

# Council

Thursday, 02 December 2021

**Attendees:**

Councillor Lewis Barber, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Tina Bourne, Councillor Michelle Burrows, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Peter Chillingworth, Councillor Helen Chuah, Councillor Nick Cope, Councillor Mark Cory, Councillor Pam Cox, Councillor Simon Crow, Councillor Robert Davidson, Councillor Paul Dundas, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Jeremy Hagon, Councillor Dave Harris, Councillor Chris Hayter, Councillor Pauline Hazell, Councillor Mike Hogg, Councillor John Jowers, Councillor David King , Councillor Darius Laws, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Roger Mannion, Councillor Sam McCarthy, Councillor Patricia Moore, Councillor Steph Nissen, Councillor Beverley Oxford, Councillor Gerard Oxford, Councillor Philip Oxford, Councillor Chris Pearson, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Leigh Tate, Councillor Martyn Warnes, Councillor Lorcan Whitehead, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

**487 Prayers**

The meeting was opened with prayers from the Reverend Dr Amanda Elmes.

**488 Apologies**

Apologies were received from Councillors Coleman, Leatherdale, Lilley and Luxford Vaughan.

**489 Have Your Say! (Hybrid meetings)**

William Sunnucks addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) in respect of the motion on climate change. He hoped the Council would reject the motion. The Council should concentrate on what it could control rather than talking about matters it could not. The Council had real responsibilities which required real action. For example it needed to understand 1000 homes in the Council's estate did not have an EPC certificate let alone proper insulation or heat pump

technology. A plan to insulate local homes should be supported. The incentives which made it cheaper to drive than use public transport needed to be addressed and the Council should be examining which buildings could be renovated rather than rebuilt. Impractical promises also needed to be avoided such as building 920 more houses per year without the supporting infrastructure. The Council should concentrate on what it could actually influence rather than grandstanding. The motion should be rejected or heavily amended.

**490 One Minute Silence**

The Mayor invited Council to stand for a minute's silence in tribute to David Amess MP.

**491 Minutes of the Previous Meeting (Council)**

The minutes of the meetings held on 15 September 2021 and 20 October 2021 were confirmed as a correct record.

**492 Mayor's Announcements**

The Mayor indicated that he had represented the Council at the funeral of Sir David Ames MP. The family's message was the need for people to show respect and kindness to each other.

The Mayor noted the recent death of former Councillor Ray Cole who had served as Councillor for West Bergholt between 1984-90 and 1995-99.

The Mayor announced the following events:-

A reading of "A Christmas Carol" by Anthony Roberts, Old Library, 16 December 2021;

Mayoral Carol Service, Lion Walk Church, 19 December 2021

**493 Establishment of a Joint Committee for Tendring Colchester Borders Garden Community**

**Councillor Bentley (in respect of his position as Leader of Essex County Council) declared a non-pecuniary interest in the following item pursuant to the provisions of Council Procedure Rule 11(5)**

A statement from Councillor Luxford Vaughan was read to the meeting by the Democratic Services Officer expressing concerns about the establishment of a Joint Committee. Supporters of the garden community concept had insisted that the way to deliver them was through a development corporation. A traditional development model and the existing planning system would not deliver a garden community. This would be watered down further with the involvement of two other authorities with different priorities. It was unclear how a Joint Committee could balance the burden on Colchester's Infrastructure with Tendring's desire to generate a rate income and secure all the affordable housing for its residents. Essex County Council representation would be predetermined by the legally binding HIF agreement. Whilst Greenstead ward councillors were claiming they should have a seat on the Joint Committee, the development was planned within the ward boundaries of Elmstead, Ardleigh and Wivenhoe, with the masterplan documents showing development less than 1000 yards from Wivenhoe. Tendring were adamant that only 1250 homes would be allocated to Colchester through the lifetime of this project and there was no agreement in place to contradict this. The Council should not agree to the Joint Committee or invest in the DPD until such an agreement was in place. A Joint Committee with authorities motivated by anything but the principles of a garden community would not produce one.

Manda O'Connell addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) as a resident of Greenstead and Chair of the Tendring Colchester Borders Garden Community (TCBGC) Liaison Group. She hoped that the interest of east Colchester would be served by full Colchester Borough Council participation in the Joint Committee. This would help continue the encouraging community engagement achieved so far. This was a shared development that would benefit both Tendring and Colchester. Involvement in the Joint Committee would enable the Council to influence the layout of the development. This was an opportunity to showcase an innovative and sustainable development that would meet housing needs for the next thirty years. The Council should not be obstructive or seek to undermine this initiative, which would secure much needed housing, particularly affordable housing. The Council should put party politics aside and support the proposal for Joint Committee which would address the real need of the community and its residents.

James Marchant addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) representing Colchester East Action Group to express his view that the Garden Community should proceed with a large green buffer between it and the existing communities in east Colchester. This would prevent speculative development in the area such as the recent development near Bromley Road and Salary Brook.

*RESOLVED* (MAJORITY voted FOR) that the recommendation contained in draft minute 605 of the Cabinet meeting of 17 November 2021 be approved and adopted.

**494 Local Council Tax Support Scheme 2022-23**

*RESOLVED* (UNANIMOUS) that the recommendation contained in draft minute 608 of the Cabinet meeting of 17 November 2021 be approved and adopted.

**495 Officer Pay Policy Statement 2022-23**

*RESOLVED* (UNANIMOUS) that the recommendation contained in draft minute 609 of the Cabinet meeting of 17 November 2021 be approved and adopted.

**496 Nomination for Deputy Mayor 2022-23**

*RESOLVED* (UNANIMOUS) that the recommendation contained in draft minute 614 of the Cabinet meeting of 17 November 2021 be approved and adopted and that Councillor Jowers be nominated for appointment as Deputy Mayor for the borough of Colchester for the 2022-23 municipal year.

**497 Gambling Act 2005 Policy**

*RESOLVED* (UNANIMOUS) that the recommendation contained in draft minute 143 of the Licensing Committee meeting of 10 November 2021 be approved and adopted.

**498 Review of the Ethical Governance Policies**

*RESOLVED* (UNANIMOUS) that the recommendation contained in draft minute 290 of the Governance and Audit Committee meeting of 23 November 2021 be approved and adopted.

#### **499 Review of Local Code of Corporate Governance**

*RESOLVED* (UNANIMOUS) that the recommendation contained in draft minute 291 of the Governance and Audit Committee meeting of 23 November 2021 be approved and adopted.

#### **500 Suspension of Procedure Rules**

*RESOLVED* that Council Procedure Rule 11(2) be suspended to allow the motion on Insulating Homes to be debated and determined at the meeting.

#### **501 Insulating Homes**

It was proposed by Councillor J. Young, also on behalf of Councillor Cory, that:-

*Climate change is the biggest single threat that Colchester residents face. The biggest carbon impact locally is poorly insulated homes. As energy prices skyrocket local families are spending hard earned incomes on heat that leaks from their homes. Colchester needs a plan to retrofit local homes, that provides new jobs, reduces heating bills and ensures people are warm in their homes over winter periods. This council calls on the Cabinet members for the Environment , Housing & Planning to develop a plan to work with Colchester Borough Homes, housing associations, private landlords and homeowners to retrofit homes and tackle the climate emergency. This plan must include calling on Government to provide additional funding to support this vital work which will be good for residents and climate change.*

A main amendment was proposed by Councillor Barber as follows:-

*That the motion on Insulating Homes be approved and adopted subject to:*

- *In the second sentence the deletion of the words “The biggest carbon impact locally is” and the insertion of the words “A key contributor to climate change locally are”.*
- *The deletion of all wording from “As energy prices skyrocket..” onwards and the insertion of the following wording:  
“This Council recognises that poorly insulated homes also contribute to increased energy costs, which disproportionately impacts lower income households.*

*This Council therefore welcomes the Green Homes Grant funded by the Government, which is an example of policy that tackles climate change, assists households financially and supports local jobs. The Green Homes Grant provides funding for up to £10,000 to*

*install energy efficient measures for homeowners across Essex with a household income below £30,000 and/or in receipt of an eligible benefit and an Energy Performance Certificate rating of D, E, F or G. The Green Homes Grant is also available for private rented homes. The Council further welcomes the national target of EPC rating C for all private rented homes by 2030 and the recommendations on energy efficiency in Essex's Net Zero: Making Essex Carbon Neutral report, which we resolve to support to deliver where we have a role.*

*The Council further resolves to continue to promote the Green Homes Grant to help achieve our climate goals and assist lower income households, as well as support other schemes such as Colchester Borough Home's ambition on insulation and energy efficiency. Finally, this Council resolves to work with housing associations, private landlords and homeowners to achieve the Government's welcome target of all private rented homes being EPC band C by 2030."*

Councillor J. Young indicated that the main amendment was not accepted.

On being put to the vote the main amendment was approved (TWENTY ONE voted FOR and SEVENTEEN voted AGAINST) and the motion was deemed amended accordingly. The amended wording of the motion was as follows:-

*Climate change is the biggest single threat that Colchester residents face. A key contributor to climate change locally are poorly insulated homes. This Council recognises that poorly insulated homes also contribute to increased energy costs, which disproportionately impacts lower income households.*

*This Council therefore welcomes the Green Homes Grant funded by the Government, which is an example of policy that tackles climate change, assists households financially and supports local jobs. The Green Homes Grant provides funding for up to £10,000 to install energy efficient measures for homeowners across Essex with a household income below £30,000 and/or in receipt of an eligible benefit and an Energy Performance Certificate rating of D, E, F or G. The Green Homes Grant is also available for private rented homes. The Council further welcomes the national target of EPC rating C for all private rented homes by 2030 and the recommendations on energy efficiency in Essex's Net Zero: Making Essex Carbon Neutral report, which we resolve to support to deliver where we have a role.*

*The Council further resolves to continue to promote the Green Homes Grant to help achieve our climate goals and assist lower income households, as well as support other schemes such as Colchester Borough Home's ambition on insulation and energy efficiency. Finally, this Council resolves to work with housing associations, private landlords and homeowners to achieve the Government's welcome target of all private rented homes being EPC band C by 2030.*

The amended motion was then put to the vote and was approved and adopted (MAJORITY voted FOR).

## 502 Standards

It was proposed by Councillor King, also on behalf of Councillor Fox, that:-

*Confidence in politics has been further damaged by recent parliamentary lobbying, misconduct and the second jobs controversy.*

*This Council welcomes the Government's withdrawal of their proposals, and the Prime Minister's apology. And their restated support for an independent Standards Commissioner and process, as this helps ensure our Members of Parliament act in the interest of their constituents and our nation, uninfluenced by what they can earn by lobbying.*

*This Council believes the great majority of elected members, including this Council, are motivated by public service alone. We commit ourselves to ensure our conduct is beyond reproach, to continue to declare any conflicts of interest, to not accept payments from any who seek to improperly influence what we as individuals or a local authority might do. And to work to the highest standards of public service. To put the interests of our residents and the wider public first in all we do.*

A main amendment was proposed by Councillor Dundas, as follows:-

*That the motion on Standards be approved and adopted subject to:*

- *In the third paragraph after the words "or local authority might do" the insertion of a new paragraph as follows:-*

*We further commit to treat each other with the respect and the behavioural standards our residents expect. To not use derogatory language or act in a disrespectful manner in person, in print, in social media and any other forums about each other or organisations – political or otherwise - we are affiliated with. We also call on anyone who is associated with us including MPs, candidates, party political activists and supporters to do likewise and we commit to taking whatever action we can against any of those who do.*

- *In the penultimate sentence the deletion of the words "And to" and the insertion of word "We".*

Councillor King indicated that the main amendment was not accepted.

On being the put to the vote the main amendment was approved (TWENTY THREE voted FOR and ONE voted AGAINST) and the motion was deemed amended accordingly. The amended wording of the motion was as follows:-

*Confidence in politics has been further damaged by recent parliamentary lobbying, misconduct and the second jobs controversy.*

*This Council welcomes the Government's withdrawal of their proposals, and the Prime Minister's apology. And their restated support for an independent Standards Commissioner and process, as this helps ensure our Members of Parliament act in the interest of their constituents and our nation, uninfluenced by what they can earn by lobbying.*

*This Council believes the great majority of elected members, including this Council, are motivated by public service alone. We commit ourselves to ensure our conduct is beyond reproach, to continue to declare any conflicts of interest, to not accept payments from any who seek to improperly influence what we as individuals or a local authority might do.*

*We further commit to treat each other with the respect and the behavioural standards our residents expect. To not use derogatory language or act in a disrespectful manner in person, in print, in social media and any other forums about each other or organisations – political or otherwise - we are affiliated with. We also call on anyone who is associated with us including MPs, candidates, party political activists and supporters to do likewise and we commit to taking whatever action we can against any of those who do.*

*We to work to the highest standards of public service. To put the interests of our residents and the wider public first in all we do.*

The amended motion was put to the vote and was approved and adopted (UNANIMOUS).

### **503 Authorisation of Absence from Council and Committee meetings**

*RESOLVED* that the recommended decision in the report from the Assistant Director, Corporate and Improvement Services, be approved and adopted and accordingly the absence of Councillor Coleman from attendance at Council and Committee meetings be

authorised for a period of six months from 10 December 2021, pursuant to the provisions of section 85 of the Local Government Act 1972.

**504      Schedule of Portfolio Holder Decisions**

*RESOLVED* that the schedule of Portfolio Holder decisions covering the period 9 October 2021 to 19 November 2021 be noted.

**505      Closure of Meeting**

In view of the late hour and the conditions in the meeting room, the Mayor closed the meeting and directed that a written response be provided to the pre-notified question to the Leader of the Council that had been submitted. The outstanding motions on Support to Local Business and Climate Change were not debated and determined.