

The Council Meeting

Moot Hall, Town Hall
22 May 2013 at 10.30am

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services. Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to most public meetings. If you wish to speak at a meeting or wish to find out more, please refer to Attending Meetings and "Have Your Say" at www.colchester.gov.uk

Audio Recording, Mobile phones and other devices

The Council audio records all its public meetings and makes the recordings available on the Council's website. Audio recording of meetings by members of the public is also permitted. The discreet use of phones, tablets, laptops and other such devices is permitted at all meetings of the Council, with the exception of all meetings of the Planning Committee, Licensing Committee, Licensing Sub-Committee and Governance Committee. It is not permitted to use voice or camera flash functionality and devices must be kept on silent mode. Councillors are permitted to use devices to receive messages and to access papers and information via the internet and viewing or participation in social media is at the discretion of the Chairman / Mayor presiding at the meeting who may choose to require all devices to be switched off at any time.

Access

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

Facilities

Toilets with lift access, if required, are located on each floor of the Town Hall. A vending machine selling hot and cold drinks is located on the ground floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester Borough Council, Angel Court, High Street, Colchester
telephone (01206) 282222 or textphone 18001 followed by the full number you wish
to call

e-mail: democratic.services@colchester.gov.uk

www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL

TO ALL MEMBERS OF THE COUNCIL

23 May 2013

You are hereby summoned to attend a meeting of the Council to be held at the Moot Hall, Town Hall on **22 May 2013 at 10:30am** for the transaction of the business stated below.



Chief Executive

AGENDA

- | | Pages |
|--|--------------|
| 1. Election of Mayor | |
| A... Motion to elect the Mayor for the ensuing Municipal Year. | |
| The Mayor to make the Declaration and take the customary Oath.
<i>(The Mayor and Mayoress will receive the Badges of Office at the conclusion of the Oath.)</i> | |
| The Mayor to return thanks. | |
| 2. Minutes | 1 - 9 |
| B... Motion that the minutes of the meeting held on 20 March 2013 be confirmed as a correct record. | |
| 3. Election of Deputy Mayor | |
| C... Motion to elect the Deputy Mayor for the ensuing Municipal Year. | |
| The Deputy Mayor to make the Declaration and return thanks. <i>(The Deputy Mayor and the Deputy Mayoress will receive the Badge of Office at the conclusion of the Declaration.)</i> | |
| 4. Vote of Thanks to Retiring Mayor | |

D... Motion of Thanks.

The Retiring Mayor to make the acknowledgement.

5. Mayor's Chaplain and Other Announcements

The Mayor to intimate the appointment of the Chaplain and make Announcements.

6. Adjournment

E... Motion to Adjourn

National Anthem

(Members of the public are asked to remain standing after the National Anthem whilst the Council Procession leaves the Moot Hall.)

RECONVENED MEETING

(at 11.30am or other such time as the Mayor shall determine and announce).

7. Have Your Say! - Announcements and General Statements

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

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

8. Delegations made by the Leader of the Council

10 - 30

To note the appointment of the Deputy Leader of the Council, Cabinet members and the allocation of responsibility for Portfolios as determined by the Leader of the Council and resulting changes (if any) to the Scheme of Delegation to Cabinet Members agreed by the Leader of the Council (details to follow).

9. Appointment of Panels, Committees and Sub-Committees

31 - 34

F... Motion to appoint the Standing Committees, Panels and Sub-Committees for the ensuing Municipal Year (details to follow).

10. Former Councillors

G... Motion of Thanks to Former Councillor Granger.

COUNCIL

20 MARCH 2013

Present :- Councillor Christopher Arnold (the Mayor) (Chairman)
Councillor Colin Sykes (Deputy Mayor)
Councillors Nick Barlow, Lyn Barton, Kevin Bentley,
Mary Blandon, Elizabeth Blundell, Tina Bourne,
Nigel Chapman, Peter Chillingworth, Helen Chuah,
Barrie Cook, Nick Cope, Mark Cory, Beverly Davies,
John Elliott, Andrew Ellis, Annie Feltham, Bill Frame,
Ray Gamble, Martin Goss, Scott Greenhill, Marcus
Harrington, Dave Harris, Julia Havis, Jo Hayes,
Pauline Hazell, Peter Higgins, Theresa Higgins,
Martin Hunt (Deputy Leader) , Brian Jarvis,
John Jowers, Margaret Kimberley, Sonia Lewis,
Cyril Liddy, Michael Lilley, Sue Lissimore,
Jackie Maclean, Jon Manning, Richard Martin,
Kim Naish, Nigel Offen, Beverley Oxford,
Gerard Oxford, Philip Oxford, Will Quince, Lesley Scott-
Boutell, Paul Smith, Laura Sykes, Anne Turrell (Leader
of the Council) , Julie Young and Tim Young

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

58. Apologies

Apologies were received from Councillors Cable, Hogg, Fairley-Crowe, Ford, Sutton and Willetts

59. Audio Recording of the Meeting

RESOLVED that, without prejudice to the outcome of the debate on the recommendations of the Technology and Community Engagement Task and Finish Group, an audio recording of the meeting be made by the Council.

60. Minutes

The minutes of the meeting held on 20 February 2013 were confirmed as a correct record.

61. Have Your Say!

Sara Colquhoun addressed the Council pursuant to the provision of Council Procedure Rule 6(1) to express her concern about the future of the High Street and the Dutch Quarter following the changes to the access to the High Street. No notice had been given that the junction between West Stockwell Street and the High Street would be closed. This made deliveries difficult as they had to access the Dutch Quarter through narrow streets. It had also made reversing out of her drive more hazardous. The new restaurant in the Dutch Quarter would also generate extra traffic which would exacerbate these problems. Concern was also expressed about the poor condition of West Stockwell Street. Disabled drivers would no longer be able to park on the High Street. Anecdotal evidence suggested that people were avoiding Colchester. It was not clear what benefits the changes to the access to the High Street would bring.

Annesley Hardy addressed the Council pursuant to the provision of Council Procedure Rule 6(1) and presented a petition to the Mayor in support of continued unrestricted use of the High Street for private vehicles. Fifty seven people had signed in support of the petition and only one person against. Those who had indicated their support were from a wide variety of ages and backgrounds. The common concern was that they felt impotent and blamed the Council for the decline of the High Street.

Councillor Barton, Portfolio Holder for Renaissance, responded that it was too early to judge the impact of the changes. Reducing traffic on the High Street had been an aspiration of the Council since the 1950s. Consultation responses had shown that residents wanted a safe low speed environment for pedestrians. It was important to emphasise that this was a trial and a Monitoring Group had been established to monitor it's impact. The Dutch Quarter Residents' Association were represented on the Monitoring Group. The problems with the road surface on West Stockwell Street had been reported. The bollards at the top of West Stockwell Street had always been a feature of the plans. There was considerable disabled parking provision in the town centre. Some very positive feedback about the changes had been received.

Andy Hamilton, addressed the Council pursuant to the provision of Council Procedure Rule 6(1). He had addressed the Strategic Overview and Scrutiny Panel to explain that public funding for the Visual Arts Facility would fall as other funders realised that it had failed. It had no national profile and visitor numbers were a fraction of those projected. In respect of Tymperleys, the Council had offended every bidder. The building and gardens had been closed for a number of years. He had been prepared to bid in order to use Tymperleys for a charitable purpose but the Council had proved obstructive. He believed the Council had a poor reputation and would squander any spare funding.

Councillor T. Young, Portfolio Holder for Planning, Community Safety and Culture, explained that all three major arts organisation in Colchester did excellent outreach work. It was important to make firstsite a success for Colchester and both the administration and the opposition were committed to firstsite. Work was being done to improve access and to display more work by local artists. In respect of Tymperleys, Councillor Barton, Portfolio Holder for Renaissance, expressed her disappointment that Wilkin and Sons were no longer able to proceed with their plans for the building. However, it was hoped that the gardens would reopen soon.

Nick Chilvers addressed the Council pursuant to the provision of Council Procedure Rule 6(1). He asked that Councillors include details of the membership and terms of reference of the Monitoring Group for the changes to the access to the High Street in their local newsletters. This would help ensure residents knew how and to whom they should direct suggestions and enquiries. He also stressed that residents wanted assurances and action on the improvements to the shelter at the bus station. The Council needed to ensure that it found funding for the required works.

Councillor Barton, Portfolio Holder for Renaissance, agreed that the current shelter at the bus station was not fit for purpose and would be replaced. Cycle hoops and additional seating would also be provided. The terms of reference for the Monitoring Group had just been agreed. Details of the Monitoring Group would be forwarded to all Councillors and placed on the website.

Jim Sands addressed the Council pursuant to the provision of Council Procedure Rule 6(1) to express concern that congestion and gridlock would result from the closure of the High Street and the impact this would have on businesses. Colchester was not large enough to support dedicated bus lanes. Opening these lanes to other traffic would ease congestion and allow traffic to flow more easily. Closure of the High Street would only make the existing congestion worse.

Councillor Barton, Portfolio Holder for Renaissance, indicated that the impact of the changes to the High Street was being monitored by Essex County Council on a daily basis. His concerns would be forwarded to Essex County Council.

62. Mayor's Announcements

The Mayor made the following announcements:-

- Councillor Granger had recently resigned his position as a Councillor. A by-election would be held on 2 May 2013. Tributes could be made at the Annual Meeting on 22 May 2013.
- On behalf of Councillor Chapman, the Mayor announced that Heritage Lottery Fund had awarded Moot Hall Organ Restoration Fund £416,300. Other funds raised would meet the balance needed to fund a complete restoration of the Organ.
- The Mayor had recently been presented with a certificate marking Colchester in Bloom's gold award in the Small City category of Anglia in Bloom and Colchester been invited to take part in Britain in Bloom.
- The Mayor's Cabaret night would be held at Colchester Arts Centre on 23 March 2013.

The Deputy Mayor thanked all those who had sent messages of good wishes and support during his recent illness.

63. Council Governance Arrangements

RESOLVED that the recommendations contained in minute 70 of the Cabinet meeting of 6 March 2013 be approved and adopted (UNANIMOUS).

64. Officer Pay Policy

RESOLVED that the recommendation contained in minute 72 of the Cabinet meeting of 6 March 2013 be approved and adopted (UNANIMOUS).

65. Technology and Community Engagement Task and Finish Group

Ben Locker addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(1) and presented a petition to the Mayor containing 319 signatures calling on Colchester Borough Council to allow as a matter of principle and democratic transparency the audio and/or visual recording of all its public meetings, and to encourage councillors to engage with the public they serve by allowing their use of social media during those meetings. He explained that there had been a significant shift in opinion since the Task and Finish Group had reported. The use of social media promoted transparency and gave an insight into Council business. Whilst he understood the argument that it appeared rude to use social media whilst taking part in a meeting, he did not agree and considered that Councillors should be trusted to use social media appropriately. Public meetings should be truly public. There were major benefits from embracing technology: It would prevent Councillors from being misquoted; it would allow residents to get a real sense of what Councillors do and generate fresh interest about the Council in the community. Allowing members of the public to record meetings would increase public engagement and would improve public scrutiny. It could be delivered considerably cheaper than the figures quoted in the report.

Darius Laws addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(1). He believed that anything that happened within the Council Chamber should be open. It was disappointing that residents had to argue for greater transparency. Members of the public wanted to know what was happening in Council meetings. The Council needed to reach out to the public and ensure good news stories reached the public. Greater transparency and public engagement would help tackle apathy and help increase turn out at elections. If Councillors were confident of their views, they should be happy for them to be recorded.

RESOLVED that recommendations (i) to (vii) of the Technology and Community Engagement Task and Finish Group be debated and determined in accordance with the resolution of Cabinet as set out in minute 73 of the Cabinet meeting on 6 March 2013.

In accordance with the provisions of Council Procedure Rule 12(1)(5) Councillor T. Higgins PROPOSED the following motion without notice:-

Motion that the recommendations of the Technology and Community Engagement Task and Finish Group be approved and adopted subject to the following amendments:-

- The wording of recommendation (ii) be deleted and replaced with the following:-

“Council agrees to the audio recording of all public meetings of Full Council, Cabinet, Committees and Panel and will record such meetings itself. Recordings of these meetings will be made available on the Council’s website.”

- In recommendation (iii), the addition of the following wording after the word “internet.”

“Discreet use of devices during meetings for photography and filming will be permitted but no flash photography will be permitted during meetings.”

- In recommendation (iv) the replacement of the words “should not” with “will” and the deletion of all the wording after the word “meetings”,

- In recommendation (vi) the insertion of the words “colchester.gov” between the words “councillors” and “social media”.

- The insertion of an additional recommendation (viii) as follows:-

“Authority be delegated to the Monitoring Officer and the Democratic Services Manager in consultation with the Group Leaders to make the necessary consequential amendments to the Constitution and the Council’s working practices to give effect to these recommendations with effect from the start of the 2013/14 municipal year.”

Following debate, Councillor T. Higgins PROPOSED amending the wording of the Motion so that the revised wording of the recommendations of the Technology and Community Engagement Task and Finish Group be as set out below. The Council indicated its consent and the Motion was deemed amended accordingly. It was agreed that a separate vote be taken on each separate recommendation.

(i) The Council will not webcast meetings given the current economic situation, bearing in mind the associated costs of such an initiative and other relevant issues such as the internet connection costs for viewers. (CARRIED).

(ii) Council agrees to the audio recording of all public meetings of Full Council, Cabinet, Committees and Panel and will record such meetings itself. Recordings of these meetings will be made available on the Council’s website. (CARRIED)

(iii) Discreet use of devices during meetings for receiving messages should be acknowledged and permitted and this permission should be extended to use of devices at meetings for accessing papers and information via the internet. Discreet use of devices during meetings for photography and filming will be permitted but no flash photography will be permitted during meetings. (CARRIED)

(iv) Use of devices for participation in social media discussions will be permitted for those taking part in public meetings other than the regulatory committees of the Council due to quasi-judicial responsibilities (LOST)

A NAMED VOTE having been requested on recommendation (iv) pursuant to the provisions of Council Procedure Rule 15(2) the voting was as follows:-

Those who voted FOR were:-

Councillors Barlow, Barton, Bourne, Chapman, Cope, Feltham, Goss, Greenhill, Harris, Hayes, P. Higgins, T. Higgins, Liddy, Lilley, Manning, Naish, Quince, Scott-Boutell, Smith, Turrell, J. Young and T. Young.

Those who voted AGAINST were:-

Councillors Bentley, Blandon, Blundell, Chillingworth, Chuah, Cook, Cory, Davies, Elliott, Ellis, Frame, Gamble, Harrington, Havis, Hazell, Hunt, Jarvis, Jowers, Kimberley, Lewis, Lissimore, Maclean, Martin, Offen, B. Oxford, G. Oxford, P. Oxford, L. Sykes, and the Mayor (Councillor Arnold).

Those who ABSTAINED from voting:-

The Deputy Mayor (Councillor C. Sykes)

(v) Arrangements be made for guidance on permitted use of devices to be included within agenda information pages for meetings and for similar information notices to be displayed in the principal meeting rooms of the Town Hall (CARRIED)

(vi) The councillors' code of conduct be amended by means of extending its existing provisions to include councillors' colchester.gov social media accounts and their participation in social media discussions. (WITHDRAWN FOR FURTHER CONSIDERATION)

(vii) Consideration be given to the many advantages of tablet devices such as rapid and straight forward access to the internet and to emails, extended battery life, ability to work whilst 'on the move', wireless printing, publishing functionality and access to numerous applications (CARRIED).

(viii) Authority be delegated to the Monitoring Officer and the Democratic Services Manager in consultation with the Group Leaders to make the necessary consequential amendments to the Constitution and the Council's working practices to give effect to these recommendations with effect from the start of the 2013/14 municipal year (CARRIED).

66. Colchester Borough Council Safeguarding Policy

RESOLVED that the recommendation contained in minute 74 of the Cabinet meeting on 6 March 2013 be approved and adopted (UNANIMOUS)

67. Housing Benefit

Councillors T. Young, Frame (in respect of their membership of the Board of Colne Housing) and J. Young (in respect of her spouse's membership of the Board of Colne Housing) declared a disclosable non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

Amanda Stannard addressed the Council pursuant to the provision of Council Procedure Rule 6(1). She explained her personal circumstances and how the changes being introduced to housing benefit would have a detrimental impact on her and her husband. The new system was obstructing them at every turn.

It was PROPOSED by Councillor Bourne that:-

This Council asks the Government to re-examine the measures it is putting in place to cut housing benefit from 1,097 of Colchester's most vulnerable residents, through implementation of the new rules introduced for 'spare' bedrooms;

Believes it to be an unworkable policy given that tenants requesting smaller properties will still have their Housing Benefit cut by a minimum of 14% even if there are no suitable properties available;

Is concerned that the Discretionary Housing Payments fund is for transitional support, yet Local Authorities are now being asked to make top up payments to those in adapted properties;

Notes that the policy has in recent days already been amended, due to pressure from the Opposition and campaign groups, to exempt groups, such as foster parents, service families and those with disabilities that require extra space, and therefore requests the Government to undertake a review of the whole policy prior to implementation.

Following the debate, Councillor Bourne PROPOSED amending the Motion to include the following additional paragraph:-

“That the wording of the Motion be sent to those Members of Parliament who represent the Borough of Colchester.”

The Council indicated its consent and the Motion was deemed amended accordingly.

The MOTION was CARRIED (MAJORITY voted FOR).

68. Domestic Sprinkler Systems

Councillors Turrell and J. Young (in respect of their membership of Essex Fire

Authority) declared a disclosable non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

It was PROPOSED by Councillor J. Young that:-

This Authority will do all that it can within current regulations to promote the inclusion of domestic sprinklers systems and we will encourage developers to install them through our planning process. We believe that for schools, HMOs, accommodation for the elderly or those with physical or mental illness domestic sprinkler systems should be installed.

Following the debate, Councillor J, Young PROPOSED amending the Motion to include the words “and carbon monoxide detectors” after the words “domestic sprinkler systems” in the first sentence, and the inclusion of the word “students” after the words “for the elderly,” in the second sentence.

The Council indicated its consent and the Motion was deemed amended accordingly.

The MOTION was CARRIED (UNANIMOUS).

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

Questioner	Subject	Response
Verbal Questions		
Councillor J. Young	In the recent consultation on licensing and taxi hire, how many taxi drivers were consulted and could the Portfolio Holder for Street Services ensure that all consultations relating to taxi drivers were sent to up to date e-mail addresses.	Councillor Hunt, Portfolio Holder for Street Services, indicated that a written response would be sent.
Councillor Quince	Now that the trial of changes to the access to the High Street was underway, could the Leader of the Council indicate how Colchester was benefitting? If the scheme continued to fail, when would the trial be	Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy indicated that it would result in reduced traffic on the High Street and less pollution from queuing buses. Both residents and High Street

	ended?	businesses supported the proposals. Any decisions about the future of the scheme would be taken in consultation with Essex County Council.
--	--------	--

70. Schedules of Decisions taken by Portfolio Holders

RESOLVED that the Schedules of Decisions taken by Portfolio Holders for the period 2 February 2013 - 8 March 2013 be approved and adopted.

Colchester Borough Council

SCHEME OF DELEGATION BY THE LEADER OF THE COUNCIL TO CABINET MEMBERS May 2013

The Leader of the Council in conjunction with the Cabinet leads the implementation of policy within the Council's Budget and Policy Framework. In doing this the Leader of the Council in conjunction with the Cabinet carries out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

By this Scheme of Delegation the Leader of the Council has delegated to individual members of the Cabinet most of the Leader's executive powers within the confines of the Council's Budget and Policy Framework.

The Leader of the Council has also approved a Scheme of Delegation to Officers which is contained in Part 3 of the Constitution.

The following conditions apply to this Scheme of Delegation to Cabinet Members and shall be complied with at all times:-

1. Every delegated power shall be exercised in the name of the Council;
2. The exercise of delegated powers shall be subject to the decision not being contrary to Cabinet (Executive) functions and the Council's Budget and Policy Framework as embodied in a formal resolution and recorded in the minutes of the Council.
3. All decisions taken under this scheme are subject to the Call-In Procedure with the exception of those taken under the urgency provision.
4. A Cabinet Member exercising delegated powers shall do so in a manner consistent with the policy of the Council current at the time. The Proper Officer shall be the final arbiter of the interpretation of policy in relation to any matter.
5. In exercising delegated powers, a Cabinet Member may incur expenditure only if appropriate provision has been made in the approved annual estimates and/or capital programme except as otherwise provided for in Financial Regulations.
6. A Cabinet Member exercising delegated powers shall record the decision and the reasons for it on the Decision Notice and shall deliver it to the Proper Officer who shall publish the Decision Notice in accordance with the Constitution.
7. Any Cabinet Member who is consulted by another Cabinet Member prior to taking a decision and who has a conflict of interest in that decision shall ensure that the interest is recorded together with any note of dispensation granted by the Head of Paid Service.
8. No Cabinet Member shall exercise any delegated power that comprises a Key Decision unless that decision is contained within the Council's Forward Plan and complies with the Forward Plan process.

9. No action may be taken which is contrary to the Council's Constitution.
10. Where powers to acquire or dispose of property or land are being exercised, the delegation is subject to such acquisition or disposal being in accordance with terms approved by the District Valuer or other professional adviser.
11. Delegated powers to acquire property shall not include power to acquire property compulsorily and any proposal to make a Compulsory Purchase Order shall be submitted to the full Council as a recommendation.
12. Nothing in this scheme of delegation shall be construed in such a way as to remove the requirement that any proposal involving the granting of planning permission shall be submitted to the Planning Committee.

C O N T E N T S

<u>Portfolio Holder</u>	<u>Page(s)</u>
All Cabinet Members	3
Strategy – Councillor Turrell (Leader of the Council)	4-5
Business and Resources – Councillor Smith	6-9
Communities and Leisure Services – Councillor Feltham	10-11
Customers – Councillor B. Oxford	12
Housing – Councillor Bourne	13-14
Planning, Community Safety and Culture – Councillor T. Young	15-17
Regeneration – Councillor Barlow	18
Street and Waste Services – Councillor Hunt (Deputy Leader of the Council)	19 -21

Scheme of Delegation to Cabinet Members

Delegation to all Cabinet Members
--

1. To comment on any consultative document on an issue within their Portfolio.
 2. To authorise and determine grant applications within their Portfolio.
 3. The award of the lowest tenders under £500,000 and for which there is financial provision
 4. To fix fees and charges for services within their Portfolio.
 5. To authorise the write-off of individual bad debts over £5,000 on the recommendation of the Head of Resource Management and appropriate Head of Service.
 6. To approve minutes of any Cabinet Committee, Panel or Group in respect of which they have responsibility.
-

Scheme of Delegation to Cabinet Members

<h3>Functions retained by the Leader of the Council and Portfolio Holder for Strategy</h3>

1. The promotion of the Council on regional and sub-regional bodies in relation to developing regional partnerships.
2. Relations with the general public, local authorities, the media and all other external agencies.
3. Matters relating to financial strategy, the budget and resource allocation.
4. All strategic matters relating to major strategic partnerships e.g. ALMO & Waste
5. Following consultation with Group Leaders, to make appointments during the municipal year to Council Groups and Outside Bodies.

PUBLIC RELATIONS

To procure the specified service in the provision, implementation, maintenance and management of:-

1. The understanding of the Council's vision, actions and objectives throughout the Borough of Colchester and beyond.

HEALTH & SAFETY

1. To be responsible for the management and monitoring of health and safety provision across the whole of the Councils' undertakings.

(NB. Cabinet are jointly and severally the primary duty holders for health and safety across the Councils' undertakings.)

COMMUNICATIONS

To procure and or encourage the procurement of the specified service in the provision, implementation, maintenance and management of:-

1. External communications with the media and partners.

Scheme of Delegation to Cabinet Members

Functions retained by the Leader of the Council and Portfolio Holder for Strategy (continued)
--

Portfolio Responsibilities

1. To oversee the development and ongoing review of the Council's Strategic Plan.
2. To monitor the implementation of the Council's Strategic Plan, including ensuring Council resources are deployed to support strategic priorities.
3. To promote the Council's Strategic Plan to Councillors, partners and the community as a whole.
4. To develop and promote community leadership in the Borough.
5. To oversee and monitor the Council's financial strategy, budget and resource allocation.
6. To review the opportunities to work with other partners, both within the public and private sectors, to assist in developing 'joined-up' government.
7. To determine a communications strategy that will support and deliver the Council's vision and policy priorities.

Major Project(s) in Portfolio:

Haven Gateway Partnership, Growth Cities, Essex Leaders, Strategy for the ALMO, Fundamental Service Reviews and social media.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Business and Resources

FINANCIAL RESOURCES

To procure the specified service in the provision, implementation, maintenance and management of:-

1. The functions of the Council as the Billing Authority (except the power to levy the amount of the Council Tax for each category of dwelling).
2. The operation of Council Tax and residual Community Charge legislation, Council Tax Benefits Scheme legislation, Housing Benefit Scheme legislation and the National Non-Domestic Rate (NNDR) legislation.
3. Collection, enforcement and matters of security in relation to the General Fund monies payable to the Council.
4. Determination of interest paid to investors and arrangements to meet the Council's borrowing requirements.
5. Matters relating to financial management, corporate governance, audit, risk management and business continuity.
6. Determination of the Council's financial provisions.
7. Appointment of the Council's bankers.
8. Financial resources in relation to ICT

LAND RESOURCES

In respect of all land and buildings owned by the Council (except in its capacity as Housing Authority), to procure the specified service in the provision, implementation, maintenance and management of :-

1. Acquisitions and disposals including terms for acquisitions or disposals.
2. Industrial estates and commercial lettings.

BUSINESS DEVELOPMENT

To procure and or encourage the procurement of the specified service in the provision, implementation, maintenance and management of:-

1. Economic development issues affecting the Borough of Colchester.
2. Partnerships that improve and encourage business opportunities within the Borough.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Business and Resources (continued)
--

3. Promotion, influence and improvement of the skills base of the Borough.
4. The preparation and publication of the economic development strategy delivery plan.

GENERAL

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Approval and maintenance of Standing Approved Lists of Contractors.
2. Matters relating to the management of the Council's assets.
3. Matters relating to procurement.

HUMAN RESOURCES

To procure the specified service in the provision, implementation, maintenance and management of:-

1. The employment of staff, the terms and conditions of service of all Council employees and industrial relations.
2. Corporate in-service training arrangements.
3. Schemes operated by the Council under Government Training Programmes.
4. Negotiations on corporate terms and conditions of service with Bodies recognised for the purposes.
5. Councillor Development.

GENERAL

1. Legal Services.

ICT

To procure and or encourage the procurement of the specified service in the provision, implementation, maintenance and management of:-

1. Information Communication Technology.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Business and Resources (continued)

CIVIC

To procure the specified service in the provision, implementation, maintenance and management of:-

1. All civic matters including civic aspects of town twinning.

TOWN TWINNING

To procure the specified service in the provision, implementation, maintenance and management of the Council's role in town twinning and encourage exchange visits between local groups and similar groups in twinned towns.

PERFORMANCE

1. Monitoring of the Council's performance in relation to national performance indicators and any other Government performance scheme.
2. Monitoring of the Council's performance dashboard.

Portfolio Responsibilities

1. To monitor the operation of Council Tax, Business Rates and the Housing and Council Tax Benefit Schemes.
2. To produce and implement the Council's financial strategy, budget and resource allocation.
3. To monitor progress of obtaining disability access within Council buildings.
4. To monitor the management of repairs and maintenance and planned maintenance programmes for Council buildings (excluding property managed by Colchester Borough Homes).
5. To review sales, purchases and overall management of the Council's property portfolio.
6. To monitor the development of the Asset Management Plan.
7. To monitor the maintenance of the Council's asbestos register.
8. To examine and review the Council's Information Communication Technology Strategy.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Business and Resources (continued)
--

Portfolio Responsibilities

9. To oversee all tender and contract processes in accordance with Contract Procedure Rules.
10. To encourage a buoyant and diverse local economy, which encourages full employment and works towards the creation of more high-value local jobs.
11. To champion the Borough of Colchester as a centre of business excellence, and to help local companies grow and flourish.
12. To help sustain a thriving town centre which satisfies the needs of all sectors of the community.
13. To encourage lifelong learning and skills development for the whole community to maximise job opportunities.
14. To ensure that the Council is working with partners to meet partnership targets.

Major Project(s) in Portfolio:

Scheme of Delegation to Cabinet Members

<h2>Delegation to the Portfolio Holder for Communities and Leisure Services</h2>

RECREATION

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Sports and leisure facilities, parks and gardens, allotments, playing fields, beach facilities, public open spaces, amenity areas and country parks.
2. Liaison with voluntary organisations and clubs in the development and use of sporting and recreational facilities.
3. The promotion and encouragement of recreational events.
4. Colchester Leisure World.

LIFE OPPORTUNITIES

To procure and or encourage the procurement of the specified service in the provision, implementation, maintenance and management of:-

1. The promotion of public health matters so as to increase public awareness.
2. Matters relating to young people.
3. Community projects supporting the Council's work on life opportunities.
4. Services for older people.
5. The Council's work with partners aimed at improving the life opportunities of residents.
6. The Council's equality and safeguarding responsibilities.

COMMUNITY SERVICES

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Welfare rights.
2. Grants to the voluntary and community sector and village and community halls

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Communities and Leisure Services (continued)
--

Portfolio Responsibilities

1. To support initiatives which tackle deprivation throughout the Borough, but with specific reference to the Council's work on Life Opportunities.
2. To explore the significance of rural issues in the Borough and determine what programmes and actions may be needed to address these.
3. To oversee the implementation and monitoring of the Council's policies and services relating to sport, recreation and leisure.

Major Project(s) in Portfolio:
Implementation of Localism Act planning changes.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Customers

CUSTOMERS

To procure and or encourage the procurement of the specified service in the provision, implementation, maintenance and management of:-

1. Customer Service across the Council as a whole.
2. Performance of the Customer Service Centre.
3. Co-ordination of Infopoint@Colchester.
4. Way We Work Programme.
5. Development of Customer Connected Initiative.

GENERAL

1. Freedom of Information and Environmental Information Regulations.
2. Cemeteries, crematorium and allied services.

Portfolio Responsibilities

1. To monitor, fund and arrange for the continuing delivery of the Council's t-government agenda.
2. To examine and review the Council's customer service culture, processes and performance and to champion the customer point of view.
3. To review, monitor and improve consultation and communication between the Council and its customers.
4. To monitor customer compliments and complaints and referrals to the Local Government Ombudsman.
5. To improve communications and access to Council services by urban and rural communities within the Borough.
6. To examine and review the development of all forms of communication and community engagement.

Major Project(s) in Portfolio:

Customer Service Centre, Customer Connect and Infopoint@Colchester

Scheme of Delegation to Cabinet Members

<h2>Delegation to the Portfolio Holder for Housing</h2>
--

PUBLIC SECTOR HOUSING

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Public sector dwellings, management of Council owned dwellings and other properties and their environs including the setting of rents in accordance with the Management Agreement dated 11 August 2003 between the Council and Colchester Borough Homes Limited as varied by Deeds of Variation dated 9 October 2008 and 10 December 2009 and any subsequent agreement or arrangement entered into between the parties.
2. Management of the Housing Revenue Account. (NB. All decisions relating to the financial management of the HRA are reserved to Cabinet).
3. Tenant selection/nomination criteria and conditions of tenancy.
4. The Council's statutory responsibilities to homeless persons.
5. The Council's relationship with Registered Social Landlords.
6. The Right to Buy Scheme.

PRIVATE SECTOR HOUSING

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Non-statutory housing functions such as housing advice, etc.
2. The Council's statutory responsibilities in respect of housing standards.
3. Support schemes to Building Societies and Banks and the making of mortgage advances by the Council for house purchase and improvement.
4. Housing standards and the protection of persons from unlawful eviction or harassment.
5. Private sector housing grants.

GENERAL HOUSING MATTERS

To procure the specified service in the provision, implementation, maintenance and management of:-

1. The promotion of the Council on regional and sub-regional bodies in relation to housing completions, housing developments.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Housing (continued)

2. To procure the specified service for the dissemination of information regarding all housing matters.
3. Home loss, disturbance and similar payments.
4. Community alarms.

LAND RESOURCES (HOUSING REVENUE ACCOUNT)

In respect of all land and buildings owned by the Council in its capacity as Housing Authority (Housing Revenue Account land and buildings), to procure the specified service in the provision, implementation, maintenance and management of :-

1. Acquisitions and disposals including terms for acquisitions or disposals.
2. Commercial lettings.

Portfolio Responsibilities

1. To promote the Council's Housing Strategy and to monitor its implementation.
2. To examine and review the operation of Colchester Borough Homes.
3. To determine investment in "third sector" organisations which deliver services to help the Council to meet its corporate objectives.
4. To engender partnership working between the Council and Town and Parish Councils within the Borough of Colchester.
5. To authorise any grants to Town or Parish Councils.
6. To monitor referrals to the Housing Ombudsman.
7. To oversee the Council's use of social media and social media policy.

Major Project(s) in Portfolio:

Review of the Housing Revenue Account and the Housing Management Agreement with Colchester Borough Homes.

Scheme of Delegation to Cabinet Members

<h2>Delegation to the Portfolio Holder for Planning, Community Safety and Culture</h2>

LOCAL PLAN AND BUILDING CONTROL

To procure the specified service in the provision, implementation, maintenance and management of:

1. contributions to the preparation of the Local Plan and associated documents. [formal approval of the Local Plan and associated documents is reserved to the Local Plan Committee].
2. Monitoring performance of Development Control and the Local Plan.
3. Building Regulations and allied legislation relating to dangerous buildings and safety at sports grounds.

SUSTAINABILITY

1. To develop policies in relation to sustainability and to oversee and promote the implementation of the Nottingham Declaration objectives.

ENVIRONMENT

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Sea defence and coast protection matters.
2. Water supplies.
3. Port Health matters.

TOURISM

To procure the specified service in the provision, implementation, maintenance and management of:-

1. The Visitor Information Centre and the promotion of the Borough for tourism purposes.
2. Liaison with other tourism agencies for the development of tourism in the Borough.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Planning, Community Safety and Culture (continued)
--

CULTURE AND THE ARTS

To procure the specified service in the provision, implementation, maintenance and management of:-

1. The Council's involvement in the Mercury Theatre, Colchester Arts Centre, Firstsite and similar organisations.
2. The Council's art collection and artefacts.
3. Events of cultural and artistic merit.
4. To exercise the functions delegated to the Colchester and Ipswich Joint Museums Committee on behalf of the Cabinet.
5. Archaeological sites and monuments.
6. Approval of expenditure under the Heritage Fund.

COMMUNITY SAFETY

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Community safety.
2. Crime Prevention including CCTV.
3. To represent the Council on the Essex Police and Crime Panel.

Portfolio Responsibilities

1. To oversee the implementation and monitoring of the Council's policies and services relating to all planning activities including conservation and building control.
2. To oversee the implementation and monitoring of the Borough Council's services and policies relating to environmental initiatives.
3. To promote Colchester as a key destination for visitors.
4. To oversee the implementation and monitoring of the Council's policies and services relating to heritage and culture.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Planning, Community Safety and Culture (continued)
--

Portfolio Responsibilities

5. To agree the Crime and Disorder Reduction Strategy and ensure that the Council is working with partners to meet the key targets identified within the strategy.

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Regeneration

1. The delivery of the Council's renewal agenda including sustainable housing, infrastructure, employment and leisure facilities.
2. To assist the Leader of the Council in the promotion of the Council on regional and sub-regional bodies in relation to developing regional partnerships.

GENERAL

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Street trading.
2. Operation of markets within the Borough.

Portfolio Responsibilities

1. To oversee major regeneration projects which impact upon the Council's landholdings.
3. To support local and regional partnerships which can lever in new investment into the Borough's four regeneration areas.
3. To lead the development and implementation of the Council's renewal agenda in partnership with Essex County Council highways in relation to the following projects:
 - (a) Colchester Town Centre (including the bus station)
 - (b) St Botolph's Quarter
 - (c) Other regeneration schemes.
4. To oversee the development and implementation of the Council's renewal agenda in relation to the following projects:
 - (a) North Colchester
 - (b) East Colchester
5. To oversee the implementation and monitoring of the Council's services relating to markets.

Major Project(s) in Portfolio:
Renewal of Colchester's built environment

Scheme of Delegation to Cabinet Members

Delegation to the Portfolio Holder for Street and Waste Services and Deputy Leader of the Council

WASTE

1. To develop and promote policies in relation to waste reduction, re-use and recycling.

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Refuse collection.
2. Street cleansing.
3. Litter collection and removal.
4. Recycling and composting.
5. Workshops and fleet.

HIGHWAYS

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Maintenance of Borough Council owned highways, except for regulatory matters within the remit of the Cabinet.
2. All Borough Council (district) highway functions.
3. To act as the Council's representative on the Essex County Council's Highways Panel.

CAR PARKS

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Operational Car parking.
2. To exercise the functions delegated to the North Essex Parking Partnership Joint Committee on behalf of the Cabinet.

Scheme of Delegation to Cabinet Members

<p style="text-align: center;">Delegation to the Portfolio Holder for Street and Waste Services and Deputy Leader of the Council (continued)</p>

TRANSPORTATION

To procure and or encourage the procurement of the specified service in the provision, implementation, maintenance and management of:-

1. Traffic management schemes funded by the Borough Council.
2. Public transport infrastructure.
3. Concessionary Fares.

PUBLIC PROTECTION

To procure the specified service in the provision, implementation, maintenance and management of:-

1. Licensing matters.
2. Premises and/or vehicles used for the preparation, storage, sale, slaughter and/or consumption of food and the enforcement of standards for food, health and safety at work, hygiene, quality and allied matters.
3. Infectious diseases, disinfestations and the prevention of the spread of disease by or to animals.
4. Pollution and nuisances.
5. Public conveniences.
6. Matters relating to the control of dogs.
7. The control of rodents/pests.
8. To represent the Council on the Essex Countywide Traveller Unit Joint Committee.

Scheme of Delegation to Cabinet Members

<p style="text-align: center;">Delegation to the Portfolio Holder for Street and Waste Services and Deputy Leader of the Council (continued)</p>

<p style="text-align: center;">Portfolio Responsibilities</p>
--

1. To oversee the implementation and monitoring of the Borough Council's services and policies in relation to waste collection, litter enforcement and cleansing operations.
2. To encourage operational activities which support the corporate priority to be the cleanest and greenest Borough in the Country.
3. To encourage operational activities which support the corporate priority to be cleaner and greener.
4. To monitor the implementation of the Council's Waste Strategy.
5. To oversee and monitor the Council's engineering services.
6. To oversee the implementation and monitoring of the Council's policies and services relating to all licensing activities.
7. To oversee the implementation and monitoring of the Council's policies and services in respect of car parking.
8. To promote and procure the implementation of the Borough Council's Transport Strategy in partnership with Essex County Council, the responsible Transport Authority and other partners to improve infrastructure.
9. To promote partnership working with Essex County Council, the responsible Transport Authority.
10. To oversee the implementation and monitoring of the Council's Zone areas

Major Project(s) in Portfolio:
Waste Strategy.

Membership of Cabinet, Panels and Committees Municipal Year 2013/14

Deputy Leader of the Council – Councillor Hunt

Cabinet (8 seats)	
Group representation – Lib Dem 5, Labour 2, Highwoods Independent 1	
Members:	Portfolio
Nick Barlow	- Regeneration
Tina Bourne	- Housing
Annie Feltham	- Communities and Leisure Services
Martin Hunt	- Street and Waste
Beverley Oxford	- Customers
Paul Smith	- Business and Resources
Anne Turrell	- Strategy
Tim Young	- Planning, Community Safety and Culture

Governance Committee (7 seats)			Licensing Committee (10 seats)			Local Plan Committee (7 seats)		
Group Representation			Group Representation			Group Representation		
Lib Dem	3		Lib Dem	4		Lib Dem	3	
Con	3		Con	4		Con	3	
Lab	1		Lab	1		Lab	1	
H/wood	-		H/wood	1		H/wood	-	
Members: Councillor Arnold Councillor Gamble Councillor Liddy Councillor Lissimore Councillor Offen Councillor Sheane Councillor L. Sykes Parish Council members (in respect of Standards matters only) Parish Councillor Malcolm Bartier Parish Councillor Sue Chamley			Members: Councillor Blandon Councillor Cope Councillor Havis Councillor Hogg Councillor Fairley-Crowe Councillor Hazell Councillor Jarvis Councillor Kimberley Councillor Lilley Councillor G. Oxford			Members: Councillor Barton Councillor Blundell Councillor Ellis Councillor Frame Councillor Goss Councillor Jowers Councillor Naish		

Planning Committee (10 seats)			Policy Review and Development Panel (8 seats)			Scrutiny Panel (including Crime and Disorder Committee) (9 seats)		
Group Representation			Group Representation			Group Representation		
Lib Dem	4		Lib Dem	4		Lib Dem	4	
Con	3		Con	3		Con	3	
Lab	2		Lab	1		Lab	1	
H/wood	1		H/wood	-		H/wood	1	
Members:			Members:			Members:		
Councillor Chillingworth Councillor Chuah Councillor Ford Councillor T. Higgins Councillor Lewis Councillor Liddy Councillor Maclean Councillor Manning Councillor P. Oxford Councillor L. Sykes			Councillor Cable Councillor Chapman Councillor Cook Councillor Cory Councillor Elliott Councillor Mudie Councillor Scott-Boutell Councillor J. Young			Councillor Bentley Councillor Cope Councillor Davies Councillor Harrington Councillor Harris Councillor Hayes Councillor P. Higgins Councillor Hogg Councillor G. Oxford		

Trading Board (7 seats)			Task and Finish Groups	Independent Remuneration Panel
Group Representation			Waste Prevention and Recycling Options Appraisal	David Priest Stephen Beresky Richard Aldridge Amanda Westbrook
Lib Dem	3			
Con	3		Councillor Cope Councillor Cory Councillor Lissimore Councillor B. Oxford Councillor Willetts Councillor J. Young	Independent Persons Sarah Greatorex Barbara Pears
Lab	1			
H/wood	-		20 mph	
Members:			Councillor Harrington Councillor Lilley Councillor G. Oxford Councillor L. Sykes Parish Councillor Gili-Ross	
Councillor Bentley Councillor Ellis Councillor Frame Councillor Greenhill Councillor Havis Councillor Liddy Councillor Sutton				

