

# Council

Wednesday, 13 July 2022

**Attendees:**

Councillor Tracy Arnold, Councillor Lewis Barber, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Molly Bloomfield, Councillor Michelle Burrows, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Mark Cory, Councillor Pam Cox, Councillor Robert Davidson, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Mike Hogg, Councillor John Jowers, Councillor David King, Councillor Richard Kirkby-Taylor, Councillor Jocelyn Law, Councillor Darius Laws, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Andrea Luxford Vaughan, Councillor Jackie Maclean, Councillor Roger Mannion, Councillor Sam McLean, Councillor Patricia Moore, Councillor Beverley Oxford, Councillor Chris Pearson, Councillor Kayleigh Rippingale, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Paul Smith, Councillor Rhys Smithson, Councillor Michael Spindler, Councillor William Sunnucks, Councillor Leigh Tate, Councillor Martyn Warnes, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

**541 Prayers**

The meeting was opened with prayers from the Reverend Sue Howlett.

**542 Apologies**

Apologies were received from Councillors Ellis, Hagon, Harris, McCarthy, Nissen and G. Oxford.

**543 Have Your Say!**

Nick Chilvers addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). Following the approval of section 2 of the Local Plan, a Masterplan for the Middlewick area would be required before an application could be considered. Would dedicated officers be appointed and which Committee of Council would approve it? The Masterplan would need to understand what infrastructure was in place, which tied in with the suggestion made at the Council meeting that an infrastructure audit be undertaken

across the borough. Would such an audit be undertaken? Given the sensitivity of the site, there was a case for the appointment of a well-qualified ecology officer, who would not be influenced by developers and other third parties. Any undeveloped land at Middlewick would still be on Ministry of Defence land and effective lobbying would be needed to ensure they co-operated with the concept of the country park. Confirmation was sought as to which Portfolio Holder would be responsible for this. It was hoped that the six ward councillors for Old Heath and Berechurch would follow up on these issues and liaise with residents.

Councillor Luxford Vaughan, Portfolio Holder for Planning and Infrastructure responded to explain that there would be a dedicated officer for the development of the Masterplan. The approval of the Masterplan would be the responsibility of the Local Plan Committee. Officers were looking at the timescale and financing of the infrastructure audit and were currently working on a scoping document. There were no current plans to appoint a dedicated Ecology Officer, but again officers were exploring options. If one was not appointed expert opinions from independent consultants would be used. The establishment of a Country Park was now Council policy so the Ministry of Defence could not prevent it. She would be meeting with the Ministry of Defence together with the Leader of the Council, but this would take place after the period in which a judicial review could be lodged against the approval of Section 2 of the Local Plan had expired.

Councillor Fox, Portfolio Holder for Local Economy and Transformation, was also invited to respond and indicated that it was important that any independent ecological advice had input from local residents and campaigners.

Steve Kelly addressed the Council pursuant to the provisions of Council Procedure Rule 6(1) and expressed concern about the inclusion of Middlewick within the Local Plan. If development was to take place the land opposite the Willows should be extended to extend cemetery facilities. There was evidence to suggest that there had been a 40% increase in mortality rates over the last year, a 90% increase in birth defects and infant mortality and significant increase in serious diseases. He believed that was because of the ingredients contained in the Covid vaccination.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, responded to that vaccination had been a huge success by any professional measure and the vaccination programme had saved thousands of lives and prevented many hospitalisations. The Council was very supportive of the work to develop and deliver vaccines. It was in society's collective interest to address vaccine hesitancy. These views were supported by senior consultants he had spoken to. He would be willing to provide further information or put Mr Kelly in touch with health professionals if that would help.

Sara Naylor addressed the Council pursuant to the provisions of Council Procedure Rule

6(1). Residents of West Bergholt were puzzled by the Council's response to the informal consultation. This seemed like a technical response to a planning application. The community had been hoping for a wholesale rejection of the proposals. There was a preference for an offshore route and there was no justification for sacrificing historic landscapes.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that this had been a technical consultation and the response had reflected this. However, the Council Leadership were personally and wholly opposed to the proposals. They failed the primary test of responsible, strategic planning. The proposal had been brought forward without justification for the proposed route and method. Discussions had been held with Essex County Council and other authorities in Essex and across East Anglia and there was rare unanimity on this issue. This was the beginning of a long process, but the Council's opposition to the proposals was clear

Councillor Luxford Vaughan, Portfolio Holder for Planning and Infrastructure also responded and reiterated that the response had been to a technical consultation, and the proposed response had been strengthened following representations from members. It was clearly an objection and made it clear that an offshore model needed to be looked at. There would be an ongoing dialogue with the National Grid but the Council would maintain its objection when the proposals went to formal consultation.

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

The minutes of the meeting held on 25 May 2022 were confirmed as a correct record.

**545 Colchester's new Housing Strategy 2022-27**

*RESOLVED (UNANIMOUSLY)* that the recommendation contained in draft minute 675 of the Cabinet meeting of 6 July 2022 be approved and adopted.

**546 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10**

Questioner	Subject	Response
------------	---------	----------

Pre-notified questions		
Councillor Law	<p>Tree planting is critical to tackling the climate emergency and is central to much of the council's environmental work, such as the woodland and biodiversity project. However, such activities need to be managed with a strategic and planned approach to maximise the full environmental benefits.</p> <p>As the ward councillor for Highwoods, which also includes High Woods Country Park, can you outline the environmental justifications for the decision not to go ahead with tree planting on the meadow area in the country park? Can you provide details on the proposed scale of tree planting planned in the country park across the next year, and explain the rationale for a more strategic approach to tree planting, as opposed to simply increasing tree planting regardless of location?</p>	<p>Councillor King, Leader of the Council and Portfolio Holder for Strategy, responded in the absence of Councillor Nissen, Portfolio Holder for Environment and Sustainability. A full written response would be sent. Tree planting sensitive to the location was the right approach, whilst planting at scale gave mixed results. Highwoods Country Park was in his County Division. It was a superb site with a range of biodiversities and tress in a range of ages and conditions. The approach to planting in Highwoods needed to be reviewed. This was not a question of commitment as considerable planting had been done on other sites. However it was the view of the administration that to plant thousands of trees on meadow land as had been proposed would be destructive. There were several habitats which, according to government guidance, were valuable and would have been destroyed. The right strategy was to plant well, sensitive to location and community need.</p>
Councillor McLean	<p>Recent released data shows 386 local people died last year waiting for NHS treatment. 1 person is too many but 386 people is a scandal. There are now nearly 70,000 people waiting for treatment at our local NHS hospital trust.</p> <p>Would the Chair of Scrutiny agree to inviting our local health partners to a committee meeting so that they can</p>	<p>Councillor Willetts, Chair of Scrutiny Panel, acknowledged that how the NHS would address waiting times following the pandemic would be a concern to all members. The Scrutiny Panel procedures gave an opportunity to members of the Panel or other Councillors to make proposals for items to be considered by the</p>

	<p>explain the causes behind record NHS waiting lists?</p>	<p>Panel and present supporting evidence. The Panel could then consider the request. Issues about the work programme were for the whole Panel and not solely the Chair.</p> <p>Whilst the Panel sought to be a critical friend to those organisations it scrutinised, this would be a complex issue and the answers would not be straightforward. The Council also did not have specialist officers on health issues who would be able to help on a technical level</p> <p>Essex County Council operated a Health Overview Policy and Scrutiny Committee, of which Cllr Harris was the Deputy Chair. Essex County Council would also have specialist officers who be able to support scrutiny of planning and provision of health services.</p> <p>Therefore public resources might be best served by making the request to Essex County Council rather than Colchester Borough Council.</p>
Councillor McLean	<p>Could the Portfolio Holder for Housing and Communities update me on the progress of new council homes being built on Military Road in New Town?</p>	<p>Councillor J. Young, Portfolio Holder for Housing and Communities, explained that this was a former garage site on which 8 new properties were being built. They were being built to a high specification and would be energy efficient. A local letting policy</p>

		would be in place for the development. The scheme was nearly completed, although there had been some supply issues due to the impact of the pandemic
Oral questions		
Councillor Hogg	Would the Portfolio Holder for Housing and Communities accept an invitation from the trustees of the Oak Tree Centre to look at a jointly funded CCTV project with an agreed protocol to protect local residents?	Councillor J. Young, Portfolio Holder for Housing and Communities, indicated that she would be happy to meet and discuss the issue.
Councillor Barber	Was it Cabinet policy to review the Local Plan and remove Middlewick?	Councillor Luxford Vaughan, Portfolio Holder for Planning and Infrastructure, explained that the Local Plan would be reviewed. Presently officers were concentrating on putting the new policies in place. The review would probably be timed alongside the evidence base. As far as she was aware there was no plan to review Middlewick, but there was a plan to talk to the Ministry of Defence about the allocation and the potential of moving it away from the ranges.
Councillor Barber	Could the Chair of the Local Plan Committee confirm any advice from Natural England sent to the Council before the Extraordinary Council Meeting on 4 July 2022?	<p>Councillor Goss, Chair of the Local Plan Committee, highlighted that the Local Plan and the Local Plan Committee was independent of Cabinet. The Local Plan Committee's functions and powers were delegated from Full Council.</p> <p>This issue had been dealt with at the Local Plan meeting on 4 July 2022. A letter had been received</p>

		<p>from Natural England which had been referenced at the meeting so the notes and recording could be checked for details.</p> <p>The letter from Natural England would be circulated to all Councillors.</p>
Councillor Barber	<p>What was the Leader of the Council's view of what the policy of reviewing the Local Plan and the inclusion of Middlewick should be?</p> <p>Did sites that were put forward by landowners in the call for sites have to be allocated for housing in the Local Plan?</p>	<p>Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that no Councillor took pleasure in the position the Council had to take following the decision of the Ministry of Defence to sell the land. The Council had had to respond to that challenge. The Council needed to do the best for residents and to secure the protections set out in the Local Plan for this and other sites. His approach would be to do the best by what we have and engage and consult with residents. The Council should also pressure the Ministry of Defence to secure the best deal it can in line with spirit of the objections made.</p> <p>Sites put forward in the call for sites did not have to be allocated in the Plan. The Council had to work with the Plan as approved.</p>
Cllr Scordis	<p>Could the Portfolio Holder for Local Economy and Transformation provide an update on the Marks and Spencer store?</p>	<p>Councillor Fox, Portfolio Holder for Local Economy and Transformation, explained that the loss of Marks and Spencer would be a blow but Colchester High Street continued to punch above its weight and was doing better</p>

		<p>than many others in the region. He would like to see Marks and Spencer retain a High Street presence. Dialogue was open to try and find a way of retaining a presence in the town centre. The local community who were campaigning on this issue would be particularly keen to see the retention of a food hall.</p>
Councillor Moore	<p>Following the felling of three listed trees in Mersea, would the Leader of the Council agree to a change in practice so that where it was proposed to fell a listed tree, a second opinion was sought?</p>	<p>Councillor King, Leader of the Council and Portfolio Holder for Strategy, indicated that he would be willing to introduce this change.</p>
Councillor Smithson	<p>Could the Portfolio Holder improve access to information about cost of living and consider supporting a one off increase in locality budgets to help fund cost of living projects?</p>	<p>Councillor J. Young, Portfolio Holder for Housing and Communities, explained that further funding had been provided to the Foodbank. The Council website was being updated to improve access to such information and targeted communications would be undertaken, particularly aimed at those who might not have needed support previously. There were a number of funding streams available such as the Household Support Fund and Discretionary Council Tax Support. It was accepted that Councillors needed to be provided with the information to pass on to residents. A judgement on increasing locality budgets could be made once Councillors had received this information.</p>
Councillor Willetts	<p>In terms of the proposals for a network of new pylons, it was</p>	<p>Councillor Luxford Vaughan, Portfolio Holder for Planning and</p>



	<p>noted that Scotland would served by undersea cabling. Would the Portfolio Holder for Planning and Infrastructure confirm that the Council would use all its powers and influence to oppose pylons across the borough and represent the views of residents, as highlighted in Have Your Say, in a strong and forthright manner?</p>	<p>Infrastructure, indicated that the administration would make it absolutely clear that the proposals were unacceptable.</p>
<p>Councillor Buston</p>	<p>Could the Portfolio Holder for Housing and Communities consider what could be done to resolve the problems arising from situations where young people and families were placed in sheltered housing accommodation. The situation was causing considerable distress to elderly residents who did not understand why the Council pursued such a policy.</p>	<p>Councillor J. Young, Portfolio Holder for Housing and Communities, explained that the Council had to make best use of its housing stock. The Council had several two storey blocks of flats which used to be used for older residents. However they became quite unpopular with elderly residents so they became used for general need, resulting in a very mixed tenancy. She would look into the position regarding younger people being placed in sheltered accommodation as she understood the potential issues that could arise from this.</p>
<p>Councillor Laws</p>	<p>Could the Leader of the Council explain what was being done to tackle the issue of car engine idling? Could tougher enforcement options for repeat offenders, possibly through the North Essex Parking Partnership, be looked at?</p>	<p>Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that he would send a detailed written answer. There was a range of work including travel plans and work with businesses in the town centre. This including engagement with McDonalds and other outlets to change the behaviours of fast food delivery drivers. The Council was also seeking to remove some of the polluting pressure from the roads through initiatives such as</p>

		the e-cargo bikes and the e-scooter trial.
Councillor Laws	Could the Portfolio Holder for Local Economy and Transformation investigate making it mandatory for food establishments to clearly display their food hygiene rating at their premises.	Councillor Fox, Portfolio Holder for Local Economy and Transformation, explained that he would look into the matter.
Councillor Goacher	Given concerns that were being expressed about the cleanliness of the town centre, especially around bins, could the Portfolio Holder confirm how many machines the Council had that were currently in functioning order?	Councillor Goss, Portfolio Holder for Neighbourhoods and Waste highlighted that cleaning the town centre was a complicated process and needed to be undertaken carefully. The Council had two high powered pressure washers, which were used most mornings to clean up after the night time economy. In terms of street sweepers, a number of them were off the road at the moment but were being repaired. The servicing arrangements were being looked at as in view of their complexity it may be more effective to have them serviced by the manufacturer.
Councillor Goacher	Could the Leader of the Council explained what the Council was doing to find out exactly where non-recyclable plastic waste went after collection and could it offer a cast iron guarantee that it would not end up in Indonesia?	Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that he would provide a written answer. However, the Council had heavily reduced its use of non-recyclable materials.
Councillor Rippingale	Given the administration's focus on improving its housing stock and the importance of social housing, can the Leader of the Council advise what steps are being taken to ensure all the cross-party councillor board seats for	Councillor King, Leader of the Council and Portfolio Holder for Strategy, indicated that responsibility for this had been delegated to the relevant Group

	Colchester Borough Homes are filled? It is now over 2 months since the elections and there is still a vacancy on the board	<p>Leader and he would liaise to ensure this was filled.</p> <p>The Mayor invited Councillor Laws to respond as Leader of the Conservative Group, and he indicated that the vacant position would be filled by Cllr Tate.</p>
--	--	---

#### **547     Schedule of Portfolio Holder Decisions**

RESOLVED that the Schedule of Portfolio Holder decisions covering the period 11 February 2022 – 2 July 2022 be noted.