

The Council Meeting

Moot Hall, Town Hall

14 May 2008 at 10:30am

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COLCHESTER BOROUGH COUNCIL

TO ALL MEMBERS OF THE COUNCIL

24 March 2009

You are hereby summoned to attend a meeting of the Council to be held at the Moot Hall, Town Hall on **14 May 2008 at 10:30am** for the transaction of the business stated below.



Chief Executive

AGENDA

Pages

1. Election of Mayor

Motion A

1. Motion to elect the Mayor for the ensuing Municipal Year.
2. The Mayor to make the Declaration and take the customary Oath.
(The Mayor and Mayoress will receive the Badges of Office at the conclusion of the Oath.)
3. The Mayor to return thanks.

2. Minutes

1 - 9

Motion B

Motion that the minutes of the meeting held on 20 February 2008 and the Special Meeting held on 20 February 2008 be confirmed as a correct record.

3. Election of Deputy Mayor

Motion C

1. Motion to elect the Deputy Mayor for the ensuing Municipal Year.
2. The Deputy Mayor to make the Declaration and return thanks.
(The Deputy Mayor will receive the Badge of Office at the conclusion of the Declaration.)

4. Vote of Thanks to Retiring Mayor

Motion D

1. Motion of thanks
2. The Retiring Mayor to make the acknowledgement.

5. Mayor's Chaplain and Other Announcements

The Mayor to intimate the appointment of Chaplain and make Announcements

6. Adjournment

Motion 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).

7. Reconvened Meeting

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

8. Have Your Say!

(a) The Mayor to ask members of the public to indicate if they wish to ask a question, make a statement or present a petition on any matter relating to the business of the Council – either on an item on the agenda for this meeting or on a general matter not on this agenda (Council Procedure Rule 6(2)).

(b) 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!').

9. Appointment of the Leader of the Council and Cabinet

F... Motion to appoint the Leader of the Council for the ensuing Municipal Year.

G... Motion to appoint the Cabinet for the ensuing Municipal Year (details to follow).

10. Delegations made by the Leader of the Council

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

11. Appointments of Panels, Committees and Sub-Committees

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

12. Former Councillors

I... Motion of Thanks to Former Councillors: Group Leaders only to speak

13. Recommendations of the Cabinet, Panels and Committees

10

J... Motion that the recommendations contained in draft minute 21 of the Accounts and Regulatory Committee's meeting of 18 March 2008 be approved and adopted.

If this recommendation is approved and adopted, it is proposed that a Special Council meeting be held at 6.00pm on 17 July 2008 for the purposes of conferring the title of Honorary Alderman.

14. Composition of the Standards Committee

11 - 15

K... Motion that the recommendations contained in the Monitoring Officer's report be approved and adopted.

15. Reports Referred to in Recommendations

16 - 18

The reports specified below are submitted for information and are referred to in the recommendations specified in item 13 on the agenda:

Report on Honorary Alderman considered by the Accounts and Regulatory Committee on 18 March 2008.

COUNCIL MEETING 20 FEBRUARY 2008

Present:- **The Mayor (Councillor Gamble)
The Deputy Mayor (Councillor Crowe)
Councillors Arnold, Barlow, Barton, Bentley,
Blandon, Bouckley, Buston, Chapman,
Chillingworth, Chuah, Cook, Cope, Cory, Davidson,
Dopson, Elliot, Fairley-Crowe, Ford, Foster, Garnett,
Gower, Hall, Harris, Hazell, Henshall, P. Higgins, T.
Higgins, Hogg, Hunt, Jarvis, Jowers, Kimberley,
Kraft, Levy, Lewis, Lissimore, Maclean, Martin, B.
Oxford, G. Oxford, P. Oxford, Pyman, Quarrie,
Raison, Scott-Boutell, Smith, Spyvee, C. Sutton, T.
Sutton, Taylor, Tod, Turrell, Willetts, J. Young and
T. Young.**

52. Petitions, Public Statements, Questions etc.

Mrs Cadlec presented a petition to the Mayor about the Decent Homes programme on behalf of residents of Tony Webb Close and Ivor Brown Court pursuant to the provisions of Council Procedure Rule 6(9). The Mayor indicated that the petition would be passed to the Portfolio Holder for Neighbourhoods. Mrs Cadlec also addressed the Council pursuant to the provisions of Council Procedure Rule 6(2). She stressed the need for homes in Tony Webb Close and Ivor Brown Court to be improved. They had been constructed twenty two years ago with a poor standard of workmanship and were now badly in need of repair. In particular new doors and windows were required. Improvements had been promised since 2003. A number of problems with the approach of Colchester Borough Homes and Inspace were listed. Councillor Davidson, Leader of the Council and Portfolio Holder for Strategy and Councillor Kimberley, Portfolio Holder for Neighbourhoods, responded and Councillor Kimberley undertook to provide a detailed written response to Mrs Cadlec.

Ms P. Whitney addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) to correct comments attributed to her in the Evening Gazette and express her concerns about the Essex Draft Waste Strategy. In response, Councillor Arnold, Portfolio Holder for Culture and the Environment, explained the Council was not committed to the Strategy, only to exploring the options set out within the Strategy.

53. Minutes

The minutes of the meeting on 12 December 2007 were confirmed as a correct record.

54. Mayor's Announcements

The Mayor announced the following events:-

- (i) Concert by the Band of the Parachute Regiment – 21 February 2008;

- (ii) Concert by Quire, Lion Walk Church – 26 April 2008;
- (iii) Mayor's Ball – 9 May 2008.

55. Personal Interests of Members

The following Councillors declared their personal interests pursuant to the provisions of Council Procedure Rule 9(3):-

Councillor Arnold (in respect of his membership of Great Horkeley Parish Council and his spouse's membership of the Mercury Theatre) in relation to the item at minute 59;

Councillor Gower (in respect of his membership of Marks Tey Parish Council) in relation to the item at minute 59;

Councillor Spyvee (in respect of his ownership of a property at Mersea) in relation to the item at minute 63;

Councillor Hunt (in respect of holding a concessionary fare pass) in relation to the item at minute 59;

Councillor Kimberley (in respect of holding shares in British Energy) in relation to the item at minute 63;

Councillor Bentley (in respect of his directorship of Colchester Town Partnership) in relation to the item at minute 59;

Councillor Blandon (in respect of holding a concessionary fare pass) in relation to the item at minute 59;

Councillor Buston (in respect of his directorship of Colchester Town Partnership) in relation to the item at minute 59 and (in respect of being a serving officer in the Territorial Army) in relation to the item at minute 57.

56. Prejudicial Interests of Members

Councillor Jowers (in respect of his position as Essex County Council Portfolio Holder for Spatial Planning) declared his personal interest in the item at minute 63 which was also a prejudicial interest and left the meeting during its consideration and determination.

57. Recommendations of the Cabinet, Panels and Committees // Freedom of the Borough

It was PROPOSED by Councillor G. Oxford that the recommendations in draft minute 10 of the Accounts and Regulatory Committee's meeting held on 23 January 2008 be approved and adopted.

It was RESOLVED that the recommendations in draft minute 10 of the Accounts and Regulatory Committee's meeting of 23 January 2008 be approved and adopted.

58. Adjournment

RESOLVED that the meeting stand adjourned until the conclusion of the Special Council meeting.

COUNCIL MEETING RECONVENED 20 FEBRUARY 2008

60. Suspension of Council Procedure Rules

It was PROPOSED by the Mayor that Procedure Rule 14(3) be suspended for the following item to allow group leaders to speak untimed and that any other speaker be limited to five minutes.

It was *RESOLVED* that group leaders be limited to ten minutes and that all other speakers be limited to five minutes.

61. Recommendations of the Cabinet, Panels and Committees // 2008/09 Revenue Budget and Medium Term Financial Forecast

It was PROPOSED by Councillor Davidson that the recommendations contained in minute no. 55 of the Cabinet's meeting on 30 January 2008 be approved and adopted subject to the following SECONDARY AMENDMENT:-

"The recommendation contained in minute 55 of the Cabinet's meeting held on 30 January 2008 be approved and adopted subject to the following amendments:-

After the words "Appendices B, C and D" in minute 55b add the words "subject to the inclusion of one new item in Appendix C and two new items in Appendix D:-

Additional item in Appendix C

- Investment in recycling promotion, education and enforcement and further street cleaning. In total an investment of £192,000.

Additional items in Appendix D

- Income of £100,000 from Essex County Council to support recycling trials in the borough
- Increased income of £172,000 from recycling credits as a result of steps outlined above and within budget proposals.

In minute 55(c) the deletion of "£24,078,000" and its replacement with "£23,998,000" and after the word "Papers" the insertion of the words "subject to the necessary consequential changes as a result of the amendment above";

In minute 55(i) the deletion of the words "£167.76 for Band D properties which was an increase of £6.03 per annum (3.7%)" and its replacement with "£166.41 for Band D properties which was an increase of £4.68 per annum (2.9%);"

The addition of a new paragraph 52(n): 'That the Head of Financial Services be given delegated authority to make the necessary consequential changes to the Precept and Council Tax statutory resolutions contained in his report to this meeting.'

Pursuant to Council Procedure Rule 14(11) Councillor Davidson indicated that the SECONDARY AMENDMENT was accepted whereupon, with the consent of Council the original Motion was deemed amended accordingly.

A MAIN AMENDMENT was moved by Councillor G. Oxford as follows:-

“The recommendation contained in minute 55 of the Cabinet’s meeting held on 30 January 2008 be approved and adopted subject to the following amendments:-

After the words “Appendices B, C and D” in minute 52b add the words “subject to the deletion of the item “Provision of recycling sacks” in Appendix C”;

In minute 52(c) the deletion of “£24,078,000” and its replacement with “£23,936,000” and after the word “Papers” the insertion of the words “subject to the necessary consequential changes as a result of the amendment above”;

In minute 52(i) the deletion of the words “£167.76 for Band D properties which was an increase of £6.03 per annum (3.7%)” and its replacement with “£165.34 for Band D properties which was an increase of £3.61 per annum (2.2%);”

The addition of a new paragraph 52(n): 'That the Head of Financial Services be given delegated authority to make the necessary consequential changes to the Precept and Council Tax statutory resolutions contained in his report to this meeting.'

A further MAIN AMENDMENT was moved by Councillor Hunt as follows:-

“The recommendation contained in minute 55 of the Cabinet meeting held on 30 January 2008 be approved and adopted subject to the following amendments:-

After the word “report” in minute 55(b) add the words “subject to Appendix C being amended by:-

- The removal of £142,000 allocated to the provision of recycling sacks;
- The merging of the items on Colchester Festival and Christmas Lights and Hanging Baskets in the Town Centre with a combined allocation of £100,000, saving £30,000;
- The removal of £50,000 allocated to emerging work from regeneration reserve
- The addition of a new item on recycling trials with an allocation of £20,000;”

In minute 55(c) the deletion of “£24,078,000” and its replacement with “£23,852,000” and after the words papers” in minute 55(c) add the words “subject to the detailed budgets being amended as follows:-

- Saving £30,000 from deleting two Cabinet posts and two Chairman posts;
- Saving £50,000 from reduction on consultants;
- Saving £30,000 by using additional Section 106 reserves to fund the monitoring of section 106 agreements;
- The allocation of £25,000 for the reinstatement of the Grant Advisor Post for a period of six months;
- The allocation of £9,000 to Signals Media;
- The allocation of £22,000 to boost the street cleaning budget;

subject to the necessary consequential changes as result of the amendments identified above.”

In minute 55(f) the addition of an additional item as follows:-

- A further £100,000 from the Capital Expenditure Reserve subject to the necessary amendments to the capital programme to enable the release of the funds with the aim being to identify items totalling £100,000 within the revenue budget which may be capitalised;

In minute 55(i) the deletion of the words “£167.76 for Band D properties which was an increase of £6.03 per annum (3.7%)” and its replacement with the words “£161.73 for Band D properties which was a zero increase”.

The addition of a new paragraph (n):- “The Head of Financial Services be given delegated authority to make the necessary consequential changes to the Precept and Council Tax statutory resolution contained in his report to this meeting.”

A further MAIN AMENDMENT was moved by Councillor T. Young as follows:-

“I propose that the entire Budget should be approached from a different perspective. There should be a root and branch review of the council’s finances based on zero-based budgeting principles that would realise significant savings and free up resources for front-line services and identified priorities. There should also be a significant shift in resources from what public surveys and consultations and the Joint Strategic Needs Assessment have shown to be areas of lesser priority to those of the highest priority. This would result in a significant shift in resources in the order of £6-7 million over a three year period. The immediate alterations to the administration’s budget proposal to include:

Not funding in the 2008/09 revenue growth items:
Planning, Protection & Licensing Review (£354,000);
Colchester Festival (£80,000);
Provision of recycling sacks (£142,000);
Emerging work from Regeneration Reserve (£50,000)

Also not funding:
Revenue Grant to Firstsite (£200,000)
Abolishing the Innovations Panel and reducing the Cabinet by 1 member (£15-20,000)

Funding would be redirected to:
Increasing the number of Street Wardens to cover all areas of the Borough starting immediately to be fully realised over 3 years;
Restoring concessionary fares start time to 9am (£60,000);
Re-opening the cash office at Angel Court (£17,000);
Removing charges at Activity Centres (£15,000);
Reinstating opening hours at HomeChoice shop (£50,000)
Significantly increasing recycling levels
Employing more Licensing Enforcement Officers
Delivering Park & Ride and a car free High Street

There should also be significant reductions in the spend by certain directorates (Corporate Services, Enterprise & Communities, Leisure Services especially arts & culture,) redirected to front line services in other directorates such as: Housing & Environmental Services; Street Services; Protection Services. These shifts in resources would be made in discussion with Senior Management Team and Heads of Service who would deliver an options report based on the new priorities identified by the council (i.e tackling anti-social behaviour; safer and

cleaner streets; increasing recycling levels; leading on climate change; enabling and providing affordable housing; improving services for our younger and older residents; tackling congestion) so that the council's resources would match its newly-stated ambitions."

The MAIN AMENDMENT proposed by Councillor G. Oxford was LOST (THREE voted FOR and THE MAJORITY voted AGAINST).

The MAIN AMENDMENT proposed by Councillor T. Young was LOST (SEVEN voted FOR and THE MAJORITY voted AGAINST).

The MAIN AMENDMENT proposed by Councillor Hunt was LOST (SIXTEEN voted FOR and THE MAJORITY voted AGAINST).

The SUBSTANTIVE MOTION was thereupon put and CARRIED (THIRTY voted FOR and TWENTY TWO voted AGAINST).

62. // Capital Programme 2008/09 to 2010/11

It was PROPOSED by Councillor Taylor that the recommendation in draft minute 56 of the Cabinet meeting on 30 January 2008 be approved and adopted.

The MOTION was thereupon put and CARRIED (THE MAJORITY voted FOR).

63. Schedules of Decisions taken by Portfolio Holders

It was *RESOLVED* that the schedules of decisions taken by Portfolio Holders be noted.

64. Questions to Cabinet Members and Chairmen

Questioner	Subject	Response
Pre-notified Questions		
Councillor Scott-Boutell	Does the Portfolio Holder think it is acceptable that Colchester Borough Home's tenant's rights have been adversely affected without their knowledge by removing their rights to have non statutory repairs made to their home? I refer to the information sheet issued to all Councillors in January following the joint efficiency report commissioned by Colchester Borough Council from Colchester Borough Homes and Inspace.	Written response to be provided by Councillor Kimberley, Portfolio Holder for Neighbourhoods.
Councillor Scott-Boutell	Can the Portfolio Holder explain why I have been denied access to the joint efficiency report that the decision to implement statutory repairs only was based on?	Written response to be provided by Councillor Kimberley, Portfolio Holder for Neighbourhoods.

Oral Questions

Questioner	Subject	Response
Councillor C. Sutton	Success of new street wardens in Berechurch ward.	Direct oral answer given by Councillor Davidson, Leader of the Council and Portfolio Holder for Strategy.
Councillor Hall	The provision of litter bins and the impact of roped off areas in the town centre.	Direct oral answer provided by Councillor Buston, Portfolio Holder for Street Services and further information to be sent in written answer.
Councillor Barton	Inclusion of a link to Colchester Fairtrade's website on the Council website.	Direct oral answer given by Councillor Chapman, Portfolio Holder for Customer Services and Sustainability.
Councillor Hogg	Impact of refurbishment of properties already upgraded under the Decent Homes Programme on the completion of the Decent Homes Programme.	Written response to be provided by Councillor Kimberley, Portfolio Holder for Neighbourhoods.
Councillor Cook	Advance publication of timing of street cleaning to enable residents to clear streets.	Direct oral answer given by Councillor Buston, Portfolio Holder for Street Services.
Councillor Spyvee	Potential savings in costs of procuring clear plastic sacks for collection of recyclable materials.	Direct oral answer provided by Councillor Buston, Portfolio Holder for Street Services and further information to be sent in written answer.
Councillor Harris	Number of fines issued for littering, graffiti and fly tipping in the last twelve months and whether street care staff were set performance targets in respect of numbers of fines issued.	Written response to be provided by Councillor Buston, Portfolio Holder for Street Services.
Councillor J. Young	Update on outcome of consultation on Castle Park undertaken in 2005.	Written response to be provided by Councillor Arnold, Portfolio Holder for Culture and the Environment.
Councillor T. Higgins	Advance publication of timing of street cleaning to enable residents to clear streets and timing of the Spring Clean campaign	Direct oral answer provided by Councillor Buston, Portfolio Holder for Street Services.

65. Notices of Motion // New Nuclear Power Station at Bradwell

It was PROPOSED by Councillor Spyvee that:-

“This Council –

- (i) Notes with regret that British Energy is looking to construct a new nuclear power station at Bradwell;
- (ii) Opposes the construction of such a facility close to the substantial town of West Mersea;
- (iii) Instructs the Chief Executive to convey these views to the Secretary of State for Business, Enterprise and Regulatory Reform and to British Energy and to send copies of these letters to our two Members of Parliament, Essex County Council and Maldon District Council.”

A MAIN AMENDMENT was moved by Councillor Dopson as follows:-

“The Motion concerning a New Nuclear Power Station at Bradwell be approved and adopted subject to the following alterations:-

In paragraph (i) delete the words ‘with regret’;

Delete the words in paragraph (ii) and replace with “Considers that the construction of such a facility so close to the Borough of Colchester will arouse a great deal of local interest, discussion and even controversy. The Council will therefore place this subject on the work plan of the Strategic Overview & Scrutiny Panel to consider all sides of the argument with a recommendation that expert witnesses be invited to assist the Panel in its deliberations and that the outcome and any recommendations be reported to the Cabinet and Full Council for decision.”

Delete paragraph (iii)”

The MAIN AMENDMENT was CARRIED (THE MAJORITY voted FOR) and the original MOTION was deemed amended accordingly.

The SUBSTANTIVE MOTION was thereupon put and was CARRIED (THE MAJORITY voted FOR).

66. Honorary Aldermen // Eligibility Criteria

It was *RESOLVED* that the changes to the eligibility criteria for the conferment of the title of Honorary Alderman contained in the Head of Corporate Services report be approved and adopted (THE MAJORITY voted FOR).

SPECIAL COUNCIL MEETING 20 FEBRUARY 2008

Present:- **The Mayor (Councillor Gamble)**
 The Deputy Mayor (Councillor Crowe)
 Councillors Arnold, Barlow, Barton, Bentley,
 Blandon, Bouckley, Buston, Chapman,
 Chillingworth, Chuah, Cook, Cope, Cory, Davidson,
 Dopson, Elliot, Fairley-Crowe, Ford, Foster, Garnett,
 Gower, Hall, Harris, Hazell, Henshall, P. Higgins, T.
 Higgins, Hogg, Hunt, Jarvis, Jowers, Kimberley,
 Kraft, Levy, Lewis, Lissimore, Maclean, Martin, B.
 Oxford, G. Oxford, P. Oxford, Pyman, Quarrie,
 Raison, Scott-Boutell, Smith, Spyvee, C. Sutton, T.
 Sutton, Taylor, Tod, Turrell, Willetts, J. Young and
 T. Young.

59. Freedom of the Borough

It was PROPOSED by Councillor Davidson and *RESOLVED* UNANIMOUSLY that in pursuance of the provisions of Section 249 of the Local Government Act 1972 and all other powers enabling the Council in that behalf, the Council conferred the Honorary Freedom of the Borough of Colchester upon the 16th Air Assault Brigade in recognition and appreciation of the eminent public service rendered to the people of the Borough, and wishing to perpetuate the close bonds of friendship and mutual respect which exist between the Borough, the Air Assault Brigade and Colchester Garrison, the Council also conferred the right, privilege, honour and distinction of exercising the freedom on ceremonial occasions in accord with ancient custom.

Extract from the draft minutes of meeting of the Accounts and Regulatory Committee on 18 March 2008

21. Honorary Aldermen

The Committee was requested to consider a proposition that former Mayors, David Holt, John Sanderson, Ivan Trusler and Jenny Stevens be appointed Honorary Aldermen and Councillor Gower, Mayor in 2006/07, be appointed Honorary Alderman, following his decision to stand down from the Council in May 2008.

The Committee was further requested to consider approving the following recommendation to the Council:

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

“That in pursuance of the provisions of Section 249 of the Local Government Act 1972, this Council confers the title of “Honorary Alderman” on former Councillors David Holt, John Gilbert Sanderson, Ivan Thomas James Trusler, Jennifer Ann Stevens and Richard Hammond Gower in recognition of their loyal and eminent service as Members of the Council and its constituent authority”

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

RECOMMENDED to the Council that -

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

“That in pursuance of the provisions of Section 249 of the Local Government Act 1972, this Council confers the title of “Honorary Alderman” on former Councillors David Holt, John Gilbert Sanderson, Ivan Thomas James Trusler, Jennifer Ann Stevens and Richard Hammond Gower in recognition of their loyal and eminent service as Members of the Council and its constituent authority”

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



Council

14 May 2008

Item
13

Report of	Monitoring Officer	Author	Andrew Weavers
Title	Composition of the Standards Committee		
Wards affected	Not applicable		

**This report proposes changes to the composition
of the Standards Committee**

1. Decision Required

- 1.1 To approve that the composition of the Standards Committee shall comprise 3 Borough Councillors , 5 Independent Members and 3 Parish Representatives.
- 1.2 To approve the amended terms of reference for the Standards Committee contained at Appendix 1.
- 1.3 To approve and adopt the minutes of the Appointments Committee dated 10 March 2008 contained at Appendix 2.
- 1.4 To approve the re-instatement of the Co-opted Members Special Responsibility Allowance at £200.00.

2. Reasons for Decision(s)

- 2.1 The Standards Committee will from 8 May 2008 be responsible for dealing with the local assessment of complaints against Members and its composition requires revising to encompass the new role.

3. Alternative Options

- 3.1 No alternative options are presented.

4. Proposals

- 4.1 With effect from 8 May 2008 complaints against Members will no longer be assessed by the Standards Board for England. From this date assessment of complaints will be transferred to the relevant Authority's Standards Committee (for all but the most serious cases). This will be known as local assessment. For Colchester this means that all complaints regarding Borough Councillors and all Town and Parish Councils in the Borough will be considered by our Standards Committee. Any complaints regarding County Councillors within the Borough will be considered by the County Council's Standards Committee.
- 4.2 Regulations and Guidance have been issued which recommend that Authorities should review the composition of their Standards Committee in order that there are enough members on Standards Committees to deal with the new responsibilities. With effect from 1 May 2008 the Standards Committee has established 3 sub-committees; an Allegations Sub-Committee, Allegations₁ Appeals Sub-Committee and a Hearings Sub-

Committee. The law requires that each of these are chaired by an Independent Member and that the sub-committees comprise at least 25% Independent Members.

4.3 The current composition of the Standards Committee is:

- 3 Borough Councillors
- 3 Independent Members, and
- 1 Parish representative.

The Borough Councillors have traditionally been the Deputy Mayor, Mayor and immediate past Mayor.

It is proposed that the new composition of the Standards Committee should be:

- 3 Borough Councillors
- 5 Independent Members, and
- 3 Parish representatives

It is also proposed that the Borough Councillors should in future comprise the Deputy Mayor and 2 Past Mayors. The following Parish representatives have been nominated by the Colchester Association of Local Councils:

Mrs Gillian Brown, Mrs Vivienne Eden, Mr Malcolm Bartier

- 4.4 This revised composition will provide the flexibility to deal with the new challenges particularly with the requirement to have a Parish representative present when a parish matter is discussed.
- 4.5 The Monitoring Officer intends to provide an awareness session for all Members on the new arrangements shortly.
- 4.6 Guidance issued by the Standards Board has recommended that Authorities should formally adopt revised terms of reference for their Standards Committees to reflect the new statutory obligations. Revised terms of reference are attached at Appendix 1 for Council's approval.
- 4.7 Regulations require that Independent Members to the Standards Committee are appointed following a public recruitment process. This process culminated with the suggested appointment by the Appointments Committee to Council of 5 Independent Members. Attached at Appendix 2 are the minutes of the Appointments Committee of 10 March 2008 for Council's approval.
- 4.8 At its meeting on 16 May 2007 Council considered a report from the Independent Remuneration Panel on a review of Members Allowances. Part of its recommendations, which were adopted by Council, included the discontinuance of the Special Responsibility Allowance for Co-opted Members. This allowance was payable to Independent Members of the Standards Committee. The members of the Independent Remuneration Panel have all agreed that this Special Responsibility Allowance should be re-instated in the sum of £200 per annum as a token recognition for the additional responsibilities that the Independent Members of the Standards Committee will be undertaking from 8 May 2008.

5. Strategic Plan References

- 5.1 The new arrangements will underpin the Council's commitment to quality services and customer excellence.

6. Financial Considerations

6.1 The payment of the Special Responsibility Allowance can be contained within the existing budget.

7. Equality, Diversity and Human Rights Implications

7.1 None

8. Publicity Considerations

8.1 Whatever changes may be agreed will need to be publicised by way of an amendment to the Constitution which is published on the Council's web site.

9. Consultation Implications

9.1 None.

10. Community Safety Implications

10.1 None

11. Health and Safety Implications

11.1 None

12. Risk Management Implications

12.1 None.

Standards Committee Terms of Reference

1. To promote and maintain high ethical standards of conduct for elected and co-opted Members.
2. To help elected and co-opted Members to observe the Members' Code of Conduct.
3. To give the Council advice on adoption or revision of the Members' Code of Conduct and on informal codes/protocols covering matters such as planning and Member/officer relations.
4. To monitor the effectiveness of the Members' Code of Conduct.
5. To train or arrange training for elected and co-opted Members on matters relating to the Members' Code of Conduct.
6. To assess and review complaints that elected and co-opted Members have breached the Members' Code of Conduct and in connection with this function:
 - 6.1 To develop and adopt:
 - (a) Assessment Criteria for dealing with complaints;
 - (b) Policies for dealing with vexatious, persistent and anonymous complaints and requests by complainants for confidentiality;
 - (c) Arrangements for dealing with complaints and publicising the arrangements;
 - (d) Procedures for dealing with local investigations and
 - (e) Such other provisions and procedures as may be required.
 - 6.2 To establish and maintain the following 2 sub-committees each with their own terms of reference:
 - An Allegations Sub-Committee
 - An Allegations Appeal Sub-Committee
7. To conduct Hearings and make determinations in respect of complaints that elected and co-opted Members have breached the Members' Code of Conduct in accordance with relevant statutory requirements and guidance issued by the Standards Board for England and in connection with this function:
 - 7.1 To develop and adopt procedures for dealing with such Hearings; and
 - 7.2 To establish and maintain a Hearing Sub-Committee with its own terms of reference.
8. To grant dispensations to elected and co-opted Members with prejudicial interests.
9. To grant exemptions from politically restricted posts.
10. To maintain an overview of the Council's arrangements for dealing with complaints and Local Government Ombudsman investigations.

11. To undertaken the functions set out at 1. to 8. above in respect of all Parish and Town Councils wholly or mainly within the Borough of Colchester and the members of those Parish or Town Councils.

APPENDIX 2

<p>APPOINTMENTS COMMITTEE 10 MARCH 2008</p>

Present:- Councillors Hunt, T Sutton and T Young

1. Election of Chairman

RESOLVED that Councillor T Sutton be elected Chairman for the meeting.

2. Independent Members of the Standards Committee

The Committee gave consideration to the applications submitted in response to the Council's advertisement for Independent Members of the Standards Committee.

The Committee agreed to re-appoint the existing Independent Members; (Derek Coe, Sven Farmer and Peter Fitton) for a further period of 3 years.

RECOMMENDED to Council that Ian Andrews, Derek Coe, Sven Farmer, Peter Fitton, and Steven Roberts-Mee be appointed as Independent Members of the Standards Committee for a period of 3 years ending in May 2011.



Accounts and Regulatory Committee

Item
6

18 March 2008

Report of	Head of Corporate Services	Author	Amanda Chidgey ☎ 282227
Title	Honorary Aldermen		
Wards affected	Not applicable		

This report gives details of a request from Councillor Davidson that five former Mayors be appointed Honorary Aldermen.

1. Decisions Required

1.1 The Committee is requested to consider a proposition that:-

(i) The following former Mayors be appointed Honorary Aldermen:

David Holt;
John Sanderson;
Ivan Trusler and
Jenny Stevens.

(ii) Councillor Gower, Mayor in 2006/07, be appointed Honorary Alderman, following his decision to stand down from the Council in May 2008:

1.2 The Committee is further requested to consider approving the following recommendation to the Council:

“RECOMMENDED that –

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

“That in pursuance of the provisions of Section 249 of the Local Government Act 1972, this Council confers the title of “Honorary Alderman” on former Councillors David Holt, John Gilbert Sanderson, Ivan Thomas James Trusler, Jennifer Ann Stevens and Richard Hammond Gower in recognition of their loyal and eminent service as Members of the Council and its constituent authority”

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

2. Alternative Option

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

3. Background Information

- 3.1 Conferring the title of Honorary Alderman currently still falls within the terms of reference of this Committee.

- 3.2 At the Council meeting held on 20 February 2008, this Council's eligibility criteria for the conferment of the title of Honorary Alderman was changed to:

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

- 3.3 The Councillors' respective particulars of service are:

David Holt served on the Council from 29 June 1967 to 9 May 1986 and was Mayor in 1978/79;

John Sanderson served on the Council from 7 June 1973 to 6 May 1988 and was Mayor in 1989/90;

Ivan Trusler served on the Council from 26 March 1981 to 6 May 1998 and was Mayor in 1993/94 and

Jenny Stevens served on the Council from 5 May 1983 to 4 May 2000 and was Mayor in 1997/98.

- 3.4 It is understood that Councillor Richard Gower does not intend to stand for election on 1 May 2008. He will therefore have served on the Council from 5 May 1988 for 20 years and he was Mayor in 2002/03.

4. Financial Implications

- 4.1 The usual practice when conferring the title of Honorary Alderman has resulted in the following cost implications:

- a special meeting of the Council;
- a Mayoral reception after the ceremony in the Council Chamber for the family and friends of the newly appointed Honorary Aldermen (£1,000);
- the presentation of a framed, illuminated transcript of the Council Resolution (£700 each);
- the provision of a robe for use on civic occasions (£1,000 each) (The Council's current stock of serviceable robes for use by Aldermen stands at thirteen. The Council has fifteen Honorary Aldermen, three of whom tend not to accept invitations to civic events in this capacity).

- 4.2 Summary of costs:

- Maximum cost for ceremony with five additional robes £9,500
- Minimum cost for ceremony with no additional robes £4,500

4.3 There is no specific budget to meet the costs identified above. In the past the Civic Fund budget has had capacity to absorb these type of costs. However, for 2008/09 Councillor Crowe has already agreed to host an event to commemorate Veterans Day which means the flexibility of the budget to also absorb costs associated with an Honorary Aldermen ceremony is already limited.

4.4 In the circumstances, the Leader of the Council has indicated his willingness to meet the costs of this event from funds that he has authority to utilise for items of unplanned expenditure which are:

- The result of new statutory requirements or
- An opportunity purchase which meets an objective of the Strategic Plan or
- Is considered urgent, cannot await the next budget cycle and cannot be funded from existing budgets

5. Publicity Considerations

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

6. Strategic Plan References

6.1 There are no specific links to the Strategic Plan.

7. Other Considerations

7.1 There are no Publicity Considerations, Consultation Requirements, Equality, Diversity and Human Rights, Community Safety, Health and Safety or Risk Management Implications in respect of this matter.

