

Council Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ
Thursday, 07 December 2017 at 18:00**

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

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

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

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Access

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COLCHESTER BOROUGH COUNCIL
Council
Thursday, 07 December 2017 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 06/12/2017

You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Thursday, 07 December 2017 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)

A... Motion that the minutes of the meeting held on 1 November 2017 be confirmed as a correct record.

Minutes 01-11-17

11 - 26

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) Local Council Tax Support 2018/19 27 - 28

B... Motion that the recommendation contained in draft minute 220 of the Cabinet meeting on 22 November 2017 be approved and adopted.

7(ii) Officer Pay Policy Statement 2018/19 29 - 30

C... Motion that the recommendation contained in draft minute 221 of the Cabinet meeting on 22 November 2017 be approved and adopted.

7(iii) Nomination of Deputy Mayor 2018/19 31 - 32

D.... Motion that the recommendation contained in draft minute 224 of the Cabinet meeting of 22 November 2017 be approved and adopted.

8 Revised Committee Membership 33 - 34

E... Motion that Council agrees a change to the membership of the Licensing Committee which has been agreed between the Liberal Democrat and Conservative Groups.

9 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.)

9(i) Vineyard Gate

Proposer: Councillor Willetts

F... Council informs Cabinet of its disappointment that it has abandoned support for the Vineyard Gate project, which would have

completed the redevelopment of the town centre, and accordingly requests Cabinet to fully embrace the economic redevelopment opportunity of the Vineyard Gate area, consulting with the residents of Colchester on the opportunities available.

As the motion invites Council to express its view to Cabinet, the motion will be debated and determined by Council.

Main Amendment

Proposer: Councillor Smith

I move that the motion on Vineyard Gate be approved and adopted subject to:-

- The deletion of the words “disappointment that it has abandoned”;
- The insertion of the words “the new approach to ” between the words “for” and “the” ;
- The deletion of the words “have completed” and their replacement with the word “continue”;
- The deletion of the words “accordingly requests Cabinet” and their replacement with the words “understands that, in the view of recent decisions, a fresh look is required which may include residential, leisure, street scene and entertainment, in addition to retail development. It accordingly endorses the Cabinet’s position”
- The deletion of the word “of “and its replacement with the words “and relevant stakeholders and partners in”

If approved the amended motion would read as follows:-

Council informs Cabinet of its support for the new approach to the Vineyard Gate project, which would continue the redevelopment of the town centre, and understands that, in the view of recent decisions, a fresh look is required which may include residential, leisure, street scene and entertainment, in addition to retail development. It accordingly endorses the Cabinet’s position to fully embrace the economic redevelopment opportunity of the Vineyard Gate area, consulting with the residents and relevant stakeholders and partners in Colchester on the opportunities available.

9(ii) **Universal Credit**

Proposer: Councillor Bourne

G... In July 2018, the staged roll out of Universal Credit reaches Colchester. Universal Credit replaces individual payments for: Child Tax Credit, Housing Benefit, Income Support, income-based Job Seekers Allowance, income-related Employment and Support Allowance, Working Families Tax Credit.

This Council is aware of the escalating concerns surrounding implementation of Universal Credit for new claims and existing 'legacy' claimants. In recognising these worries this Council will:

- 1) continue building on the work with local agencies, such as the

Department of Work and Pensions, voluntary sector organisations, Colchester Borough Homes, Housing Associations, to prepare residents fully for July 2018 implementation and beyond for legacy claims.

2) encourage local private sector landlords to play their part in working cooperatively with tenants who are also Universal Credit claimants, to alleviate hardship and possible later eviction due to late rent payment caused by changes to Universal Credit payments.

3) use channels available to us to feedback on pre and post implementation of Universal Credit in order to mitigate any negative effects on Colchester claimants - especially through the District Councils' Network, Local Government Association and the MPs for the Borough of Colchester: Will Quince; Bernard Jenkin; and Priti Patel.

As the motion relates to a non-executive matter it will be debated and determined by Council.

9(iii) **Plastic Packaging**

Proposer: Councillor J. Scott-Boutell

H... This Council notes:

- That since introducing clear sacks for plastic recycling a decade ago, Colchester Borough Council has been able to collect and recycle a wide variety of plastic products.
- That there are still a number of types of plastic that cannot be easily collected and recycled such as polystyrene packaging, bubble wrap and plastic film. Some of these are particularly prevalent in food packaging, making it harder for residents to reduce and/or reuse them too.
- That much non-recyclable plastic is also non-biodegradable and is known to be a pollutant of our oceans with significant harmful effects on marine life.
- That the Government has proposed taking action both to reduce the amount of plastic entering the seas and the amount of waste generated by unnecessary and unrecyclable food packaging.

This Council resolves:

- To request that the Leader of the Council and the Portfolio Holder for Waste and Sustainability write to the Secretary of State for the Environment, Food and Rural Affairs and local MPs to support reductions in the amount of non-recyclable and non-biodegradable materials used in packaging.
- To encourage other Councils to take similar actions to show support for these causes.

As the motion relates to a non-executive matter it will be debated and determined by Council.

10 **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 T. Young, Portfolio Holder for Business and Culture

Public Health England have called for councils to tighten up planning regulations to help fight obesity. In particular, they have called for tougher regulation on A5 businesses (fast food takeaways), which have seen an 8% increase in openings in three years. The heaviest concentrations of fast food outlets were to be found in the most economically deprived areas and are also often clustered nearby to schools. Would the council review its planning policies to ensure they are well placed, as called for by Public Health England, to help fight obesity among the population and in particular young and/or lower income people?

(ii) Councillor Barber to Councillor Smith, Leader of the Council and Portfolio Holder for Strategy

Government guidelines on Local Plans recommend that councils lay out for their first 5 years specific details on planned infrastructure improvements, where this infrastructure will go and the sources of finance for it. Our emerging Local Plan does no such thing. Do you accept that you have once again failed to address resident concerns on not having infrastructure led development?

(iii) Councillor Laws to Councillor T. Young, Portfolio Holder for Business and Culture

In the light of the celebrity Janet Street Porter's public criticism of poor signage when looking for Firstsite, can the Borough Council review this area and with a broader approach to include other key destinations and historic sites of interest?

(iv) Councillor Laws to Councillor T. Young, Portfolio Holder for Business and Culture

Colchester's High Street lit with Christmas lights is dwarfed by the unlit Jumbo. Can we meet soon to discuss how we can get Jumbo lit up at night?

(v) Councillor Warnes to Councillor Lilley, Portfolio Holder for Public Safety and Licensing

Has the Portfolio Holder for Public Safety and Licensing any plans to introduce electric buses in Colchester Town Centre.

(vi) Councillor Warnes to Councillor Bourne, Portfolio Holder for Housing and Communities

A recent report by Savills states that in England nearly 100,000 new households a year are unable to afford to rent or buy in their local housing market. A proportion of those will be in the Colchester Borough. Given that it is becoming increasingly obvious that 'affordable housing' is no longer affordable, can the Portfolio Holder for Housing and Communities tell me if she has been in touch with Ministers asking them to release funds to allow us to once more start building Council Homes in Colchester.

11 Schedule of Portfolio Holder Decisions 35 - 40

Council is invited to note the Schedule of Portfolio Holder decisions taken in the period 13 October - 28 November 2017.

12 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.

13 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:

Local Council Tax Support 2018-19 - report to Cabinet 22 November 2017 41 - 62

Officer Pay Policy 2018-19 - report to Cabinet 22 November 2017 63 - 78

14 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, 01 November 2017

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 Nick Cope, Councillor Mark Cory, Councillor Robert Davidson, Councillor Beverly Davies, Councillor John Elliott, Councillor Andrew Ellis, Councillor Daniel Ellis, Councillor Annie Feltham, Councillor Vic Flores, Councillor Adam Fox, Councillor Martin Goss, Councillor Dominic Graham, Councillor Dave Harris, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Mike Hogg, Councillor Brian Jarvis, Councillor John Jowers, Councillor Darius Laws, Councillor Cyril Liddy, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, 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 Rosalind Scott, Councillor Jessica Scott-Boutell, Councillor Lesley Scott-Boutell, Councillor Paul Smith, Councillor Martyn Warnes, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

210 Prayers

The meeting was opened with prayers by the Mayor's Chaplain, the Reverend Hannah Cooper.

211 Apologies

Apologies were received from Councillor Coleman.

212 Minutes of the Previous Meeting

RESOLVED that the minutes of the meeting held on 26 July 2017 be confirmed as a correct record.

213 Have Your Say!

Mr Orton addressed Council pursuant to the provisions of Council Procedure Rule 6(5). He considered that it was unfair that Have Your Say! speakers were only allowed three minutes to address Council and this should be reviewed. He had previously addressed Council about the town centre and he remained concerned about the cleanliness of the town centre. Councillors seemed to lack commitment to deal with the issue. Whilst the Castle Park was well maintained, the rest of the town centre was poorly maintained and he highlighted particular issues with the public toilets. Councillors were invited to view photographs he had taken which demonstrated his concerns.

Councillor Lilley, Portfolio Holder for Public Safety and Licensing, highlighted that together with the Leader of the Council, he had undertaken a tour of the town centre with Mr Orton, where a number of issues had been raised. He would continue to maintain a dialogue with Mr Orton on this issue.

Sir Bob Russell, addressed Council pursuant to the provisions of Council Procedure Rule 6(5) to express his concern that the Town Hall clock was not showing the right time. This displayed a lack of civic pride. He sought an assurance that the clock would be corrected for Armistice Day and Remembrance Sunday, when the 2 minute silence was triggered by the Town Hall clock. It was therefore very important the clock was keeping the right time.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that the Town Hall clock was an old piece of machinery that required careful calibration. Engineers would be repairing the clock on the Friday before Armistice Day to ensure that it was keeping time correctly.

John Worland addressed Council pursuant to the provisions of Council Procedure Rule 6(5) to seek support for a memorial to victims of the Essex witch trials in the seventeenth century. Matthew Hopkins and John Stearne's campaign had caused terror throughout the east of England and led to over 300 prosecutions and 80 hangings for witchcraft. A number of other towns had memorials to the victims. Colchester had no memorial except for flowers which were laid at the Castle gates. He proposed a permanent plaque should be erected with the names of 33 victims who had been imprisoned in Colchester Castle. He was pleased to note that 12 Councillors had already indicated their support for the proposal.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, expressed his delight at the cross party support for the proposal. The plaque would need to reflect how intolerance could lead to persecution. Councillor T. Young, Portfolio Holder for Business and Culture, and Councillor Bourne, Portfolio Holder for Housing and Communities, would look at the proposal in more detail.

Victoria Weaver addressed Council pursuant to the provisions of Council Procedure Rule 6(5) and invited Council to consider the benefits of Colchester becoming a unitary

authority. It was open to any authority to submit a bid a proposal to become a unitary authority. It would be an improvement on the two tier system as it would allow Colchester to manage all relevant services, including education, transport and social services, and lead to a much more coordinated approach to service delivery.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, responded and emphasised his support for the concept of unitary authorities. It was a simpler structure for the public to understand. He hoped that the government would indicate that it would welcome and support a bid from local authorities to become unitary authorities.

Thomas Rowe addressed Council pursuant to the provisions of Council Procedure Rule 6(5). Whilst he was broadly sympathetic to the recent changes to waste policy he had concerns about its implementation. He had recently been contacted by an elderly resident in Mile End whose husband required weekly household waste collections due to incontinence. They had been given stickers to place on their rubbish sacks to ensure that they were collected, but these were consistently ignored. They had relied on friends and family to dispose of the sacks on their behalf. This had been reported on their behalf and he was currently awaiting a response. In addition last week he had left out three small sacks of household waste, one of which contained cat litter. The bag containing cat litter had been split and not been collected. It had been left with a note explaining it had not been collected as it was not household waste, which he believed was incorrect. He was advised by recycling staff that he should take it to the tip. Both incidents revealed a lack of understanding of the system by Council staff and he requested that the system and the training provided to officers be reviewed.

Councillor Scott-Boutell, Portfolio Holder for Waste and Sustainability, thanked Mr Rowe for bringing these matters to her attention and invited him to provide full details so that they could be looked into.

214 Mayor's Announcements

The Mayor invited Councillors to join him in the ceremonies commemorating Armistice Day on 11 November 2017 and Remembrance Day on 12 November 2017.

The Mayor announced the following events:-

- Choir concert, St Botolph's Church, 18 November 2017;
- Curry evening, Oak Tree Centre, 10 December 2017 ;
- A Christmas Carol reading by Anthony Roberts, Civic Suite, 23 December 2017.

The Deputy Mayor presented the Mayor with a plaque thanking the Mayor for attending the Town Crier Championships in May 2017.

215 2016/17 Year End Review of Risk Management

RESOLVED (UNANIMOUSLY) that the recommendation in minute 200 of the Cabinet meeting on 6 September 2017 be approved and adopted.

216 Review of the Council's Ethical Governance Policies

RESOLVED (UNANIMOUSLY) that the recommendation contained in minute 75 of the Governance and Audit Committee of 17 October 2017 be approved and adopted.

217 Health and Safety Policy 2017-18

RESOLVED (UNANIMOUSLY) that the recommendation contained in minute 76 of the Governance and Audit Committee of 17 October 2017 be approved and adopted.

218 Review of Local Code of Corporate Governance

RESOLVED (UNANIMOUSLY) that the recommendation contained in minute 78 of the Governance and Audit Committee of 17 October 2017 be approved and adopted.

219 RMT and Greater Anglia

Councillor Higgins (in respect of her membership of Fair Access Colchester) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

David Ling, Secretary of Colchester and District branch of the RMT, addressed Council pursuant to the provisions of Council Procedure Rule 6(5). The current dispute was about Abellio Greater Anglia's attempts to downgrade the role of the guard, so that they would be safety trained, rather than safety critical, as at present. This would be a dilution of the guard's safety role. They provided a range of functions around passenger safety as well as a customer service role, including helping disabled passengers. Demotion to safety trained would remove much of the current role, including train despatch. The RMT's view was that it required two members of staff to safely despatch a train. In other companies, the demotion of the role had been the first step towards driver operation only, which meant that the customer service function was also lost. Talks with the company had been progressing well, but in July attitudes had hardened, possibly due to political interference. This had prevented an agreement being reached, as had

happened in other parts of the country.

It was proposed by Councillor T. Young that:-

“This Council notes that;

- There is a dispute between RMT and Greater Anglia Trains
- Greater Anglia trains are owned by Abellio, who is jointly owned by the Dutch State Railway and the Japanese firm Mitsui
- The dispute centres around union concerns that Greater Anglia is extending Driver Only Operation on the franchise as a result of introducing new trains
- That RMT conductors have voted by 9-1 on a 90% turnout to take strike action and RMT drivers have also voted to take action.
- The RMT is concerned that Greater Anglia is removing the guarantee that there will continue to be a conductor on the services in question and also removing the Conductor’s role in ensuring the safe despatch of trains.
- That Abellio, when introducing new trains on their franchise in Scotland, were able to reach an agreement with RMT on this issue which resulted in retaining the guarantee of the conductor on the services in question and also the conductor’s role in ensuring the safe despatch of trains.

This Council believes;

- That if Abellio in Scotland can reach an agreement in Scotland with the RMT on safe train despatch and keeping the guarantee of the conductors on new trains then Abellio can reach the same agreement with RMT in Greater Anglia
- That such an agreement would assist in protection of service, safety, security and accessibility for Greater Anglia passengers, including those residents of the borough that regularly use Greater Anglia services.

This Council calls on;

- Greater Anglia to reach such an agreement as soon as possible
- The Government to allow and not block such an agreement.”

The motion was put to the vote and was approved and adopted (majority voted for).

220 Essex Univesity

Councillors Barlow (in respect of his employment by Queen Mary University of London to teach European Affairs) and Higgins (in respect of her spouse’s

employment by the University of Essex) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

It was proposed by Councillor Goss that:-

“This Council condemns the letter recently sent to the University of Essex by Chris Heaton-Harris MP requesting copies of the syllabuses and links to online lectures which relate to the teaching of European affairs with particular reference to Brexit. This Council fully supports the free thinking, radical and innovative culture the University of Essex encourages in all its employees and students.

Council requests that a copy of this motion be sent to the Prime Minister.”

The motion was put to the vote and was approved and adopted (majority voted for).

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

Questioner	Subject	Response
Pre-notified Questions		
Councillor Graham	<p>The recently introduced Public Space Protection Order (PSPO) which has been recently implemented across the Town Centre bans, among other things, being in possession of an open vessel of alcohol in a public place.</p> <p>It also prohibits “any person behaving in a manner that causes or is likely to cause intimidation, harassment, alarm, distress, nuisance or annoyance to any person.”</p>	<p>Councillor Lilley, Portfolio Holder for Public Safety and Licensing, explained that the PSPO had been aimed at making the town centre a safer place to live, work in and visit. It was an instrument that would allow the Council to deal with persistent issues of anti-social behaviour that the police no longer had the resources to deal with. The definition of anti-social behaviour that was used was taken from the Crime and Disorder Act 1998 and was used at the request of the police.</p>

	<p>If a person breaches the terms of the PSPO they will receive a fixed penalty notice of £100. There is no formal appeal process. If the fine is unpaid a summons to the Magistrates Court will follow.</p> <p>Please can you explain why the decision was taken to implement such a draconian policy without any debate, discussion or vote at Cabinet or Full Council?</p>	<p>The Council sought to engage with those accused of anti-social behaviour and fines would only be used as a last resort. There was an informal appeal process to officers.</p> <p>The Council already had a number of PSPOs in place. This PSPO had been subject to a more robust consultation process and had been considered at the Scrutiny Panel, when representatives of the Police, Colchester Borough Homes and homelessness charities had been in attendance. It had been open to any Councillor to attend the Scrutiny Panel meeting.</p>
<p>Councillor Graham</p>	<p>There have been rumours swirling about a new Changing Places facility to be installed in Colchester library. Please can the Portfolio Holder for Customers provide an update?</p>	<p>Councillor B. Oxford, Portfolio Holder for Customers, explained that the works on the Changing Places facility had begun on 9 October and it would be fully open on 13 November 2017. It was a good example of cooperation between Essex County Council, who were providing the funding, and Colchester Borough Council, who would maintain it. It would have hoisting equipment and room for two carers, and</p>

		would provide dignity for its users.
Councillor Goss	Can the Leader of the Council please provide an update on how discussions and planning with Essex County Council are progressing about new infrastructure for Colchester especially for North Station and North Colchester?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that discussions were being held covering the whole of the borough. Both Essex County Council and Colchester Borough Council wanted to improve infrastructure across the borough. It was anticipated that there would be an announcement relating to the Park and Ride service in December 2017.
Councillor Goss	Can the Portfolio Holder for Public Safety and Licensing advise me how to get funding for a full parking review on the Northern Approaches development which we visited together to look at the issues highlighted by residents	Councillor Lilley, Portfolio Holder for Public Safety and Licensing, explained that there was no simple solution to the parking issue for this development, which was badly designed. It had been hoped that some funding could be made available via the Local Highway Panel, but this had not proved possible. He would look at the issue again with the North Essex Parking Partnership and meet with ward councillors to see what could be done.
Verbal Questions		
Councillor Jarvis	Following the Leader of the Council's recent statement in the press, had the Council abandoned proactive attempts to secure	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy explained that the Tollgate appeal decision had had a

	<p>investment in Vineyard Gate? Would the Council look at a mixed use development in the future, and consult widely on possible options?</p>	<p>detrimental impact on the town centre. The Council was looking to improve Vineyard Gate and bring forward developments to enhance it. A large retail development was not likely in the foreseeable future. He thanked Cllr Jarvis for his constructive approach. The Portfolio Holder would be happy to involve him in ongoing discussions.</p>
<p>Councillor Fox</p>	<p>Can the Leader of the Council please provide an update on how discussions and planning with Essex County Council are progressing about new infrastructure for the south and east of Colchester? Had there been discussions with the MP about roads in south Colchester, particularly about a southern relief road?</p>	<p>Councillor Smith, Leader of the Council and Portfolio Holder for Strategy explained that the south and east of Colchester would not be left behind. Garden settlements would ensure a proper planned approach to infrastructure in future. He had not any meetings with the MP on issues relating to roads in south Colchester.</p>
<p>Councillor Harris</p>	<p>Would the Portfolio Holder update Council on the Make a Difference days run by Colchester Borough Homes and thank them on the Council's behalf.</p>	<p>Councillor Bourne, Portfolio Holder for Housing and Communities, explained that a Make A Difference day was where planned day of improvements were delivered in a small community. A small team of officer, ward councillors and some partner agencies would work together to improve the area. She would pass on Council's thanks.</p>

Councillor Harris	Would the Portfolio Holder provide an update to Council on the Street Weeks initiative and thank the organisers on Council's behalf?	Councillor Lilley, Portfolio Holder for Public Safety and Licensing, explained that this was a Community Safety Partnership initiative, based on areas with high crime rates. He would pass on Council's thanks.
Councillor Barber	Would the Portfolio Holder for Housing and Communities review processes with Colchester Borough Homes to ensure there was no repetition of the events in West Bergholt where their slow response had meant that tenants were not able to receive broadband via Virgin fibre?	Councillor Bourne, Portfolio Holder for Housing and Communities explained that she would look into the matter and review processes so there was no repetition.
Councillor Barber	Would the Portfolio Holder for Resources review the use of New Homes Bonus in the forthcoming budget?	Councillor Cory, Portfolio Holder for Resources, explained that the amount of New Homes Bonus used in the base budget was being reduced. It was used in a prudent way both to provide infrastructure and support services.
Councillor Barber	Would the Portfolio for Business and Culture provide an update on Holy Trinity Church? What arrangements were in place to protect the building?	Councillor T. Young Portfolio Holder for Business and Culture, explained that discussions were ongoing and an update would be provided soon. Round the clock security was in place.
Councillor Laws	What were the implications for the Council from the closure of Memoirs?	Councillor Cory, Portfolio Holder for Resources explained that there was no financial impact on the

		Council. .A debt repayment plan was in place and a considerable sum had been received in settlement of the lease and business rates.
Councillor Arnold	Was the Leader of the Council aware that the Inspector in his decision on Tollgate village the Inspector had concluded that the development would only have a slight impact on the town centre?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that the he Inspector had concluded there would 7-8% reduction in footfall in the town centre. As many business relied on small margins this level of reduction would have a significant impact.
Councillor Arnold	Would the Portfolio Holder for Waste and Sustainability, explain what arrangements were in place to plan for the impact from the increase in housing arising from the Local Plan in terms of issues such as street cleaning and waste collection?	Councillor J. Scott-Boutell, Portfolio Holder for Waste and Sustainability, indicated that a written response would be sent.
Councillor Davies	Would the Leader of the Council agree that air quality is a real problem and was the Council doing all it could to address the problem? Was the Council taking full advantage of government schemes for the installation of car charging points?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that air quality was an important issue for the Council and the Local Plan Committee in particular. Some car charging points had been installed and it was looking to install more. The Council was also encouraging bus companies to take advantage of government

		schemes to reduce emissions.
Councillor Davies	Would the Portfolio Holder with responsibility for Planning agree that Colchester Borough Council should be working hard to alleviate air quality issues in Colchester?	Councillor T. Young, Portfolio Holder for Business and Culture, indicated that he agreed it should.
Councillor Davies	Could the Portfolio Holder for Commercial Services explain why the Council used Eventbrite for ticketing? Would the Portfolio Holder look into the use of the Mercury Theatre for ticketing as it offered a cheaper, high quality and local alternative?	Councillor Feltham, Portfolio Holder for Commercial Services, explained that Eventbrite was an effective and well used way of selling tickets. The Council had a close working relationship with the Mercury theatre. She would look into the suggestion of using the Mercury Theatre for ticketing.
Councillor Scott	Following recent concerns about both large and small scale planning enforcement, could the Portfolio Holder for Resources explain how he would increase the confidence of the public in planning enforcement? As the public were the eyes and ears of the planning service, it would be helpful if ward councillors were informed of the conditions that were imposed on developments in their wards.	Councillor Cory, Portfolio Holder for Resources, explained that Councillors should support the planning enforcement team. The planning enforcement team in Colchester were proactive and had served the second highest number of enforcement notices of all shire districts, and had instituted nine successful prosecutions recently. The new IT system would help the planning enforcement team communicate better. Planning conditions were a matter a public record, but he would look at the

		suggestion that ward councillors be notified.
Councillor Cope	Could the Leader of the Council explain what consultations took place in respect of the Council becoming a Borough of Sanctuary? What checks were made on refugees to ensure public safety?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that he was proud that the Council had taken the decision to host more Syrian refugees and had acted as an example, which other authorities were now following, Checks on refugees were made by the government at the point of entry.
Councillor Willetts	Now that the Public Space Protection Order was in place, could the Portfolio Holder for Public Safety and Licensing provide an assurance that there would be no more rough sleeping in the stairwells of car parks?	Councillor Lilley, Portfolio Holder for Public Safety and Licensing, explained the Council needed to identify and work with rough sleepers to find appropriate places for them to stay. St Marys and St Johns car parks did attract rough sleepers and would be looked at, but they could not be patrolled 24 hours a day. He would continue to raise the issue with partner authorities.
Councillor Willetts	Could the Portfolio Holder for Waste and Sustainability explain what action would be taken to deal places such as Hopp House in West Bergholt which had a long history of missed collections. What quality improvement plans were in place to ensure they received an	Councillor J. Scott-Boutell, Portfolio Holder for Waste and Sustainability, indicated that a written response would be sent.

	acceptable standard of service?	
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222 Schedule of Portfolio Holder Decisions

RESOLVED that the Schedule of Portfolio Holder decisions covering the period 6 July 2017- 12 October 2017 be noted.

223 Revised Council Procedure Rules

Councillor Smith proposed that the recommendation contained in the Monitoring Officer’s report be approved and adopted.

Councillor Arnold moved a main amendment proposing that the recommendation contained in the Monitoring Officer’s report be approved and adopted subject to the following amendment to paragraph 8(3) of the Revised Council Procedure Rules:-

- That sub-paragraph (m) (Questions from Councillors to the Leader of the Council, Cabinet Members and Chairmen of Panels and Committee) be moved so that it comes immediately before sub-paragraph (l) (To receive motions the subject matter of which comprises a non-executive function) and that the sub-paragraphs be renumbered accordingly.

Councillor Smith indicated that the main amendment was not accepted. The main amendment was then put to the vote and was lost (majority voted against).

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

224 Colchester Northern Gateway (North) Sports Development Project Review

***RESOLVED* that in accordance with Section 100A(4) of the Local Government Act 1972 the public, including the press, be excluded from the meeting in order that the following item containing exempt information can be decided.**

RESOLVED (UNANIMOUSLY) that the recommendation contained in paragraph (c) of minute 193 of the Cabinet meeting on 9 August 2017 be approved and adopted.

225 Amphora Place Phase 2 Office Development Proposal

RESOLVED that in accordance with Section 100A(4) of the Local Government Act 1972 the public, including the press, be excluded from the meeting in order that the following item containing exempt information can be decided.

RESOLVED (UNANIMOUSLY) that the recommendation contained in paragraph (e) of minute 194 of the Cabinet meeting on 9 August 2017 be approved and adopted.

Extract from the draft minutes of the Cabinet meeting on 22 November 2017

220. Local Council Tax Support 2018/19

The Assistant Director Customers submitted a report a copy of which had been circulated to each Member together with minute 137 of the Scrutiny Panel meeting of 7 November 2017.

Councillor Cory, Portfolio Holder for Resources, introduced the report. He highlighted that the Council had a high council tax collection rate and that was in part due to an effective support scheme being in place. Over 9,000 residents were supported by the scheme. The main changes that were being introduced were to limit entitlement to Band D properties, to change the minimum level of entitlement to £2 per week and to disregard bereavement support payments or charitable payments as income or capital for the purposes of the scheme.

RESOLVED that the Local Council Tax Support Scheme from 1 April 2018 be agreed.

RECOMMENDED TO COUNCIL that the Local Council Tax Support Scheme be adopted.

REASONS

Legislation requires that following public consultation, amendments to the scheme for 2018/19 need to be agreed by Full Council before 31 January 2018.

ALTERNATIVE OPTIONS

Consultation proposals included an option to introduce a minimum earned income figure for those who are self-employed which is in line with the United Kingdom minimum wage for 16 hours worked. It is not recommended to take forward this option as it could lead to a disproportionate burden being placed on this resident base.

Extract from the draft minutes of the Cabinet meeting on 22 November 2017

221. Officer Pay Policy Statement 2018/19

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

Councillor Cory, Portfolio Holder for Resources, introduced the report. He supported the principle of transparency that underpinned the publication of the Officer Pay Policy. The policy demonstrated the prudent approach that was taken to officer pay. In particular the commitment to Living Wage (as set by the Living Wage Foundation) and the relatively small differential between the highest and lowest salaries were highlighted.

Councillor T. Young, Portfolio Holder for Business and Culture, also highlighted the payment of the Living Wage, and that contractors working for the Council were also obliged to pay the Living Wage. Work was underway to publish gender pay information, although when this had been looked at recently, there had been no gender pay gap.

RECOMMENDED TO COUNCIL that Officer Pay Policy Statement 2018/19 be approved and adopted.

REASONS

The Localism Act requires “authorities to prepare, approve and publish pay policy statements articulating their policies towards a range of issues relating to the pay of its workforce, which must be approved by full Council annually. An authority’s pay policy statement must be approved by a resolution of that authority before it comes into force”.

ALTERNATIVE OPTIONS

The only alternative would be to not recommend the approval of the Pay Policy Statement, but that would be contrary to the requirements of the Localism Act.

Extract from the draft minutes of the Cabinet meeting on 22 November 2017

224. Nomination of Deputy Mayor 2018-19

Consideration was given to the appointment of the Deputy Mayor for the 2018-19 Municipal Year.

Councillor Smith, Leader of the Council and Portfolio for Strategy, proposed Councillor Cope for appointment as Deputy Mayor for the Borough of Colchester for the 2018-19 Municipal Year.

Councillor G. Oxford addressed Cabinet to indicate his support for Councillor Cope's nomination.

Councillor Cope returned thanks for his nomination and indicated that, if appointed, he would serve as Mayor to the best of his ability.

RECOMMENDED TO COUNCIL that Councillor Cope be nominated for appointment as Deputy Mayor for the Borough of Colchester for the 2018-19 Municipal Year.

7 December 2017

Report of	Monitoring Officer	Author	Andrew Weavers
Title	Revised Committee Membership		☎ 282213
Wards affected	Not applicable		

1. Executive Summary

Following the recent Shrub End by-election Full Council is required to agree a change to the membership of the Licensing Committee which has been agreed between the Liberal Democrat and Conservative Groups.

2. Recommended Decision

2.1 To agree the change to the membership of the Licensing Committee as detailed at paragraph 4.2 of this report

3. Background

3.1 At the Annual Meeting on 24 May 2017 the Full Council approved the membership and political balance of its committees and panels. Following the result of the Shrub End by-election on 7 September 2017 it is necessary to revise this. This report details below the changes agreed to the membership and composition of the Licensing Committee.

4. Proposals

4.1 The composition of the Licensing Committee agreed at the Annual meeting was 10 seats:

Liberal Democrats	Conservative	Labour
Cllr Cope	Cllr Buston	Cllr Harris
Cllr Higgins	Cllr Elliott	Cllr Scordis
Cllr Hogg	Cllr Laws	Cllr Young , J
	Cllr Moore	

4.2 The Liberal Democrat and the Conservative Groups have agreed that Councillor Higgins will come off the Licensing Committee and be replaced by Councillor Hazell.

5. Strategic Plan References

5.1 The manner in which the Council governs its business is an underpinning mechanism in the Council's Strategic Plan aims to set out the direction and future potential for our Borough.

6. Financial, Equality, Diversity and Human Rights, Consultation, Community Safety, Health, Publicity and Safety and Risk Management Implications

6.1 None identified.

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
13 October 2017 – 28 November 2017**

Portfolio – Business and Culture					
Date	Number	Report Title	Author	Decision	Result
None in this period					

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

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

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
13 October 2017 – 28 November 2017**

Portfolio – Housing and Communities					
Date	Number	Report Title	Author	Decision	Result
31/10/17	HOU-007-17	Award of contract to complete planned maintenance at Harrison Court	Lyn Thomas	To accept the recommendations of the Project team members to award the contract to deliver the planned maintenance at Harrison Court to contractor named in the confidential report. To enter with the successful contractor a 1 year JCT Intermediate Contract 2016, further amended as set out in the Tender Document.	Agreed 7/11/17
31/10/17	HOU-008-17	Rent Setting and Service Charge Policy Review	Daniella Woraker	To approve amendments to the rent setting and service charge policy to reflect legislative changes effective from April 2016 under the Welfare and Reform Act. To approve amendments to the rent setting and service charge policy to include the addition of service charges for Door Entry Maintenance, Communal Television licencing, Communal Media Licences, Communal Wi-Fi, Security Patrols and the extension of the Legionella Service to include undertaking Legionella Risk Assessments from April 2018.	Agreed 14/11/17

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
13 October 2017 – 28 November 2017**

				<p>To approve amendments to the rent setting and service charge policy to reflect changes to the Grounds Maintenance and Furnishing Service charge collection methodology from April 2018 to avoid the need to apply a cap to the annual charges passed onto tenants. The new methodology applied will reflect planned programmes of work that tenants will contribute to equally each year through service charges, ensuring that all properties will benefit from the programme throughout its life cycle.</p> <p>To approve changes to the policy in relation to garage rents whereby rents are set using a two tier charging system, based on demand for garages.</p>	
03/11/17	HOU-009-17	Request to purchase the remaining 25% of a shared ownership property	Lyn Thomas	Approval to purchase the remaining 25% of a Shared Ownership property from the current lessee utilising 30% right to buy receipts and bringing the property back into the Housing Revenue Account (HRA) adding this property to the general needs housing stock managed by CBH.	Agreed 10/11/17

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
13 October 2017 – 28 November 2017**

Portfolio – Resources					
Date	Number	Report Title	Author	Decision	Result
28/11/17	RES-006-17	Irrecoverable Debts over £5,000 – Council Tax	Michelle Tarbun	To approve the writing-off of the following Council Tax debts totalling £18, 479.26 which have proved irrecoverable.	Call in period expires 05/12/17
28/11/17	RES-007-17	Irrecoverable Debts over £5,000 – Housing Benefit Overpayment	Michelle Tarbun	To approve the writing-off of the following Housing Benefit Overpayment debts totalling £50,279.64, which have proved irrecoverable.	Call in period expires 05/12/17
28/11/17	RES-008-17	Irrecoverable Debts over £5,000 – Business Rates	Michelle Tarbun	To approve the writing-off of the following Business Rates debts totalling £76,549.64, which have proved irrecoverable	Call in period expires 05/12/17

Portfolio –Safer Communities and Licensing					
Date	Number	Report Title	Author	Decision	Result
None in this period					

**Record of Decisions taken under Scheme of Delegation to Cabinet Members
13 October 2017 – 28 November 2017**

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

Portfolio – Waste and Sustainability					
Date	Number	Report Title	Author	Decision	Result
28/11/17	WAS-001-17	Response to the Government's consultation paper: Leading by Example - cutting energy bills and carbon emissions in the public and higher education sectors'	Wendy Bixby	Response to the Government's consultation paper: Leading by Example - cutting energy bills and carbon emissions in the public and higher education sectors'	Call in period expires 05/12/17

Report of	Assistant Director of Customer	Author	Jason Granger ☎ 508824
Title	Local Council Tax Support 2018/2019		
Wards affected	All Wards		

1. Executive Summary

- 1.1 Colchester Borough Council's Local Council Tax Support scheme provides a reduction in Council Tax Liability for eligible residents.
- 1.2 Each year the scheme is reviewed and proposals are formulated to potentially update or change the basis of scheme entitlement. Any proposals to update or change the scheme are included within a public consultation.
- 1.3 This report provides details of:
 - Outcomes of the public consultation
 - The specific proposals suggested for implementation from 1 April 2018.
- 1.4 Cabinet is invited to agree the Local Council Tax Support Scheme from 1 April 2018 and recommend it to Full Council for adoption.

2. Recommended Decision

- 2.1 That the Local Council Tax Support Scheme from 1 April 2018 be agreed and recommended to Full Council for adoption.

3. Reason for Recommended Decision

- 3.1 Legislation requires that following public consultation, amendments to the scheme for 2018/19 need to be agreed by Full Council before 31 January 2018.

4. Alternative Options

- 4.1 Consultation proposals included an option to introduce a minimum earned income figure for those who are self-employed which is in line with the United Kingdom minimum wage for 16 hours worked. It is not recommended to take forward this option as it could lead to a disproportionate burden being placed on this resident base.

5. Background Information

- 5.1 Local Council Tax Support currently helps 9,600 residents reduce their Council Tax bill – 4,150 of state pension age and 5,450 working age residents. The value of Local Council Tax Support being granted in 2017/18 is £8.1 million. For 2018/19 it is estimated to be £8.2 million.
- 5.2 National regulations still require local schemes to ‘protect’ those residents of state pension credit age from any reduction to their level of support as a result of the localisation of the scheme.
- 5.3 A summary of the 2017/18 key scheme points are outlined below:
- Working age recipients in Colchester have to pay a minimum contribution of 20% towards their Council Tax bill
 - The first £25 per week that people earn is not taken into account when calculating Local Council Tax Support
 - Back to Work Support provides help to long-term unemployed residents who secure employment by giving them four weeks of Extended Reduction to their Council Tax
 - The maximum period a claim can be back dated is one month
 - There is a flat rate non-dependant deduction of £12 regardless of income or savings
 - Child Benefit is included as income, whereas Child Maintenance is disregarded, when calculating entitlement
 - There is a £1.00 per week minimum level of entitlement
- 5.4 It is recommended to bring the scheme in line with national legislative amendments and to adopt the following changes from 1 April 2018:

Limiting scheme entitlement to Band D

Within the current scheme, recipients of Local Council Tax Support, receive a reduction of their Council Tax in relation to the Tax Band of their property. It is proposed that the Local Council Tax Support scheme is amended to limit the amount paid to band D. Recipients on Local Council Tax Support above Council Tax band D will still receive support but to a maximum of band D.

This change will reduce the cost of the scheme. Modelling indicates this will impact 136 residents, with a total scheme saving of £37,830 and £4,350 specific savings to the Council. This figure does not include administrative savings.

Changing the minimum level of entitlement to £2.00 per week

Currently Local Council Tax Support has a minimum entitlement of £1.00 per week. It is proposed that this is increased to £2.00 per week. Recipients who receive low levels of entitlement are more likely to be employed or self-employed with potential for fluctuation in earnings and require more administrative changes to their claim. This change would reduce the administrative cost of the scheme.

Modelling indicates this proposal will impact 15 residents with a total scheme saving of £1,465 and £168 specific savings to the Council. This figure does not include administrative savings.

Disregard Bereavement Support Payments as income or capital

Bereavement Support Payment is a new form of welfare benefit assistance. Bereavement Support Payment is fully disregarded as income/capital in the assessment of Housing Benefit. Disregarding Bereavement Support Payments will reduce administrative costs by bringing Local Council Tax Support in further alignment with Housing Benefit, although the cost of the scheme will increase.

No modelling was possible for the increased cost of this option however we currently only have 8 live claims with the former Bereavement benefit in payment, therefore cost impact is deemed negligible.

Disregard charitable payments as income or capital

Charitable funds are on occasion created to assist people effected by events which have caused harm or injury. The Department for Work and Pensions routinely ensures all payments received from these charities are disregarded for benefits purposes. It is proposed that these payments are also disregarded from our Local Council Tax Support scheme. This would increase the cost of the scheme.

No modelling has been possible for this change although the cost impact is considered to be negligible.

Universal Credit notifications

It is proposed that we are given scope to consider how we use Universal Credit notifications that maintains efficiency of process whilst keeping error to a minimum.

- 5.5 All other fundamental features of the scheme, other than those described under 5.4, are proposed to remain unaltered.

6. Equality, Diversity and Human Rights implications

- 6.1 An Equality Impact assessment (EQIA) was carried out and published on 18 August 2017. It is available on the Colchester Borough Council's Website or by clicking [here](#).

7. Strategic Plan References

- 7.1 The Council's Strategic Plan sets out several priorities including a commitment to ensure Colchester is a welcoming and safe place for residents, visitors and businesses with a friendly feel that embraces tolerance and diversity.
- 7.2 Precepting authorities contributed additional funding to assist with the collection of Council Tax, recognising the additional number of residents we had to collect from and the potential difficulties we would experience collecting from residents who have either not previously paid Council Tax or who are paying an increased amount.

This additional money has helped fund a proactive intervention programme which provides a range of services including flexible payment plans, debt and back to work advice as well as administration an Exceptional Hardship fund.

8. Consultation

8.1 Historically response rates to consultation have been low. Ahead of, and during this year's consultation considerable efforts were made to generate responses. A robust communications plan was formed and included the following:

- Design of consultation media
- Bespoke web page promoting consultation
- Colchester Borough Council landing page advert
- Press release
- Social media campaign
- Enews articles and Members Information Bulletin
- Poster and screen promotion - internally and externally
- Phone prompts on call centre telephony channels
- Consultation advert on all Council Tax notifications and call lines
- Key message for Customer Services officers to encourage response.

8.2 Outcomes of the public consultation are set out in Appendix A. The majority of respondents agreed with the terms presented.

9. Publicity Considerations

9.1 Local Council Tax Support is publicised via a website and we continue to provide information within our annual Council Tax bills and other mailings.

10. Financial implications

10.1 The Government funding for Local Council Tax Support was originally provided as a specific grant. The funding is no longer separately identified in Local Authority settlements yet forms part of the Revenue Support Grant and baseline retained business rates, together known as the Settlement Funding Allocation.

10.2 The Settlement Funding Allocation has reduced each year and therefore it could be assumed that the funding for Local Council Tax Support has also reduced. The table below shows how the cost of Local Council Tax Support compares to the assumed Government grant:

Grant	Settlement Funding Allocation Reduction	Total LCTS Costs (£'000)	CBC Share (£'000)	CBC Assumed Grant (£'000)	Difference (£'000)
2013/14	N/A	9,085	1,081	1,321	240
2014/15	13%	8,497	1,011	1,149	138
2015/16	15%	8,047	958	977	19
2016/17	17%	8,113	933	811	-122
2017/18	17%	8,121	934	673	-261
2018/19 (assumed)	11%	8,201	943	599	-344

10.3 The cost of the scheme is influenced by both caseload and the Council Tax rate set. The cost in 2017/18 has therefore increased due to the Council Tax rises with further

increases anticipated in 2018/19. Looking ahead to 2018/19 and beyond, the Settlement Funding Allocation will reduce further, along with rises to Council Tax. Indicating an increase of net cost to the operation of Local Council Tax Support. However, the actual financial position will also depend upon caseload numbers.

10.4 The 2018/19 Council budget forecast already assumes:

- The 11% reduction in Government funding
- The cost of the existing Local Council Tax Support caseload
- Council Tax income based on the existing caseload and anticipated increase in Council Tax.

As such the overall impact is already factored into the budget gap. However, any changes to the scheme which increase or reduce how much customers have to pay do have a budgetary impact as will any change in caseload. It should though be noted that the cost of Local Council Tax Support and its funding is shared with the major preceptors.

11. Community Safety Implications

11.1 The proposals contain provision for dealing with welfare concerns of residents, particularly vulnerable people. It is intended to limit hardship to avoid giving rise to crime and disorder.

12. Health and Safety Implications

12.1 There are no health and safety implications.

13. Risk Management Implications

13.1 Fundamental changes to the current criteria could potentially affect the collection fund position.

13.2 The absence of an adopted Local Council Tax Support Scheme for 2018/19 by 31 January 2018 would lead to introduction of a prescribed default scheme which broadly represents the former Council Tax Benefit scheme with an additional funding requirement of circa £1.2 million.

13.3 Help and assistance is available to any resident affected by the proposed changes by the Customer Support Team. This team is currently supporting residents affected by the Governments Welfare Reform Agenda. This dedicated team are ready to provide a wide range of advice in relation to Welfare Benefits, money management and back to work support.

Appendix

- Appendix A - Local Council Tax Support Public Consultation – overview, analysis and free text comments.

Background Papers

- [Draft Local Council Tax Support 2018/2019 policy document.](#)

Appendix A

Survey Results for Local Council Tax Support Consultation 2017

Introduction

A public consultation was conducted to seek opinion on the potential changes to the existing Local Council Tax Support scheme. The 6 week consultation took place between 21 August and 2 October 2017.

The survey was promoted using various methods including weekly social media pushes, bespoke webpage information, physical artwork and wider promotion to organisations and interested parties.

Furthermore, the consultation was promoted on our call centre lines for the entire consultation period. During this timeframe 10,900 calls were received. Articles referring to the consultation were also published in various e-news bulletins during the consultation period. These were sent to 8,350 residents.

Finally, the consultation was promoted within our benefit mailings and during the consultation period 3,150 notifications were issued to residents.

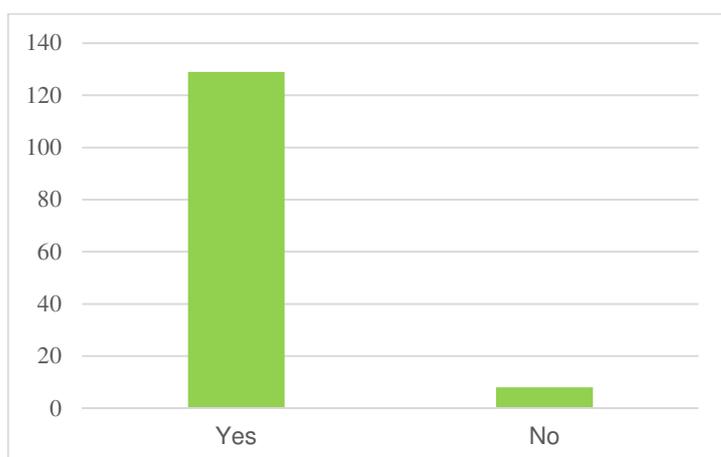
There were a total of 266 respondents. However this did not relate to 266 fully completed surveys.

Responses

Rounding has been applied to results. Comment has been reported verbatim.

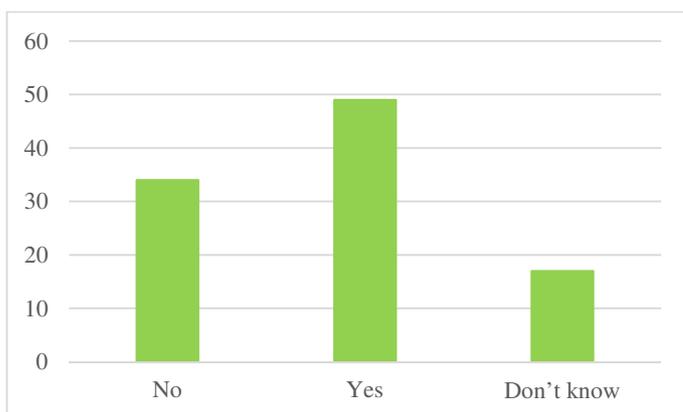
The sections below report on the results in the same order they appear in the survey.

I have read the section 'Background to the Consultation' at the start of this Survey.



Response	Frequency and percentage
Yes	129 (94%)
No	8 (6%)

Should Colchester Borough Council keep the current Local Council Tax Support Scheme? (Should it continue to provide the same level of support as it does at the moment?)



Response	Frequency and percentage
No	34 (34%)
Yes	49 (49%)
Don't Know	17 (17%)

Please use the space below to make any comments you have in regards to Maintaining the Local Council Tax Support Scheme

Respondents provided the following comments below:

"I would never be able to afford the council tax as im a disabled women and on benefits long term"

"With my limited knowledge however it appears that there may be an increasing need for support amongst working age adults and pensioners. Whilst I appreciate this and the need for support of vulnerable/low income/single cohorts,I suppo demand across a number of council services may also be rising and that realistically there is only a limited pot of money. Therefore I'm unclear re: sustainability?"

"If the funding is no longer available, changes are required. This might need a reduction of the support given as well as a reduction in funding for other services."

"I think that there should be a lower cap, like 75% instead of 80%I think that there should be a lower cap, like 75% instead of 80%"

"Reduce the support"

"The discount could be reduced to bring fairness, maybe to 70%."

"You should cut the support on offer, plenty of jobs are available to people , lowest unemployment for decades. When you are cutting services such as waste collection and also increasing council tax why should people who don't work and chose not to, continue to funded. The scheme should just help the poorest as a safety net. If you are ill or disabled you should have support, change the whole thing just to support those that cannot work"

"The government has schemes in place to support low paid workers (low income benefits), all such funding and administration should be handled once by those, and not at a local level"

"It would be unfair to take LCTS away from anyone as it will be very difficult for people to budget to make up the shortfall."

"The council said that the choice was to keep the current scheme or reduce it. In fact it also had the opportunity to increase the scheme or run a parallel hardship scheme (under S13 Council Tax Regulations). The public should be consulted on all proposals. Without the additional information it is difficult to support any other choice than to maintain the status quo"

"It is essential that those on low incomes do not have to pay more in Council Tax as part of the process of change to Universal Credit (as the Living Wage rises, so amounts paid in tax credit will fall resulting in minimal net gain in income)"

"Those on low incomes will suffer as the change to Universal Credit reduces tax credit levels paid. Increasing their Council Tax will only make their financial situation more precarious. The increase in Living Wage will result in reductions in tax credits paid, thus rightly shifting the burden from state tax credit subsidy to employers, but will result in negligible income increase for those affected so increasing their CT costs will disadvantage them further"

"Considering the low interest rates on savings (which they might have accumulated during their working life) or the low state pension, that Pensioners should be cared for and if it means food in their bellies and heating to keep them warm, then the least we can do is pay their rates, after all they went through hard times when they were younger and did not receive the help that is paid out now."

"the current support is fair to those who need help and increasing council tax is a logical way to pay for it."

"I believe it needs review"

"I think the Council should make more play in the press and elsewhere about the issues raised by these punitive cuts in funding and outline more publicly the terrible issues raised by trying to decide which services to cut or reduce."

"I personally do not think that the scheme should continue. I do not receive any such benefit."

"People on a low income should receive support from their local council"

"I believe that we all have a duty to try to support others less able to."

"As someone on benefits it is a great help paying a reduced amount under this scheme."

*"Is it fair that a working age single mum who gets 200£ week child maintenance, would be as entitled as a single mother who gets no child maintenance?
Why is child maintenance not included as income?
Extra admin? Isn't UC etc now done online by the claimant?"*

"the NHS and Emergency Services Need More Funding plus more money needs to be spent in the dutch quarter"

"no comment"

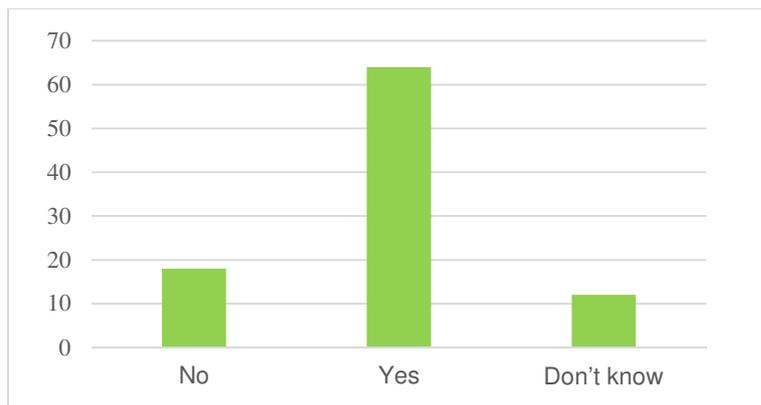
"I think it is important to remember that vulnerable people who are entitled to the current levels of rebate - they are on extremely low incomes, and probably find it difficult to pay the amount they are currently required to pay that remains after the rebate. If the council reduces the rebate they give them , people are likely to fall behind with their payments, and this means the council will be faced with more codys to try to recover the areas. So it's self defeating anyway for the council to set unrealistic amounts that you want people to pay. At the end of the day your priority bills must come first when living on a very low income so gas light and food will be the first priorities and I just feel that the council will find themselves in a position where they are going to have high administration costs to recover late psyers"

"we want it to continue as it is."

"I would like to know the number of people who are in council tax arrears already and work out if it is more efficient to keep the scheme in place. How many people are affected by the changes and how realistic is it that a new scheme will cost less?"

Option 1 – Limiting the calculation of Local Council Tax Support to Band D

Do you agree with the option 1?



Response	Frequency and percentage
No	18 (19%)
Yes	64 (68%)
Don't Know	12 (13%)

If you disagree what alternative would you propose?

Respondents provided the following comments below:

"why should we fund big houses through benefits?"

"I do support this proposal but there are sometimes genuine hardship cases and I would want to see inclusion of a process for exceptional cases."

"Unfair to most local rate payers"

"I would like to live in a band h and then get help paying my council tax, why hasn't this been done before?"

"Why should I propose an alternative to you? It's your job to come up with options, not mine!! This question is designed to generate a positive response by requiring

"NO" respondents to come up with their own solutions. This question is therefore biased.. What a surprise!"

"If some households will be paying more but option 1 will provide savings, then where is this money going to be spent - hopefully not on another folley!"

"Bands A, b & c should pay more"

"Maintain current scheme"

"To stay as it is - why should we discriminate people who circumstances have changed and now are on a low income - assuming they have lived in the house before on a higher income."

"It should be on people's needs. If they qualify, regardless of house banding. Lots of social housing is band E"

"If a person can afford to live in a higher banded property through choice then they should not have to pay more."

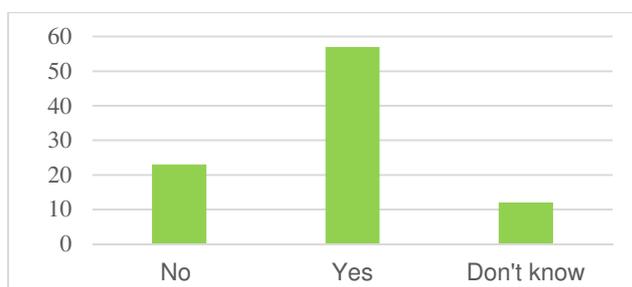
"none"

"I think the scheme illogical because just because you live in a higher tax band property it does not mean that when you lose your job for example and require council text support, you have more disposable income if you live in a bigger house! I think that the proportions should remain as they are - if your circumstances say you are entitled to 80% discount you still receive that whstever band your house is in"

"There is not a one cap fits all option here. Benefits should be means tested and based on individuals circumstances so the correct people get the right help. This option is too complicated"

Option 2 – Changing the minimum Local Council Tax Support which can be paid to £2 per week

Do you agree with the option 2?



Response	Frequency and percentage
No	23 (25%)
Yes	57 (62%)
Don't Know	12 (13%)

If you disagree what alternative would you propose?

Respondents provided the following comments below:

"make it higher than 2"

“don't think anyone who needs support with council tax should lose out”

“option 1”

“I can't see how any money would be saved. There would be considerable administrative costs involved in identifying who should pay this £2 that must surely outweigh any revenue raised.”

“It is difficult to see the argument for this as it is not that you collect council tax on a weekly basis. The cost to the household would be an additional £52 per year, which is unacceptable.

Direct debit has the same administrative burden whether it is £100 or £2 so the justification on administrative cost is a hard one to make.

The savings to the cost of the scheme comes from the poorest in the borough which is not progressive.

I would not propose an alternative as these savings made here can be made through other general efficiencies.”

“See Again, you penalise the most vulnerable my reply to the previous question”

“You seem to be looking for savings, where are you planning to spend the savings and what happens to administration - made redundant for even more savings?”

“£1 per week”

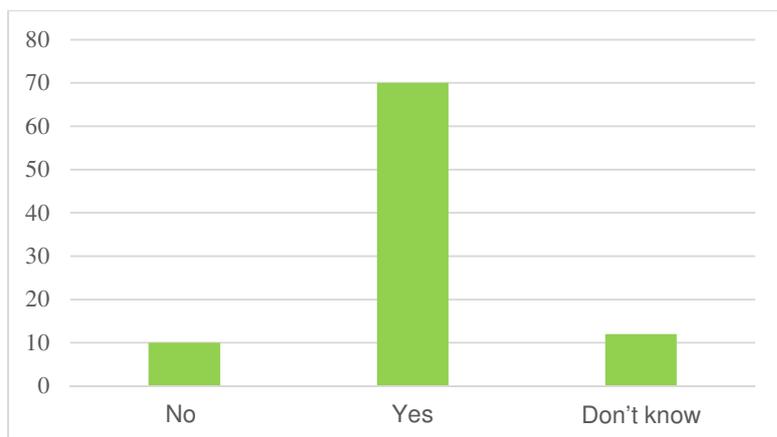
“Anyone on a low income should get help no matter how small.”

“keep the same system”

“if you receive a low income you should be entitled to some help based on your individual needs not the needs of the council”

Option 3 – Disregarding Bereavement Support Payments

Do you agree with the option 3?



Response	Frequency and percentage
No	10 (11%)
Yes	70 (76%)
Don't Know	12 (13%)

If you disagree what alternative would you propose?

Respondents provided the following comments below:

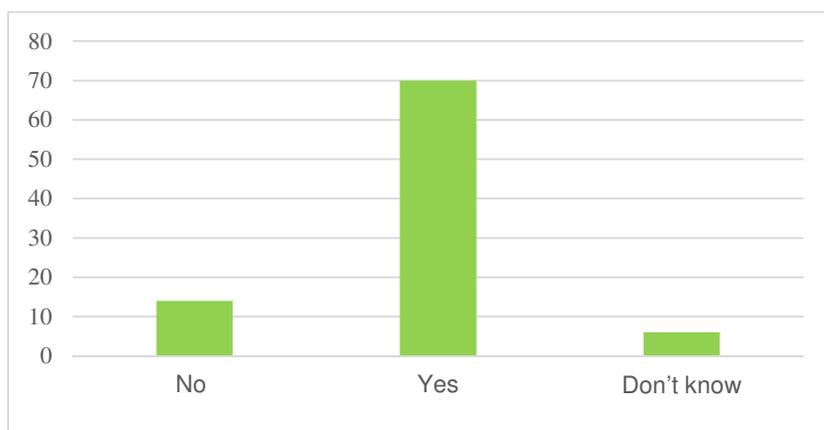
“Good idea”

“Payment should be included as income.”

“I feel huge sympathy for people in this situation but I'm not clear why this income should be disregarded. Payments should be based on financial situations regardless of cause.”

Option 4 – Disregarding the We Love Manchester Emergency Fund and The London Emergencies Trust as income or capital.

Do you agree with option 4?



Response	Frequency and percentage
No	14 (15%)
Yes	70 (78%)
Don't Know	6 (7%)

If you disagree, what alternative would you propose?

Respondents provided the following comments below:

“Emergency funds need to be generated outside of local council office. Tge government needs to address this urgently”

“Funds should be included as income”

“Any money received from other sources should be taken in to account, so to be fairer to all“

“these funds have nothing to do with Colchester local government“

“LCTS is not a mean-tested benefit it is a local discretionary reduction to council tax liability. HB is a means-tested benefit supported by primary and secondary legislation. There should be a general discretionary condition that all emergency funds should be automatically disregarded. It would be illegal to have any barrier to getting this support if it is an entitlement. “

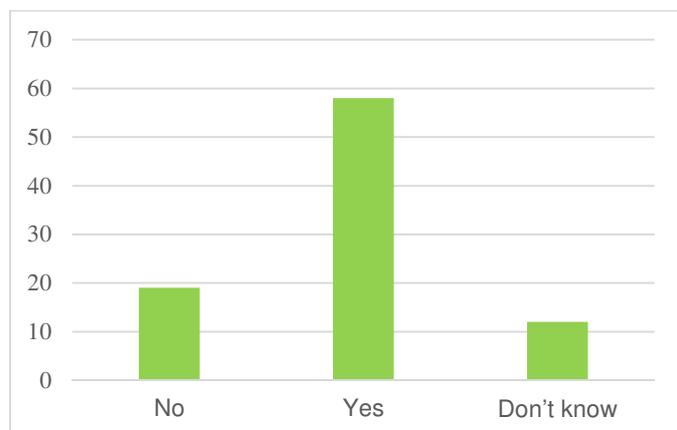
“what is this to do with Colchester“

“Same as previous answer.”

“If benefit is being claimed surely all income regardless of where it originates from should be taken into account when calculating extra benefits. Some benefit claimants receive so much money in benefits and have an automatic entitlement to more just by claiming certain benefits, whereas working families who try to claim benefits end up being penalised for working, as all of their income is taken into account, making it an unfair calculation.”

Option 5 - Using a set income for self-employed earners after 1 year’s self-employment

Do you agree with option 5?



Response	Frequency and percentage
No	19 (21%)
Yes	58 (65%)
Don't Know	12 (14%)

If you disagree, what alternative would you propose?

Respondents provided the following comments below:

“make it more than 16 - why if they are working more than 16 and not even earning min wage should they get benefit ? “

“How can you claim benefits saying you work and declare an income of less than 16 hours at min wage?? This is a fiddle“

“It is not fair for small businesses or startups that struggle growing due to the economic crisis.“

“Council Tax Support is not a means-tested benefit. There are no arguments to create the same barriers to rights in a discretionary reduction to council tax liability. if you limit on assumed income you would still need have a transparent system of assessing on actual income where the applicant can demonstrate that they are on a low income. This proposal as it stands would be a barrier to setting up a new business, which in turn would be bad for the local economy.3“

“Well the reason is so obvious you raise it yourselves as a drawback!! Those who don't make much money from their business will be taxed on the assumption that they should make more. would you assess income tax on this basis? Ludicrous!!“

“To assess on actual income.“

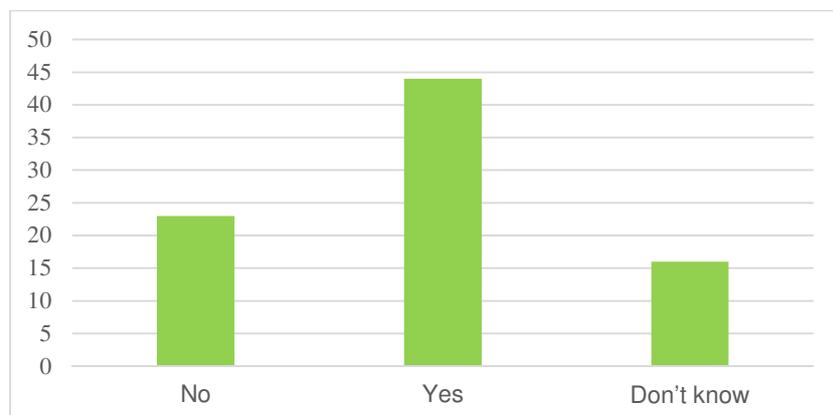
“Once again penalising working people who are trying to help better themselves. I believe all benefits should be treated as income and once the ceiling level has been reached there should be no more benefits for those who are able, but refusing, to work because they receive more in benefits.“

“Use actual levels of income for self-employed people, as these may be lower than the set levels proposed. This would mean that self-employed people are treated in an equal way to those employed by others.“

“I am self employed and No assumptions should be made by the council regarding minimum wage as i receive far less than the living wage. Actual figures should always be used“

Option 6 – Universal Credit notifications from the Department for Work and Pensions

Do you agree with option 6?



Response	Frequency and percentage
No	23 (28%)
Yes	44 (53%)
Don't Know	16 (19%)

If you disagree, what alternative would you propose?

Respondents provided the following comments below:

“There is potential for the Council to overpay and then have difficulty (expense and time) reclaiming amounts overpaid. “

“All notifications should be actionrd and penalty imposed if customer fails to notify changes“

“As the customer could get more entitlement if the don't tell you otherwise“

“If the notification is cessation of eligibility for Universal Credit this should be acted on. So it will be possible to filter the notifications and a sensible filtering process should be introduced. “

“Universal credit is not working correctly around the country, Why should Essex be any better? People could suffer severe hardship“

“I do not see the legal basis for aligning with UC. As the rules LCTS are based on the old Council Tax Benefit rules then income for applicants is based on average earning whereas UC is on actual earning. There is less benefit to the council in aligning the two systems. Information from UC is unproven in its accuracy, the cost of putting things right would be more costly than the savings made and it could create unreasonable barriers to the discount. My alternative is stick to average earnings and remove the fixed calculation hard coded in the LCTR rules, the are better alternatives.“

“What are you making administration savings for? There are a lot of people who do not understand how these things are arranged and some will be in dire need. Think of an alternation between the two arrangements. “

“Could you provide some notifications to recipients electronically reminding them to advise you of any significant changes to their entitlements on say a quarterly basis?“

This would be much cheaper to administer overall but could significantly reduce the risk of people claiming incorrect amount of benefit or claiming benefits to which they are no longer entitled"

"Establish a threshold for 'significant' changes to be actioned by the council not rely on people to notify the council"

"I worry people will end up receiving more than they're entitled to and then have to repay it which might be a significant burden"

"For the departments issuing benefit to inform other government departments."

"Amend when each change occurs as you would with earnings as penalising those who are working and not claiming universal credit"

"The council should always be responsible for looking out for the interests of the public, by passing the buck in this self service minefield is going to create homelessness and poverty"

Alternative methods

Alternatives to reducing the amount of help provided by the Local Council Tax Support Scheme

Funding Options	Yes	No	Don't know
Increase the level of Council Tax	19 (27%)	47 (66%)	5 (7%)
Reduce the funding available for other Council Services	12 (17%)	51 (72%)	8 (11%)
Use the Councils savings	24 (34%)	40 (56%)	7(10%)

If the Council were to choose these other options to make savings, what would be your order of preference?

Please rank in order of preference by selecting a number from 1 – 3 in the boxes below, where 1 is the option that you would most prefer and 3 is the least.

Funding options	1	2	3
Increase the level of Council Tax	24 (31%)	15 (20%)	37 (49%)
Reduce the funding available for other Council Services	19 (25%)	32(42%)	25 (33%)
Use the Councils savings	37 (49%)	24 (31%)	15 (20%)

Please use the space below to make any other comments on the scheme

Respondents provided the following comments below:

"Just change it as described why affect other services because of supporting people need benefit"

"Changes must be made to reduce the administrative burden for both the council and applicant. Alignment with other benefits seems a sensible approach."

"Services provided have deteriorated terribly over the last few years so there can be very few available for reducing"

“LCTS should be designed in a way that wouldn’t put those paying their full Council Tax liability in a worse position. It is unfair to support a groups that is on low income but then punish those who are in work and paying.”

“I am very much in favour of keeping Council Tax to a minimum, as generally the cost of living is increasing much more than wages and pensions”

“Support the sick and disabled , no one else”

“Colchester is one of the fastest growing towns in the UK. Cutting services while the strain is already starting to show in e.g. schools and roads, is NOT the way to go.”

“Refuse collection has been changed use the savings from that.”

“My alternative choice would be to make LCTR (S13a) a simple discount for vulnerable and disabled households and those in severe financial hardship or in need of crisis support. I would have only a few conditions. For household in general financial hardship or who need help to improve their financial circumstances I would run a more general scheme (S13) which targets the expenditure to clear outcomes.”

“You're already cutting services left right and centre, those most adversely affected by these service cuts are the weakest and most vulnerable in society who are also those least able to speak up for themselves. Council taxes were not increased as much as they could have been (by up to 5%) this year to pay for increases in social care costs. Instead local councillors took electoral credit for imposing a lower increase whilst failing to mention the consequent cuts to services and increases in charges to the weakest. Don't do it again!!”

“Are there any opportunities to consider a local income tax instead that removes the link to property values?”

“services need to be maintained. any changes inevitably incur great expense. In my experience at 75 years old, cutbacks will mean reinstatement at a later date with added expense”

“you need to change the scheme to save money and not charge more money to everyone else. The above options are far too general to allow meaningful responses, as no information is given regarding who council tax would be increased for or which Council Services would receive reduced funding.”

“It is likely that many respondents (including myself) would not wish to see reduced health or social care funding, but would prefer reduced funding for e.g. flowerbeds, Christmas decorations to reductions in council tax support for those on low incomes. Not making this distinction gives the impression that this consultation is trying to steer respondents to specific answers (i.e. supporting cuts to council tax support).”

“The alternatives are destructive whatever one you choose”

“another shot at the weakest in society that cannot fight their own battles”

Please use the space below if you would like Colchester Borough Council to consider any other options

Respondents provided the following comments below:

“Stop putting money into useless things like first site and use it for the town to become safe and clean”

“Reduce funding other benefits schemes”

“Carry out more surveys inhouse and save money by not employing outside companies at great cost to the council. People in charge of these departments should be capable of undertaking these surveys and coming to a qualified decision.”

“why should someone onm JSA get 80 discount off their bill, a mad world”

“Make sure that households with working non dependents contribute to the cost of the council tax bill”

“No mention has been mad about payments for police / fire. Police costs continue to rise, certainly faster than my pay as a teacher, yet police presence seems to be ever lower.”

“Salaries paid to senior employees should be capped.”

“Consider reductions only to services less important to the community than council tax support, i.e. services which are not essential to the health, education or general well-being of residents (especially those requiring support). Please see previous answer. Again, if the council wishes to use public opinion measures to gauge support for the continuance of the scheme at the expense of reductions elsewhere, such measures would need to distinguish between different areas of spending reduction in order to be at all meaningful.”

“Base it on income, assests and personal circumstances instead of a blanket policy. le, single parent in band e privately owned huge house getting £200 per week from their x in child maintenance, should not be in the same bracket as a single mum in a small band c getting no child maintenance”

“Amending tax credit regulations in line with housing benefit”

“CBC should consider going out on the street and introducing themselves to the people they affect with the changes”

If you have any further comments regarding the Local Council Tax Support Scheme, please use the space below

Respondents provided the following comments below:

“Provide more assistance to the elderly in the borough”

“Further reduction should be offered to people living alone”

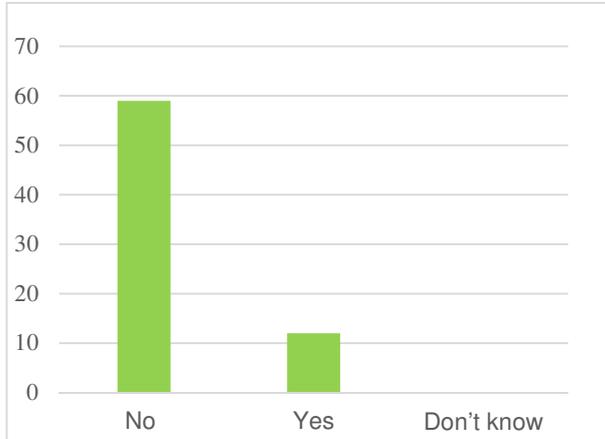
“The scheme should not be open to new residents unless they meet an agreed criteria.”

"Scrap UC instead!"

"WASN'T AWARE THAT THERE WAS SUCH A SCHEME"

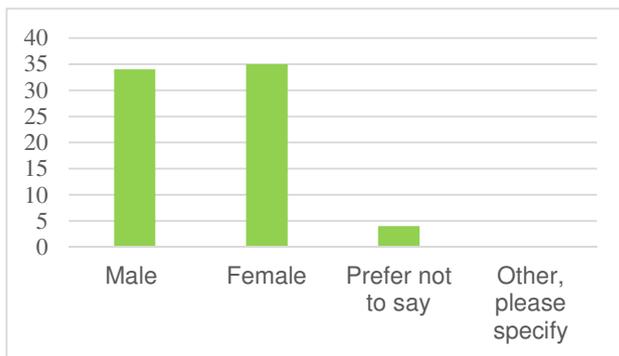
Equality and Diversity

Are you, or someone in your household, claiming Local Council Tax Support?



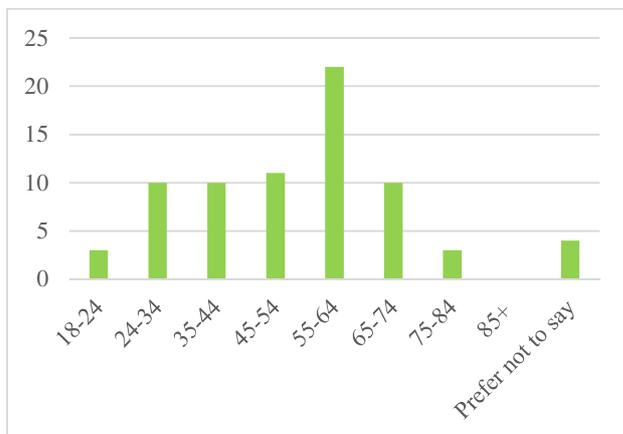
Response	Frequency and Percentage
No	59 (83%)
Yes	12 (17%)
Don't know	0

What is your sex?



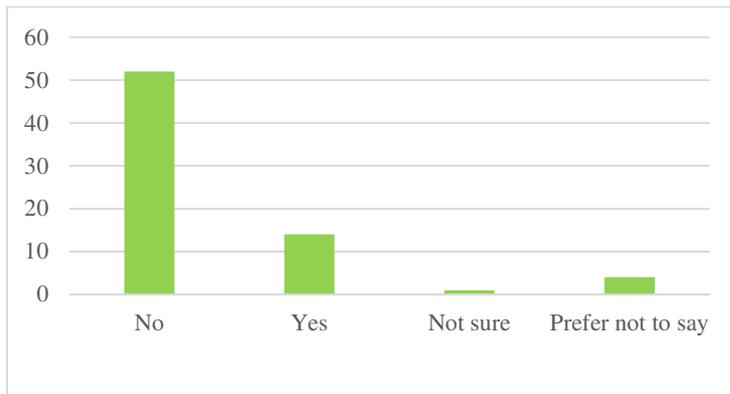
Responses	Frequency and Percentage
Male	34 (47%)
Female	35 (48%)
Prefer not to say	4 (5%)
Other, please specify	0 (0%)

Age



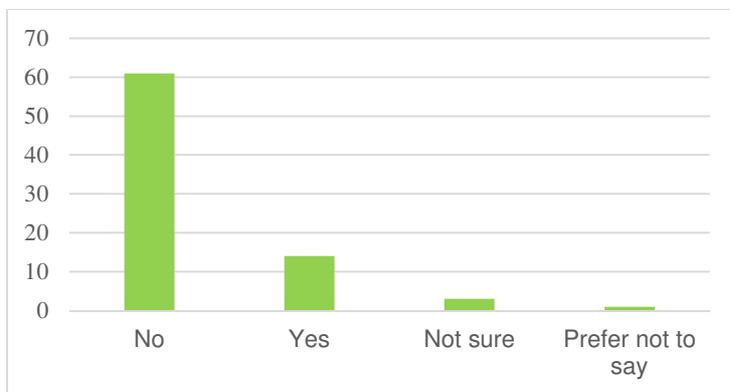
Responses	Frequency and Percentage
18-24	3 (4%)
24-34	10 (14%)
35-44	10 (14%)
45-54	11 (15%)
55-64	22 (30%)
65-74	10 (14%)
75-84	3 (4%)
85+	0 (%)
Prefer not to say	4 (5%)

Do you consider yourself to have a physical impairment?



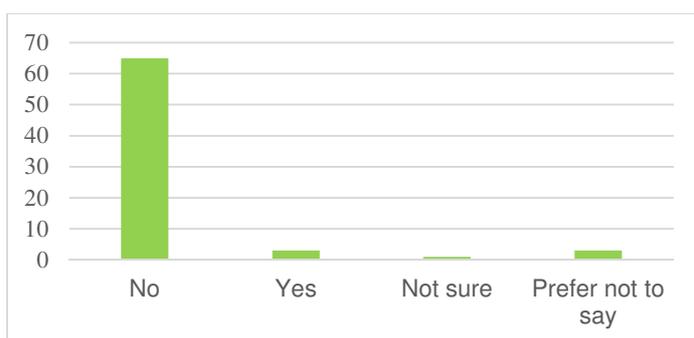
Responses	Frequency and Percentage
No	52 (73%)
Yes	14 (20%)
Not sure	1 (1%)
Prefer not to say	4 (6%)

Do you consider yourself to have a sensory impairment?



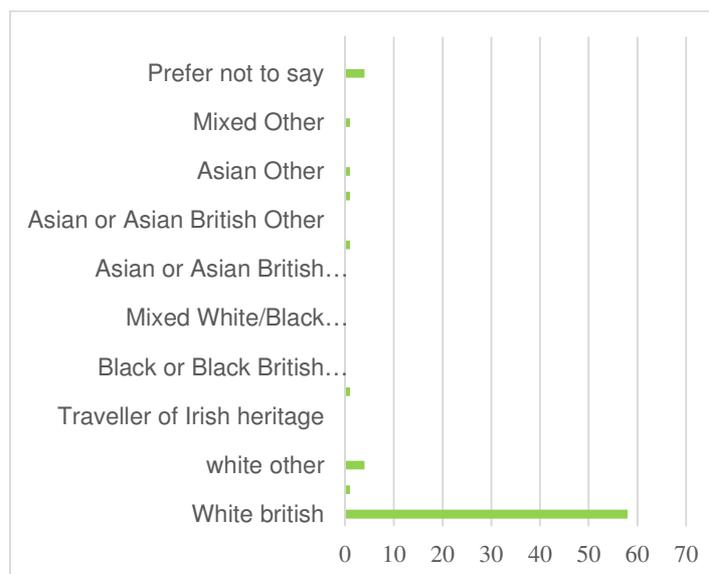
Responses	Frequency and Percentage
No	61 (88%)
Yes	4 (6%)
Not sure	3 (4%)
Prefer not to say	1 (2%)

Do you consider yourself to have a learning difficulty or disability?



Responses	Frequency and Percentage
No	65 (90%)
Yes	3 (4%)
Not sure	1 (2%)
Prefer not to say	3 (4%)

Ethnicity



Response	Frequency and Percentage
White British	58 (82%)
white Irish	1 (1%)
white other	4 (6%)
Gypsy/Roma	0 (0%)
Traveller of Irish heritage	0 (0%)
Black or Black British African	0 (0%)
Black or Black British Caribbean	1 (1%)
Mixed White/Black African	0 (0%)
Mixed White/Black Caribbean	0 (0%)
Black other	0 (0%)
Asian or Asian British Pakistani	0 (0%)
Asian or Asian British Indian	1 (1%)
Asian or Asian British Other	0 (0%)
Mixed White/Asian	1 (1%)
Asian Other	1 (1%)
Chinese	0 (0%)
Mixed Other	1 (1%)
Not known	0 (0%)
Prefer not to say	4 (6%)
Other, Please specify	0 (0%)

End of survey

22 November 2017

Report of	Assistant Director – Policy and Corporate	Author	Jessica Douglas/ Chris Reed ☎ 282240
Title	Officer Pay Policy Statement for 2018/19		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 Local authorities must publish an officer pay policy statement each year. The statement must be approved by Full Council.
- 1.2 The statement covers all pay and benefits for all Colchester Borough Council employees.
- 1.3 The draft statement for 2018/19 is attached, with the detailed rates in the appendix.

2. Recommended Decision

- 2.1 To recommend the approval and adoption of the 2018/19 Statement by Full Council.

3. Reason for Recommended Decision

- 3.1 The Localism Act requires “authorities to prepare, approve and publish pay policy statements articulating their policies towards a range of issues relating to the pay of its workforce, which must be approved by full Council annually. An authority’s pay policy statement must be approved by a resolution of that authority before it comes into force”.

4. Alternative Options

- 4.1 The only alternative would be to not recommend the approval of the Pay Policy Statement, but that would be contrary to the requirements of the Localism Act.

5. Background Information

- 5.1 Local authorities must publish a pay policy statement for the financial year. The Officer Pay Policy for 2017/18 was approved by Full Council on 8 December 2016.

The Localism Act specifies items that must be covered by the statement including the level and elements of remuneration for each chief officer, remuneration of chief officers on recruitment, increases and additions to remuneration for each chief officer, the use of performance-related pay and bonuses for chief officers, the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and the publication of and access to information relating to remuneration of chief officers.

- 5.2 The Council's pay policy statement has been extended beyond the statutory requirements relating to chief officers as shown in 5.1 above to include all officers employed by the Council, in the interests of openness and transparency.
- 5.3 Please see the attached Officer Pay Policy. Appendix 1 of the policy contains the mostly numerical data which sits behind it, and the definitions of terms such as 'chief officers'. These two documents form the Council's pay policy statement.
- 5.4 The statement covers all pay and benefits for every employee of Colchester Borough Council. There are no financial allowances or bonuses other than those mentioned.
- 5.5 Mandatory requirements for data publication under the [Local government transparency code 2015](#), and for the Council's [Statement of Accounts](#) under the [Accounts and Audit Regulations 2015](#) have also been taken into account when preparing this year's update of the pay policy to ensure that the published data is complete and consistent.

6. Living Wage

- 6.1 The Council has chosen to pay the [Living Wage](#) since 2013 as part of its commitment to being a good employer, and its approach to [Social Value](#). The Council signed a 'Living Wage Employer' licence with the Living Wage Foundation in February 2016. This means that as well as paying the Living Wage Foundation's recommended hourly rate, the Council is also implementing a phased plan which rolls out as contracts come up for renewal so that these third-party contracted staff also receive the Living Wage.
- 6.2 The Living Wage is set independently and calculated according to the basic cost of living in the UK. From 6 November 2017 the Living Wage rate is £8.75, for workers who are 18 and older.
- 6.3 This Living Wage hourly rate, paid by the Council and set by the Living Wage Foundation, is higher than the statutory [National Living Wage](#) brought in by central government in April 2016 for workers who are 25 years or over (currently £7.50) or the [National Minimum Wage](#) (£7.05 if 21-24, £5.60 if 18-20, £4.05 if under 18).
- 6.3 The Council will continue to pay the Living Wage, as set by the Living Wage Foundation, as a minimum standard for all its employees. More than 300 permanent/casual Council staff and 40 third-party contracted employees (grounds maintenance contract) had their wages increased to meet the £8.45 an hour Living Wage rate set in November 2016 (£8.75 from 6 November 2017).

7. Changes in 2017/18 and looking ahead to 2018/19

7.1 In 2017/18:

- April 2017 saw the national introduction of the Apprenticeship Levy. The Council's first intake of apprentices joined in September 2017. The Council is paying them the apprenticeship pay rate as set out in the [National Minimum Wage by age](#) - this is more than the statutory NMW rate for apprentices which would be £3.50 an hour, and the Council's apprentices are paid the NMW for their age straight away without having to complete the first year of an apprenticeship or be 19.
- The Government made public sector bodies and agencies responsible for operating the tax rules that apply to [IR35 off-payroll working through an intermediary](#). The Council has implemented this and taken the appropriate actions.

7.2 In 2018/19, the Council will need to comply with the effective dates and requirements of legislative changes such as:

- All organisations which employ more than 250 employees will need to publish '[gender pay gap](#)' information, showing whether there are any differences in pay between male and female employees. Plans are underway to meet the national specified requirements, and the Council has already taken steps to publish gender pay information about its [pay - male and female employees](#) on the Datashare section of the Council's website.
- The Government's further consultation on regulations for the £95,000 public sector exit payments cap/recovery regulations on exit payments (earning over £80,000).

8. Strategic Plan References

- 8.1 The performance, remuneration and motivation of employees are key to delivering effective, efficient public services and the Strategic Plan's aspirations and priorities.

9. Publicity Considerations

- 9.1 The data within the Officer Pay Policy is publicly available on the Council's website - '[Datashare](#)' so it is all one place, helping to improve openness and transparency.

10. Financial implications

- 10.1 The pay policy statement provides transparency about the Council's pay and benefits.

11. Equality, Diversity and Human Rights implications

- 11.1 The Equality Impact Assessment is on the Council's website [here](#).

12 Other Implications

- 12.1 There are no community safety, consultation, health and safety or risk implications.

Officer Pay Policy



Customer Business Culture

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Contents	Page
Introduction.....	1
1. Pay strategy and framework	1
2. Pay review and annual increases	2
3. Remuneration of Chief Officers	2
4. Other items in addition to salary	2
5. Rewarding performance.....	4
6. Pension.....	4
7. Other financial benefits	5
8. Recruitment.....	6
9. Sick Pay.....	6
10. Payments when employment status changes	7
11. Election duties	7
12. Temporary staff and interim arrangements	7
13. Supporting Information	8
Document Information	8
Pay Data – Appendix 1	9

OFFICER PAY POLICY

Introduction

The purpose of this policy is to provide an open and transparent framework that ensures clarity, fairness and consistency in the remuneration of officers.

The Council will comply with this policy which covers all officers. It ensures that employees are paid on a fair and equitable basis in accordance with equality legislation.

Colchester Borough Council recognises the importance of administering pay in a way that:

- attracts, motivates and retains appropriately talented people needed to maintain and improve the Council's performance and meet future challenges
- reflects the market for comparable jobs, with skills and competencies required to meet agreed delivery and performance outcomes
- allows for a proportion of remuneration to be at risk, depending upon the delivery of agreed outcomes and results
- delivers the required levels of competence within an overall workforce strategy within approved budget parameters
- is affordable and transparent.

1. Pay strategy and framework

- 1.1 The Council determines the level of annual salary for employees, including chief officers, using an established job evaluation scheme. Jobs are independently evaluated, using this scheme, by experienced Human Resources staff and all employees have the right of appeal against their pay grade.
- 1.2 The pay grades and salary spines are shown in Appendix 1, along with other definitions such 'chief officer'. The Council implemented the ['Living Wage'](#), which is independently calculated by the Living Wage Foundation, from April 2013 and became an accredited Living Wage Employer in February 2016. Each pay grade has a number of incremental points and employees normally progress up their pay grade by one increment on an annual basis, subject to satisfactory levels of performance (see also section 5 - rewarding performance).
- 1.3 The exception to this principle is where employees have transferred their employment to the Council and salary protection exists under the Transfer of Undertakings (Protection of Employment) legislation which is commonly referred to as TUPE.
- 1.4 The pay policy incorporates the Council's Equality and Diversity policy (website link [Equality and Diversity in employment - Colchester Borough Council](#)) and periodic equal pay audits will be conducted. From April 2017, in line with new mandatory gender pay gap reporting, the Council will need to publish pay information showing whether there are any differences in pay between male and female employees.

2. Pay review and annual increases

- 2.1 The Council supports the principle of collective bargaining and has a recognition agreement with the trade union 'Unison'. Negotiation and consultation is conducted at a local level in relation to levels of pay and benefits for all employees including Chief / Senior Officers (see definitions in Appendix 1). The Council therefore is not part of any national terms and conditions for local government employees.
- 2.2 Local negotiations around a pay review are conducted on an annual basis, and any increase is agreed taking into account inflationary factors, local salary levels and affordability. Any decision to increase salary levels for all employees has to be approved by the Portfolio Holder under delegated powers set in the Council's [Constitution](#).
- 2.3 The Council publishes its pay multiple (the ratio between the highest and lowest paid employees) and does not currently set a target for this.

3. Remuneration of Chief Officers

- 3.1 The remuneration of all officers is determined using the Council's job evaluation and performance management schemes.
- 3.2 The median average value of Chief Officers' pay is shown in Appendix 1 together with the relationship to the lowest paid staff and other staff (referred to in the legislation as "the pay multiple").
- 3.3 The remuneration of all Chief Officers and Senior Officers will be published in the Council's [Annual Statement of Accounts](#) (note 32), which also includes a wide range of financial information.

4. Other items in addition to salary

The Council pays the following additions to annual salary:

- 4.1 **Overtime:**
This is paid to employees who are required to work in excess of their contracted weekly hours. All overtime is paid at plain-time rate derived from annual salary, and enhancements are not normally paid for working at weekends or public holidays. Employees on pay grade CMG5 or above are not entitled to receive overtime pay.
- 4.2 **Unsocial hours working:**
The Council pays an allowance to employees who work unsocial hours which cover 24-hour shift working. Allowances are also paid to employees who undertake standby and call out duties. A small payment can also be made to 'front-line' employees who are required to work over the Christmas/New Year period.
- 4.3 **Maternity, paternity and shared parental arrangements:**
The Council has a policy that supports parents and provides some enhancement to the statutory maternity, paternity and shared parental provisions. These enhancements are shown in Appendix 1.

OFFICER PAY POLICY

4.4 Recruitment and retention payments:

Where the Council is faced with difficulties in recruitment to and retention of specific jobs, as a result of market pressures and skills shortages, the Chief Executive is able to sanction the use of a temporary recruitment/retention supplement, reviewed on a regular basis. This may include a non-consolidated payment on appointment and/or a retention payment to reflect the employment market and the needs of the business. Any such payment is to be authorised by the Chief Executive. If the employee leaves the Council voluntarily within a year, they will be required to pay back this non-consolidated payment.

Where an individual is being recruited and has significant experience or skills in the role for which they are being employed, Heads of Service and above have discretion to appoint at any scale point (within the grade) above the lowest level.

Where an employee is upgraded using the Council's job evaluation scheme, the employee will move to the lowest point of the new pay grade such that they receive at least one increment. Any proposal to move the employee to a higher point on the pay grade has to be authorised by the Chief Executive.

4.5 Increases in responsibility:

Temporary or permanent payments can be paid at the discretion of the Chief Executive (for employees on CMG 7 and above), or at the discretion of a member of the Executive Management Team (for employees on CMG 8 and below), to reflect operational needs, the level of additional responsibility and the Council's increment/acting-up policies.

4.6 Other items:

The Council only reimburses reasonable business expenses actually incurred and in line with the Council's travel and subsistence policy.

Professional membership fees are reimbursed to employees at the rate of 50% of fees incurred and only one membership per employee is reimbursed.

External training costs are paid where they form part of agreed learning and development, and in line with the post-entry training policy.

There are no expense allowances or bonuses other than those mentioned within this pay policy.

5. Rewarding performance

- 5.1 The Council uses a performance management scheme to appraise the performance of all employees, including Chief / Senior Officers. Issues of poor performance can result in any annual increment being withheld.
- 5.3 The Council also recognises the need to incentivise specific jobs whose role involves a proportion of sales or income generation. In such cases a reward package will be developed, which needs approval by Senior Management Team. The annual salary and incentive payment will be determined outside of the job evaluation scheme and will be risk-assured in relation to equal pay.
- 5.4 The Council incentivises and recognises employees for their individual contribution towards the three organisational goals of 'Customer; Business and Culture' through a non-salary rewards scheme. Where an employee's contribution is deemed to be excellent they can be nominated for a non-consolidated payment up to the maximum value if authorised by an Executive Director. See Appendix 1 for the value of these incentives.
- 5.5 The Council also recognises the importance of organisation-wide performance, and the contribution which employees can make to this. The Council is considering with the Trade Union the introduction of non-consolidated payments which would be related to its overall performance as measured against a range of financial, income and key performance indicators. If introduced, these would form part of the annual pay negotiations with Unison, and through the public governance process of portfolio holder approval. This matter is subject to formal member approval.

6. Pension

- 6.1 In accordance with statutory provisions, employees are offered membership of the Local Government Pension Scheme. The Council has a published pension policy and this policy applies to all employees including Chief / Senior Officers. It sets out the Council's decisions relating to discretionary powers allowed within the scheme. The pension contribution rates are shown in Appendix 1.
- 6.2 The Council also supports the principle of flexible retirement whereby employees are able to gain access to their pension whilst continuing in employment, subject to the restrictions laid down within the scheme and in the Council's Pension policy. This approach allows the Council to retain skilled employees and to assist individuals in managing the transition to retirement.

7. Other financial benefits

The Council currently offers the following financial benefits to employees, with the value of these charges and benefits shown in Appendix 1:

7.1 Travel Plan incentives/charges:

In order to encourage employees to use 'greener' travel modes, which also help to reduce town centre congestion, the Council has developed a package of travel plan measures. These measures include a charge for car parking for employees based in the town centre, and discounts for the 'home to work' use of bus and rail travel.

7.2 Salary sacrifice schemes:

The Council has adopted approved government salary sacrifice schemes which enable employees to have deductions from pay to purchase childcare vouchers or cycles for travel to work. These schemes are tax efficient for the employee and are cost-neutral to the Council.

7.3 Long Service Awards:

The Council recognises the commitment of employees to public service and provides a gift to employees for 25 years' service with the Council.

7.4 Other allowances:

An allowance is paid for employees who volunteer to be designated First Aiders in the workplace.

An allowance paid as a contribution towards broadband costs, which applied if employees work at home on a regular basis using a PC to access Council systems, is no longer included in the terms and conditions of new starters joining the Council after 1 October 2016. No employee will receive this allowance after 1 May 2018.

OFFICER PAY POLICY

8. Recruitment

- 8.1 In accordance with the Council's [Constitution](#), appointments to Head of Paid Service (Chief Executive), Executive Directors, Heads of Service, Chief Finance Officer and Monitoring Officer, have to be approved by the Full Council.
- 8.2 All appointments are made in line with this pay policy.
- 8.3 The appointment of other Chief Officers and starting salaries within the grade must be approved by the Chief Executive.
- 8.4 The appointment of employees other than Chief Officers will be delegated to the appropriate management level, relevant to the vacant job. The starting salary within the pay grade range will be determined taking into account the skills and experience of the applicant and market pressures.
- 8.5 The Council does not restrict the re-employment of employees previously made redundant by either the Council or other Local Government. All applicants for vacancies are considered equally, based on their knowledge, skills and experience.
- 8.6 Full Council will be offered the opportunity to vote before large salary packages are offered in respect of new appointments. This level is set out in statutory guidance, and the current level is shown at Appendix 1 along with definitions of roles/posts.

9. Sick Pay

The Council applies the following sick pay scheme for all employees including Chief Officers.

Service (years)	Full Pay (months)	Half Pay (months)
During first year	1	*2
During second year	2	2
During third year	4	4
During fourth/fifth years	5	5
After five years	6	6

* After completing 4 months' service

10. Payments when employment status changes

10.1 **Redundancy:**

The Council operates a redundancy payment scheme which applies to all employees including Chief / Senior Officers. The scheme is based on the employee's rate of pay and on the number of weeks paid under the statutory scheme, with an enhancement of 50% subject to a maximum of 45 weeks' pay.

10.2 **Pay Protection:**

The Council operates pay protection for a limited time period, within the terms of the redundancy policy. This applies when staff have their pay reduced as part of a process of re-deployment or job evaluation.

10.3 **Agreements:**

Where the Council is in dispute with an employee, the Council will make use of legally binding agreements to settle disputes in appropriate circumstances. The use of these agreements and the value of any settlement will be determined by a consideration of factors such as the potential costs of litigation, the degree of risk at employment tribunal adjudications and any reputational impact. The decision to agree a legally binding agreement will rest with the Chief Executive or, in the case of the Chief Executive, will rest with the Cabinet.

11. Election duties

11.1 The Council has determined that the Returning Officer is the Chief Executive, and the remuneration is separate from the Chief Executive's salary. The Council has set the remuneration levels of employees who assist with local government election duties on a secondary employment basis. These levels are set by Essex County Council for county elections, and by central government for national and European elections.

11.2 The amount paid for election duties will vary depending on the number and type of elections which take place. The amount paid to the Returning Officer in the previous year is shown in Appendix 1.

12. Temporary staff and interim arrangements

12.1 The Council occasionally uses temporary agency or interim staff where it meets specific business needs and delivers best value. Levels of reward are determined by market rates. However, the Council will not use payment arrangements that could be perceived to be designed to deliberately avoid personal taxation.

OFFICER PAY POLICY

13. Supporting Information

The following references have been used in producing this Pay Policy, along with the Council's existing Human Resource policies:

Legislation

- The Localism Act 2011 - [chapter 8 - pay accountability](#).
- The Equality Act 2010
- Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006
- Local Government Pension Scheme Regulations 2008
- [Accounts and Audit Regulations 2015](#).

Best practice guidance

Department for Communities and Local Government:

- [Openness and accountability in local pay: Guidance under section 40 of the Localism Act](#)
- [Local government transparency code 2015](#)

The Chartered Institute of Public Finance and Accountancy:

- [Code of Practice in Local Authority Accounting](#)

Local Government Association

- [Pay Policy Statements - guidance](#).

Our website

The Council's website www.colchester.gov.uk has a [section with more information about employment](#) at Colchester Borough Council.

The following policies and forms should be taken into account alongside this document:

Policies	
Equality and Diversity policy	Increment policy
Maternity and Paternity policies	Acting up policy
Pensions policy	Overtime policy
Local Government Pension Scheme (Administration) Regulations 2013 Discretionary Decisions by Colchester Borough Council	Performance management scheme
Post-entry training policy	Redundancy policy
Travel and subsistence policy	Travel Plan

The policies are on the Intranet in the HR section: [A to Z of HR Policies and Procedures](#)

Document Information

Title :	Officer Pay Policy
Status :	2017 update of existing policy
Version :	DRAFT
Consultation :	Cabinet 22 November 2017
Approved By :	Full Council
Approval Date :	7 December 2016
EQIA :	click here
Review Frequency :	Annual
Next Review :	December 2018

OFFICER PAY POLICY

Pay Data – Appendix 1

1. Annual Salary scales (these include April and November 2017 increases)

Salary spine

point	Annual salary (£.p)	point	Annual salary (£.p)
4*	16,881.23	32	35,102.78
5*	16,881.23	33	36,454.92
6*	16,881.23	34	37,709.88
7*	16,881.23	35	38,964.88
8*	16,881.23	36	40,219.85
9*	16,881.23	37	41,524.75
10*	16,881.23	38	42,829.66
11*	16,881.23	39	44,134.52
12	17,461.66	40	47,378.55
13	17,843.55	41	50,622.59
14	18,228.14	42	53,866.62
15	18,607.33	43	58,188.87
16	18,989.23	44	62,511.10
17	19,371.09	45	66,833.35
18	19,747.61	46	71,155.56
19	20,319.75	47	75,477.80
20	20,891.92	48	79,621.90
21	21,464.07	49	83,766.02
22	22,036.23	50	87,910.10
23	22,608.38	51	92,054.23
24	23,226.42	52	96,198.31
25	25,068.39	53	100,342.44
26	26,956.26	54	104,999.35
27	28,844.11	55	109,656.22
28	30,028.94	56	114,313.11
29	31,213.73	57	118,969.99
30	32,398.52	58	123,626.89
31	33,750.66	59	126,126.03

The last pay increase was in April 2017 – 1%. The Living Wage rate, as set by the Living Wage Foundation, was uplifted to £8.75 an hour/£16,881.23 a year on 6 November 2017.

* Note these salary points are 'Living Wage' (£8.75 from November 2017 – was £8.45). Employers can choose to pay the Living Wage on a voluntary basis, and the Council has done so since 2013. This is higher than the compulsory National Living Wage introduced by the government from April 2016 for all employees who are over 25 (currently £7.50).

Pay Grade range

Pay Grade (CMG)	Salary spine point range	Pay Grade (CMG)	Salary spine point range
14	4 to 7	7	32 to 36
13	7 to 12	6	35 to 39
12	11 to 18	5	38 to 42
11	18 to 24	4	42 to 47
10	23 to 27	2-3	46 to 53
9	26 to 30	1	54 to 59
8	29 to 33		

OFFICER PAY POLICY

Apprentices

The national introduction of an Apprenticeship Levy in April 2017 aims to encourage businesses to create three million new apprenticeships by 2020. Employers operating in the UK with a pay bill over £3 million each year are now required to invest in apprenticeships via an apprenticeship levy charged at a rate of 0.5% of the annual pay bill.

The Council's first intake of apprentices joined in September 2017. CBC agreed the apprenticeship pay rate as the [National Minimum Wage by age](#) - this is more than the NMW rate for apprentices of £3.50 an hour, and CBC apprentices gets the NMW for their age straight away without having to complete the first year of an apprenticeship or be 19.

2. Pay relationship for Chief Officers

	2017/18
Median average pay for Chief Officers	£75,477.80
Median average pay for staff other than Chief Officers	£23,226.42
Median average pay for lowest paid staff	£16,302.45
Pay multiple of Chief Officer (Chief Executive) pay to staff other than this Chief Officer	5.43
Pay multiple of Chief Officers' pay to staff other than Chief Officers	3.25
Pay multiple of Chief Officers' pay to lowest paid staff	4.63

Notes – please also see definitions of officers at section 8 below:

- Median average pay is based on full-time equivalent annual salary plus additional payments for Chief Officers. It excludes election fees.
- 'Lowest paid staff' is defined as those paid the 'Living Wage' - see chart of pay grades on page 9.
- Pay multiple - the ratio between the highest and lowest paid staff.

3. Additional payments for Chief Officers

[Returning Officer election fees paid to the Chief Executive:](#)

Elections held	Amount paid	Year
Essex County Council, Parliamentary (Colchester and Harwich and North Essex Constituencies), Parish by-election and Borough by-election	£14,275.18	2017/18

4. Other pay additions and allowances – see pages 2 and 3 for eligibility

[Maternity, Paternity and Shared Parental pay:](#)

In addition to the statutory provisions, the Council pay 20 weeks at half-pay for mothers who go on maternity leave and subsequently return to work. Up to two weeks' paid paternity leave is granted to eligible employees.

[Non-salary rewards scheme:](#)

Quarterly – 1,500 loyalty points (£15 in value) can be redeemed on activities or products within Colchester Leisure World. Maximum of 42 staff across all services each quarter.
Annually – incentive to be sourced via reciprocal marketing and voucher schemes.

[Exceptional performance:](#)

Non-consolidated payment to a maximum of £1,000 if authorised by an Executive Director.

OFFICER PAY POLICY

6. Pension contribution rate

Employer rate is 15.1%. Employee rates are:

LGPS Contribution Bands April 2017	
Actual Pay (includes overtime, additional hours and so on)	Contribution rate per year
Up to £13,700	5.5%
£13,601 - £21,400	5.8%
£21,401 - £34,700	6.5%
£34,701 - £43,900	6.8%
£43,901 - £61,300	8.5%
£61,301 - £86,800	9.9%
£86,801 - £102,200	10.5%
£102,201 - £153,300	11.4%
More than £153,301	12.5%

7. Other financial benefits – see page 5 for eligibility

Travel Plan benefits and charges:

Car parking charge – this is paid by employees if they drive to work:

- £2 per day.

Home to work travel, in line with Travel Plan policy:

- Bus season ticket discount 50% / train season ticket or 'bulk buy' discount 35%.

Long Service award:

- Maximum value of £250 for 25 years' service with the Council.

First Aid allowance - for employees designated as First Aiders in the workplace:

- £141.96 a year.

Broadband allowance – to access Council computer systems if home working on a regular basis and employed by the Council before 1 October 2016 (not applicable since that date):

- £132 a year.

8. Definition of terms used in the Officer Pay Policy and Pay Data documents

- Chief Officers – posts requiring appointment by elected councillors - designated as Chief Executive, Executive Directors and Heads of Service within the Council's constitutional arrangements for appointment. It also includes the Section 151 and the Monitoring Officer where those roles are not performed by a Head of Service. These posts meet the Chief Officer definition in [paragraph 43 Localism Act](#).
- Chief Officer – this is the Chief Executive.
- Senior Officers – any post with a salary of £58,200 and above, which is the Senior Civil Service minimum pay band ([paragraph 12 code of practice](#)).
- Senior Management Team – the Chief Executive, Executive Directors and Heads of Service.
- Large salary package – this is defined in statutory guidance and the current threshold is £100,000 ([paragraph 14 Localism Act guidance](#)).