount. This process is about protecting the adult and prevention of abuse.

## **Alleged abuser and victims who are both service users**

It is important that consideration be given to a co-ordinated approach and partnership working, where it is identified that both the alleged abuser and alleged victim are service users.

Where both parties are receiving a service, staff should discuss cases and consider joint assessment and support plans where appropriate.

## **Allegation of abuse staff member**

Employees should be aware that abuse is a serious matter that can lead to a criminal conviction. Where applicable the organisations disciplinary policy should be implemented.

### **Confidentiality and information sharing**

'No Secrets' [DH 2000] states that the government expects organisations to share information about individuals who may be at risk from abuse. This is also stressed by Safeguarding Adults [ADSS 2005] the framework for good practice. It is important to identify an abusive situation as early as possible so that the individual can be protected. Withholding information may lead to abuse not being dealt with in a timely manner. Confidentiality must never be confused with secrecy. Staff have a duty to share information relating to suspected abuse with Social Care and Essex Police.

Consent is not required to breach confidentiality (capacity issues must be considered) and make a safeguarding referral where;

- A serious crime has been committed
- Where the alleged perpetrator may go on to abuse other adults
- Other vulnerable adults are at risk in some way
- The vulnerable adult is deemed to be in serious risk
- There is a statutory requirement e.g. Children's Act 1989, Mental Health Act 1983, Care Standards Act 2000
- The public interest overrides the interest of the individual
- When a member of staff of a statutory service, a private or voluntary service or a volunteer is the person accused of abuse, malpractice or poor professional standards.

If a worker has any doubt about the legality of sharing information, they must in the first instance consult their manager.

### **Monitoring**

Gareth Mitchell, Head of Life Opportunities will be responsible for monitoring this policy.

This policy will be reviewed annually.

## **Useful contact numbers**

### **Southend**

01702 215008 (Access Team)

0845 666 1212 (Out of hours)

### **Essex**

0845 603 7630 (Social Care Direct)

0845 606 1212 (Out of hours)

### **Thurrock**

01375 652868 (Community Solutions)

01375 372468 (Out of hours)

### **Police**

999 (Emergency)

0300 333 4444 (Non emergency number)



Safeguarding

# adult staff

## Handbook

Southend | Essex | Thurrock



# contents

- 2 introduction
- 6 what is expected of me?
- 8 who are vulnerable adults?
- 9 what is Abuse?
- 12 reporting concerns
- 14 if someone discloses to you
- 16 preserving evidence and recording
- 18 whistle blowing
- 19 confidentiality

# introduction

- ✧ it is the responsibility of **everyone** to recognise suspected or actual abuse and to take appropriate action in line with the procedures in this document. **IGNORING ABUSE IS NOT AN OPTION**
- ✧ All individuals regardless of age, ability, race, gender, sexual orientation, faith or beliefs should have the greatest possible control over their lives.
- ✧ People should be able to live as independently as possible and to make informed decisions about their own lifestyles, including the opportunity to take risks if they choose to do so, without fear of harm or abuse from others.

This guidance booklet has been produced to help people working directly with vulnerable adults to understand how to raise concerns they may have about abuse. This booklet supplements the Southend, Essex and Thurrock Safeguarding Adult Guidelines.

**Your understanding of adult safeguarding and your actions can make a positive difference to vulnerable people**

The key message is that we have a responsibility to safeguard vulnerable adults from abuse. It is recommended that you should read and understand this practice guidance as it sets out the responsibilities you have to promote the safety of vulnerable adults.

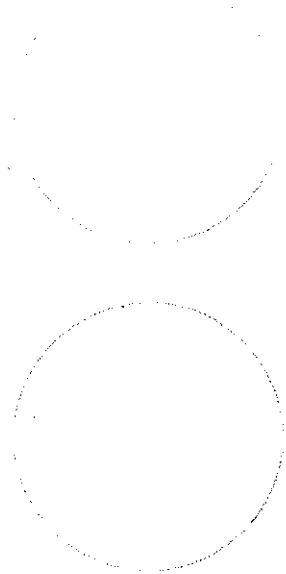
Many people find it hard to understand why another person (or persons) would want to abuse and cause harm to a vulnerable person. However someone who is vulnerable can often be the perfect target. Why? Because often

- ✧ They can't defend themselves
- ✧ They may not be able to get away
- ✧ Even if they can tell, often they are not believed
- ✧ Sometimes our staff and organisation do not believe that it can happen
- ✧ It may be forgotten that vulnerable people have a human right to be safe (as we do)

Abuse of vulnerable people does not have to be deliberate, malicious or planned. It sometimes happens when people are trying to do their best but do not know the right thing to do. Sometimes the person who causes harm does so because of frustration even in caring context. However, irrespective of why the abuse might happen, the abusive action of another on a vulnerable person causes harm.

# what is expected of me?

1. **Ignoring abuse is not an option** - if at anytime you think that a vulnerable person is being abused or is at risk of abuse you must report your concerns so that they can be looked into.
  2. If you come across a situation where you think a vulnerable person is at risk of abuse you must not ignore the information. Do not assume that others know what you know. **You must tell** so that others can help.
  3. Remember that vulnerable adults have human rights. **You have a duty** of care to ensure the rights and needs of the vulnerable person is your main consideration.
  4. If at any time you feel the person needs urgent medical assistance call for an ambulance or arrange for a doctor to see the person at the earliest opportunity.
  5. If at the time you have reason to believe the vulnerable person is in immediate and serious risk of harm or that a crime has been committed call the police.
6. If you see something that concerns you or you are given information that causes you to be concerned about a vulnerable person then:
    - \* **Keep calm; this will help the vulnerable person**
    - \* **Make sure that the person is safe**
    - \* **Listen carefully to what is said**
    - \* **Observe what you see around you, if possible**
    - \* **Reassure and take care of the person**
    - \* **Get help as soon as possible**
  7. Remember you will need to record everything that you saw, heard and did. **Record the facts of what happened.**
  8. Remember it is expected that you pass on any concerns immediately to your manager



# who are vulnerable adults?

A vulnerable adult is any person aged 18 or over who

**1. is or maybe in need of a community care services by reason of mental, physical or learning disability, age or illness**

## **And who**

**2. is or maybe unable to take care of him or herself or unable to protect him or herself against significant harm or serious exploitation**

They may include:

- ✧ People with a mental health problem or mental illness (including dementia)
- ✧ People with a physical disability
- ✧ People with a sensory impairment
- ✧ People with a learning disability
- ✧ People who are frail and/or experiencing a temporary illness

Abuse can take place in any setting – this policy is applicable to all settings; an individuals private home, care home, hospital, day service, public transport, police station, college. This list is endless.

# what is Abuse?

“Abuse is a violation of an individual’s human and civil rights by any other person or persons

“Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.”

(No Secrets, Department of Health 2000)

**The Southend, Essex and Thurrock adult safeguarding guidelines also define seven different categories of abuse as follows:**

**Physical abuse:** including hitting, slapping, pushing, kicking, misuse of medication, misuse of restraint, or inappropriate sanctions.

**Sexual abuse:** including rape and sexual assault, or sexual acts to which the vulnerable adult has not consented, or could not consent, or where pressure was applied to secure their consent.

**Emotional abuse:** including verbal abuse, psychological abuse, threats, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, isolation or withdrawal from services or supportive networks.

**Financial or Material abuse:** including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

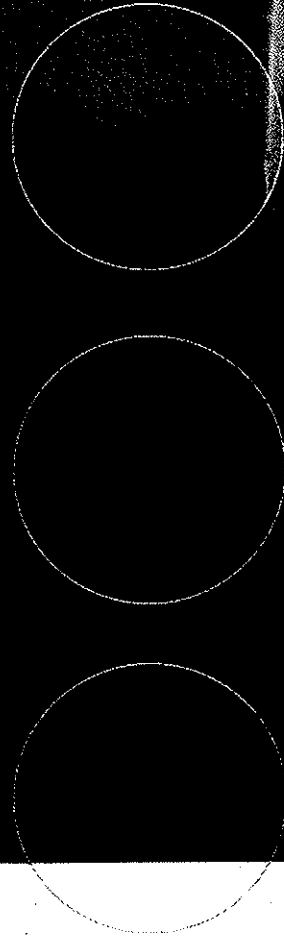
**Neglect (including acts of omission):** including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, food, drink and heating.

**Discriminatory abuse:** including racist or sexist remarks or comments based on a person's impairment, disability, age or illness, and other forms of harassment, slurs or similar treatment.

**Institutional abuse:** involves the collective failure of an organisation to provide an appropriate and professional service to vulnerable people. It can be seen or detected in processes, attitudes and behaviour that amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and stereotyping. It includes a failure to ensure the necessary safeguards are in place to protect vulnerable adults and maintain good standards of care in accordance with individual needs, including training of staff, supervision and management, record keeping and liaising with other providers of care.

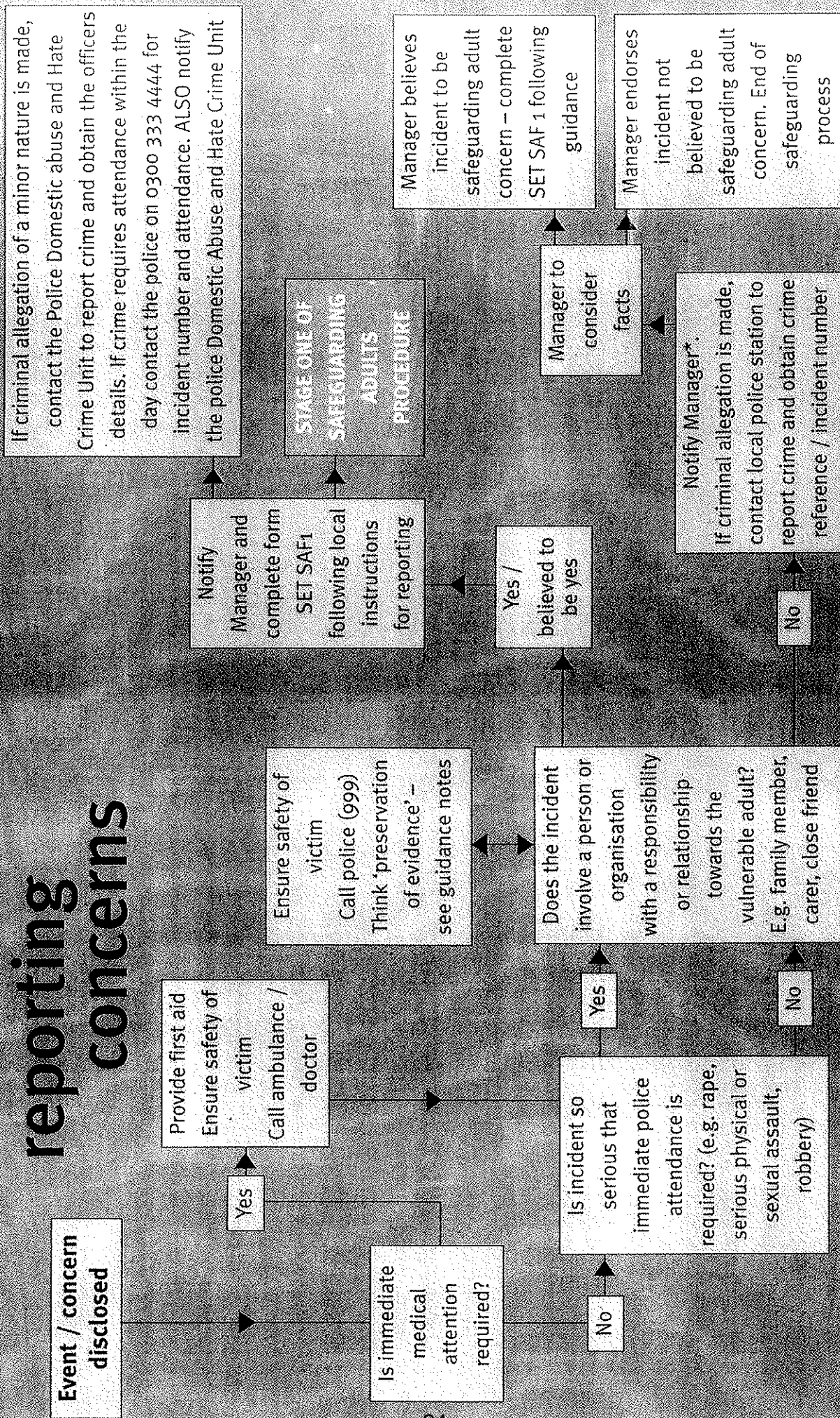
## Ignoring abuse is not an option -

Any person or organisation with knowledge of, or suspicion that a vulnerable adult may be at risk of abuse or is being abused must report their concerns.





# reporting concerns



\* Unless manager is alleged perpetrator or implicated in circumstances identify alternative manager or discuss directly with social worker

# if someone discloses to you

People have the right to expect that information shared with a member of staff should be treated as confidential.

**However, it should be made clear that where the staff member has a reason to be concerned for the welfare of a vulnerable person and/or others they have to share the information with someone who is in a position to take action or responsibility.**

The vulnerable adult should be told with whom the information will be shared, and that their views and wishes will be taken into account. Any views or wishes expressed by the vulnerable adult should be recorded and reported with their concerns by the staff member. Concerns should be reported at the earliest possible opportunity. Ensuring the safety of the vulnerable adult and any other people at risk is the primary responsibility of staff when they become aware of a serious incident.

## If someone discloses to you then....

- \* Stay Calm
- \* Ensure that any immediate needs are addressed
- \* Remember that this is an important conversation with someone and they will probably be more anxious than you. Keep conversation flowing by use of non-verbal prompts, verbal prompts, and echoing by repeating the last one or two words spoken.
- \* Show empathy when listening
- \* Let them speak - do not interrupt them
- \* Reassure the person e.g. tell them that they have done the right thing in speaking to you and that you believe them
- \* Become an active listener - concentrate, try to comprehend what it is they are saying, sustain the conversation by verbal and non-verbal prompts and summarise
- \* **Do not question except to clarify** and ensure that you understand what is being said.
- \* Ascertain the wishes of the alleged victim/witness about what they want to do or what they would like to happen
- \* Do not make promises that you cannot keep
- \* Do not promise confidentiality, as you cannot keep the information to yourself
- \* **Explain that you will need to pass this information on to your manager**
- \* If it is a matter that you must report, inform them that you are duty bound to do so



# preserving evidence and recording

In most circumstances when preserving evidence you may not need to do anything except record the events that have given rise for concern. However, there may be occasions when it is important to follow certain rules:

- \* Ensure written records (notes, letters, bank statements, medication records etc.) are kept in a safe place
- \* Make a written record of messages (e.g. answer-phone) to ensure they are not lost. Include the date and time and sign them
- \* In cases of physical or sexual assault encourage the person not to wash bathe or shower where you think they might need a medical examination
- \* Don't tidy up, wash clothes, bedding or other items.
- \* Try and ensure that other around do not interfere with any items that maybe important for the police
- \* If there is any suspicion that there may be forensic evidence, inform the police and preserve the evidence. The person may not tell you all the facts on the initial disclosure – do all you can to anticipate what may be needed as evidence, and do all you can to preserve it.

It is important that you write down why you are concerned about a person as simply and clearly as you can, and as soon as you can after an event. In some cases this will mean writing in a person's records or notes, in others it might be on a separate record sheet. All original notes must be retained.

- \* It is important that you record all relevant information including what you saw, what you heard, and why you acted as you did
- \* Sign and date your records and make sure they are kept in a safe place
- \* Record any physical signs or injuries using a body map; make sure you sign and date it
- \* Write down what is said to you, who said it including their relationship to the vulnerable adult or role and how they can be contacted, if appropriate. Include any questions you have asked, make sure you sign and date it
- \* Include any details about what the vulnerable person wants to be done at this stage

# Whistle blowing

It is good practice and it is a duty of care to draw attention to bad/poor practice in the workplace. This includes practice that may be abusive and/or neglectful. Staff who work with vulnerable adults have an individual responsibility to raise concerns with someone who has the responsibility to take action. Sometimes it may be necessary to outside the immediate work environment or the immediate organisation, for example social services or the police.

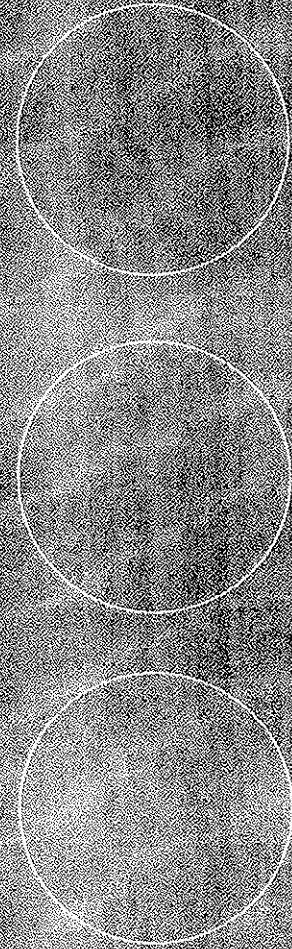
**It is the responsibility of all organisations to promote a culture which values good practice and encourages whistle blowing.**

# Confidentiality

Whilst every effort will be made to ensure that confidentiality is preserved, this will be governed by what may be an overriding need to protect a person who has been or is at risk of abuse.

**All those working with vulnerable adults must be clear that it is not possible to keep information about suspected or actual abuse confidential.**

The needs of the vulnerable person and the potential risk to others requires you to share the information with your manager



### **Southend**

By post to Southend-on-Sea Borough Council, PO Box 59,  
Southend-on-sea, SS2 5TB

Access Team: 01702 215008 By Fax to: 01702 534794

Out of hours: 0845 606 1212 (Fax: 01245 434700)

### **EsFx**

By email to: [socialcaredirect@essex.gov.uk](mailto:socialcaredirect@essex.gov.uk)

By post to: Essex Social Care Direct, Essex House,  
200 The Crescent, Colchester, Essex, Co4 9YQ

By fax to: 0845 601 6230

Making a referral/ enquiry by telephone:

Normal telephone enquiries/referrals: 0845 603 7630

Out of hours: 0845 606 1212 (Fax 01245 434700)

Where there are concerns about the immediate welfare or safety  
of a vulnerable adult: 0845 603 7634

### **Thurrock**

Email: [safeguardingadults@thurrock.gov.uk](mailto:safeguardingadults@thurrock.gov.uk)

By post to: Thurrock Council, Adult Safeguarding Team,  
PO Box 140 Civic Offices, New Road, Grays, RM17 6TJ

By Fax to: 01375 652760

Making a referral/ enquiry by telephone:

Community Solutions: 01375 652868

Out of hours: 01375 372468 (Fax: 01375 397080)

### **To contact the police:**

In an emergency dial 999

To report a crime or incident which requires police attendance  
(not an urgent situation) call 0300 333 4444



Printed on environmentally friendly paper. Don't bin it, recycle it.  
All information correct at time of going to press.



## SET SAF 1

**Service User reference/NHS No:**  
(Swift/PRN/NHS)

**1. Tell us who the person is you are concerned about: (please complete as much of this as is known – if not known put N/K)**

**Name/Organisation:**  
(delete as appropriate)

**Gender:**

**Home Address:**

**Telephone Number:**

**Age:**

**DOB:**

**Ethnic Origin/Nationality:**

**Communication Needs:**

**Are they aware of this referral:**  Yes  No

**1a. Relative/Name of Main Carer**

**Name:**

**Relationship to Person:**

**Is Relative/Carer aware of this referral?**  Yes  No

**Contact Address:**

**Telephone No:**

**Mobile No:**

**Email:**

**County:**

**Postcode:**

**2. Please tell us about who you are (We cannot guarantee your anonymity but will do all we can to keep your details confidential if you prefer)**

<b>I would prefer to remain anonymous:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Name:</b>	
<b>Job Title/Relationship:</b>	
<b>Organisation (if applicable):</b>	
<b>Contact Address:</b>	
<b>County:</b>	<b>Telephone No:</b>
<b>Postcode:</b>	<b>Mobile:</b>
	<b>Email:</b>

**3. – Current Situation and Details of the Incident/Concern(s) being raised**

<b>Does the person continue to be at risk of harm?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Are there other people who may be at risk of harm?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

**If the answer to either of the above is yes, please describe the risk that remains and the names of other potentially at risk:  
(please only refer to identified risk that relates directly to the concern)**

**3a. Details of the concern(s) being raised**

<b>Time of incident/ Concern:</b>	<b>Date:</b>
---------------------------------------	--------------

**How were you made aware of this incident or concern?**



**Brief factual details of the incident:**

**This should include a clear factual outline of the concern being raised with details of times, dates, people and places where appropriate.  
(please continue on separate sheet if required).**

**If injuries are present Please give a brief/accurate description:**

**Has a body chart been completed?  Yes  No**

**Doctor Informed?**

**Actions taken by yourself to date to safeguard the individual:**

**Who else has been involved of this concern (in particular please specify if the police are involved)?**

**Is there a crime number?**

**4. Details of alleged perpetrator(s) involved if abuse is suspected  
(please complete as much of this as is known)**

**Name:**

**Gender:**

**Address (if known):**

**Occupation/Position/Title:**

**Is this person known/related to the individual who is subject of this concern? –  
If so please describe relationship**

**Are they aware of this alert?  Yes  No**

**5. Details of person completing form (add in if different to box 2)**

**Name:**

**Date completed:**

**Address:**

**Telephone No:**

**Mobile:**

**Email:**

**Completed forms should be sent to:**

**Southend**

**By Fax to: 01702 534794**

**Making a referral/enquiry by telephone:**

**Access Team: 01702 215008**

**Out of hours: 0845 606 1212 (Fax 01245 434700)**

**Essex**

**By email to: [socialcaredirect@essex.gov.uk](mailto:socialcaredirect@essex.gov.uk) as an attachment**

**By Post to: Essex Social Care Direct, Essex House, 200 The Crescent, Colchester, Essex, CO4 9YQ**

**By fax to: 0845 601 6230**

**Making a referral/enquiry by telephone:**

**Normal telephone enquiries/referrals: 0845 603 7630**

**Out of hours: 0845 606 1212 (Fax 01245 434700)**

**Where there are concerns about the immediate welfare or safety of a vulnerable adult: 0845 603 7634**

**Thurrock**

**Email: [SafeguardingAdults@thurrock.gov.uk](mailto:SafeguardingAdults@thurrock.gov.uk)**

**By Fax to: 01375 652868**

**Making a referral/enquiry by telephone:**

**Initial Response team: 01375 366083**

**Out of hours: 01375 372468 (Fax 01375 397080)**

<b>Completion by Investigating/Receiving Team</b>		
<input type="checkbox"/> No further action  <input type="checkbox"/> No further action referral to other agency  <input type="checkbox"/> SET SAF4 completed	<input type="checkbox"/> Case Management Resolution  <input type="checkbox"/> SET SAF4 completed	<input type="checkbox"/> Proceed to information gathering (Adult Protection) SET SAF2
<b>Key team referred to:</b>		<b>Tel No</b>
<b>Name:</b>		
<b>Address:</b>		<b>Mobile:</b>
		<b>E-mail:</b>
Referrer updated <input type="checkbox"/> By Whom		
If referrer not updated reasons why:		
<b>Signed:</b>		
<b>Date:</b>		



# Colchester Borough Council

## Equality Impact Assessment Toolkit

**What is an Equality Impact Assessment?** An Equality Impact Assessment (EqIA) is a tool for identifying the potential impact of our policies, services, strategies and functions on our residents, visitors and staff. The assessment must include the potential impact on the following equality groups: age, disability, gender, race, religion or belief and sexual orientation. We also need to consider those who live in rural isolation, are on a low income or who do not have English as their first language. By assessing the potential impact we can ensure that the services we provide reflect the needs of our communities. By carrying out EqIAs, we may also ensure that the services we provide fulfil the requirements of anti-discrimination and equalities legislation.

### Relevance Test

Please use the relevance test below to decide whether your policy, service or strategy requires an EqIA:

#### Relevant

- The policy, strategy or service will impact on people (residents, visitors and staff).
- The policy, strategy or service is intended to benefit people.

#### Not relevant

- The policy, strategy or service has no clear impact on people.
- The policy, strategy or service is a support function or administrative.

### How do I use the toolkit?

The toolkit is easy to use and does not require any specialist knowledge to be able to use it. The assessment is in two sections; initial screening and full impact assessment. Once you have completed the initial screening you will know whether or not you need to complete a full impact assessment. If you require further information on how to complete an EqIA please see the FAQs or contact Claire Gayfer, Equality and Diversity Officer on 01206 506452 or by email [Claire.gayfer@colchester.gov.uk](mailto:Claire.gayfer@colchester.gov.uk)

# Equality Impact Assessment Form

## Screening

<b>Name of strategy, project or policy to be assessed</b>		<b>Is the strategy/project/policy:</b>	
Colchester Borough Council Safeguarding Adults Policy		New - Yes	Existing
<b>Lead officer completing assessment</b>		<b>Date of assessment</b>	
Gareth Mitchell	Head of Life Opportunities	26 April 2010	
<b>Responsible department</b>		<b>Head of Service</b>	
Life Opportunities		Head of Life Opportunities	

### 1. What is the main purpose of the policy, service or strategy?

This policy sets out the roles and responsibilities of Colchester Borough Council in working together with other professionals and agencies in promoting adults welfare and safeguarding them from abuse and neglect.

### 2. List the main activities of the policy, service or strategy? (for strategies list the main policy areas):

The policy sets out Colchester Borough Council's commitment to the principles laid down within the Essex Safeguarding Adults Board Guidelines, as follows:-

- To take action to identify and prevent abuse from happening.
- Respond appropriately when abuse has or is suspected to have occurred.
- Ensure that the agreed safeguarding adults procedures are followed at all times
- Provide support, advice and resources to staff in responding to safeguarding adult issues.
- Inform staff of any local or national issues relating to safeguarding adults.

- Ensure staff are aware of their responsibilities to attend training and to support staff in accessing these events.
- Ensuring that the organisation has a dedicated staff member with an expertise in safeguarding adults.
- Ensuring staff have access to appropriate consultation and supervision regarding safeguarding adults.
- Understand how diversity, beliefs and values of people who use services may influence the identification, prevention and response to safeguarding concerns.

**3. Who are the main audience, users or customers who will be affected by the policy, service or strategy?**

- Vulnerable adults, their families and carers
- Council staff and members
- Council contractors
- Partner agencies
- Residents of Colchester Borough

**4. What outcomes are wanted from this policy, service or strategy?**

- Ensuring that the welfare of adults is paramount at all times
- Maximising people's choice, control and inclusion and protecting their human rights
- Working in partnership with others in order to safeguarding vulnerable adults
- Ensuring safe and effective working practices are in place.
- Supporting staff within the organisation.

**5. Are other departments or partners involved in delivery of the policy, service or strategy? If so, please give details below.**

- All CBC services
- Other partner agencies
- Contractors

**6. What data, information or knowledge do you have to enable you to assess the impact on equality target groups? Please list below. (For example, think about performance indicators and targets, user satisfaction, uptake of services, consultation or involvement, workforce monitoring data, complaints, external verification and eligibility criteria).**

The council is a partner in the safeguarding agenda, which depends on multi-agency working practices. The Essex Safeguarding Adults Board (ESAB) plays a key role in the monitoring of performance data around the delivery of services for vulnerable adults and the council has access to that data through its membership of the ESAB and its North East Essex Locality Board.

The ESAB monitors client data against both gender and ethnic minority and this forms part of the regular reporting framework for the board.

**7. Are there any concerns that the policy, service or strategy could have a differential impact in terms of equality?**

**Use the table below to indicate:**

- Where you think that the policy, service or strategy could have a negative impact on any of the equality target groups, for example, it could disadvantage them;
- Where you think that the policy, service or strategy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups;
- Provide an explanation as to why you think there is a positive or negative impact;
- The key elements of people's lives affected by this policy, service or strategy. For example, finance, accommodation or welfare; and
- If you identified any data in question 6, use it to help your explanation below.

		Positive impact – it could benefit	Negative impact or risk – it could disadvantage	Explanation
<b>Gender</b>	Women	√		This Policy will have a positive impact on this group through the societal benefits of the council ensuring the welfare of vulnerable adults is safeguarded and promoted.
	Men	√		Ditto

		Positive impact – it could benefit	Negative impact or risk – it could disadvantage	Explanation
<b>Race (census categories)</b>	Transgender	✓		Ditto
	White – British	✓		Ditto
	White – Irish	✓		Ditto
	White – other background	✓		Ditto
	Mixed – White and Black Caribbean	✓		Ditto
	Mixed – White and Black African	✓		Ditto
	Mixed – White and Asian	✓		Ditto
	Any other mixed background	✓		Ditto
	Asian/Asian-British - Indian	✓		Ditto
	Asian/Asian-British - Pakistani	✓		Ditto
	Asian/Asian-British – any other Asian background	✓		Ditto
	Black/Black British – Caribbean	✓		Ditto
	Black/Black British – African	✓		Ditto
	Black/Black British – any other Black background	✓		Ditto
	Chinese	✓		Ditto
	Gypsies/Travellers	✓		Ditto
Any other group (write in)	✓		Ditto	
<b>Disability</b>	Physical	✓		This Policy's fundamental purpose is to ensure that the welfare of vulnerable adults is safeguarded and promoted through the council's policies and procedures.
	Sensory	✓		Ditto
	Learning	✓		Ditto
	Mental health issues	✓		Ditto
<b>Sexual</b>	Other – please specify	✓		
	Lesbian, gay and bisexual	✓		This Policy will have a positive impact on this group

		Positive impact – it could benefit	Negative impact or risk – it could disadvantage	Explanation
<b>Orientation</b>				through the societal benefits of the council ensuring the welfare of vulnerable adults is safeguarded and promoted.
<b>Age</b>	Older people (60 +)	✓		This Policy's fundamental purpose is to ensure that the welfare of vulnerable adults is safeguarded and promoted through the council's policies and procedures
	Younger people (17-25), and children (0-16)	✓		This Policy will have a positive impact on this group through the societal benefits of the council ensuring the welfare of vulnerable adults is safeguarded and promoted.
<b>Belief or Religion</b>	Buddhist	✓		Ditto
	Christian	✓		Ditto
	Hindu	✓		Ditto
	Jewish	✓		Ditto
	Muslim	✓		Ditto
	Sikh	✓		Ditto
<b>Language</b>	Other – please specify	✓		Ditto
	English not first language	✓		Ditto
	Low income	✓		Ditto
<b>Social inclusion</b>	Rural isolation	✓		Ditto
<b>Equal opportunities and /or improved relations</b>				

8. Based on the explanations you have given in question 7, could the policy, service or strategy discriminate against any group(s) either directly or indirectly? If yes, please state how.

No

**Note:** Direct discrimination occurs when a person is treated less favourably than another in a comparable situation because of their racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation. Indirect discrimination occurs when an apparently neutral provision or practice would disadvantage people on the grounds of racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation, unless the practice can be objectively justified by a legitimate aim.

**9 a) If you have identified any negative impacts in question 7, how could you minimise or remove this negative impact?**

Not applicable

40

**9 b) If you have identified any positive impacts in question 7, how could you improve or promote this positive impact?**

Other than through the publication of the Policy on the council's website, the most effective ways to improve and promote these positive impacts are through the clear communication of its contents to staff, members and others, and to ensure that the training programme related to this policy equips staff with the skills and knowledge to ensure the positive impacts for target groups are maximised.

The nature of the safeguarding agenda means that any promotional activity needs to be carefully and sensitively considered, and in most cases there will be client confidentiality considerations.

**10. What consultation has been carried out on the policy, service or strategy? Who with? Please give the findings of the consultation below.**

The policy is from a "model" policy developed by ESAB and approved by its board, and therefore represents what is acknowledged good practice for Essex.

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**11. Do the findings from the consultation remove any negative impacts identified in question 7? Please give an explanation below.**

Not applicable
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**12. If consultation has not been carried out, and you have no data or information available which monitors the impact of the policy, service or strategy on equality target groups, how do you intend to make a decision on the impact?**

Not applicable
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**13. Please give details of how you (or how you intend to) collect monitoring data in relation to any of the following equality target groups:**

<b>Age:</b>	<b>Disability:</b>
<b>Gender/transgender:</b>	<b>Race:</b>
<b>Religion and belief:</b>	<b>Sexual orientation:</b>
<b>Low income:</b>	<b>Rural isolation:</b>
<b>English not first language:</b>	<b>Other (please state):</b>



	Please see 6 above
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**14. Which main audience, users or customers identified in question 3 have you involved in producing this EqIA?**

The policy is from a "model" policy developed by ESAB and approved by its board. The Policy reflects national legislation and guidance on safeguarding vulnerable adults.

**15. Summary of initial screening**

Findings	Action required
No negative impacts have been identified and this has been justified with data or information. ✓	Sign off initial screening and finish.
Negative impacts were identified but have been minimised or removed. □	Implement actions identified in question x then sign off initial screening and finish.
Negative impacts were identified but have not been minimised or removed. □	Sign off initial screening and complete a full impact assessment.
Insufficient evidence to make a judgement. □	Sign off initial screening and complete a full impact assessment.

Please sign and date this form, keep one copy and send one copy to the relevant director and one to the Equality and Diversity Officer.

<b>Name:</b>	<b>Gareth Mitchell</b>	<b>Copy sent to director? (Please name director)</b>	<b>Yes</b> ✓ <b>No</b> □
<b>Job title:</b>	<b>Head of Life Opportunities</b>	<b>Copy sent to Equality and Diversity Officer?</b>	<b>Yes</b> ✓ <b>No</b> □
<b>Date of completion:</b>	<b>26 April 2010</b>	<b>Copy reviewed by Equality and Diversity workgroup?</b>	<b>Yes</b> □ <b>No</b> □
<b>Date for review of this screening:</b>	<b>April 2011</b>	<b>Copy published on CBH website and The Hub?</b>	<b>Yes</b> □ <b>No</b> □

**If you have identified any negative impact which is possibly discriminatory and not intended and/or of high impact, you must complete Section Two, Full Impact Assessment. Please contact the Equality and Diversity Officer for further information. Full guidance is available on The Hub!**

**Full Equality Impact Assessment**

In the EqIA screening you identified negative impacts that have not been minimised or removed, or there was insufficient evidence to make a judgement, therefore you now need to complete a full impact assessment:

- You need to show what information, data or evidence you have gathered, including consultation, and the findings; and
- You are required to complete the action plan to show how you will use the information gathered to minimise, reduce or remove the negative impacts you have identified.

Once you have completed these sections you can sign off the full EqIA.

If you require further information on how to complete an EqIA please see the FAQs or contact Claire Gayfer, Equality and Diversity Officer on 01206 506452 or by email [Claire.gayfer@colchester.gov.uk](mailto:Claire.gayfer@colchester.gov.uk)

**1. What information has been gathered, including consultation with target equality groups, on how the policy, service or strategy could impact on equality target groups.** This could include consultation with the general (i.e. whole) population analysed by certain groups? If there has already been consultation what does it indicate about negative impact of this strategy, project or policy?

Equality target groups	Information gathered and findings
Women	
Black and minority ethnic people (including Gypsies and Travellers)	
Young people and children	

Equality target groups	Information gathered and findings
Older people	
People with disabilities	
Lesbian, gay or bisexual people	
Transgender people	
People with religious faith or beliefs	
People on low incomes	
People living in rural areas	
People without English as their first language.	
CBH Staff	

**2. As a result of this assessment and available evidence collected, including consultation, state whether there will need to be any changes made/planned to the policy, service or strategy. If yes, please state changes to be made below.**

**3a) Have you set up a monitoring/evaluation/review process to check the successful implementation of the policy, service or strategy?**

YES  NO

45

**3b) How will this monitoring/evaluation further assess the impact on the equality target groups/ensure the policy, service or strategy is non-discriminatory?**

**Action Plan**

<b>Equality strands</b>	<b>Negative impact</b>	<b>Action to minimise or remove negative impact</b>	<b>By who?</b>	<b>By when?</b>	<b>Progress to date</b>
<b>Gender</b>					
<b>Race</b>					
<b>Disability</b>					
<b>Sexual orientation</b>					
<b>Age</b>					
<b>Religion or belief</b>					
<b>Low income</b>					
<b>Rural isolation</b>					
<b>English not first language</b>					

**Sign off full EqIA**

<b>Name:</b>		<b>Copy sent to director? (Please name director)</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Job title:</b>		<b>Copy sent to Equality and Diversity Officer?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Date of completion:</b>		<b>Copy reviewed by Equality and Diversity workgroup?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Date action plan will be</b>		<b>Copy published on CBH</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>

<b>reviewed:</b>		<b>website and The Hub?</b>	
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<b>Report of</b>	<b>Executive Director</b>	<b>Author</b>	<b>Ian Vipond x 2717</b>
<b>Title</b>	<b>Procurement Exception (Visual Arts Facility)</b>		
<b>Wards affected</b>	<b>Castle Ward</b>		

This report is for the Cabinet to note the exception agreed by the Executive Director and the Portfolio Holder for Resources, Diversity Culture and the Arts in accordance with Contract Procedure Rule 2(2).

**1. Decision Required**

- 1.1 To note the exception agreed by the Executive Director in consultation with the Portfolio Holder for Resources, Culture and the Arts in accordance with Contract Procedure Rule 2(2) from the need to place a ten day public notice for the drylining and ceiling packages as required by Contract Procedure Rule 6(2) for the reasons set out in this report.

**2. Reasons for Decision**

- 2.1 Under Contract Procedure Rule 6(2) there is a requirement to place a ten day public notice in relation to all contracts where the estimated value is likely to exceed £250K. Both the drylining and the ceiling packages for the Visual Arts Facility (VAF) are likely to exceed £500k.
- 2.2 The normal process following the expiry of a ten day public notice is to carryout a technical and financial assessment of the interested parties based on their responses to a pre qualifying questionnaire (PQQ) in order to obtain a short list of the parties who would be invited to tender. Thereafter, there would be an assessment of the tenders received in order to determine which tender offered the Council best value.
- 2.3 Mace Limited being the Council's appointed Project Manager (PM) for the VAF has advised the Council that it should not comply with Contract Procedure Rule 6(2) for the drylining and ceiling packages because to advertise and go through a PQQ selection process would extend the procurement duration by five weeks and this would increase the overall costs for the VAF.
- 2.4 The PM has recommended that the Council use its trade contractors for the above work packages who have already been pre-qualified and who have been successfully used by Mace Limited in relation to other projects. Those shortlisted contractors would be invited to tender for the work and an assessment of the tenders received would be carried out in order to determine which tender offered the Council best value.
- 2.5 The PM further advises that the dryling and ceiling packages are on the critical path and there is no float in the programme, and without an exemption from the need to issue a ten day public notice the completion date would be delayed by five weeks because of the need to wait for the expiry of the ten day period and to carryout a



proper assessment of the PQQ's in order to obtain a list of interested parties who would be invited to tender. It was the PM's professional view that obtaining an exception from the need to advertise the above contracts would be in the best interest of the Council for the reasons set out in this report.

- 2.6 Under Contract Procedure Rule 2(2) exception from any of the provisions of the Contract Procedure Rules can be made by direction of the Cabinet or, where it is in the Council's interests to take immediate action, by an Executive Director, after appropriate consultation with the relevant Portfolio Holder.
- 2.7 The Executive Director in consultation with the relevant Portfolio Holder (the Portfolio Holder for Resources, Culture and the Arts) agreed that that it was in the Council's interest to take immediate action in order to maintain the agreed programme and to contain costs. It was also agreed, based on the advice of the PM, that the exception was appropriate. Accordingly, an exception was granted from the obligation contained in Contract Procedure Rule 6(2) in relation to the above works packages.
- 2.8 Under Contract Procedure Rule 2(3) every exception to the provisions of the Contract Procedure Rules made by an Executive Director and the circumstances whereby it is in the Council's interests to take immediate action by which the exception shall have been justified, shall be reported to either the Portfolio Holder or the next meeting of the Cabinet (as appropriate). It is appropriate to report this matter to Cabinet because the estimated value of both the above works packages will be above £500,000.
- 2.9 It should also be noted that the July 2009 Cabinet granted a specific delegation to the Executive Director responsible for the VAF in consultation with the relevant Portfolio Holder to enter into all necessary and appropriate contracts with relevant third parties provided that the costs fall within the overall agreed capital budget and/or any approved revenue budget (as appropriate) for the project. This was subject to any contracts being awarded in compliance with the Council's Contract Procedure Rules

### **3. Alternative Options**

- 3.1 There are no alternatives given that the decision has already been implemented in accordance with Contract Procedure Rule 2(2)

### **4. Strategic Plan references**

- 4.1 Delivery of the Visual Arts Facility was identified in the 2009 Strategic Plan.

### **5. Consultation**

- 5.1 Not applicable.

### **6. Publicity considerations**

- 6.1 This is a high profile project and so any report may attract public and media interest and this is being managed by the Council's communications team in liaison with the Portfolio Holder.

### **7. Financial implications**

7.1 The reporting of the exception and the award of the contracts for the drylining and ceiling works packages would fall within the overall agreed capital budget for the VAF.

## **8. Equality, Diversity and Human Rights Implications**

8.1 There are no particular equality, diversity or human rights implications.

## **9. Community Safety Implications**

9.1 There are no particular community safety implications.

## **10. Health and Safety Implications**

10.1 There are no particular Health and Safety implications apart from the risks associated with a construction site which is being managed by the PM.

## **11. Risk Management Implications**

11.1 There are no particular risks identified with the granting of the exception, but there is always the risk of a procurement challenge in relation to the award of any contracts.

## **Agenda item 10(i)**

### **Extract from the Minutes of the Strategic Overview and Scrutiny Panel meeting of 2 March 2010**

#### **55. Have Your Say - Investment in Colchester's Arts and Culture**

Mr. George Pipe addressed the panel saying he hadn't known a time in his life when he wasn't aware of the Colchester Arts Centre, living in close proximity to the venue.

Mr. Pipe said his father, a keen and frequent visitor to the Centre, had always been anecdotal about his visits and recollections. Mr. Pipe saw his first gig at the Centre in 2008, by a band called 'We are the Ocean', describing his excitement prior to going to the Centre and the fun and excitement from the concert. Mr. Pipe said he undertook his Work Experience at the Centre, gaining invaluable experience and an appreciation of how a concert came together.

Mr. Pipe concluded by saying the Colchester Arts Centre was a beacon for all those people who love live performance and hoped it would continue to be a part of his and other people's lives.

In response to Councillor Willetts, Mr. Pipe said he would like to see more club nights at the centre, focusing on playing all genres of recorded music, bringing together people of all age groups for what are great social music gatherings.

Ms. Kim Bennett, a local resident for twenty two years, addressed the panel to talk of her recent involvement with The Mercury Theatre, her first experiences of live theatre with a variety of local community groups involving community actors.

Ms. Bennett said her daughter, completing her B-Tech educational course and had gained invaluable experience through a recent tour of the inner sanctum of The Mercury Theatre.

Ms. Bennett said the work of the arts organisations should continue as they provide so many opportunities to so many people.

Ms. Cheverst addressed the panel, explaining she was a Project Manager of Slack Space Colchester (SSC), linked to Firstsite. Through their partnership with Firstsite it was possible to provide art to empty shop fronts, opening up artistic vision to those who pass by.

Ms. Cheverst said Firstsite had provided unflinching support and advise, allowing SSC to do what they do best without changing their ideas, nurturing without controlling, and to their credit, without them SSC could not have achieved what they had.

Ms. Cheverst concluded by quantifying the number of visitors to their exhibitions, saying without Firstsite support this would not have been possible, that Colchester should be proud of what has been achieved.

**Councillor J Young (in respect of being a Member of Essex County Council) declared a personal interest in the following item.**

### **Investment in Colchester's Arts and Culture**

The following invited guests attended the meeting for this item;

Ms. Andrea Stark, Arts Council England East  
Ms. Helen Lax, Arts Council England East  
Councillor Jeremy Lucas, Portfolio Holder for Heritage, Culture and Arts,  
Essex County Council  
Mr. Anthony Roberts, Colchester Arts Centre  
Mr. Nigel Hildreth, Chair Colchester Arts Centre  
Ms. Kath Wood, Firstsite  
Mr. Wayne Warner, Firstsite  
Mr. Chris Paveley, Chair Firstsite  
Ms. Dee Evans, The Mercury Theatre  
Mr. Adrian Grady, The Mercury Theatre  
Mr. Tony Casement, The Mercury Theatre  
Dr Elizabeth Hall, Chair The Mercury Theatre

The following officers attended the meeting for this item;

Mr. Ian Vipond, Executive Director  
Ms. Josie Worner, Cultural Services Manager

Ms. Stark addressed the panel saying she was delighted to attend the meeting and address the panel.

Ms. Stark said the funding partnership was one of the most successful in the East of England, a partnership with a collective vision that had matured in a very meaningful way.

In regards to providing arts and culture to the area, Ms. Stark said the partnership was in it for the long haul, and it does take time to change the aspirations of people, but it would provide many benefits to the local economy and the local community, for example, catering outlets.

Ms. Stark said there was a bohemian feel to Colchester, with artists crawling out of the woodwork, a quality of critical mass of art originals, with regular national press coverage.

Ms. Stark concluded by saying it was her belief that partnerships work when reciprocal, and what Colchester has is a highly reciprocal partnership, providing 'stand out' arts and culture to the region, with mature conversations ongoing towards future sustainability.

Given the great negativity towards the new Visual Arts Facility, Councillor Willetts asked about the vision of what this investment will bring to Colchester. In response, Ms. Stark said this bespoke building was a sign of the town's ambition, outward looking, income generating and concerned with the quality of life to both visitors and the local community. Firstsite would continue to provide what they do best, a popular way to engaging people, both visitors and locals, with the arts. The building would be 'drop-dead gorgeous', a beautiful building providing an experience for visitors, international exhibitions, and for the first time bespoke educational facilities that we can only dream of at present. It has been designed and will be managed to ensure that Colchester's arts and culture is highly regarded, a place that is serious about culture and creativity.

In response to Councillor Hogg, Ms. Stark was aware of the negativity that has surrounded this building, but it was for local people to speak up for this facility and explain clearly why it was for everybody. She herself had spoken locally about this new project many times on her visits to Colchester.

In response to Councillor Young, Ms. Stark said that the negativity and message from some that it was a total waste of money, needed to be addressed with clarity around the regeneration needed. The partners understood what makes for successful regeneration and have a vision of what it will be like once complete, and it was vital that this is communicated to a wider audience. The St Botolph's Quarter was badly in need of regeneration, needing an anchor, to signal to the community that it was serious about regeneration. The bespoke building was a catalyst for attracting the right kind of developers to the regeneration area. Ms. Stark said the capital project would be completed and the partnership was very clear about how the project will perform and create the educational and economic benefits, and support of Firstsite was vital in getting the message across. Ultimately, proof will be when we open the doors to the public.

Ms. Stark agreed with Councillor Young that it was vital that all partners provide the right type of outreach, and her experience with previous arts projects was for the need in all cases for partners to give a massive effort to a bespoke programme to engage with all local people, and she was certain this approach would be adopted at Colchester. In response to Councillor Maclean, Ms. Stark said once the fit out phase was complete, a series of representative group visits would be organised, targeting communities who have a big stake to play in its success. Community involvement was incredibly important prior to the civic opening.

Ms. Stark agreed with Councillor Cook that the partners had not promoted the new facility properly in terms of an educational facility as well as an arts facility, that this would be in the premier league of cultural activity, and she hoped Essex County Council would rise to the challenge of ensuring all local school children would visit the facility in the first twelve months of operation.

In regards to future funding, Ms. Stark confirmed to Councillor Arnold that generally the Government settlement to the Arts Council was for three years, hence their three year funding offers to their funded partners, given partners the ability to forward plan, vital in an area that requires bookings to be confirmed and worked upon for in many cases more than one year in advance. Some scenario planning is ongoing in regards to the 2010 election outcome, with partners needing to be open and mature in dialogue. That said the three local partners and the Council's Museum Service continue collaborative and mature dialogue to provide savings through for example, economies of scale, and it was vital that the partners continued to be smart about how they worked together in the future years.

Councillor Lucas addressed the panel, thanking them for the opportunity to speak. Councillor Lucas supported everything said by the three public speakers and Ms. Stark. For Essex County Council, arts and culture remained an important priority, with close links to heritage and tourism, all feeding into one another and providing economic growth.

Councillor Lucas said it was vital that arts and culture reached out to the young and those from disadvantaged groups who would otherwise never have cultural experiences, and this provided the knock-on benefit of reducing health inequalities. Grants from the public organisations supported this view in ensuring the facilities became available.

Councillor Lucas concluded by saying the partnership was striving to achieve benefits to local people, and if the end result is just one person becoming a contributor to the arts then this relatively small investment will have been worthwhile.

In response to Councillor Young, who asked how cuts in public spending relate to the arts, and how many tangible opportunities are given to disaffected local people by the three arts organisations, Councillor Lucas said he could assure Councillor Young that the County approach was first and foremost to try and make savings without the need to effect front-line services. Councillor Lucas whilst recognising the economic downturn, and the public's negative perception to building a large expensive building in these times, said it was interesting by way of comparison to look at the investment in successful quality buildings built during the depression years. Creating this invested opportunity can provide other income investment streams. Councillor Lucas agreed to provide Councillor Young with examples of tangible opportunities given to disaffected local people.

In response to Councillor Willetts, Councillor Lucas said strong joint working enabled the strategic requirements of the partnership to be realised, with close liaison and working practices with officers, monitoring Service Level Agreements between all the partners, with regular meetings, regular contact. The agreements within the agenda papers were good examples of the County not dictating, but working as a partner.

Ms. Josie Worner addressed the panel to give greater clarification to the funding arrangements and agreements in place and as shown within the appendices to the report. Ms. Worner said what was now in place was a vast improvement to previous attempts, and would now form part of a Portfolio report and a transparent decision making process from 2010-11 onwards. Councillor Arnold endorsed what would for the future be a valuable opportunity for members to see what the Council gets for its investment, personally regarding the codifying as extremely important. Councillor Young concurred, saying the information provided the clarity previously not given, in what was expected from the Council's investment.

For clarity, Ms. Worner confirmed to members that the original agreements have been signed by the requisite signatories, and also that officers are aware of other partner's funding agreements, and what they are expecting to achieve. Every effort is made to ensure nothing on a funding agreement jeopardises or conflicts with other agreements.

The following representatives from the three funded organisations, namely Ms. Kath Wood and Mr. Wayne Warner (Firstsite), Mr. Anthony Roberts (Colchester Arts Centre) and Mr. Tony Casement (The Mercury Theatre) each gave a presentation on the delivery of arts and culture within their respective organisations.

The scope of the presentation was as follows;

- Working with Colchester Borough Council
- Delivery
- Achievement on Strategic Priorities
- Return on Investment
- External Direct Impacts
- Firstsite Overview
- Colchester Arts Centre Overview
- Mercury Theatre Overview
- The Future

Each of the venues work collaboratively with the Council to ensure the Council's Strategic Priorities is embraced within the delivery of the cultural offer. The priorities have been agreed within the service level agreement and are frequently measured against specific criteria with officers and the portfolio holder. The information within the SLAs is set out in line with the Council's Strategic Plan, conveying the way in which Colchester Borough Council's financial support is an effective and efficient way to deliver a broad range of services to meet local identified needs.

Colchester has a strong cultural scene that is one of the Borough's unique selling points and which makes a key contribution to realising the Council's vision that Colchester will continue to be a place where people want to live, work and visit. Collectively, the delivery will:

- Return greater investment to a wider local economy
- Support and develop jobs and new employment opportunities
- Develops creative and cultural industries
- Develops the stock of attractions, events and activities for residents and visitors
- Works with and in the community to provide the arts as a tool to enhance the quality of life for residents and visitors

The achievements on Strategic priorities included:

- Nearly 300 jobs created and maintained, with a local spend of £1,400,000.
- 1,030 community events with an attendance of 46,681
- 607 venue based events with an attendance of 157,700
- Delivery of a schools programme, youth advisory schemes and craft for the Elderly.
- £1.7m levered through ACE, ECC and the University. £883k levered through trusts and foundations. £1.8m earned income and a commitment to undertaking a Fundamental Service Review.

Ms. Wood and Mr. Warner (FS) gave an overview of Community Outreach and Development including regeneration, Artists Professional Development, Slack Space, The Chinese Community and Cycle Colchester, Addressing younger and older people's needs including Art Stop Bus Stop, Squiggles and Giggles (Ormiston Centre) and Street Art Project, MA Contemporary Art and Professional Practice, the University Partnership and Schools Programme, and finally, their partnership with Tate Connects and Crochet.

Mr. Roberts (CAC) spoke about the centre's Community Outreach and Development programme, including Charity Frock Swap, BBC Book Swap, BBC Blast, The Farmers Market and the Beer Festival, explaining the diversity of the centre, as a venue for all genres of live and recorded music, poetry, Children's Theatre, Clubs, Dance, Comedy and Film Screening, a provider of education, outreach and partnerships with, for example, Variety Ball, Willow Brook School, Sir Charles Lucas Arts, The Music of Place.

Mr. Casement (MT), responsible for the theatre's community and education programme, gave examples of individual people and programmes that had benefitted from the Theatre's Community Outreach and Development Programme. Some of the groups and activities provided include;

Drama groups for young children and their carers, one offering classes, for free, for seven years in the St. Andrews Ward, a drama group for 3 to 5 year



olds, an infants school age drama group and a junior school age drama group. Three youth theatres and a dedicated group for the over 50's, who for only £3.50 can attend two theatre based workshops a week, the price including a subsidised cup of coffee. A free group for disabled adults, a free group for local writers and an adult theatre workshop.

The majority of the groups work every week during the academic year, with no adult paying more than £5.00 and no child more than £3.50 to take part in any activity that is offered, apart from free groups and over 50's concessions and a generous reduction for those on a low income. The philosophy was if people want to work with the Mercury, we'll find a way to make it possible.

Other activities this year have included supporting local artists and theatre makers, a programme of free workshops for adults, including some Indian dance workshops specifically programmed to expand the cultural range of the work that is offered. Work experience placements, a series of workshops in partnership with the Youth Justice Board, talks, tours and bespoke workshops for local schools, teaching at Essex University, a programme of schools residencies (three actors, one week at a cost of £750.00 to schools, approximately a third of the real cost), three Theatre Summer Schools, two of which were free, one of which, in partnership with Essex University was specifically designed to encourage the brightest and the best young people in Colchester who, for whatever reason don't see University as an option for them, to think again. Schools workshops before every Mercury Company Production led by the actors that the young people will see on stage later that day. The World Aids Day Youth Arts Festival in partnership with North East Essex Primary Care Trust and the Terence Higgins Trust, with fourteen local schools and Youth Groups performing on the main stage. The theatre's own 'Fresh' youth arts festival, comprising three youth theatre's, working for three weeks over the summer with the MT company actors to mount two full productions on the main stage, for young people, for free.

Mr. Casement gave examples of people who have experienced working with the Mercury Theatre and how the skills and experience gained had enabled their careers to progress and /or their experiences to be developed, Chloe, Robert who is wheelchair bound and supported by Ben, and three young people working with practitioners in the Theatre Garden.

Mr. Casement concluded by reading some extracts by three people who had all had very positive experiences either personally or indirectly, from the work of the Mercury Theatre.

Ms. Evans addressed the panel to thank the Council for both previous years funding and their continued funding. The MT was passionate about partnership working, mature conversations would continue. Ms. Evans said arts and culture is a jewel, inspiring people to achieve through creativity, life enhancing, not debilitating, and the MT continues to aspire to do as much as it can for all Colchester wards.

Ms. Evans showed a Guardian press release of the theatre's Romeo and Juliet production, taking the town's premier theatre's reputation forward.

Councillor Young welcomed the community work undertaken by the three organisations but was surprised that a street art project was undertaken in Greenstead without her knowledge. It was confirmed that the MT had been involved in projects at Greenstead for the past seven years and welcomed any opportunity to work closer with ward councillors. The current Greenstead project has been in progress for two years, for 7 – 10 year olds, developing the techniques around street art. Ms. Evans said she would welcome meeting Councillor Young and Councillor Dopson to explain and develop the project.

Ms. Evans and Ms. Wood said a lot of work was needed to include local hotels within a package on arts and culture for visitors of Colchester, though conversation with the Red Lion and Marks Tey Hotels continues, that Mr. Roberts hoped would include on-line bookings.

Ms. Dee confirmed to Councillor Willetts that in terms of quantifying best value, statistics from other similar regional theatres suggests the community work of the MT outstrips the other organisations. Ms. Wood said as much as 40% of the community work of FS is done away from the building base and this benchmarks very favourably with other similar organisations.

Ms. Stark said the Arts Council hold comparatives for visual arts buildings, theatres and multi art form venues, and for Colchester the comparative was very good, with a huge amount of community activity going on. The partnership had well seasoned partners, who do their business extraordinary well, a strong partnership giving a strong resource base from which to generate best value.

In response to Councillor Arnold, Ms. Evans could not imagine how their community work would be done without their organisations. Ms. Wood said their partnership was strengthened by their ability to work across all different sectors, public and private, with Mr. Roberts saying it was a partnership built on integrity and that stood up against direct comparisons. It was unanimously agreed that the Visual Arts Facility would provide a fantastic opportunity to work together to enhance this facility

In response to Councillor Taylor, Ms. Evans said none of the partner organisations could survive without being popular, reinforced by Mr. Roberts who said they are commercial organisations who need to get the best deals, and attendance figures suggested all the venues are very popular. Ms. Wood said contemporary art was very popular with some, though their fundamental objective was to make contemporary art even more popular.

Mr. Grady (MT) addressed the panel to confirm to the panel quantitative information about attendance figures, and the breakdown of attendance by concessionary fares, attendance by the disabled, the young and family

groups, confirming attendance is affordable and offers a wide and diverse range of live performance.

Ms. Tina Dopson, Portfolio Holder for Performance and Partnerships addressed the panel and thanked those present for their frankness and openness that needed to continue for the partnership to move forward. Ms. Dopson said she did not want the positive statements from the meeting to be lost after the meeting.

At the conclusion of the open discussions, Councillor Arnold thanked all the evening's speakers and contributors for taking time to attend and contribute to what was a constructive and useful experience, with a lot to take forward.

*RESOLVED* that:

- i) Welcomes the significant advances made in codifying the relationship between the Council, the other funders and the three funded arts providers i.e. the Mercury Theatre, firstsite and Colchester Arts Centre;
- ii) Recommends to Cabinet that;
  - a) in recognition of the significant benefits they bring to the Borough, the Council should continue to give annual grants to the arts providers;
  - b) in order to provide transparency and clarity, to give authority, to ensure that all members of Council are aware of the targets set by Cabinet and to provide for the opportunity of call-in and scrutiny, the agreements between the Council, the other funders and the arts providers should be the subject of formal decisions by the Portfolio Holder for Resources, Diversity, Culture and the Arts;
  - c) the direct contribution made by the arts providers towards making Colchester a place that people from outside the Borough want to visit and the positive impact of these visits on Colchester's economy should be recognised when their performance is assessed;
  - d) in recognition that the business plans of arts organisations generally span several years, the Council should adopt the same funding practice for the Colchester arts providers as the Arts Council i.e. an indication of two future years' funding should be given without prejudice at the same time as the current grant is agreed (N.B. this is also the basis on how central Government provides revenue support grant to the Council);
  - e) the multi party Service Level Agreement for the Mercury Theatre should become the model for the agreements between the

Council and firstsite and the Council and the Arts Council and in particular the other funding partners should be party to those agreements;

- f) the portfolio-holder for Performance and Partnerships should regularly hold structured meetings with the arts providers to ensure all are aware of ongoing and planned borough community development projects and initiatives, addressing areas of duplication or gaps. The aim should be to ensure the funding provided makes the greatest possible impact on Life Opportunity targets as set out in LAA2 and on the Council's strategic aims.
  
- iii) Agrees that the performance of the arts providers against the targets set by Cabinet and of the portfolio-holder for Resources, Diversity, Culture and the Arts in working with the arts providers to secure this should be periodically reviewed by the Panel and recommendations made to the Cabinet.

<b>Report of</b>	<b>Head of Corporate Management</b>	<b>Author</b>	<b>Richard Clifford</b>
<b>Title</b>	<b>Appointments to external organisations and council groups</b>		
<b>Wards affected</b>	Not applicable		

**This report concerns the appointment of representatives to external organisations and Council reference groups.**

**1. Decision(s) Required**

- 1.1 To agree representatives for the Municipal Year 2010/2011 to the various external organisations and Council groups listed in Appendix A, such appointments to cease if the representatives cease to be members of the Council during the year.
- 1.2 To confirm that those Councillors who are not members of the Council groups for the Municipal Year 2010/2011 be confirmed as a pool of members able to act as substitute members on Council groups, in accordance with the normal requirements relating to substitute members set out in the Council's Constitution.
- 1.3 To authorise the Leader of the Council to make a determination where a nomination is deemed to be in dispute.
- 1.4 To note the appointment of Champions as set out in paragraph 4.3 below.

**2. Reasons for Decision(s)**

- 2.1 It is important for the Council to continue to make formal appointments to certain organisations and council groups such as those with statutory functions, our key strategic and community partners and groups with joint working arrangements. These groups have been identified in Appendix A.
- 2.2 At Appendix B are those appointments which will cease. The East of England Regional Assembly was dissolved on 31 March 2010. The East of England Local Government Association to which the Leader is appointed at Appendix A, will take forward some aspects of EERA's work. The East Essex Waste Joint Committee is also being dissolved so no appointment needs to be made. The appointment to the Sixth Form College was a four year appointment that expired in November 2009. A replacement appointment was put forward to the College, but the Chairs and Search Committee of the College decided not to recommend the appointment of a local authority nominee to the governing body at this time.

**3. Alternative Options**

- 3.1 No alternative options are proposed other than to authorise the Leader of the Council to make a determination where a nomination is deemed to be in dispute.

**4. Supporting Information**

- 4.1 An exercise has been conducted to review the organisations and groups to which the Council has made appointments in the past. In addition, the Essex Health Overview and Scrutiny Committee has been added.
- 4.2 In accordance with the agreed procedure for making appointments to external organisations and council groups, if any seat or vote allocation remains in dispute by the after the appointments have been made by Cabinet, the Leader of the Council can determine the matter.
- 4.3 Cabinet is also invited to note the appointment of the following Champions, who will be responsible for promoting these issue within the Council:-

Culture Champion: Councillor Cope  
Cycling Champions: Councillors P. Higgins and T. Higgins  
Design Champion: Councillor Gamble  
Diversity Champion: Councillor T. Higgins  
Heritage Champion: Councillor Spyvee

## **5. Financial implications**

- 5.1 Members continue to be entitled to claim travel allowance in respect of attendance at meetings of the external organisations and Council groups to which they have been appointed.

## **6. Strategic Plan References**

- 6.1 The particular contribution that each of the external organisations and Council groups makes towards the aims of the Strategic Plan is indicated in the Appendices.

## **7. Publicity Considerations**

- 7.1 Members appointed as representatives will be notified accordingly. Confirmation of appointments will be sent to the relevant external organisation and to officer contacts for the various Council groups.

## **8. Equality, Diversity and Human Rights Implications**

- 8.1 There are no direct implications for Equality and Diversity from these appointments and as such a full EQIA has not been deemed necessary. However the council and all representatives, both officers and members, will encourage and in some cases insist that our partners have the same approach to equality and diversity as we do and ensure that this is implicit within their policies and procedures

## **9. Risk Management Implications**

- 9.1 Councillors fulfilling external and partnership appointments need to have regard to the information and advice contained within the 'Guidance for Members on Outside Bodies', a copy of which is in the Members' Room for reference.

## **10. Community Safety and Health and Safety Implications**

- 10.1 None

<b>Organisations / Groups requiring formal appointment</b>				
<b>Organisation</b>	<b>Representatives for 2010/11</b>	<b>Role of the Representative and Voting Capacity</b>	<b>Contact Name and Address</b>	<b>Compliance with the Strategic Plan</b>
<b>Local Government Organisations</b>				
<b>Local Government Association, General Assembly</b> [Local Government Association dealing with all aspects of local government] [Meetings are held in June/July and December at 2pm. The meeting in June/July is held at the annual conference venue and the December meeting in London]	Leader of the Council (voting member) – Cllr Turrell Substitute members) – Cllr Hunt Main Group Leaders as observers – Cllrs Bentley, G. Oxford and T. Young	Representative is a member of the general assembly and has a voting right (if more than one member is appointed there remains only one voting right)	Miss Noleen Rosen Project Support officer Local Government Association Local Government House, Smith Square, London Sw1P 3HZ noleen.rosen@lga.gov.uk Tel: 020 7664 3215 Fax: 020 7664 3030	Relevant to all strategic priorities

<p><b>Local Government Association, Urban Commission</b></p> <p>[Local Government association dealing with urban affairs]</p> <p>[Two meetings held per annum between 11am and 4pm. One meeting is held in London and the other in an urban authority]</p>	<p>Cllr Offen (voting member)</p> <p>Cllr T. Young (non-voting member)</p>	<p>Representatives are members of the Commission and one member is able to vote</p>	<p>Marion Stribling, Member Services Local Government Association Local Government House Smith Square London SW1P 3HZ <a href="mailto:memberservices@lga.gov.uk">memberservices@lga.gov.uk</a> Tel: 020 7664 3040 Fax: 020 7664 3030</p>	<ul style="list-style-type: none"> <li>• Promote economic prosperity</li> <li>• Tackle deprivation</li> <li>• Foster social inclusion</li> </ul>
<p><b>Local Government Association, Rural Commission</b></p> <p>[Local Government Association dealing with rural affairs]</p> <p>[Two meetings held per annum, one in London and the other in a rural authority. Meetings held between 11am and 4pm]</p>	<p>Cllr Chillingworth (voting member)</p> <p>Cllr Garnett (non-voting member)</p>	<p>Representatives are members of the Commission and one member is able to vote</p>	<p>Marion Stribling, Member Services Local Government Association Local Government House Smith Square London SW1P 3HZ <a href="mailto:memberservices@lga.gov.uk">memberservices@lga.gov.uk</a> Tel: 020 7664 3040 Fax: 020 7664 3030</p>	<ul style="list-style-type: none"> <li>• Supporting rural communities</li> </ul>
<p><b>Local Government Association, Coastal Issues Special Interest Group</b></p> <p>[Local Government Association dealing with coastal issues]</p> <p>[Three meetings per annum held in London]</p>	<p>Cllr T. Young</p>	<p>Representative is a committee member. Voting is not applicable</p>	<p>Marion Stribling, Member Services Local Government Association Local Government House Smith Square London SW1P 3HZ <a href="mailto:memberservices@lga.gov.uk">memberservices@lga.gov.uk</a> Tel: 020 7664 3040 Fax: 020 7664 3030</p>	<ul style="list-style-type: none"> <li>• Protecting Colchester's heritage and environment</li> </ul>



<p><b>East of England Local Government Association</b></p>	<p>Leader of the Council - Cllr Turrell</p>		<p>Colin Robertshaw Head of Secretariat and Communications Flempton House Flempton Bury St Edmunds Suffolk IP28 6EG  Tel: 01284 728151 <a href="mailto:Colin.robertshaw@eelga.gov.uk">Colin.robertshaw@eelga.gov.uk</a></p>	<ul style="list-style-type: none"> <li>Cuts across most strategic priorities</li> </ul>
<p><b>Essex Partnership Forum</b>  (reconstituted to partially replace Essex Local Government Association, Executive Committee)  [Two meetings per year]</p>	<p>Leader of the Council - Cllr Turrell</p>		<p>Kate Crofts Essex County Council Room 113, County Hall Market Road Chelmsford CM1 1QH  <a href="mailto:kate.crofts@essex.gov.uk">kate.crofts@essex.gov.uk</a> Tel: 01245 437552</p>	
<p><b>Local Strategic Partnership</b> (Colchester 2020)</p>	<p>Leader of the Council - Cllr Turrell  Cllr T. Young</p>	<p>Full voting capacity</p>	<p>Adrian Pritchard, Chief Executive <a href="mailto:adrian.pritchard@colchester.gov.uk">adrian.pritchard@colchester.gov.uk</a> Tel: 282211 Delivery Point 31  Irene Swift <a href="mailto:Colchester2020@colchester.gov.uk">Colchester2020@colchester.gov.uk</a> Tel: 282348 Fax: 282261 Delivery Point 31</p>	<p>Key Strategic Body</p>

<p><b>Haven Gateway Partnership</b></p> <p>[A sub-regional economic partnership]</p> <p>The purpose of the Partnership is to be a framework through which partner organisations can work together to promote the economic opportunities and secure the future prosperity of this major gateway to the East of England</p> <p>[The Management Board meets bi-monthly around the sub-region alternating between Suffolk and Essex]</p>	<p>Leader of the Council - Cllr Turrell</p> <p>Cllr Barton (substitute member)</p>	<p>The Chairman is appointed annually. The Chairman and each partner have one vote. The Secretary may not vote.</p>	<p>Lisa Brazier Haven Gateway Partnership Suites 3 &amp; 5, The Centre The Crescent Colchester Business Park Colchester CO4 9QQ</p> <p><a href="mailto:Lisa.brazier@haven-gateway.org">Lisa.brazier@haven-gateway.org</a> Tel: 01206 848412 Fax: 01206 848419</p> <p>Officer contact - Ian Vipond, tel 282717</p>	<ul style="list-style-type: none"> <li>Promote economic prosperity</li> </ul>
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<p><b>Waste Management Advisory Board for Essex and Southend</b></p> <p>[Local authority advisory body involved in waste management]</p> <p>[Meetings to be held during the day, other details to be advised at a later date]</p>	<p>Portfolio Holder for Street and Waste Services</p> <p>Cllr Hunt</p> <p>Cllr Turrell (substitute member)</p>	<p>The Waste Management Advisory Board discusses and progresses a number of waste management issues that are of county wide significance such as the Essex Municipal Waste Management Strategy, Essex's long term waste management contract and the appointment of consultants for the Strategy.</p>	<p>Ian Myers Member Support and Governance Essex County Council County Hall Chelmsford CM1 1QH <a href="mailto:ian.myers@essex.gov.uk">ian.myers@essex.gov.uk</a> Tel: 01245 430481 Fax: 01245 280180</p>	<ul style="list-style-type: none"> <li>• Reduce, Reuse and Recycle</li> <li>• Be cleaner and greener</li> </ul>
<p><b>Colchester Institute Corporation Board of Governors</b></p> <p>[Corporation Board meetings are held six times a year and Committee meetings are held at least six times a year, at Colchester Institute]</p>	<p>Cllr Pyman (until 31 July 2010) (4 year term of office)</p> <p>Cllr Davies (from 1 August 2010)</p>		<p>Hazel Paton Clerk to the Governors Colchester Institute Corporation Sheepen Road Colchester CO3 3LL <a href="mailto:hazel.paton@colchester.ac.uk">hazel.paton@colchester.ac.uk</a> Tel 712606 Fax: 718155</p>	<ul style="list-style-type: none"> <li>• Engaging with young people</li> </ul>

<p><b>Annual Rail Seminar</b></p> <p>[Liaison meeting between representatives of the rail industry and other stakeholders]</p> <p>[One meeting held per year, usually March, with change of venue year on year generally held daytime. Next meeting will be in March 2010 in Chelmsford.]</p>	<p>Cllr Naish</p>	<p>To participate in discussions and to raise issues of concern to this Council, able to vote</p>	<p>Jayne Sumner Senior Area Infrastructure Coordinator Essex County Council County Hall Chelmsford CM1 1QH <a href="mailto:Jayne.sumner@essex.gov.uk">Jayne.sumner@essex.gov.uk</a> Tel: 01245 437154 Fax: 01245 496764</p>	<ul style="list-style-type: none"> <li>• Congestion busting</li> </ul>
<p><b>Braintree, Colchester and Uttlesford Joint Parking Committee</b></p> <p>To develop and implement a joint parking service for Braintree, Colchester and Uttlesford</p>	<p>Portfolio Holder with responsibility for Street and Waste Services Cllr Hunt.  Portfolio Holder for Economic Development, Culture and Tourism - Cllr Barlow</p>		<p>Matthew Young Head of Street Services Street Services <a href="mailto:matthew.young@colchester.gov.uk">matthew.young@colchester.gov.uk</a> 01206 282902</p>	<ul style="list-style-type: none"> <li>• Congestion busting</li> </ul>

<p><b>Campaign to Protect Rural Essex</b> (Countryside and environment organisation) [Meetings held six times a year at 10.30am at the Essex Record Office, Wharf Road, Chelmsford]</p>	<p>Cllr Blundell</p>	<p>Representatives have no specific role but attend on behalf of the Council to facilitate two way communications. Representatives are not able to vote</p>	<p>Tony Middleton Campaigns and Development Manager Campaign to Protect Rural Essex RCCE House Threshelfords Park Inworth Road Feering, Colchester CO5 9SE  <a href="mailto:office@cpressesx.org.uk">office@cpressesx.org.uk</a> Tel/Fax: 01376 572023</p>	<ul style="list-style-type: none"> <li>Community development</li> </ul>
<p><b>Colchester Borough Homes Board</b> [Commercial Partnership]</p>	<p>Cllrs Chapman, Kimberley, Mudie, Naish, Offen and L. Sykes</p>		<p>Nick White Colchester Borough Homes PO Box 7888 Colchester CO3 3YB Delivery Point 4 <a href="mailto:nick.white.cbhomes@colchester.gov.co.uk">nick.white.cbhomes@colchester.gov.co.uk</a>  Tel 01206 282354 Fax 01026 506938  Officer contact: Lindsay Barker tel 282253</p>	<ul style="list-style-type: none"> <li>Homes for all</li> </ul>

<p><b>North East Essex Children's Trust Board</b></p> <p>[To secure the improvement in the well being of children and young people in North East Essex as defined by section 10 of the Children Act 2004.]</p>	<p>Portfolio Holder for Communities - Cllr Dopson (Plus officer member – Gareth Mitchell, Head of Life Opportunities))</p>	<p>Kirsty Studd CYPSP Co-ordinator Ground Floor Rowan House 33 Sheepen Road Colchester CO3 3WG</p> <p>Officer contact – Gareth Mitchell Tel: 506972 Delivery Point 30</p>	<p>Addressing younger people's needs</p> <ul style="list-style-type: none"> <li>• Community development</li> <li>• Healthy living</li> </ul>
<p><b>Colchester Community Stadium Board</b></p> <p>[Commercial Partnership]</p>	<p>Cllrs Turrell and Hunt Chief Executive Adrian Pritchard</p>	<p>Chief Executive of the Board, Clive Gilham <a href="mailto:clivegilham@hotmail.com">clivegilham@hotmail.com</a> 07903 652510</p>	

<p><b>Safer Colchester Partnership - Responsible Authority Group</b></p>	<p>Cllr T. Young (Plus officer member – Ian Vipond, Executive Director)</p>	<p>Full voting rights</p>	<p>Peter Carrington, Community Safety Co-ordinator <a href="mailto:peter.carrington@colchester.gov.uk">peter.carrington@colchester.gov.uk</a> Tel: 717816</p>	<p>Community Safety</p>
<p><b>Colchester Hospital University NHS Foundation Trust</b></p>	<p>Cllr Hunt</p>		<p>Becci Hurst Foundation Trust Membership Officer Colchester Hospital University NHS Foundation Trust Turner Road Colchester  <a href="mailto:Becci.hurst@colchesterhospital.nhs.uk">Becci.hurst@colchesterhospital.nhs.uk</a> Tel: 01206 742733</p>	<p>Health living</p>
<p><b>Colchester and Ipswich Joint Museums Committee</b>  To develop and implement a joint museum service for Colchester and Ipswich</p>	<p>Portfolio Holder with responsibility for Economic Development, Culture and Tourism - Cllr Barlow – and Portfolio Holder for Resources and Diversity – Cllr Smith</p>		<p>Peter Berridge, Colchester and Ipswich Museum Manager, Environmental and Protective Services <a href="mailto:Peter.berridge@colchester.gov.uk">Peter.berridge@colchester.gov.uk</a> 01206 282930</p>	<p>Community development  <ul style="list-style-type: none"> <li>Addressing younger people's needs</li> </ul> </p>

<p><b>Colne Estuary Members' Liaison Group</b> [Joint Authority Partnership with Tending]</p>	<p>Cllrs Sutton, Quarrie, Manning and Lilley</p>	<p>Beverley McClean Coast and Countryside Planner Tel: 282480 Fax: 282711 Delivery Point 7  <a href="mailto:Beverley.mcClean@colchester.gov.uk">Beverley.mcClean@colchester.gov.uk</a></p>	<ul style="list-style-type: none"> <li>• Community development</li> <li>• Cleaner and greener</li> </ul>
<p><b>Cory Environmental Trust in Colchester</b> [Registered Charitable Trust giving grants in various categories relating to the environment, public amenity and public education]  [Meetings are held 3 times a year at 6pm at various town centre venues]</p>	<p>Cllr Arnold</p>	<p>Karen Daniel Street Services Support Manager Tel: 282910  <a href="mailto:karen.daniel@colchester.gov.uk">karen.daniel@colchester.gov.uk</a></p>	<ul style="list-style-type: none"> <li>• Cuts across all corporate priorities</li> </ul>



<p><b>Dedham Vale (AONB) and Stour Valley Joint Advisory Committee</b></p> <p>[Partnership project funded by local authorities and Natural England.</p> <p>[Meetings held 2 or 3 times a year at various times and venues throughout the Stour Valley area. Additional meetings and workshops as necessary.]</p>	<p>Dedham and Langham/Fordham and Stour Ward Councillors (2)</p> <p>Councillor Chapman and Councillor Garnett</p>	<p>Representatives are involved in steering the work of the project and in particular matters affecting the Area of Outstanding Natural Beauty. Representatives are able to vote.</p>	<p>Simon Amstutz, Project Manager Dedham Vale (AONB) and Stour Valley Countryside Project c/o Suffolk County Council Endeavour House (B3 F1) 8 Russell Road Ipswich IP1 2BX  Tel: 01473 264263 Fax: 01473 216824 Mobile: 07971 909649 E:mail Dedhamvale.projct@suffolk.gov.uk</p> <p>Officer contact – Adam John, Tel: 282472 Delivery Point 8</p>	<ul style="list-style-type: none"> <li>Community development</li> </ul>
<p><b>Essex Health Overview and Scrutiny Committee</b></p> <p>[meetings are held on the first Wednesday of the month at County Hall, Chelmsford]</p>	<p>Cllr Offen</p>		<p>Graham Redgewell Governance Officer PO Box 11 County Hall Chelmsford CM1 1LX  Tel: 01245 403360  <a href="mailto:grahamr@essex.gov.uk">grahamr@essex.gov.uk</a></p>	<ul style="list-style-type: none"> <li>Healthy living</li> </ul>

<p><b>Local Highway Panel</b></p> <p>Panel will provide for local authorities and their communities to make recommendations associated with where certain funds should be spent on the local highway network. They will be asked to prioritise the way in which funds are allocated and to monitor progress against this budget. The County Council Portfolio Holder would set the budget and formally 'sign off' any decisions.</p>	<p>Relevant Portfolio Holder to act as Chairman and five Councillors, representing urban wards that are partially or entirely non-parished.</p> <p>Cllrs M. Hunt J. Young Gamble, Cope, Hardy and Hazell</p>		<p>Amanda Chidgey, Democratic Services Manager, Colchester Borough Council</p> <p><a href="mailto:amanda.chidgey@colchester.gov.uk">amanda.chidgey@colchester.gov.uk</a></p> <p>01206 282227</p>	<p>Congestion busting Community development</p>
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<p><b>Mercury Theatre Limited</b> [Limited Company and Charity running an arts repertory company] [Meetings held every 4-6 weeks at 6pm at the Mercury Theatre]</p>	<p>Cllr Cope</p>	<p>Representatives act as Directors who are able to participate fully in the meetings and vote</p>	<p>Tom Lagden Administration Manager Mercury Theatre Balkerne Gate Colchester CO1 1PT  <a href="mailto:toml@mercurytheatre.co.uk">toml@mercurytheatre.co.uk</a> Tel: 01206 245515 Fax: 01206 769607  Officer contact – Josie Womer, Tel: 282914 Delivery Point 6</p>	<p>Community development</p>
<p><b>Museums in Essex Committee</b> [Countrywide consultative committee regulated by constitution. Involved in the improvement of museum provision and standards in the country]  [Three meetings held per annum at 10.30am. Meetings held by local authorities and museum members around the country]</p>	<p>Cllr Barlow  The representative could be elected as Chairman or Vice Chairman.  There are sub-groups to which representatives are invited to join as and when appropriate.</p>	<p>Elected members receive and consider reports from the Museums in Essex officer and act in a consultative role. Each local authority is entitled to appoint one elected member to serve on the committee.</p>	<p>Glynis Evans Museum Advisory Service Essex Record Office Wharf Road Chelmsford CM2 6YT  <a href="mailto:glynis.evans@essex.gov.uk">glynis.evans@essex.gov.uk</a> Tel: 01245 244666  Officer contact – Peter Berridge, Tel: 282930 Delivery Point 18</p>	<p>Community development  Addressing the needs of younger people</p>

<p><b>Patrol Adjudication Joint Committee</b></p> <p>The Parking and Traffic Regulations Outside London Adjudication Joint Committee (PATROL AJC) has been established to enable constituent Councils to exercise their functions appointing Adjudicators, etc under Part 6 of the Traffic Management Act 2004</p> <p>This council joined the Joint Committee as required, during 2008. As the council is a member of the PATROL Adjudication Joint Committee, it is a requirement that the council regularly nominates a Councillor to serve on the Joint Committee.</p> <p>The role of the members of the Joint Committee is to oversee the administrative functions of the "Traffic Penalty Tribunal" and appoint adjudicators. Meetings are held twice a year in January and June in Manchester.</p>	<p>Portfolio Holder for Street and Waste Services – Cllr Hunt</p> <p>Substitute member: none appointed</p>	<p>Louise Hutchinson Head of Service Joint Committee Services PATROL Barlow House Minshull Street Manchester M1 3DZ.</p> <p>Tel : 0161 242 5270 Fax: 0161 242 5295</p> <p>lhutchinson@patrol-uk.info</p> <p>Officer contact – Richard Walker Parking Services Manager Delivery Point 12 01206 282708</p>	
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<p><b>Police and Community Consultative Group</b></p> <p>[Unincorporated association concerned with community and police liaison]</p>	<p>Cllr T Young</p>	<p>Fully participative member</p>	<p>Jo van Zanten (Mrs) PCCG Secretariat (North Division) Essex Police Authority 3 Hoffmanns Way Chelmsford CM1 1GU  <a href="mailto:Jo.Vanzanten@essex.pnn.police.uk">Jo.Vanzanten@essex.pnn.police.uk</a> Tel: 01245 291608 Fax: 01245 291601</p>	<ul style="list-style-type: none"> <li>Community safety</li> </ul>
<p><b>Equality and Diversity Team</b></p> <p>[Council Group]</p>	<p>Cllrs T. Higgins, G. Oxford, Scott Boutell, J. Young and Willetts</p>		<p>Pamela Donnelly Executive Director, Colchester Borough Council  Tel: 01206 282212  <a href="mailto:pamela.donnelly@colchester.gov.uk">pamela.donnelly@colchester.gov.uk</a></p>	<ul style="list-style-type: none"> <li>Cuts across all strategic priorities</li> </ul>
<p><b>Member Development Group</b></p> <p>Council Group constituted to assist in the formulation, implementation, monitoring and evaluation of member development strategies.</p>	<p>Cllrs Offen, Chapman, G Oxford, and Naish</p>		<p>Richard Clifford, Democratic Services Officer.  <a href="mailto:richard.clifford@colchester.gov.uk">richard.clifford@colchester.gov.uk</a> 01206 507832</p>	<p>Supports members to meet all strategic priorities</p>

**Appendix B – Appointments that will cease**

<p><b>East of England Regional Assembly</b> [Local Authority]</p>	<p>Representatives participate fully one is able to vote</p>	<p>Colin Robertshaw East of England Regional Assembly Flempton House Flempton, Bury St Edmunds Suffolk IP28 6EG  <a href="mailto:colin.robertshaw@eera.gov.uk">colin.robertshaw@eera.gov.uk</a> Tel: 01284 729412</p>	
<p><b>East Essex Waste Management Joint Committee</b>  [Joint Authority Partnership with Chelmsford, Essex, Maldon and Tendring]</p>		<p>Ian Myers Committee Officer Member Support and Governance Essex County Council PO Box 11 County Hall Chelmsford CM1 1LX  <a href="mailto:ian.myers@essex.gov.uk">ian.myers@essex.gov.uk</a> Tel: 01245 430481 Fax: 01245 280180</p>	<ul style="list-style-type: none"> <li>• Reduce, Reuse and Recycle</li> </ul>
<p><b>Colchester Sixth Form College, Corporation Board of Governors</b></p>	<p>Full member with voting rights – serves a 4 year term of office from November</p>	<p>Celia Douglas Clerk to the Governing Body The Sixth Form College North Hill Colchester CO1 1SN  <a href="mailto:douglasc@colchsfc.ac.uk">douglasc@colchsfc.ac.uk</a> Tel: 500532 Fax: 500532</p>	<ul style="list-style-type: none"> <li>• Engaging with young people</li> </ul>

PETITIONS, PUBLIC STATEMENTS, QUESTIONS

(i) Have Your Say speakers

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet 17 March 2010	Mr Murphy -Whymark	Dispute between Wivenhoe Town FC and Wivenhoe and Sporting Facilities Trust	Verbal response by Portfolio Holder for Communication, Customers and Leisure at the meeting, and written response sent by the Portfolio Holder on 30 March 2010.	30 March 2010
Cabinet, 17 March 2010	John Gilli-Ross	The establishment of a Task and Finish Group for north Colchester; membership of the Planning Committee	Written response sent by the Leader of the Council and Portfolio Holder for Strategy on 31 March 2010.	31 March 2010
Cabinet, 17 March 2010	Paula Whitney	Friends of the Earth "Get Serious" campaign and carbon emissions; Essex Waste Partnership and Essex County Council's PFI bid.	Verbal responses by the Portfolio Holder for Planning, Sustainability and the Environment and the Portfolio Holder for Performance and Partnerships at the meeting and a written response sent on 19 April 2010.	19 April 2010

Date of Meeting	Details of Member of the Public	Subject Matter	Form of Response	Date Completed
Cabinet, 17 March 2010	Andy Hamilton	Provision of a temporary storage facility at the bus station; legal action against contractors on the VAF.	Written response sent on 17 May 2010	17 May 2010
Cabinet, 17 March 2010	Nick Chilivers	The work of street care officers	Verbal response by the Portfolio Holder for Street and Waste Services at the meeting and a written response sent on 25 March 2010.	25 March 2010
Council. 24 March 2010	Bob Russell, MP	Unitary status, BSF funding for secondary school reorganisation	Written response on 17 May 2010	17 May 2010
Council. 24 March 2010	Nick Chilivers	Safeguarding businesses and job creation	Verbal response by the Portfolio Holder for Business and Tourism at the meeting and a written response sent on	13 April 2010



<b>Date of Meeting</b>	<b>Details of Member of the Public</b>	<b>Subject Matter</b>	<b>Form of Response</b>	<b>Date Completed</b>
Council. 24 March 2010	Will Quince	Flying the Union Flag at Rowan House	Verbal response by the Leader of the Council and Portfolio Holder for Strategy at the meeting and the flag now flying at Rowan House.	April 2010
Council. 24 March 2010	Josh Woulf	Provision of allotments at Highwoods	Written response sent by the Portfolio Holder for Communication, Customers and Leisure on 8 April 2010.	8 April 2010
Council. 24 March 2010	Darius Laws	Gosbecks Archaeological Park	Written response sent by the Portfolio Holder for Communication, Customers and Leisure on 26 April 2010.	26 April 2010
Council. 24 March 2010	Andy Hamilton	Legal actions against contractors on the VAF; enforcement action on environmental issues	Verbal response given the Portfolio Holder for Resources, Diversity, Culture and the Arts at the meeting and written response sent on 17 May 2010.	17 May 2010

**(ii) Petitions**

<b>Date petition received</b>	<b>Lead Petitioner</b>	<b>Subject matter</b>	<b>Form of response</b>	<b>Date completed</b>
Cabinet, 17 March 2010 with further signatures received at Council 24 March 2010	Roger Buston	Parking proposals for Crouch Street	Petition will be considered by the Portfolio Holder for Street and Waste Services as the Council reviews its parking policies for the Town Centre.	April 2010

