

COLCHESTER BOROUGH COUNCIL

Council Meeting

18 July 2018, 6.00pm

Supplementary Information

Apologies: None received

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

3. Minutes

A... Motion that the minutes of the meeting held on 23 May 2018 be confirmed as a correct record (see page 9 of the Council Summons).

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

None

7. Recommendations of the Cabinet, Panels and Committees

To consider the following recommendations:-

(i) Review of Meetings and Ways of Working – Digital Agendas Update

B... Motion that the recommendation contained in draft minute 116 of the Governance and Audit Committee meeting of 10 July 2018 be approved and adopted (see page 4)

(ii) Annual Scrutiny Report 2017-18

C... Motion that the recommendation contained in draft minute 171 of the Scrutiny Panel meeting of 17 July 2018 be approved and adopted (see page 6)

(iii) Mandatory Member Development

D... Motion that the recommendation contained in draft minute 5 of the Member Development Group meeting of 10 July 2018 be approved and adopted (see page 7).

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

Modern Slavery and Procurement

Proposer: Cllr Liddy

E.... 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.

The suspension of Council Procedure Rule 11(2) will be moved to enable Council to debate and determine the motion.

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

No pre notified questions received

10. Renaming the Policy Review Panel

F... Motion that the decision contained in the report by the Assistant Director, Policy and Corporate be approved and adopted (see page 13 of the Council Summons)

11. Schedules of Decisions taken by Portfolio Holders

To note schedules covering the period 6 February 2018 – 29 June 2018 (see page 15 of the Council Summons).

12. Urgent items

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

14. Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 motion 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).

Extract from the minutes of the Governance and Audit Committee meeting of 10 July 2018

116. Review of Meetings and Ways of Working – Digital Agendas Update

Richard Clifford, Democratic Services Officer, introduced the Review of Meetings and Ways of Working report. The report requests that the Committee note the progress on the use of digital agendas in Committee meetings as well as the cost of improving presentation facilities in the Grand Jury Room and Council Chamber. The report also requests that the Committee consider recommending to Council that where appropriate facilities exist, meetings are conducted using digital technology to access agendas and that Council assess the implications of using digital technology in the Council Chamber. This includes considering whether the facilities in the Chamber should be improved to provide power sockets and USB ports.

Richard Clifford explained that this report forms part of the Review of Meetings and Ways of Working project that started in 2016. This report provides an update on the progress of the digital agendas trial, which was conducted at the end of the previous municipal year and suggests the next steps for increasing the use of digital technology in Committee meetings.

It was highlighted that to date the Governance and Audit Committee had held four digital meetings, and the Scrutiny Panel had held a total of six. In addition, since the new municipal year the Cabinet, Policy Review Panel and Revolving Investment Fund Committee have all conducted meetings using digital technology to access agendas. No significant difficulties had been experienced and the meetings had all concluded successfully. Prior to the trial commencing Councillors were invited to attend a training session on how to access digital agendas through their devices. Since then training has continued on an individual basis as and when required.

Committee members were informed that during the trial Councillors were generally happy to use their own personal devices to access agendas. Any Councillor who did not have access to suitable device and was a member of a Committee that was part of a trial, was loaned the necessary equipment. In total five devices were provided to Councillors and it is anticipated that, if digital devices were deemed the default method for accessing agendas for all Committees, a further ten more devices would be required.

It was highlighted stated that whilst a power solution has been provided for the Grand Jury Room, more significant work would be required for the Council Chamber as the provision of "power towers" would not be viable in the Chamber. Investigations have taken place on how best to provide a solution, it is estimated that it would cost £12.5k and it would take approximately four weeks for the work to be completed.

The Committee welcomed the digital agenda update report and agreed with the move towards using digital technology to access agendas in meetings. Whilst there is a learning process for using digital agendas it reduces the cost of printing at a time when the budget is also being reduced and prevents the waste of paper. Members noted the success of the trial as well as the fact that other authorities also use digital agendas.

A member of the Committee highlighted the need to ensure that Councillors and visitors all use the most up to date agenda pack particularly when urgent items are added to the agenda, as this can change the page numbers for those in attendance. Richard Clifford confirmed that going forward, Democratic Services Officers would ensure visitors were provided with the most up to

date digital agenda pack. With regard to Councillors the MyCMIS application provides an automatic update facility ensuring that the latest version of the agenda has been downloaded.

The Committee also discussed the difficulty in using devices in the Council Chamber due to the design of the desks and space available. Members agreed that, whilst Councillors should aim to bring a charged device, the installation of power sources in the Council Chamber would be beneficial. It was suggested that prior to any investment in power sockets, a wider review of the Council Chamber for digital agendas be conducted. This should also look at accessibility issues as well as issues relating to the suitability of the room for the use of digital agendas. Whilst this may increase the cost it was felt necessary as the current set up is not particularly comfortable when using digital technology. A full review of the Council Chamber could also look at electronic voting and look at other possible improvements, providing a range of options to be considered by Members. Investigation would be made to see whether the current desks in the Council Chamber could be opened to assist with using digital devices.

A Committee member raised a query as to whether using digital agendas across all Committees would provide savings due to a reduction in delivery costs. Richard Clifford confirmed that the current delivery system is provided as part of the hall keeping team and is currently included as part of the running costs for that team. Further research would be required to assess the cost of this service and the possible saving that might be achieved.

Further queries were raised with regard to whether there were safe locations to leave devices at the Town Hall and whether personal devices would be covered by the Council's insurance if damaged or stolen on Council property. Richard Clifford stated that further information on both of these issues could be provided to Committee members following discussions with the relevant Officers.

With regard to the improvement of presentation facilities in the Grand Jury Room and Council Chamber, a member of the Committee questioned whether projectors would be suitable, as an alternative to televisions. In response Richard Clifford stated that projectors would not be as flexible or reliable as using televisions.

In response to a question regarding the current printing budget and cost of devices, Richard Clifford informed the Committee that the budget for this financial year is £4,800, reduced from £15,000 in the previous year. The increased use in digital agendas for Committee meetings has already seen a significant reduction in printing budget costs. With regard to the cost of devices, the ten estimated devices would cost between £3k and £4k. These devices are provided on a loan basis and once returned they would be wiped and redistributed.

RESOLVED that;

- a) That the progress on the use of digital agendas in Committee meetings be noted.
- b) To RECOMMEND to Council that where appropriate facilities exist, meetings are conducted using digital technology to access agendas.
- c) To RECOMMEND that Council assess the implications of using digital technology to access agendas in the Council Chamber and that a review of the facilities in the Council Chamber, including their accessibility and their suitability for the use of digital agendas, should be undertaken.
- d) The cost of improving presentation facilities in the Grand Jury Room and Council Chamber be noted.

Extract from the minutes of the Scrutiny Panel meeting on 17 July 2018

171. Annual Scrutiny Report

Jonathan Baker, Democratic Services Officer, introduced the Annual Scrutiny Report. The report requests that the Panel consider and comment on the draft Annual Scrutiny Report and recommend the report to Council for approval on 18 July 2018.

Jonathan Baker explained that the report contains a summary of the work undertaken by the Scrutiny Panel during the 2017/18 municipal year, this includes prominent reviews and pre-decision Scrutiny.

Following discussions at the Scrutiny Panel Chairman's Briefing, Jonathan Baker informed the Panel of an amendment to a paragraph within the Annual report. The paragraph has been altered to strengthen the wording relating to governance procedures within the Council. Panel members agreed with the amendment and the Annual Scrutiny Report.

RESOLVED;

- a) That the third paragraph in the section entitled "Scrutiny Panel in 2017/18" be amended to read;
The low level of call-ins and matters of urgency on Scrutiny Panel agendas suggest that the governance arrangements within the Council are working effectively.
- b) That the Panel considered and commented on the draft Annual Scrutiny Report.
- c) To RECOMMEND to COUNCIL that the Annual Scrutiny Report 2017-18 be noted.

Extract from the minutes of the Member Development Group Meeting on 10 July 2018

5. Mandatory Member Development

The Group considered the minute from Full Council on 21 February 2018. Council had considered the proposals on mandatory member development made by the Member Development Group and endorsed by Cabinet. Council had asked that the Member Development Group look again at the timescales within which mandatory development be completed and refer the issue back to Council again.

The Group reiterated its support for the principle that training on safeguarding, equality and diversity and data protection be mandatory for all Councillors, and also that all new chairs undertake chairing skills training, unless they had extensive experience of chairing meetings in a local authority environment. The Group also noted that the views of the Independent Remuneration Panel had been sought on the principle of withholding payment of the relevant allowances should mandatory training not be undertaken and had supported the principle, subject to the inclusion of a safeguard to prevent hardship.

After considering the matter afresh, and In light of the comments made in the debate at Full Council, the Group considered that a period of three months from election, was a fair and practical period for the completion of mandatory training on these issues. This would give the opportunity for the training to be offered on more than one occasion to give members ample opportunity to complete it. It was suggested that there may be some benefit in offering a whole day training following the 2019 elections. However the precise details of the delivery of the training would be for the Group to agree nearer the time.

The Group were also of the view that if members had undertaken similar training at Essex County Council or at another relevant public body such as Colchester Borough Homes, this would satisfy the requirement and there would be no need to repeat the training.

In respect of the current municipal year, the Group considered that the required training should be completed by 31 October 2018. This would give a further opportunity for the training to be repeated at least once and to give members a further chance to attend. The Group also asked that if the proposals were agreed, that the Group Leaders be provided with information about attendance at the session in May 2018 so they were clear who still needed to complete the training.

It was noted that Council had asked that the recommendation be referred back to them once again the Member Development Group had considered the issue of timescales. Therefore it was *RECOMMENDED to COUNCIL* that:-

- (a) Training on Safeguarding, Equality and Diversity and Data Protection be completed by all Councillors by 31 October 2018.
- (b) All new Councillors elected post May 2018 to undertake Safeguarding, Equality and Diversity and Data Protection training within three months of election.

(c) Training in Chairing Skills for all Chairs newly elected to the Council's Committees and Panels from May 2018 to be mandatory, unless the Monitoring Officer considers that the relevant Councillor has extensive experience of chairing meetings in a local authority environment.

(d) For those Chairs newly elected in the 2018-19 municipal year all such training to be completed by 31 October 2018, and in future years such training to be completed within three months of election as Chair.

(e) Where a Councillor has undertaken training of a similar nature at another local authority or relevant public body, then these requirements will not apply.

(f) The Members Allowances Scheme be amended by the inclusion of an additional paragraph as set out below:-

7. *Mandatory Member Development - Withholding of Allowances*

Where the Council specifies that training and development on a particular subject is mandatory for all Councillors or specified groups of Councillors, should that training and development not be undertaken the payment of the relevant Councillors allowances, including any Special Responsibility Allowance, shall be withheld until the Councillor has undertaken the required training and development.

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.

Note: A copy of the minute from Council on 21 February 2018 is attached for reference.

Extract from the minutes of the Council meeting on 21 February 2018

Mandatory Member Development

It was proposed by Councillor Cory, Portfolio Holder for Resources, that the recommendation contained in draft minute 239 of the Cabinet meeting of 31 January 2018 and the recommendations contained in the report by the Assistant Director Policy and Corporate entitled "Mandatory Member Development – consultation with the Independent Remuneration Panel" be approved and adopted.

Following the debate, Councillor Cory, Portfolio Holder, Portfolio Holder for Resources, indicated that he would alter the motion so that the recommendation from the Member Development Group be approved subject to the amendments incorporated below and to the recommendation being submitted to Council again once the all party Member Development Group had given further consideration to the period within which mandatory training should be completed.

- (a) Training on Safeguarding, Equality and Diversity and Data Protection be made mandatory for all Councillors from May 2018.
- (b) All such training to be completed within a period to be defined by the all party Member Development Group.
- (c) All new Councillors elected post May 2018 to undertake Safeguarding, Equality and Diversity and Data Protection training within a period to be defined by the all party Member Development Group.
- (d) Training in Chairing Skills for all Chairs newly elected to the Council's Committees and Panels from May 2018 to be mandatory, unless the Monitoring Officer considers that the relevant Councillor had extensive experience of chairing meetings in a local authority environment.
- (e) All such training to be completed within three months of election as Chair.
- (f) The views on the Independent Remuneration Panel be sought on the principle of withholding payment of relevant allowances should relevant mandatory training not be undertaken.

The motion was then put to the vote and was carried (majority voted for).