

Council Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 31 October 2018 at 18:00**

Information for Members of the Public

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Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

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COLCHESTER BOROUGH COUNCIL
Council
Wednesday, 31 October 2018 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 23/10/2018

You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Wednesday, 31 October 2018 at 18:00 for the transaction of the business stated below.



Chief Executive

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Please note that the business will be subject to short breaks at approximately 90 minute intervals.

Please note that Agenda items 1 to 6 are normally dealt with briefly.

1 Welcome and Announcements (Council)

The Mayor will welcome members of the public and Councillors and will ask the Chaplain to say a prayer. The Mayor will also remind everyone to use microphones at all times when they are speaking, explain action required in the event of an emergency, mobile phones switched to silent and audio-recording of the meeting.

2 Have Your Say! (Council)

The Mayor will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the business of the Council. Please indicate if you wish to speak at this point if your name has not been noted by Council staff.

3 Minutes of the Previous Meeting (Council)

Motion that the minutes of the meeting held on 18 July 2018 be confirmed as a correct record.

18-07-18 minutes

9 - 20

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

5 Mayor's Announcements

The Mayor to make announcements.

6 Items (if any) referred under the Call-in Procedure (Council)

The Council consider any items referred by the Scrutiny Panel under the Call-in Procedure because they are considered to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.

7 Recommendations of the Cabinet, Panels and Committees

Council will consider the following recommendations:-

7(i) 2017/18 Year End Review of Risk Management 21 - 22

B... Motion that the recommendation contained in minute 295 of the Cabinet meeting of 10 October 2018 be approved and adopted.

8 Notices of Motion pursuant to the provisions of Council Procedure Rule 11

Council will consider the following Motions:-

(Note: The maximum length of time for the consideration of all such motions shall be 80 minutes. In the event that a motion is still being debated when the 80 minutes have elapsed the Mayor shall invite the proposer of the motion to respond to the debate and the move straight to the vote.)

8(i) IHRA Definition of Anti-Semitism

Proposer: Leader of the Council, Councillor Cory, and Group Leaders, Councillors Goss, Laws, G. Oxford and T. Young
C.... Motion that:

1. This Council believes that we are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Colchester Borough Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable. We are pleased to note the strong stance that Essex Police have taken against these issues. Colchester Borough Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent all these anti-social acts, and reassures all people living in Colchester borough that they are valued and welcome members of our community."

2. As reflected in our Equality and Diversity Policies, the Council will continue to:

(a) ensure that unfair discrimination does not arise by promoting equality of opportunity, valuing diversity and promoting good relations between the diverse members of our community, as well as

tolerance and understanding of the needs of others; and

(b) recognise that people need protection from unfair discrimination, as set out in the Equalities legislation;

(3) The Council notes:

(a) that, in December 2016, the UK Government became the first European Union country to formally adopt the International Holocaust Remembrance Alliance's working definition of Anti-Semitism; and

(b) the letter from the Secretary of State for Communities and Local Government, dated 30 January 2017, strongly encouraging councils to adopt the definition of Anti-Semitism.

(4) The Council adopts the International Holocaust Remembrance Alliance's working definition of Anti-Semitism, as set out below:

"Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of Anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

(5) The definition of Anti-Semitism, together with the accompanying illustrative examples, be used to guide the Council in the delivery of its equalities duties in relevant circumstances.

As the motion relates to a non-executive matter, it will be debated and determined at the meeting.

8(ii) **Breaking Point**

Proposer: Councillor T. Young

D... Motion that:

This Council notes that many council budgets are now at Breaking Point. Austerity has caused huge damage to communities up and down the UK, with devastating effects on key public services that protect the most defenceless in society – children at risk, disabled adults and vulnerable older people – and the services we all rely on, like clean streets, libraries, and children's centres;

- Conservative cuts mean councils have lost 60p out of every £1 that the last Labour Government was spending on local government in 2010;
- Councils had to spend an extra £800m last year to meet the demand on vital services to protect children;
- With an aging population and growing demand adult social care faces a gap of £3.5 billion – with only 14% of council workers now confident that vulnerable local residents are safe and cared for
- Government cuts have seen over 500 children's centres and 475 libraries close, potholes are left unfilled, and 80% of councils

workers now say have no confidence in the future of local services

- Northamptonshire County Council has already gone bust due to Conservative incompetence at both national and local level, and more councils are predicted to collapse without immediate emergency funding
- Councils now face a further funding gap of £7.8 billion by 2025 just to keep services 'standing still' and meeting additional demand. Even Lord Gary Porter, the Conservative Chair of the Local Government Association, has said 'Councils can no longer be expected to run our vital local services on a shoestring'

This Council condemns Chief Secretary to the Treasury Liz Truss for stating on BBC Newsnight on 1st October 2018 that the government is "not making cuts to local authorities", when all independent assessments of government spending show that this is entirely false; and that this Council further notes that Prime Minister Theresa May has also claimed that "austerity is over" despite planning a further £1.3bn of cuts to council budgets over the next year;

This Council agrees with the aims of the 'Breaking Point' petition signed by Labour councillors across the country, in calling for the Prime Minister and Chancellor to truly end austerity in local government by:

- Using the Budget to reverse next years planned £1.3bn cut to council budgets;
- Immediately investing £2bn in children's services and £2bn in adult social care to stop these vital emergency services from collapsing;
- Pledging to use the Spending Review to restore council funding to 2010 levels over the next four years.

This Council resolves to:

- Support the 'Breaking Point' campaign, recognising the devastating impact that austerity has had on our local community
- Ask the Leader of the Council to write to the Chancellor of the Exchequer, the Prime Minister, and the Secretary of State for Housing, Communities and Local Government setting out the funding pressures faced by our local council, and calling on the Government to truly end austerity in local government.

As the motion relates to a non-executive matter, it will be debated and determined at the meeting.

9 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Cabinet members and Chairmen will receive and answer pre-notified questions in accordance with Council Procedure Rule 10(1) followed by any oral questions (not submitted in advance) in accordance with Council Procedure Rule 10(3).

(Note: a period of up to 60 minutes is available for pre-notified

questions and oral questions by Members of the Council to Cabinet Members and Chairmen (or in their absence Deputy Chairmen)).

(i) Councillor Barber to Councillor King, Portfolio Holder for Resources

Can the Portfolio Holder for Resources inform Council of the latest update for the Axial Way Pumping Station and overall Northern Gateway Project? Please can you state what the anticipated budget for both originally agreed was, what is now the current expected budget for both, in particular the Axial Way Pumping Station, and where the money for any over-budget spends will come from?

(ii) Councillor Chapman to Councillor Goss, Portfolio Holder for Waste, Environment and Transportation

Could the Portfolio Holder explain how the recent review of the way our Zone Teams operate will improve the collection of litter on the A12. I receive frequent complaints about the state of this major East Anglian thoroughfare, which, for part of its journey, crosses the Dedham Vale Area of Outstanding Natural Beauty a national designation that I spend so much of my time, as a representative of this Council, sustaining. It also, of course, forms some of the boundary between the wards that we both represent.

(iii) Councillor Cope to Councillor Lilley, Portfolio Holder for Planning, Public Safety and Licensing

Can there be an explanation please for the great delay in the opening of the child's play area adjacent to Cavalry Road and Circular Road North in the Quadriga estate behind Garland Road? It has now been several years since the estate opened; many representation have been made by councillors for the necessary action to be taken but the result has been disappointing. Can the official side give an estimate of the time when the play area will be opened?

10 Schedule of Portfolio Decisions 23 - 28

To note the schedule of Portfolio Holder decisions covering the period 30 June 2018 - 19 October 2018.

11 Urgent Items (Council)

Council will consider any business not specified in the Summons which by reason of special circumstances the Mayor determines should be considered at the meeting as a matter of urgency.

12 Reports Referred to in Recommendations

The reports specified below are submitted for information and referred to in the recommendations specified in item 7 of the agenda:

2017-18 Year End Review of Risk Management, report to Cabinet
10 October 2018

Year End Review of Risk Management - report to cabinet 101018 29 - 54

13 Exclusion of the Public (not Scrutiny or Executive)

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).

Part B
(not open to the public including the press)

Council

Wednesday, 18 July 2018

Attendees:

Councillor Christopher Arnold, Councillor Lewis Barber, Councillor Nick Barlow, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Tina Bourne, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Peter Chillingworth, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Nick Cope, Councillor Mark Cory, Councillor Simon Crow, Councillor Robert Davidson, Councillor Beverly Davies, Councillor Paul Dundas, Councillor John Elliott, Councillor Andrew Ellis, Councillor Vic Flores, Councillor Adam Fox, Councillor Dave Harris, Councillor Chris Hayter, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Mike Hogg, Councillor Brian Jarvis, Councillor John Jowers, Councillor David King, Councillor Darius Laws, Councillor Cyril Liddy, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Andrea Luxford Vaughan, Councillor Fiona Maclean, Councillor Jackie Maclean, Councillor Patricia Moore, Councillor Beverley Oxford, Councillor Gerard Oxford, Councillor Philip Oxford, Councillor Chris Pearson, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Martyn Warnes, Councillor Lorcan Whitehead, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

265 Prayers

The meeting was opened with prayers from the Mayor's Chaplain, the Reverend John Richardson.

266 Apologies

Apologies were received from Councillor Goss.

267 Minutes of the Previous Meeting (Council)

RESOLVED that the minutes of the meeting held on 23 May 2018 be confirmed as a correct record.

268 Have Your Say! (Council)

Mark Goacher addressed Council pursuant to the provisions of Council Procedure Rule 6(5) on behalf of a number of residents of Castle ward who had expressed concern about the proposed new development at St Botolphs. The Council had promised to develop the area into a cultural quarter. However, the plans proposed a block of student housing which would dominate the area. Concerns had been expressed across all political groups. The proposals included no cultural facilities and were driven by profit. There were major concerns in particular about the size and density of the development. It would block views of Firstsite from Queen Street. The Council should listen to the views of the local community about the future development of the Cultural Quarter, particularly those who cared about the arts.

Councillor Barlow, Portfolio Holder for Commercial Services, responded and explained that proposals for the redevelopment of the area had been discussed since he was first elected in 2007. The original proposals brought forward in 2007 were almost identical in terms of size and mass. It was always envisaged that there would be a residential element to the development. This was a major redevelopment of a brownfield site, and would bring investment and footfall to the Cultural Quarter.

Councillor T. Young, Portfolio Holder for Business and Culture, also responded and stressed that the development would add to the Cultural Quarter. It would provide accommodation for students at the University or the Institute studying the arts. The development would include a performance arts space and would have an art curator. Improved drawing of the development would be produced. The Council would listen to the concerns that had been raised and design changes would be made. The alternative was to start again which would only lead to further delays in the development of the Cultural Quarter.

Victoria Weaver addressed Council pursuant to the provisions of Council Procedure Rule 6(5) in support of the principle of unitary authorities. A unitary authority made government truly local. Unitary authorities also reduced bureaucracy, brought services together and allowed for better strategic decision making, which in turn would strengthened the local business environment. The Policy Review Panel should look at a strategy for the establishment of Colchester as a unitary authority.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, responded and explained that he believed there were advantages to unitary authorities, and suggested that she might raise the idea with the Policy and Public Initiatives Panel. He also highlighted that the Council was seeking to work more closely with Essex County Council.

John Akker addressed Council pursuant to the provisions of Council Procedure Rule 6(5). He noted that this was an historic date as it was the 100th anniversary of the birth of Nelson Mandela. A number of members of Council had spoken about the need to drive party politics out of the Local Plan process and he called on Council to make this a

reality. The process needed a consensus across all groups, not just the ruling group, and whole Council support: It was not just a matter for the Local Plan Committee. The Council should also seek to work with and engage community groups and build a consensus with them. The existing Local Plan had some rough edges to it. For example, it was noted that the allocation of new homes for Mersea Island was 200 new homes over two sites, but he understood that it had been stated at a training event that if the Local Plan were approved, planners would press for greater numbers if the sites could take a greater density of housing.

Councillor T. Young, Portfolio Holder for Business and Culture, explained that some of the matters raised were for the Local Plan Committee. He understood that point on the 2 sites issue was incorrect, but he would ask that this be clarified. The Local Plan would come to Full Council for approval and all members would have the opportunity to vote on it. Together with the Leader of the Council he would be holding a listening session with community groups in the near future, and the views expressed would be fed into the Local Plan process.

Mr Orton addressed Council pursuant to the provisions of Council Procedure Rule 6(5) to raise concerns about the service an elderly tenant had received after reporting an issue with her accommodation. She had been given incorrect advice and had to wait an unacceptably long time for repairs. This was contrary to the Council's repairs policy and the Council's housing policies needed to be looked at again. He had sought to discuss the matter with the Portfolio Holder but had not received a response.

Councillor Bourne, Portfolio Holder for Housing and Communities responded and explained it would not be appropriate to discuss the full details of the case at a Council meeting. However she was satisfied that the right policies had been in place and had been followed. The issue had now been resolved, although it was accepted that it could have been resolved more quickly.

269 Mayor's Announcements

The Mayor thanked Councillors for the support he had received since his election and announced the following events:-

- A visit to the Air Ambulance Airfield at Earls Colne on 23 July 2018;
- Essex Wildlife Trust were holding a Family Wildlife Day in the Castle Park on 23 August 2018;
- On 22 September 2018, the Mayor would be walking the new Colchester Orbital Route and Councillors were welcome to join him.

270 Review of Meetings and Ways of Working - Digital Update

RESOLVED that the recommendations contained in minute 116 of the Governance and Audit Committee meeting of 10 July 2018 be approved and adopted (MAJORITY voted FOR).

271 Annual Scrutiny Report 2017-18

RESOLVED that the recommendation contained in minute 171 of the Scrutiny Panel meeting of 17 July 2018 be approved and adopted (MAJORITY voted FOR).

272 Mandatory Member Development

It was proposed by Councillor King that the recommendation contained in minute 5 of the Member Development Group meeting of 10 July 2018 be approved and adopted.

A secondary amendment was moved by Councillor Arnold that the recommendation contained in minute 5 of the Member Development Group meeting of 10 July 2018 be approved and adopted subject to the deletion of the following words in paragraph (f)

“Where, in the opinion of the Monitoring Officer, the withholding of the payment of the allowance is likely to cause financial hardship then this provision shall not apply”

Councillor King indicated that the secondary amendment was accepted and the motion was deemed amended accordingly.

The motion was then put to the vote and was carried (MAJORITY voted FOR).

273 Suspension of Procedure Rule 11(2)

RESOLVED that Council Procedure Rule 11(2) be suspended for the following item to enable Council to debate and determine the motion.

274 Modern Slavery and Procurement

It was proposed by Councillor Liddy that:-

This Council resolves:

1. To ensure that the Council’s procurement practices do not support modern

slavery the Council will adopt and apply the Co-operative Party's Charter Against Modern Slavery (as far as is legally possible), by

- Training its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
 - Requiring its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
 - Challenging any abnormally low-cost tenders to ensure they do not rely upon a potential contractor practising modern slavery.
 - Highlighting to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
 - Publicising its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
 - Requiring its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
 - Reviewing its contractual spending regularly to identify any potential issues with modern slavery.
 - Highlighting for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies.
 - Referring for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
 - Reporting publicly on the implementation of this policy annually, in accordance with CBC Modern Slavery Act 2015 Transparency Statement 2016/17.
2. Ensure that it will do everything reasonably possible to tackle modern day slavery in line with the Local Government Association's guidance and that it will also seek to ensure that any company that it has shares in will also do everything reasonably possible to tackle modern day slavery in line with the Local Government Association's guidance.
3. Write to government to ask that support for victims of modern day slavery is extended beyond the current 45 days.

On being put to the vote, the motion was approved and adopted (UNANIMOUS).

275 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Questioner	Subject	Response
Questions		
Councillor Laws	Could the Leader of the Council guarantee that the Zones teams will be given the resources to keep on top of their work especially in respect of street cleaning, and would appropriate enforcement action be taken against those who drop cigarette butts?	Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, explained that the administration was providing a further £300,000 towards cleaning up and promoting the town centre. Enforcement action would be taken against those who dropped cigarette butts.
Councillor Barber	Could the Portfolio Holder for Housing and Communities arrange for policies to be reviewed so that brownfield sites owned by Colchester Borough Homes on estates could be made available for residents' parking?	<p>Councillor Bourne, Portfolio Holder for Housing and Communities, explained that housing land was an asset that was managed by Colchester Borough Homes and any use had to be in accordance with the Housing Revenue Account Business Plan. A number of brownfield garage sites had been redeveloped as Council housing sites.</p> <p>The Council was looking to undertake feasibility studies on other such sites and bid for funding from</p>

		central government for funding to build more Council housing. It was rare for such sites to be used for parking provision. If the details of particular sites were provided she would look into the position.
Councillor Fox	Could the Portfolio Holder for Business and Culture provide details of the ballot on the Business Improvement District and what benefits it would bring?	Councillor T. Young, Portfolio Holder for Business and Culture, explained that 85% had voted in favour, on a 35% turn out, which was a comparatively high turnout for a BID ballot. It would be for the BID board to decide how to spend the BID levy. The Board was looking to involve all types of businesses in its decision making. The Council would not be reducing its services in the town centre, so businesses could only gain.
Councillor Buston	Councillor Buston provided details of questions he had asked of Cllr Lilley, Portfolio Holder for Planning, Community Safety and Licensing, in respect of the travellers on King George V playing field.	No response necessary.
Councillor Moore	Given that the Council promoted Mersea Island as a tourist destination, what further resources would be put in place to improve infrastructure and enforcement of bye laws? At	Councillor T. Young, Portfolio Holder for Business and Culture explained that Mersea Island was an important part of Colchester's tourism offer. He had held

	what point would Mersea Island reach saturation point in terms of tourism?	productive meetings with West Mersea Town Council, and was liaising with other Portfolio Holders to see what extra resources could be provided.
Councillor Jarvis	Why did the administration's views towards the Tollgate Village development change following the election? Could the administration also rethink its strategy towards the proposed St Botolph's development?	<p>Councillor T. Young, Portfolio Holder for Business and Culture explained that the administration took a pragmatic view. Tollgate Village had been granted permission on appeal, and there would no benefit in continued dispute. They had met the developers and been reassured that they were not looking to damage the economy of the town centre.</p> <p>The principles of the St Botolph's development were right and would lead to a high quality development which would complement the cultural quarter.</p>
Councillor Luxford Vaughan	Residents in Wivenhoe had reacted positively to the idea of funding Police Community Safety Officers (PCSOs). Did the investment in the alliance plan mean an increase in the police presence on the streets?	Councillor Lilley, Portfolio Holder for Planning, Public Safety and Licensing explained that the Council had suffered from a lack of police officers. Some additional funding had been made available and would be used to fund PCSOs. An announcement would be made in due course, once the final details had been agreed

		with the police. The priority would be for an increased presence in the town centre. It was accepted that rural areas wanted a more visible police presence and the administration would look at provision in rural areas also. Communities could also fund a Special Constable, who had powers of arrest.
Councillor Pearson	Could the Chairman of the Planning Committee confirm that she was familiar with the Planning Committee Procedures Code of Practice and that she would abide by the section 1 of the Code?	Councillor Hazell, Chairman of the Planning Committee, confirmed that she was familiar with the Code of Practice and would look at section 1.
Councillor Barton	Following discussions with Drury Road allotment holders, did the Council have a robust allotments policy and was there an effective enforcement policy to ensure that plots that were not being used were made available to those on the waiting list? Was it possible for the holders of plots to take over the maintenance of the site?	<p>Councillor Bourne, Portfolio Holder for Housing and Communities, explained that there was currently a waiting list of two people for Drury Road allotments.</p> <p>The Council did welcome applications for allotment holders to become site stewards. Site stewards were given appropriate training and had access to officers for advice and guidance on the management of the sites.</p>
Councillor Davies	Could the Portfolio Holder for Resources provide reassurance that the item on Strategic Plan Spending	Councillor King, Portfolio Holder for Resources, indicated he was happy to provide such a

	Priorities recently considered by Cabinet would be referred to the Scrutiny Panel and when would this take place?	reassurance. More details on the proposals would follow soon and this would be brought forward to the Scrutiny Panel as early as it could be. The administration was working on a principle of openness on the proposals.
Councillor Davies	Could the Portfolio Holder for Planning, Community Safety and Licensing confirm that the additional funding for PCSOs would be from the additional £1.95 million allocated in the Strategic Plan Spending Priorities report? Could he provide reassurance that this would be an ongoing commitment and that funding would be made available in the base budget to fund this on an ongoing basis?	Councillor Lilley, Portfolio Holder for Planning, Community Safety and Licensing, indicated that it would be funded from the £1.95 million. The proposals were for more than funding for a PCSO and the full details would be announced once agreed. The detailed figures would be brought to the meeting of the crime and Disorder Committee in September.
Councillor Jarvis	Would the Leader of the Council distance himself from personal comments made about the competency of the Chair of Planning Committee both immediately after her first meeting as Chair and in this meeting?	Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, explained that he was seeking a new approach. There had been political "knockabout" from both sides in the past. The comments were not attacks but criticisms but he hoped that criticism could be made in a more constructive way in future.

276 Renaming the Policy Review Panel

RESOLVED that the decision contained in the report by the Assistant Director, Policy and Corporate, be approved and adopted.

277 Schedule of Portfolio Holder Decisions

RESOLVED that the Schedule of Portfolio Holder decisions for the period 6 February 2018 - 28 June 2018 be noted.

Extract from the minutes of the Cabinet meeting of 10 October 2018

295. 2017/18 Year End Review of Risk Management

The Assistant Director, Policy and Corporate, submitted a report a copy of which had been circulated to each Member.

Councillor Willetts attended and with the consent of the Chairman, addressed the Cabinet. Whilst the risk assessment work was an important piece of work and it was vital that such a wider assessment of issues and risks facing the Council was undertaken, the final assessment of and categorisation of the risks facing the Council had been skewed by political considerations. In terms of identified risk around future central government decisions, the programmes of the main political parties were well known and therefore there was little risk arising. The impact of Brexit and the delivery risks of Garden Communities to the Council were being overstated for political purposes, and the risks around recruitment of staff could be managed through more flexible recruitment processes.

Councillor Cory, Leader of the Council and Portfolio Holder for Resources, responded and highlighted that were serious risks around central government decisions, for instance on decisions on funding or through ongoing uncertainty on final decisions, such as on business rates. Brexit was the major risk facing the Government and those risks also applied to local government. For instance it could have a significant impact on housing and fuel prices. Councillor Bourne, Portfolio Holder for Housing and Communities, and Councillor T. Young, Portfolio Holder for Business and Culture, stressed the potential risks caused by Brexit and highlighted the work of the LGA in highlighting these risks and advising on how they could be mitigated.

Councillor King, Portfolio Holder for Resources, introduced the report and stressed the purpose and value of the Risk Register and the Risk Management Strategy. The approach to risk was exactly what would be expected of an organisation with significant budgets and responsibilities.

RESOLVED that:-

- (a) The Council's progress and performance in managing risk during the period April 2017 to March 2018 be noted.
- (b) The proposed Risk Management Strategy for 2018/19 be approved.

RECOMMENDED TO COUNCIL that the Risk Management Strategy 2018/19 be adopted and included in the Council's Policy Framework.

REASONS

Cabinet has overall ownership of the risk management process and is responsible for endorsing its strategic direction. Therefore the risk management strategy states that Cabinet should receive an annual report on progress and should formally agree any amendments to the strategy itself.

During the year progress reports are presented to the Governance and Audit Committee, detailing work undertaken and current issues. This report was presented to the Governance and Audit Committee on 4 September 2018, where they approved its referral to this meeting.

The Risk Management Strategy is one of the key corporate governance documents that supports the Constitution of the Council, and forms part of the Policy Framework. Accordingly any amendments have to be approved by Full Council.

ALTERNATIVE OPTIONS

No alternative options were presented to the Cabinet.

A copy of the draft Risk Management Strategy is at pages 43-54 of the agenda.

Record of Decisions taken under Scheme of Delegation to Cabinet Members
30 June 2018 – 19 October 2018

Portfolio – Business and Culture					
Date	Number	Report Title	Author	Decision	Result
12 July 2018	BUS-002-18	Contract Award for Project Management Support for the North Essex Garden Communities Project	Chris Outersides	To appoint a Project Management consultant to provide Project Management support to the NEGC programme team.	Agreed 19 July 2018
9 August 2018	BUS-003-18	Disposal of a watercolour from the museum collection	Tom Hodgson	To approve the disposal of COLEM:2005.55, a watercolour depicting the Middleborough Mosaic, and its return to the Colchester Archaeological Trust.	Agreed 16 August 2018

Portfolio – Commercial Services					
Date	Number	Report Title	Author	Decision	Result
9 October 2018	COM-001-18	Axial Way Pumping Station	Holly Brett	To agree to the financial settlement with the contractor as set out in the report	Agreed 9 October 2018 (note – special urgency authorisation so no call in period applied)

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
30 June 2018 – 19 October 2018**

Portfolio – Customers					
Date	Number	Report Title	Author	Decision	Result
None in this period					

Portfolio – Housing and Communities					
Date	Number	Report Title	Author	Decision	Result
23 August 2018	HOU-002-18	Disposal of Land between St Mary's Fields and St Alban's Road, Colchester	Cassandra Clements	To approval the disposal of 150sqm of public open space situated at between St Mary's Fields and St Alban's Road, Colchester.	Agreed 31 August 2018
21 September 2018	HOU-003-18	Grant funding to Haig Housing Trust to provide affordable rented housing for former service personnel	Ruth Newcombe/Tina Hinson	Approval to grant up to £450,000 to Haig Housing Trust from the Council's reserve of Right to Buy receipts, to the Haig Housing Trust to purchase up to 9 properties to deliver affordable rented homes for former service personnel or their bereaved spouses. To enter into a grant agreement with Haig Housing Trust for allocation of grant which will be no more than 30% of total scheme cost for each property delivered. The project must be delivered this financial year 2018//2019.	Agreed 28 September 2018
21 September	HOU-004-18	Response to the Government's consultation paper "Use of receipts	Tina Hinson	To agree Colchester Borough Council's response to the "Use of	Agreed 28 September

Agenda item 10

Record of Decisions taken under Scheme of Delegation to Cabinet Members 30 June 2018 – 19 October 2018

2018		from right to buy sales”		receipts from right to buy sales” consultation paper as set out in the Portfolio Holder report.	2018
5 October 2018	HOU-995-18	Collaboration with Age Concern to deliver activities for Older People	Lucie Breadman	<p>Work with Age Concern and take advantage of their new premises by aligning activities and services for older people with specific emphasis on activities currently provided from Lion Walk Activity Centre.</p> <p>Provide a two year grant to Age Concern totaling £45,000 to support Age Concerns services for older people in Colchester, with specific emphasis on support for members of Lion Walk Activity Centre moving to Age Concerns new town centre location.</p>	Agreed 12 October 2018

Portfolio –Planning, Public Safety and Licensing

Date	Number	Report Title	Author	Decision	Result
31 July 2018	PLN-001-18	NEPP Procurement – Mapping Update	Richard Walker	To instruct Buchanan Order Management to survey and complete work to the parking restriction mapping system for the North Essex Parking Partnership.	Agreed 7 August 2018
27 September	PLN-002-18	Transparency Statement on Modern Slavery 16/17	Andrew Harley	That a Transparency Statement is published by the Council on its	Agreed 4 October

Agenda item 10

Record of Decisions taken under Scheme of Delegation to Cabinet Members 30 June 2018 – 19 October 2018

2018				website for the third successive year by 30 September 2018 in accordance with Section 54 of the Modern Slavery Act 2015..	2018
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Portfolio – Resources					
Date	Number	Report Title	Author	Decision	Result
25 September 2018	RES-001-18	Irrecoverable Debts over £5,000 – Housing Benefit Overpayment	Michelle Tarbun	To approve the writing off of the following Housing Benefit Overpayment debts totalling £42,308.65 which have proved irrecoverable.	Agreed 2 October 2018
25 September 2018	RES-002-18	Irrecoverable Debts over £5,000 – Sundry Debt	Michelle Tarbun	To approve the writing off of the following Sundry Debt totalling £17,412.42 which have proved irrecoverable.	Agreed 2 October 2018
25 September 2018	RES-003-18	Irrecoverable Debts over £5,000 – Business Rates	Michelle Tarbun	To approve the writing off of the following Business Rates debts totalling £114,413.29 which have proved irrecoverable.	Agreed 2 October 2018

Portfolio – Strategy					
Date	Number	Report Title	Author	Decision	Result
21 September 2018	STR-001-18	Local Authority Mortgage Rates	Michelle Tarbun	To set the locally determined Interest Rate as 4.71% for the 6 months starting 1 October 2018	Agreed 28 September 2018
5 October	STR-002-18	Contract Award for Replacement of	Lee Spalding	To agree to enter into a contract with	Agreed 12

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
30 June 2018 – 19 October 2018**

2018		Heating Boilers at Leisure World Colchester		the successful tenderer Essex Mechanical Services Ltd for the delivery of the boiler replacement works.	October 2018
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Portfolio – Waste, Environment and Transportation					
Date	Number	Report Title	Author	Decision	Result
No decisions in this period					

Report of	Assistant Director of Policy & Corporate	Author	Hayley McGrath ☎ 508902
Title	2017/18 Year End Review of Risk Management		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report provides members with an overview of the Council's risk management activity undertaken during the financial year from 01 April 2017 to 31 March 2018.
- 1.2 Effective management of risk is essential to ensuring that the Council's aims and objectives are achieved. The Council has therefore approved a Risk Management Strategy, which has been included in the policy framework. This provides a comprehensive risk management process that is embedded across the organisation and includes a strategic risk register, which is the responsibility of the senior management team, operational risk registers which are produced by each service and specific risk mitigation initiatives.
- 1.3 The Risk Management strategy and processes are reviewed annually to ensure that they are still appropriate to the Council's needs and continue to be effective in identifying and mitigating risks to its aims and objectives.
- 1.4 Key Messages:
 - The main risks on the strategic risk register continue to be the potential impact of future government decisions to reduce public funding, failure or inappropriate management of a strategic partner and the potential impact of the United Kingdom leaving the European Union. These are all outside of the direct control of the Council. However the impact of these risks can be mitigated, and risks identified in section 6 of the register – Assets and Resources – are a reflection of the work that is undertaken to ensure that the organisation can respond to these challenges.
 - Risk Management principles continue to be reinforced and embedded in the organisation. The 2016/17 Annual Audit Report, issued by the Council's external auditors, Ernst & Young, in November 2017, did not include any findings of anticipated risks occurring. This is further demonstrated by the decision to change the frequency of Internal Audit reviews from annually to biennially, due to the consistent high level of assurance achieved over the last five years.

2. Recommended Decision

- 2.1 Note the Council's progress and performance in managing risk during the period April 2017 to March 2018.
- 2.2 Consider and comment on the current strategic risk register.
- 2.3 Approve the proposed risk management strategy for 2018/19 and recommend to full Council that it be included in the Council's Policy Framework.

3. Reason for Recommended Decision

- 3.1 Cabinet has overall ownership of the risk management process and is responsible for endorsing its strategic direction. Therefore the risk management strategy states that Cabinet should receive an annual report on progress and should formally agree any amendments to the strategy itself.
- 3.2 During the year progress reports are presented to the Governance & Audit Committee, detailing work undertaken and current issues. This report was presented to the Governance & Audit Committee on 04 September 2018, where they approved its referral to this meeting.
- 3.3 The Risk Management Strategy is one of the key corporate governance documents that supports the Constitution of the Council, and forms part of the Policy Framework. Accordingly any amendments have to be approved by Full Council.

4. Alternative Options

- 4.1 There are no alternative options to consider

5. Background Information

- 5.1 The aim of the Council is to adopt best practice in the identification, evaluation, cost-effective control and monitoring of risks across all processes, to ensure that risks are properly considered and reduced as far as practicable.
- 5.2 In broad terms risks are split into three categories:
 - Strategic – those risks relating to the long term goals of the Council
 - Operational – risks related to the day-to-day operation of each individual service
 - Project – the delivery risks of specific initiatives.
- 5.3 Identified risks, in all three categories, are judged against levels of probability and impact to give them an overall score. This allows the risks to be shown as 'high, medium or low' which enables a prioritised action plan to be set for managing risks. A high score does not mean that a risk has, or will definitely, occur.
- 5.4 In many cases the causes of risks are outside of the Council's control, such as general economic issues. The Council cannot stop these risks from occurring (the probability score) but can put plans in place to mitigate against their effect if they occur (the impact score). Likewise there are occasions that risks can be reduced with preventative actions but there is not much that can be done to mitigate their effect if they do occur, such as a failure to protect public resources. Therefore some risks will tend to maintain the same score, regardless of the controls that the Council puts in place.

6 Work undertaken during the period

- 6.1 Work has continued with Colchester Commercial (Holdings) Ltd to ensure that the insurance and risk frameworks for the new trading companies adequately mitigate commercial risks as well as standard organisational ones.
- 6.2 There has been further work undertaken to review the security arrangements for public civic events. The Strategic Governance and Corporate Governance Managers have been working with Essex Police and the Garrison to ensure appropriate arrangements for security are in place.

- 6.3 The Health & Safety Officer has been reviewing physical risks with Colchester Borough Homes to ensure that appropriate fire safety precautions are in place.
- 6.4 New equipment has been purchased to provide better support for lone workers, outside of the office. This provides a solution for monitoring visits and raising alerts.
- 6.5 Support continues to be provided, reviewing the risk elements of event plans, to both the Colchester, and the Community Stadium, Safety Advisory Groups.
- 6.6 The risk registers for the Joint Museum Service and the North Essex Parking Partnership both continue to be produced and reported to the joint committees.

7 Strategic Risk Register

- 7.1 During 2017/18 the strategic risk register was reviewed by the senior management team every quarter and reported to the Governance & Audit Committee every six months. The current register is shown at appendix 1. These risks have been mapped onto a risk chart as shown at appendix 2.
- 7.2 The Corporate Governance Manager reviewed the strategic risks with each member of the Senior Management Team in March 2018, and in July 2018 the Performance Management Board (PMB) comprehensively reviewed the register to ensure that the identified risks were still appropriate.

8. Risk Management Strategy for 2018/19

- 8.1 The Council's current approach to managing risk was introduced in 2006/07. A requirement within the strategy, and also of the annual audit assessment, is to review the approach each year to ensure that it is still appropriate to the Council's needs.
- 8.2 Therefore a review has been undertaken and the strategy has been updated for 2018/19. The revised strategy is attached at appendix 3. There are no fundamental changes proposed to the risk process, with amendments only to external review comments and the updating of external guidance references.

9. Equality, Diversity and Human Rights implications

- 9.1 There are no equality, diversity or Human Rights implications as a result of this report.

10. Strategic Plan References

- 10.1 The strategic risk register reflects the objectives of the strategic plan and the actions have been set with due regard to the identified key strategic risks. Therefore the risk process supports the achievement of the strategic objectives.

11. Risk Management Implications

- 11.1 The failure to adequately identify and manage risks may have an effect on the ability of the Council to achieve its objectives and operate effectively.

12. Other Standard References

- 12.1 There are no particular references to consultation or publicity considerations or financial; community safety or health and safety implications.

Appendices

Appendix 1 – The strategic risk register

Appendix 2 – Strategic risk register score matrix

Appendix 3 – Risk Management Strategy for 2018/19

Colchester Borough Council – Corporate Strategic Risk Register
July 2018 – October 2018

1. AMBITION											
Specific Risks		SCORE						Consequences	Actions	Owner	
		Current			Previous						
		P	I	O	P	I	O				
1a	In a period of public sector resource reductions the ability to have ambition and to deliver on that ambition.	3	2	6				Major changes needed to the town would not be delivered thus affecting the quality of life of its residents and businesses.	Ensure the KPI and SPAP reporting processes are effectively used to inform senior management and politicians about the performance and direction of the organisation.	Assistant Director Policy and Corporate	October 2018
1b	Unrealistic internal and external expectations on the speed of delivery.	3	3	9				Major downturn in public sector resourcing over the next few years will hamper the speed of delivery across the services provided.	Ensure that the organisation has a clear strategy for working effectively with businesses in the borough, to develop the economy.	Strategic Director of Policy and Place	October 2018
1c	The Council is unable to effectively influence changes in the Borough economy.	3	4	12				Poorer external assessments by independent agencies and loss of Council reputation.			
1d	Over reliance on a limited number of people limits ability to deliver our ambition.	3	3	9				The Borough Council loses its status and influencing ability at sub-regional, regional and national levels.	Manage the recruitment and development processes to ensure that the organisation has the appropriate skills and expertise.	Chief Executive	October 2018

P - Probability I – Impact O – Overall score

Page 1 of 9

July 2018

Low = 1 – 4 Medium = 5 – 9 High = 10 – 25

2. CUSTOMERS											
Specific Risks		SCORE						Consequences	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
2a	The expectations of our customers, set alongside the financial constraints will create challenges to service delivery, our channel shift ambitions and the reputation of the authority.	3	4	12	4	3	12	The Authority fails to deliver the standards of service and delivery which our customers expect, especially in relation to self-service and the reliance on technology capabilities.	Monitor the engagement and consultation processes, to ensure customers are able to inform service priorities and delivery, whilst managing their methods of interaction with the organisation. This will be evidenced by reporting the pattern of usage of the routes used by customers and savings achieved.	Strategic Director of Customer and Relationships	October 2018
2b	The expectation remains that the Council will step in to deliver services when other providers either fail or reduce service provision	3	3	9				The Council suffers from a loss of reputation as customers' expectations are not met. There is increased demand on existing services leading to a reduction in standards of delivery.	Ensure that Cabinet set a clear and consistent message about the role of CBC for customers and partners.	Strategic Director of Customer and Relationships	October 2018
2c	Impact of the implementation of Universal Credit in Colchester could lead to additional work for CBC to help customers apply for the new single benefit. There will be a transition period whereby residents move to the new application which could be difficult for some of our more vulnerable customers.	2	3	6	2	4	8	The Council fails to support our most vulnerable residents leading to an increase in crisis intervention.	Regularly monitor the impact of the resources allocated to the welfare reform project, to ensure that customers are supported with signposting to appropriate providers/partners.	Strategic Director of Customer and Relationships	October 2018

3. PEOPLE											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	o	P	I	O				
3a	Unable to compete with the private sector in the recruitment (and retention) of staff with key marketable skills	4	3	12				Decline in service performance Disengaged and demotivated staff Efficiency and productivity reduction Inability to meet changing requirements and needs Customer perceptions decline as we deliver less Loss of key staff	Clearly communicate job opportunities, and the benefits, of working at CBC, making use of alternative recruitment platforms, such as LinkedIn, where appropriate	Assistant Director Policy and Corporate	October 2018
3c	Staff motivation declines with an impact on service delivery, our capacity to make changes and implementation of budget efficiencies	3	4	12					Regularly review the range of services offered, including through the trading companies, to ensure CBC is well-placed to compete with the private sector in recruiting and retaining key posts.	Assistant Director Policy and Corporate	October 2018
									Monitor staff morale and trends using staff surveys and by monitoring the People Dashboard; and ensure good communications with staff, exploiting new technologies such as yammer. Implement the action plan for the People Strategy; ensuring that performance is regularly monitored.	Assistant Director Policy and Corporate	October 2018

3. PEOPLE											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	o	P	I	O				
									Regularly report the progress of the learning and development strategy, including financial considerations and business behaviours, and exploring training alternatives.	Assistant Director Policy and Corporate	October 2018
3e	There is an increase in challenging behaviour from customers, towards officers, when the Council cannot meet the customer's expectations. Alongside partners being unable to provide support or having incorrectly signposted the customer to the Council.	3	3	9				Officers suffer potential mental and physical issues as a result of confrontations. The ability to assist the customer is reduced. Service delivery declines	Ensure that the Health & Safety reporting process is used to record instances of violence and aggression, with regular reporting to senior management. Develop an on-line training tool for staff, for managing difficult situations. Liaise with partners, such as Police and health, about expectations for vulnerable customers. Both in terms of emergency response to issues and services that the Council can, and cannot, provide.	Strategic Director of Customer and Relationships	October 2018

4. HORIZON SCANNING											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	o	P	I	O				
4a	To continuously assess future challenges to ensure Council is fit for future purpose	2	4	8				If not properly managed then either the Council will lose the opportunity to develop further or will have enforced changes to service delivery. Adverse impact on local residents / resources. Missed opportunities to boost local economy. Conflict between Council / Government agendas. Reduction in levels of service provision and potential withdrawal of services.	Regularly monitor national trends and policy changes, ensure that CBC is represented on specialist network groups.	Strategic Director of Customer and Relationships	October 2018
4b	Not taking or creating opportunities to maximise the efficient delivery of services through shared provision, partnerships or commercial delivery	4	3	12					Identify and maintain skill set required to meet future challenges, maintain partnership relationships	Strategic Director of Policy and Place	October 2018
4c	Failure by the Council to spot / influence at an early stage the direction of Central Government policies / new legislation.	3	3	9					Ensure that responses are considered and provided for consultations. Utilise specialist officer knowledge and ensure CBC representation on relevant working groups.	Assistant Director Policy and Corporate	October 2018
4d	Potential impact of future central government decisions to reduce public funding, including that of our partners	5	4	20					Maintain a constant review of the budget situation, incl impact of decisions from central government. Identify additional actions and areas for spending as necessary.	Chief Operating Officer	October 2018
4e	The outcome of the referendum to leave the European Union is leading to a number of uncertainties. At the moment it is unclear how this will impact on the Council, our communities and businesses. However, it does raise a potential set of risks that will need to be monitored.	5	3	15					Continue to monitor the Government's announcements on the implications of the exit from the EU and to bring them to the attention of decision makers at the appropriate level	Strategic Director of Policy and Place	October 2018

5. PARTNERSHIPS											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
5a	Failure or inappropriate performance management of one or more strategic partnerships or key contracts E.g. Haven Gateway, LEP, Health, CBH, Emergency Services	4	4	16				The cost of service delivery is increased however quality decreases. Failure to deliver key priorities. Reputational and financial loss by the Authority. Failure to deliver expected outcomes through partnerships	Set an assessment process for proposed strategic partnerships (to ensure that they will satisfy the Council's objectives) that needs to be signed off by EMT before commitment to new partnerships is made.	Strategic Director of Customer and Relationships & Strategic Director of Policy and Place	October 2018
5b	Change of direction / policy within key partner organisations and they revise input / withdraw from projects.	4	3	12				Requirement to repay external funding granted to partnership – taking on the liabilities of the 'withdrawn' partner.	Set a formal relationship / performance review process to be used by all partnerships and ensure results are reported to senior management. Ensure that Exec Board and Leadership review partnerships on a regular basis. Embed Scrutiny Cttee process for key partnerships including CBH and the Safer Colchester Partnership.	Strategic Director of Customer and Relationships	October 2018
5c	Potential inability to agree shared outcomes/ agendas with partners and the Council's ability to influence partner's performance.	3	4	12				External assessment of the Councils partnerships are critical and score poorly.			
5d	Working across the partners for delivery of the garden communities project encounters delay. The partners - Colchester BC, Tendring DC, Braintree DC, Essex CC and/or the landowners fail to agree objectives and actions	4	4	16	2	4	8	The project fails to deliver its objectives leading to increased costs as there would be delays in local plan progress and loss of reputation, as well as the long term effect on ability to generate investment into the area and meet housing and employment needs.	There is a joint shadow delivery Board that allows the Authorities to co-ordinate their actions and resolve issues.	Strategic Director of Policy and Place	October 2018

6. ASSETS & RESOURCES											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
		Current			Previous						
		P	I	O	P	I	O				
6a	Failure to protect public funds and resources – ineffective probity / monitoring systems	3	4	12				Service delivery failure Financial and reputational loss by the Authority Personal liability of Officers and Members. Legal actions against the Council Loss of stakeholder confidence in the Borough Inability to sustain costs	Ensure the outcomes of the assurance systems that form the internal control environment, (including Internal Audit, Risk Management, Budget process, Corporate Governance and performance management) are appropriately reported so that issues and concerns are managed and variances are spotted at an early stage.	Chief Operating Officer	October 2018
6b	Risk that Asset Management is not fully linked to strategic priorities and not supported by appropriate resources	3	4	12				Failure to deliver a balanced budget as planned. A need to use balances / reserves or to adapt financial plans to deal with impact of changes.	Review the budget monitoring process to ensure it reflects the structure and co-ordinates finances across the whole Council not just individual service areas.	Chief Operating Officer	October 2018
								Required to use Reserves & Resources to fund capital priorities Severe impact on cash-flow leading to negative effect on performance targets	Ensure the continued development of the Revolving Investment Fund (RIF) and ensure that assets are used to their full commercial potential.	Strategic Director Policy and Place	October 2018

Continued.

6. ASSETS & RESOURCES											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
6c	Inability to deliver the budget strategy as planned.	3	4	12					Ensure effective use of the controls built into the annual budget strategy, to enable the organisation to respond quickly to changes. Include sensitivity analysis to consider the impact of potential changes to external funding/ income streams and the capacity of the organisation to deliver services. Consider income risks as part of budget strategy / budget plans.	Chief Operating Officer	Annual exercise. Council approves budget in Feb annually
6d	Failure to set aside sufficient capital funds for strategic priorities	3	4	12					Monitor the review processes for the medium term financial outlook, capital programme and HRA business plan processes, to ensure they are kept up to date and realistic.	Chief Operating Officer	October 2018
6e	Significant reliance on our ICT presents challenges in maintaining customer service in the event of service interruptions.	2	5	10					Ensure that the IT Disaster Recovery plan, and service plans, adequately reflect the organisation's requirements and provide an effective framework for maintaining service provision. Regularly review the IT development strategy to ensure it continues to support the organisations ambitions.	Assistant Director Policy and Corporate	October 2018

6. ASSETS & RESOURCES											
Specific Risks		SCORE						Consequence	Actions	Owner	Timing
6f	Increasing demands around information security create a risk in the event that security breaches occur	2	5	10					Review the IT security policies to ensure that they are fit for purpose and implement a training program for all staff.	Assistant Director Policy and Corporate	October 2018

SCORE DEFINITIONS	1 Very Low	2 Low	3 Medium	4 High	5 Very High
Impact	Insignificant effect on delivery of services or achievement of Strategic Vision & Corporate Objectives.	Minor interruption to service delivery or minimal effect on Corporate Objectives.	Moderate interruption to overall service delivery/effect on Corporate Objectives or failure of an individual service.	Major interruption to overall service delivery or severe effect on Corporate Objectives.	Inability to provide services or failure to meet Corporate Objectives
Probability	10% May happen – unlikely	10 -25% Possible	26 – 50% Could easily happen	51 – 75% Very likely to happen	Over 75% Consider as certain

Risks Removed

1e The resource implications, including ICT, staffing and financial, of the UCC FSR are greater than anticipated. Removed July 15.

1f The organisation fails to recognise the tensions between aspirations and statutory functions. Removed October 17

3b Failure to sustain adequate resource to support training and development because of the financial situation. Removed July 15.

3d Failure to provide effective and visible political and managerial leadership. Removed July 15

RISK MATRIX
Jul - Sep 2018

		Low Risks		Medium Risks		High Risks	
Probability of Occurrence	5 Very High			4e	4d		
	4 High			3a 5b	4b 5d	5a	
	3 Medium		1a	1b 2b 3e 4c	1d 4c	1c 2a 3c 6b 6c 6d	5c 6a
	2 Low			2c	4a	6e	6f
	1 Very Low						
		1 Very Low	2 Low	3 Medium	4 High	5 Very high	
Severity of Impact							

Removed Risks

1e The resource implications, including ICT, staffing and financial, of the UCC FSR are greater than anticipated. Re

3b Failure to sustain adequate resource to support training and development because of the financial situation. Ren



Risk Management Strategy 2018/19 DRAFT

RISK MANAGEMENT STRATEGY

This document outlines the Council's commitment to managing risk in an effective and appropriate manner. It is intended to be used as the framework for delivery of the Risk Management function and provides guidance on developing risk management as a routine process for all services.

INTRODUCTION

The Council undertakes that this strategy will ensure that:

1. The management of risk is linked to performance improvement and the achievement of the Council's strategic objectives.
2. Members and the Senior Management Team own, lead and support on risk management.
3. Ownership and accountability are clearly assigned for the management of risks throughout the Council.
4. There is a commitment to embedding risk management into the Council's culture and organisational processes at all levels including strategic, programme, project and operational
5. All members and officers acknowledge and embrace the importance of risk management as a process, by which key risks and opportunities are identified, evaluated, managed and contribute towards good corporate governance.
6. Effective monitoring and reporting mechanisms are in place to continuously review the Council's exposure to, and management of, risks and opportunities.
7. Best practice systems for managing risk are used throughout the Council, including mechanisms for monitoring and reviewing effectiveness against agreed standards and targets.
8. Accountability to stakeholders is fully demonstrated through periodic progress reports and an annual statement on the effectiveness of and the added value (benefits) from the Council's risk management strategy, framework and processes.
9. The Council's approach is regularly assessed by an external, independent body against other public sector organisations, national standards and Best Practice.
10. The Risk Management Strategy is reviewed and updated annually in line with the Council's developing needs and requirements.

Endorsement by Adrian Pritchard, Chief Executive

“Colchester Borough Council is committed to ensuring that risks to the effective delivery of its services and achievement of its overall objectives are properly and adequately controlled. It is recognised that effective management of risk will enable the Council to maximise its opportunities and enhance the value of services it provides to the community. Colchester Borough Council expects all officers and members to have due regard for risk when carrying out their duties.”

A handwritten signature in black ink that reads "A. R. Pritchard." The signature is fluid and cursive, with a long, sweeping underline that extends to the right.**WHAT IS RISK MANAGEMENT**

Risk Management is the control of business risks in a manner consistent with the principles of economy, efficiency and effectiveness. It is an essential performance management process to ensure that both the long and short term objectives of the Council are achieved and that opportunities are fully maximised.

Risk Management is not about eliminating risk, as this would limit the ability of the organisation to develop and deliver its ambitions. Its purpose is to recognise the issues that could effect the achievement of objectives and develop actions to control or reduce those risks. Acknowledgement of potential problems and preparing for them is an essential element to successfully delivering any service or project. Good management of risk will enable the Council to rapidly respond to change and develop innovative responses to challenges and opportunities.

The ‘Delivering Good Governance in Local Government’ 2016 framework, jointly issued by The Chartered Institute of Public Finance & Accountancy and the Society of Local Authority Chief states that there are seven core principles of good governance including ‘Managing risks and performance through robust internal control and strong public financial management’. The document goes on to state ‘Local government needs to ensure that the organisations and governance structures that it oversees have implemented, and can sustain, an effective performance management system that facilitates effective and efficient delivery of planned services. Risk management and internal control are important and integral parts of a performance management system and are crucial to the achievement of outcomes. Risk should be considered and addressed as part of all decision making activities.’

BACKGROUND

A process for managing risks was first adopted by the Council in 2003 and since then has been developed to ensure that it continues to be an effective management system. This strategy defines Colchester Borough Council's definition of risk and the processes to be followed.

In broad terms risks are split into three categories:

- Strategic – those risks relating to the long term goals of the Council
- Operational – risks related to the day-to-day operation of each individual service
- Project – consideration of the risks occurring as a result of the Council's involvement in specific initiatives

The following are some of the practical ways that risks are managed and how effectiveness is measured:

- Creation of an overall strategic register.
- Creation of operational risk registers for all service areas.
- Consideration of risk in Committee reports.
- Development of a comprehensive risk register for the project management programme and consideration of risk as a project management tool.
- Successful internal and external assessment.
- Provision of advice to other authorities regarding our management of risk.

This has led to a practical and workable approach to managing risk and has resulted in the Council becoming more risk aware and actually taking more risks, as demonstrated by the comprehensive project risk register. Colchester is also highly regarded for managing risk by both our insurers and other authorities.

The 2016/17 internal audit of risk management gave a substantial assurance opinion. Three recommendations were raised during the audit relating to the update and reviewing of operational risk registers.

OWNERSHIP

The responsibility to manage risk rests with every member and officer of the Council however it is essential that there is a clearly defined structure for the co-ordination and review of risk information and ownership of the process.

Appendix 3 is from the CIPFA/SOLACE risk management guide, Chance or Choice. It is a generic map of responsibility for each part of the risk management process.

The following defines the responsibility for the risk management process at Colchester:

Cabinet – Overall ownership of the risk management process and endorsement of the strategic direction of risk management.

Portfolio Holder for Resources – Lead Member for the risk management process

Governance and Audit Committee – Responsible for reviewing the effectiveness of the risk management process and reporting critical items to Cabinet as necessary.

Performance Management Board (PMB) – Ownership of the strategic risks and overview of the operational risks. Actively support the Risk Management Strategy and framework.

Chief Operating Officer – Lead officer for the risk management process, demonstrating commitment to manage risk.

Assistant Director Policy & Corporate – Responsible for co-ordination of the risk management process, co-ordinating and preparing reports and providing advice and support.

All Assistant Directors – Ownership, control and reporting of their service's operational risks. Contribute to the development of a risk management culture in their teams.

All Employees – To understand and to take ownership of the need to identify, assess, and help manage risk in their individual areas of responsibility. Bringing to the management's attention at the earliest opportunity details of any emerging risks that may adversely impact on service delivery.

Internal Audit, External Audit and other Review Bodies – Annual review and report on the Council's arrangements for managing risk throughout the Council, having regard to statutory requirements and best practice. Assurance on the effectiveness of risk management and the control environment.

AIMS & OBJECTIVES

The aim of the Council is to adopt best practices in the identification, evaluation, cost-effective control and monitoring of risks across all processes to ensure that risks are properly considered and reduced as far as practicable.

The risk management objectives of Colchester Borough Council are to:

- Integrate risk management into the culture of the Council
- Ensure that there are strong and identifiable links between managing risk and all other management and performance processes.
- Manage risk in accordance with best practice
- Anticipate and respond to changing social, environmental and legislative requirements
- Prevent injury, damage and losses and reduce the cost of risk
- Raise awareness of the need for risk management by all those connected with the Council's delivery of services.
- Ensure that opportunities are properly maximised through the control of risk.
- Reduce duplication between services in managing overlapping risks and promote 'best practise'.

STRATEGIC RISK MANAGEMENT

Strategic risks are essentially those that threaten the long term goals of the Council and therefore are mainly based around meeting the objectives of the Strategic Plan. They may also represent developing issues that have the potential to fundamentally effect service provision, such as proposals to dramatically change the corporate assessment process.

Strategic risks will be controlled using a register that will detail the risks and associated controls. The register will be owned by the Senior Management Team, with ownership for risks being assigned to individual officers, and will be reviewed every quarter. The strategic risks will be reported to the Governance & Audit Committee at least twice a year.

OPERATIONAL RISK MANAGEMENT

Operational risks are those that threaten the routine service delivery of the Council. Each service area will have their own operational risk register that details the risks associated with providing the service. These registers will be reported, in summary format, to the Senior Management Team and committee on an annual basis. High risks and the success in controlling them will be reported to Senior Management Team on a quarterly basis, as these will help in the formulation of the strategic risk register.

LINKS

It is essential that risk management does not operate in isolation to other management processes. To fully embed a risk management culture it has to be demonstrated that risk is considered and influences all decisions that the Council makes. It is essential that there is a defined link between the results of managing risk and the following:

- The Strategic Plan
- Service Plans
- Revenue and Capital Budgets
- Annual Internal Audit Plan

ACTION REQUIRED

The following actions will be implemented to achieve the objectives set out above:

- Considering risk management as part of the Council's strategic planning and corporate governance arrangements.
- Ensuring that the responsibility for risk management is clearly and appropriately allocated
- Maintaining documented procedures for managing risk
- Maintaining a corporate approach to identify and prioritise key services and key risks across the Council and assess risks on key projects.
- Maintain a corporate mechanism to evaluate these key risks and determine if they are being adequately managed and financed.
- Establish a procedure for ensuring that there is a cohesive approach to linking the risks to other management processes
- Including risk management considerations in all committee reports
- Providing risk management awareness training to both members and officers.
- Developing risk management performance indicators.
- Establishing a reporting system which will provide assurance on how well the Council is managing its key risks and ensures that the appropriate Members and officers are fully briefed on risk issues.
- Preparing contingency plans in areas where there is a potential for an occurrence to have a significant effect on the Council and its business capability.
- Regularly reviewing the risk process to ensure that it complies with current national Governance Standards and Best Practice.
- Developing risk management links with key partners and contractors, to ensure that principles are adopted in all areas of service delivery.

REVIEW

To ensure that the risk management process is effective it will need to be measured and reported to P.M.B., Governance & Audit Committee and Cabinet. As well as a structured reporting process of risks and controls during the year there will need to be an annual review demonstrating the success of the following:

- The inclusion of risk management principles within Service Plans and budgets.
- The development of the Internal Audit plan based on the risk issues.
- Achievement against identified performance indicators.
- Members consistently ensuring managing risk is considered as part of the decision making processes within the Council.
- Service managers making recommendations that regard risk as an opportunity as well as a threat.
- Risk management principles being considered in service reviews, for example in areas such as options for change and service improvements.
- Changes in risk being independently identified and assessed by Service Managers
- Compliance with the use of resources criteria and self assessment requirements.

Suitable opportunities to benchmark the risk management service against other organisations should also be explored to ensure that it is effective and the work carried out by the Council conforms to best practise.

The three appendices attached give greater detail of key issues:

Appendix 1 – Outline of the risk management process

Appendix 2 – Details of how Risk Management will be reported.

Appendix 3 – CIPFA guidance on Risk Management Responsibilities

APPENDIX 1

The Risk Management Process

Risk Management is a continual process of identifying risks, evaluating their potential consequences and determining the most effective methods of controlling them and / or responding to them. The risks faced by the Council are constantly changing and the continual process of monitoring risks should ensure that we can respond to the new challenges. This process is referred to as the risk management cycle.

Stage 1 – Risk Identification

Identifying and understanding the hazards and risks facing the council is crucial if informed decisions are to be made about policies or service delivery methods. There is detailed guidance available on how to identify risks which includes team sessions and individual knowledge. Once identified a risk should be reported to the Head of Service who will consider its inclusion on the relevant risk register. If the risk is identified in between register reviews then it is reported to the Risk & Resilience Manager for information and the Head of Service is responsible for managing the risk.

Stage 2 – Risk Analysis

Once risks have been identified they need to be systematically and accurately assessed. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to it.

Stage 3 – Risk Control

Risk control is the process of taking action to minimise the likelihood of the risk event occurring and / or reducing the severity of the consequences should it occur.

Stage 4 – Risk Monitoring

The risk management process does not finish with the risk control procedures in place. Their effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of the risk has changed over time.

APPENDIX 2

Reporting

No matter how good the process to identify and control risks is, it will not be effective unless the information gained from it is reported and used to influence other management issues / processes. Therefore it is essential that there is a defined process and timetable for reporting the results of the risk management process to both members and officers.

Types of Report

- The strategic risk register is reviewed a minimum of twice yearly by P.M.B., with interim reports quarterly as required.
- Six monthly review of the operational risk registers and a summary report of these reviews to P.M.B.
- A six monthly report is provided to Committee (Governance and Audit) detailing the current strategic and high level operational risks and the progress made in controlling them.
- An annual report reviewing Risk Management activity and an action plan for the coming year – taking into account changes in methodology and results of internal and external reviews. Going to P.M.B., Governance & Audit and Cabinet. This needs to cover all of the three areas of risk
- Ad-hoc reports need to be provided to P.M.B. when new, significant risk issues arise.

The reports can be summarised as follows:

	Services	P.M.B.	Governance & Audit	Cabinet
Quarterly		Review of strategic risk register		
6 Monthly	Review of operational risk register	Summary of operational review from services	Progress report of strategic & high level operational risks	
Yearly		Scrutiny of annual progress report to cttee on R.M.	Endorsement of annual progress report on R.M.	Summary of past years work on R.M.

Appendix 3

Risk Management Responsibilities – CIPFA / SOLACE Guidance

	Framework, Strategy and Process	Identifying risk	Analysing Risk	Profiling risk	Prioritising action based on risk appetite	Determining action on risk	Controlling risk	Monitoring & Reporting	Reporting to external stakeholders.
Members	Agreeing the Framework, Strategy and Process Determined by Officers	Identifying risk	Analysing Risk	Profiling Risk	Determining the risk appetite and prioritising risk. Agreeing the priorities determined by officers			Reviewing the effectiveness of the risk management process.	Reporting to external stakeholders on the framework, strategy, process and effectiveness .
Risk Management Team	Providing advice And support to the executive Management Team and Members	Providing advice and support.	Providing Advice and support	Providing advice and support	Providing advice and support			Co-ordinating the results for reporting to the corporate management team and members	
Senior Management Team	Determining the framework, Strategy and Process	Identifying strategic and cross-cutting issues	Analysing Strategic and cross-cutting issues.	Profiling strategic and cross-cutting issues.	Determining the risk appetite and prioritising strategic and cross-cutting issues	Determining action on strategic and cross-cutting issues. Delegating responsibility for control.		Monitoring progress on managing strategic and cross-cutting risks and reviewing the implementation of the risk management framework, strategy and process. Reporting to members.	Reporting to external stakeholders on the framework, strategy, process and effectiveness.
Assistant Director Policy & Corporate	Providing Advice and Support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Providing advice and support	Co-ordinating the results for reporting to the executive management team and members	Preparing draft reports for the corporate management team and members to issue.
Service Managers / G.M.T's		Identifying service Risks	Analysing Service risks.	Profiling service risks.	Prioritising action on service risks.	Determining action on service risks. Delegating responsibility for control.		Monitoring progress on managing service risks. Reporting to the group management team	
Employees, contractors And partners		Maintaining awareness of risks and feeding these into the formal process.	Maintaining awareness impact of risks and feeding information into the processes				Controlling risk in their jobs.	Monitoring progress on Managing job related risks Reporting to the service manager.	

