

# Trading Board

**Rowan House, 33 Sheepen  
Road, Colchester  
20 November 2013 at 6.00pm**

To consider the trading issues of the Council and to challenge and monitor the Council's trading arrangements including companies owned by the Council and Joint Committee arrangements. To make recommendations to Council and Cabinet on trading proposals.

# 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](http://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](http://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.

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e-mail: [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)

[www.colchester.gov.uk](http://www.colchester.gov.uk)

**COLCHESTER BOROUGH COUNCIL  
TRADING BOARD  
20 November 2013 at 6:00pm**

**Members**

Chairman : Councillor Scott Greenhill.  
Deputy Chairman : Councillor Bill Frame.  
Councillors Kevin Bentley, Andrew Ellis, Julia Havis,  
Cyril Liddy and Terry Sutton.

**Substitute Members** : All members of the Council who are not Cabinet members.

**Agenda - Part A**

(open to the public including the media)

Members of the public may wish to note that agenda items 1 to 5 are normally brief.

**Pages**

**1. Welcome and Announcements**

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched to silent;
- the audio-recording of meetings;
- location of toilets;
- introduction of members of the meeting.

**2. Substitutions**

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

**3. Minutes**

**1 - 2**

To confirm as a correct record the minutes of the meeting held on

**4. Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the

following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgment of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

## **5. Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

## **6. Have Your Say!**

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

## **7. Work Programme 2013/14**

See report by the Assistant Chief Executive

## **8. Exclusion of the Public**

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



**COLCHESTER BOROUGH COUNCIL  
TRADING BOARD  
20 November 2013 at 6:00pm**

**Agenda - Part B**

(not open to the public or the media)

**Pages**

**9. Minutes**

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

To confirm as a correct record the not for publication extract from the minutes of the meeting held on 18 September 2013

**10. Commercial Review of the Cemetery and Crematorium**

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

See report by the Head of Commercial Services

# TRADING BOARD

## 18 SEPTEMBER 2013

*Present :-*

Councillor Scott Greenhill (Chairman)  
Councillors Kevin Bentley, Andrew Ellis, Bill Frame,  
Julia Havis\*, Cyril Liddy, Terry Sutton

*Also Present: -*

Councillor Anne Turrell

\* Item 15 only

### **12. Minutes**

The minutes of the meeting held on 14 August 2013 were confirmed as a correct record.

An update was sought on the recruitment of the Commercial Procurement Manger and whether there would be any member involvement in the recruitment process. Ian Vipond, Strategic Director Commercial and Place, explained that the job specification was being finalised and would be advertised shortly. In view of the timescales an appointment was unlikely before December 2013. It would be an officer appointment. However, consideration was being given to how to ensure that appropriate commercial expertise could be introduced into the recruitment process and that this could potentially be done through member involvement.

### **13. Local Authority Company Structures**

Ian Vipond, Strategic Director, Commercial and Place, presented a report setting out information on the type of company structures that could be set up within the powers for local authorities to trade through a company. In particular he highlighted the two stage approach set out in the paper from KPMG accompanying the report. The first stage would be an "incubator stage" where the company was run under local authority control. There could be circumstances where the company would not need to go beyond this stage. It was clear that that different structures would needed for different services and that matters were made complicated when assets need to be transferred to the company. He confirmed that a Local Authority Trading Company (LATCO) would be liable for both corporation tax and VAT.

*RESOLVED* that the information provided about company structures that could be set up within the powers for local authorities to trade through a company be noted.

### **14. Trading Board Work Programme 2013-14**

Ian Vipond, Strategic Director, Commercial and Place, presented a report setting out the Work Programme for the Trading Board. He stressed that the work programme was under continual review. In terms of workload, it was felt it would be inappropriate to schedule more than one Commercial Service Review per meeting.



A verbal update was also provided confirming that the following items would now be scheduled for the November meeting:-

- The Situation Appraisal and Options report for the Cemetery and Crematorium;
- Any business cases arising from the Board's consideration of the Options report on CCTV and Community Alarms later at this meeting

*RESOLVED* that the Work Programme 2013-14 be noted.

**The Board resolved under Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following item as it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.**

#### **15. Commercial Review of the CCTV and Community Alarms Service**

**This minute is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)).**



# Trading Board

Item  
**7**

20 November 2013

<b>Report of</b>	<b>Assistant Chief Executive</b>	<b>Author</b>	<b>Richard Clifford</b>
<b>Title</b>	<b>Trading Board Work Programme 2013-14</b>		
<b>Wards affected</b>	Not Applicable		

**This report concerns the work programme for the Trading Board 2013-14**

## 1. Decision(s) Required

1.1 To note the Work Programme for the Trading Board.

## 2. Reasons for Decision(s)

2.1 At its meeting on 14 August, the Board agreed a provisional work programme and agreed that the work programme should be a standard item on the agenda for Trading Board meetings.

## 3. Alternative Options

3.1 It is open to the Board to agree amendments to the Work Programme.

## 4. Supporting Information

4.1 At its meeting on 14 August, the Board agreed a provisional work programme and agreed that the work programme should be a standard item on the agenda for Trading Board meetings.

4.2 The current work programme is attached at Appendix 1. The main amendments since the work programme was considered at the last meeting have been to clarify the reporting timeline for the commercial service reviews on Community Alarms, Building Control, Cemetery and Crematorium and Engineering. In addition the Improvement East report on the Framework for Commercial Work has been rescheduled for the January meeting.

## 5. Strategic Plan References

5.1 There are a number of priorities for the Council within the overall objective of seeing Colchester as the place to live, learn, work and visit these priorities require a sustainable and financed Council in order to deliver them. The Commercial approach which the Trading Board oversees is critical to the achievement of that outcome and as a result all outcomes in the Strategic Plan.

## 6. Standard References

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

## Trading Board 2013-14 Work Programme

Date of Meeting	Scheduled items of business
14 August 2013	<p>Presentation from Simon Mead, Chief Executive of Eastern Enterprise Hub</p> <p>Revisions to Terms of Reference</p> <p>Procurement Overview</p> <p>The Council's main areas of income generation</p>
18 September 2013	<p>Situation Appraisal and Operational Reports: CCTV/Community Alarms</p> <p>The type of company structures that can be set up within the powers for Local Authorities to trade through a company</p>
20 November 2013	<p>Commercial Service Review: Situation Analysis and Options Paper: Cemetery and Crematorium</p>
8 January 2014	<p>Commercial Service Review: Situation Analysis and Options Paper: Building Control</p> <p>Improvement East report on Framework for Commercial Work</p> <p>Commercial Service Review: Business Case for Community Alarms</p> <p>Strategic Procurement Opportunities</p>
12 March 2014	<p>Commercial Service Review: Business Case for Building Control</p> <p>Commercial Service Review: Business Case for Cemetery and Crematorium</p> <p>Commercial Service Review: Situation Analysis and Options Paper: Engineering</p>

	<p><b>Trading opportunities existing CBC companies.</b></p> <p><b>SPV Business case/ Northern Gateway Commercial opportunity</b></p> <p><b>Workflow commercial opportunities</b></p> <p><b>Approval of Annual Report to Cabinet and Council</b></p>
<p><b>Items to be scheduled</b></p>	<p><b>Report on measures typical to commercial enterprise in the sport and leisure environment (see minute 9, 14 August)</b></p> <p><b>Quarterly report by the Commercial Procurement Manager – to be scheduled once the Commercial Procurement Manager is appointed</b></p> <p><b>Situation Appraisal and Operational Reports: CCTV</b></p> <p><b>Commercial Services Review: Building Control</b></p> <p><b>Strategic Asset Management</b></p>

