

# Strategic Overview and Scrutiny Panel

Grand Jury Room, Town Hall  
30 March 2010 at 6.00pm

Strategic Overview and Scrutiny Panel deals with reviewing corporate strategies within the Council's Strategic Plan, the Council's budgetary guidelines for the forthcoming year, scrutinising the Forward Plan, the performance of Portfolio Holders and scrutiny of Cabinet decisions or Cabinet Member decisions (with delegated power) which have been called in.

# 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.

## 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 meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please pick up the leaflet called "Have Your Say" at Council offices and at [www.colchester.gov.uk](http://www.colchester.gov.uk)

## Private Sessions

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.

## Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

## 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 first floor and 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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# Terms of Reference

## Strategic Overview and Scrutiny Panel

- To review corporate strategies.
- To ensure the actions of the Cabinet accord with the policies and budget of the Council.
- To monitor and scrutinise the financial performance of the Council, and make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions.
- To link the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic / Action Plans.
- To scrutinise executive decisions made by Cabinet, the East Essex Area Waste Management Joint Committee, the Colchester and Ipswich Joint Museums Committee and Cabinet Member decisions (with delegated authority taking a corporate / strategic decision) which have been made but not implemented, and referred to the Panel through call-in.
- To monitor the Council's operational performance in relation to the Strategic Plan, Local Area Agreement targets and National Indicators.
- To scrutinise the Cabinet's performance in relation to the Forward Plan and to scrutinise the performance of Portfolio Holders.
- At the request of the Cabinet, make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the running of Cabinet business or jeopardising the efficient running of Council business.
- The panel will be the appropriate route for any member to refer a 'local government matter' in the context of Councillor Call for Action.

## **Process for Councillor Call for Action**

- Councillors have the ability to call for debate and discussion a topic of neighbourhood concern, limited to issues affecting a single ward, in an attempt to bring about specific solutions for local problems. This enables members to get things done without going through the Council's executive decision making process.
- Members may bring an action on any issue they choose, with exceptions, for example, if the issue is vexatious or deals with an individual complaint. Local Government matters specifically excluded from the regime are namely matters relating to a planning decision, a licensing decision or where a right of recourse to a review or right of appeal is already provided for in law.
- Poor service performance or increased anti-social behaviour are examples of where a member will bring an action to the panel's attention.
- The scrutiny panel may reject a request as not within the guidance, or the usual channels have not been exhausted, or accept that an investigation is the appropriate action.
- The panel may conduct an investigation in the usual scrutiny manner, seeking information from the Council and/or partners and inviting them to attend meetings.
- A report with recommendations will be compiled and brought to the Council and/or partners attention, with the Council and/or partners having a duty to respond.
- The panel will consider and publish the responses to their recommendations and feed back this information to the Councillor calling for the action.

**COLCHESTER BOROUGH COUNCIL**  
**STRATEGIC OVERVIEW AND SCRUTINY PANEL**  
**30 March 2010 at 6:00pm**

**Members**

**Councillors**

Councillor Christopher Arnold (Chairman)  
Councillor Dennis Willetts (Deputy Chairman)  
Councillor Mark Cory (Liberal Democrats Group Spokesperson)  
Councillor Kim Naish (Labour Group Spokesperson)  
Councillor Mike Hogg  
Councillor Jackie Maclean  
Councillor Jon Manning  
Councillor Gaye Pyman  
Councillor Laura Sykes  
Councillor Nick Taylor  
Councillor Julie Young

**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 and agenda items 6 to 9 are standard items for which there may be no business to consider.**

**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 off or to silent;
  - 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. 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.

### **4. Declarations of Interest**

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

### **5. Minutes**

**1 - 10**

To confirm as a correct record the minutes of the meeting held on 2 March 2010.

### **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. Items requested by members of the Panel and other Members** **11 - 12**

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

**7b. Councillor Call for Action - Parking problems in the vicinity of Colchester General Hospital**

See report from the Scrutiny Officer.

**8. Referred items under the Call in Procedure**

To consider any Portfolio Holder decisions, taken under the Call in Procedure.

*The panel may a) confirm the decision, which may then be implemented immediately, b) confirm the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or c) refer the matter to full Council in the event that the panel considers the decision to be contrary to the Policy Framework of the Council or contrary to, or not wholly in accordance with the Budget.*

**9. Decisions taken under special urgency provisions**

To consider any Portfolio Holder decisions taken under the special urgency provisions.

**10. Review of the work of the Portfolio Holder for Resources, Diversity, Culture and the Arts.** **13 - 15**

See report from the Scrutiny Officer.

**11. Exclusion of the public**

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the

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

# **STRATEGIC OVERVIEW AND SCRUTINY PANEL 2 MARCH 2010**

*Present:* - Councillors Arnold, Cory, Hogg, Maclean, Pyman, Sykes, Taylor, Willetts and J Young  
*Substitutions:* - Councillor Cook for Councillor Manning  
Councillor Lilley for Councillor Naish

## **54. Minutes**

*RESOLVED* that the minute of the meeting held on 9 February 2010 was confirmed as a correct record, subject to the following amendments:

Councillor Hogg had not been present at the meeting, having given his apologies.

Minute 50, 'Colchester Community Stadium Company', the resolution to read as follows;

*RESOLVED* that the panel:

- i) Commented on and noted the work of the Colchester Community Stadium Limited.
- ii) Requested the Colchester Community Stadium Company consider in the interests of openness and transparency, and as the manager of the football stadium, the publication of all key Performance Indicator information as set out in the service agreement between the company and the football club.

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

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

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

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

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

Ms. Kim Bennett, a local resident for twenty two years, addressed the panel to talk of her

recent involvement with The Mercury Theatre, her first experiences of live theatre with a variety of local community groups involving community actors.

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

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

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

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

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

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

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

The following invited guests attended the meeting for this item;

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

The following officers attended the meeting for this item;

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

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

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

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

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

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

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

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

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

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

Ms. Stark agreed with Councillor Cook that the partners had not promoted the new facility properly in terms of an educational facility as well as an arts facility, that this would be in the premier league of cultural activity, and she hoped Essex County Council would rise to the

challenge of ensuring all local school children would visit the facility in the first twelve months of operation.

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

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

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

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

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

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

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

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

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

The scope of the presentation was as follows;

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

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

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

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

The achievements on Strategic priorities included:

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

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

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

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

Drama groups for young children and their carers, one offering classes, for free, for seven years in the St. Andrews Ward, a drama group for 3 to 5 year olds, an infants school age drama group and a junior school age drama group. Three youth theatres and a dedicated group for the over 50's, who for only £3.50 can attend two theatre based workshops a week, the price including a subsidised cup of coffee. A free group for disabled adults, a free group for local writers and an adult theatre workshop.

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

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

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

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

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

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

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

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

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

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

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

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

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

wide and diverse range of live performance.

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

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

*RESOLVED* that:

- i) Welcomes the significant advances made in codifying the relationship between the Council, the other funders and the three funded arts providers i.e. the Mercury Theatre, firstsite and Colchester Arts Centre;
- ii) Recommends to Cabinet that;
  - a) in recognition of the significant benefits they bring to the Borough, the Council should continue to give annual grants to the arts providers;
  - b) in order to provide transparency and clarity, to give authority, to ensure that all members of Council are aware of the targets set by Cabinet and to provide for the opportunity of call-in and scrutiny, the agreements between the Council, the other funders and the arts providers should be the subject of formal decisions by the Portfolio Holder for Resources, Diversity, Culture and the Arts;
  - c) the direct contribution made by the arts providers towards making Colchester a place that people from outside the Borough want to visit and the positive impact of these visits on Colchester's economy should be recognised when their performance is assessed;
  - d) in recognition that the business plans of arts organisations generally span several years, the Council should adopt the same funding practice for the Colchester arts providers as the Arts Council i.e. an indication of two future years' funding should be given without prejudice at the same time as the current grant is agreed (N.B. this is also the basis on how central Government provides revenue support grant to the Council);
  - e) the multi party Service Level Agreement for the Mercury Theatre should become the model for the agreements between the Council and firstsite and the Council and the Arts Council and in particular the other funding partners should be party to those agreements;
  - f) the portfolio-holder for Performance and Partnerships should regularly hold structured meetings with the arts providers to ensure all are aware of ongoing and planned borough community development projects and initiatives, addressing areas of duplication or gaps. The aim should be to ensure the funding provided makes the greatest possible impact on Life Opportunity targets as set out in LAA2 and on the Council's strategic aims.
- iii) Agrees that the performance of the arts providers against the targets set by Cabinet

and of the portfolio-holder for Resources, Diversity, Culture and the Arts in working with the arts providers to secure this should be periodically reviewed by the Panel and recommendations made to the Cabinet.

## **56. Fundamental Service review (FSR) – Revenues and Benefits Service**

The following officers attended the meeting for this item;

Ms. Pam Donnelly, Executive Director  
Mr. Charles Warboys, Head of Resource Management

Mr. Charles Warboys presented the report on the FSR of the Revenues and Benefits Service.

Mr. Warboys said this review, the third to be considered by the panel, did have some key differences from the previous reviews, primarily because the process was developing. Specifically the timescale for this review was much shorter, commencing at the beginning of November 2009 and there had been a dedicated project team, with officers from both Corporate Management and Resource Management undertaking an intensive review.

What was before the panel was a report for comment, which would then be presented to Cabinet on 17 March 2010, and though work continued on the detail within the report in regards to savings and staff structure, Mr. Warboys remained confident about the information being presented.

Mr. Warboys said the service was responsible for the management of Council Tax, Business Rates and Benefits claimants for which there was now 14,000, with the economic downturn realising not only an increase in caseload, but an increase in the volume of complex cases due to for example, an ever increasing number of claimants in part time employment.

The review had involved thorough consultation, internally with internal stakeholders and Unison, and with external organisations such as Family Mosaic, Citizen's Advice Bureau, Age Concern and key local social registered landlords, resulting in encouraging feedback.

Mr. Warboys spoke about the three core themes of the review, and emerging issues, saying the themes are ambitious, but can be achieved. The themes being;

How it works –improved customer journey and how the process works:

- Customer information
- More upfront
- Risk Assessment

Enabling the change – through ICT and cultural change

Service delivery model – internal refocus or external options

In response to Councillor Young, Mr. Warboys spoke of the shared services model mentioned within the report, explaining that there was continuous dialogue with other Essex authorities with a view to sharing a service or part service and that would reduce costs due to an economy of scale. That said, this was for the future, with Colchester's present aim to deliver a first class service ourselves, and if in the future we can demonstrate a five day turnaround in benefit claims, this will itself attract future business from other authorities. It was added that what shouldn't be ruled out was the possibility of another authority carrying out a service on Colchester's behalf. Ms. Donnelly added that the FSR process leads you to a point of real dialogue about the opportunity for shared services, putting us in good stead for being 'fit for purpose'.

In respect of benefit claimants and the need for personal contact or human intervention, Mr. Warboys confirmed to Councillor Willetts that the benefit claim process can be very complex and so there will always be a need for personal dialogue, especially when dealing with vulnerable people, and the Council will continue to offer a range of contacts and support to respond to all enquiries thereby balancing the needs for all claimants. What we will have in place is a structure that we believe will be needed for now and the immediate future, but will be reconsidered at the next stage of an ongoing process. Ms. Donnelly said the new service will be effective and efficient, that customers were consulted and showed a desire, especially vulnerable and new customers, victims of the economic downturn, for retaining personal communication as a really important requirement of the new service. Mr. Warboys confirmed that consultation had included visiting wards and providing two recent market stalls in Culver Street.

Mr. Warboys also confirmed that work was being done in conjunction with the Citizen's Advice Bureau and Registered Social Landlords to look at simplifying customer letters. Ms. Donnelly said the intention was to improve the quality of information provided that would itself reduce the need for customer contact, and release any resource from this improvement to improving communication with harder to reach groups and individuals. Councillor Taylor had doubts about achieving what he believed to be a very ambitious target. In response, it was said that the new approach would require more visiting but would be complemented by a risk based approach that will require less information. Ms. Donnelly assured members of the robustness of the process, saying the review had revealed a significant scale of opportunities. Mr. Warboys said the structure put in place would mitigate against the potential impact of foreseeable changes to the benefit system.

In response to Councillor Cook, Ms. Donnelly said the estimated number of potentially avoidable contacts to the Revenues and Benefits service, 37,500 and 28,000 respectively, would be as a result of the new approach, where clearer details to potential customers at the outset would avoid the need for late and unnecessary contact. Mr. Warboys said a new service to be provided would be the on-line calculator that would allow potential claimants to input income information and allow for a quick track solution to claims, a filter system that would avoid those people who will not be entitled to benefit going through the application process. It was hoped this new service would be introduced in April / May 2010.

Councillor Arnold said he endorsed what he believed was a thorough review.

Ms. Donnelly confirmed that at the end of the planned programme of FSRs, an overview of progress on implementation would be undertaken.

Councillor Arnold said the panel's group spokespersons would consider the future review options at the next scheduled briefing.

*RESOLVED* that the panel reviewed and endorsed the Revenues and Benefits business case and the draft Cabinet report resulting from the FSR.

## **57. Work Programme**

*RESOLVED* that the panel agreed to defer the review of the work of the new Portfolio Holder for Business and Tourism until 2010-11, with business to be conducted at the final meeting on the 30 March 2010 being the review of the work of the Portfolio Holder for Resources, Diversity and the Arts.



## Strategic Overview and Scrutiny Panel

Item  
**7b**

30 March 2010

<b>Report of</b>	<b>Scrutiny Officer</b>	<b>Author</b>	<b>Robert Judd</b> <b>Tel. 282274</b>
<b>Title</b>	<b>Councillor Call for Action</b> <b>Parking problems in the vicinity of Colchester General Hospital</b>		
<b>Wards affected</b>	Not applicable		

**This report provides the information for members to consider any future action.**

### **1. Action Required**

- 1.1 Taking into account the evidence provided by Councillor Hume, Portfolio Holder for Highways and Transportation, Essex County Council, officers at the East Area Highways Office and Colchester Borough Council, the Panel needs to consider whether the local enforcement solutions to the parking problems are sufficient for the Councillor Call for Action not to be invoked.

### **2. Reason for Action**

- 2.1 At the Panel meeting on 9 December 2009, Councillor Goss requested the panel to undertake a review under Councillor Call for Action, to investigate the issue of parking restrictions on roads off Turner Road and in close vicinity to Colchester General Hospital.
- 2.2 The Panel agreed that a letter should be sent from the panel to Councillor Hume, Essex County Council Portfolio Holder for Highways and Transportation asking him to respond to the issues raised by Councillor Goss, and that any further action would be put on hold until the panel could consider the response from Councillor Hume.

### **3. Responses from Councillor Hume and officers**

- 3.1 Councillor Hume responded on 25 February 2010. Councillor Hume said the East Area Highways Manager had advised him that the parking survey carried out in May and June of 2009 in the streets close to the hospital revealed that all legitimate parking space in both Kingswood Road and Lufkin Road was being utilised, that the additional demand may have generated more activity (drivers looking for a parking space) but no additional parking was recorded.
- 3.2 Since the survey was completed, the officers from the East Area Highways office have made occasional visits to the area to inspect parking, and have found spaces for residents or visitors to park and no entrances or turning areas obstructed. This area will

continue to be monitored and officers from the Highways Team said they would welcome any observations or comments from local residents.

- 3.3 Councillor Hume was advised that the road widths within the surveyed area are between 4.8 and 5.5 metres in width and any on-street parking will almost certainly restrict access for goods vehicles built to the maximum permitted width. This problem exists on almost all housing developments built since the 1970s and was not a reason for introducing parking restrictions, with the main purpose of a Residents Parking Scheme being to set aside on-street parking spaces for permit holders in those situations where off-street parking cannot be achieved, and usually in areas where housing was constructed before 1930.

### **Police**

- 3.4 Police Officers (but not Police Community Support Officers) are empowered to deal with cases of “unnecessary obstruction” by Section 22 of the Road Traffic Act 1988. This will almost certainly include circumstances where a resident’s vehicle access is obstructed by a parked vehicle. Although the driver of the vehicle may be penalised, the vehicle will not be removed by the Police.

### **Parking Enforcement – Council officers**

- 3.5 The Traffic Management Act 2004 includes a power delegated to Civil Enforcement Officers (CEO) to issue a Penalty Charge Notice (PCN) where a vehicle is parked across kerbs lowered to provide vehicular access to off-road parking, and in circumstances where a complaint is made by the owner or occupier of the property. The PCN may be issued if the vehicle is obstructing the entrance at the time when the CEO is on site. No penalty will be made solely on the basis of photographic evidence provided by the aggrieved resident.
- 3.6 At Colchester, the new powers are being introduced on a gradual basis, giving warnings as appropriate early in the process. Colchester’s policy is based on best practice and is as set out below:
- Drivers who park alongside a dropped kerb risk a penalty charge notice
  - This applies to dropped kerbs, with or without tactile paving, installed for use by pedestrians, wheelchair-users, mobility vehicles and prams to assist with crossing roads
  - No vehicle will be exempt, including those displaying disabled badges
  - We will only act on dropped kerbs leading to residential garages and driveways if the property owner asks us to
  - The owner will need to prove that the dropped kerb is used for vehicle access. No enforcement action will be taken where a dropped kerb is no longer used - for example, where an extension has replaced a garage or driveway
  - Under the Traffic Management Act 2004 the council can take enforcement action without signs or road markings. The charge payable is £70.00, reduced to £35.00 if paid within fourteen days

Please note the definition of a blocked kerb is one that is more than 50% blocked.



## Strategic Overview and Scrutiny Panel

Item  
**10**

30 March 2010

Report of

Scrutiny Officer

Author Robert Judd  
Tel. 282274

Title

**The review of the work of the Portfolio Holder for Resources,  
Diversity, Culture and the Arts**

Wards affected

Not applicable

**This report sets out the Scheme of Delegation and Portfolio Holder responsibilities for the Portfolio Holder for Resources, Diversity, Culture and the Arts**

### 1. Action Required

- 1.1 The Panel is asked to review the work of the Portfolio Holder for Resources, Diversity, Culture and the Arts.

### 2. Responsibilities

- 2.1 Details of the Council's Scheme of Delegation and Portfolio Responsibilities within the Constitution and in respect of the Resources, Diversity, Culture and the Arts portfolio are attached to this report.
- 2.2 The Scheme of Delegation details the portfolio responsibilities, the major projects within the portfolio and those services that are procured in the provision, implementation, maintenance and management of the service areas within the portfolio.

### 3. Standard References

- 3.1 Part of the Panel's Terms of Reference is to scrutinise the Cabinet's performance in relation to the Forward Plan and to scrutinise the performance of Portfolio Holders, ensuring their work is subject to full appraisal.

# **Scheme of Delegation to Cabinet Members**

<h2><b>Delegation to the Portfolio Holder for Resources, Diversity, Culture and the Arts</b></h2>
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### **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 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.

### **FINANCIAL RESOURCES**

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

1. Financial Management of the Housing Revenue Account.
2. 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.
3. 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.
4. Collection, enforcement and matters of security in relation to the General Fund monies payable to the Council.
5. Determination of interest paid to investors and arrangements to meet the Council's borrowing requirements.
6. Matters relating to financial management, corporate governance, audit, risk management and business continuity.
7. Determination of the Council's financial provisions.
8. Appointment of the Council's bankers.

# Scheme of Delegation to Cabinet Members

## Delegation to the Portfolio Holder for Resources, Diversity, Culture and the Arts (continued)

### LAND RESOURCES

In respect of all land and buildings owned by the Council including 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.

### 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.

### GENERAL

1. Freedom of Information.

## 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 the implementation of the Council's Diversity Policy.
4. To monitor progress of obtaining disability access within Council buildings
5. To monitor the management of repairs and maintenance and planned maintenance programmes for Council buildings (excluding property managed by Colchester Borough Homes).
6. To review sales, purchases and overall management of the Council's property portfolio.
7. To monitor the development of the Asset Management Plan.
8. To monitor the maintenance of the Council's asbestos register.
9. To oversee the implementation and monitoring of the Council's policies and services relating to heritage and culture

Major Project(s) in Portfolio: Visual Arts Facility 5

