

# Council

Wednesday, 22 February 2023

**Attendees:**

Councillor Tracy Arnold, Councillor Lewis Barber, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Catherine Bickersteth, Councillor Molly Bloomfield, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Mark Cory, Councillor Pam Cox, Councillor Robert Davidson, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Jeremy Hagon, Councillor Dave Harris, Councillor Mike Hogg, Councillor Alison Jay, Councillor John Jowers, Councillor David King, Councillor Richard Kirkby-Taylor, Councillor Jocelyn Law, Councillor Darius Laws, Councillor Sue Lissimore, Councillor Jackie Maclean, Councillor Sam McLean, Councillor Patricia Moore, Councillor Chris Pearson, Councillor Kayleigh Rippingale, 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

**580 Apologies**

Apologies were received from Councillors Burrows, Lilley, Luxford Vaughan, Mannion, McCarthy, Naylor, Nissen and Scordis.

**581 Prayers**

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

**582 One Minute Silence**

Council held a minute's silence in memory of those who had lost their lives in the recent earthquakes in Turkey and Syria.

**583     Former Councillor Wyn Foster**

The Mayor informed Council of the recent death of former Councillor Wyn Foster and invited Councillor Lissimore to pay tribute to her.

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

*RESOLVED* that the minutes of the meeting held on 1 December 2022 be confirmed as a correct record.

**585     Have Your Say! (Council)**

Paul Dundas addressed Council pursuant to the provisions of Council Procedure Rule 6(1) in respect of the electoral cycle. As a result of his service on Council, particularly as leader, his view on the electoral cycle had changed and he now favoured four yearly elections. Whilst there had been some political advantage to be gained from elections by thirds, he had experienced the detrimental effect that they had on how the Council operated. Political self interest should not come before the efficient working of the Council. Elections by thirds promoted short termism at the expense of strategic thinking. The report of the Peer Review had indicated officers and partners would welcome a move to all out elections. No other form or layer of government used elections by thirds. The report and recommendation before Council missed the point. The Boundary Commission should be asked to design a system based on four yearly elections which could then be introduced in 2026. Preconceptions about potential party advantage should be put to one side and the Council should do what was right for Colchester.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, responded and acknowledged that the LGA Peer review had advised the Council to look closely at the issue. This had led to the creation of the all party Elections Working Group whose recommendation was before Council. He had sympathy with both perspectives but doubted whether there was a two thirds majority in favour of change. The way the Council worked across the Chamber was the best response to concerns about business continuity and efficiency and the executive would continue to operate and make decisions throughout the pre-election period.

Anne Reeves, Richard Aldridge and Emma Dell addressed Council pursuant to the provisions of Council Procedure Rule 6(1) about issues relating to the proposed changes to Crouch Street highlighting the following issues:-

- The level of responses to the consultation, even if all were supportive of the proposals, were not a mandate for significant change. The online nature of the consultation was not inclusive or representative, and the initial consultation had been

conducted during the school holidays in the pandemic when restrictions were still in place.

- The removal of the underpass would be detrimental to the safety of pedestrians, particularly the large numbers of school children who used this route, and the elderly. This was particularly the case as the new crossing would not have a central reservation or be dog legged. Evidence showed that subways were safer than any form of crossing.
- Increased usage of the crossing would have a detrimental impact on traffic flow leading to increased congestion and air pollution.
- The parking in Crouch Street was being changed from echelon parking to parallel parking on the basis that this was safer. Evidence showed this was not the case. The opening of car doors would pose a risk to cyclists. It would significantly reduce the amount of parking available. Parallel parking also caused more congestion as it took longer.
- The proposals would damage businesses in Crouch Street, which was a successful and thriving area with many independent businesses. It was the poster area of Colchester and the type of neighbourhood which other neighbourhoods aspired to.
- At certain points, the cycle route would run under the awning of local shops which was not safe. Building regulations and safety regulations were being ignored.
- The existing cycle lanes on Crouch Street worked well.
- Essex County Council had launched a new consultation this week on the underpass alone, suggesting that it was initially overlooked in terms of risk assessment. No survey had been undertaken of the usage of the subway or crossing.
- 96% of St Marys Residents Association objected to the proposals.
- Alternative routes suggested by residents had not been taken seriously and decision makers did not really understand the street or its character or how it would be impacted by the changes.
- The proposals did not meet the stated objective of making it easier to walk or cycle.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, thanked the speakers for their comments and acknowledged the depth of feeling on the issue. This was an Essex County Council scheme, brought forward in the context of national policies to encourage cycling and walking. The consultation had generated a substantial number of responses. A Steering Group was in place which included representatives of businesses who tested the evidence and views of officers, and he considered that the processes to this point had been exhaustive and robust. Essex County Councillor Scott was leading a review of the scheme and there was also a further consultation on the issue of the closure of the subway. He was sure Councillor Scott would take account of the views of local residents and local representatives and the results of the further consultation. He would ensure that the views expressed at this meeting were represented to decision makers at Essex County Council.

Trevor Orton addressed Council pursuant to the provisions of Council Procedure Rule

6(1) to express his concern about the state of pavements in the city centre. He understood that Essex County Council's policy was to do a temporary fix with tarmac and then a full repair within 12 months. This was inefficient and wasteful of resources. It was also understood that Essex County Council Highways needed to find £9 million before it could begin any highway repairs. Funding for new cycleways should not take priority over funding for pavement repairs.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, expressed his thanks for raising these concerns. Colchester City Council could not deal with issues relating to pavements without the agreement of Essex County Council, who were the responsible authority. He would present the evidence Mr Orton had given him to Councillor Scott, Essex County Council Portfolio Holder for Highways Maintenance and Sustainable Transport when he visited Colchester in March. Essex County Council was seeking to replenish the funding in the Highways budget. Colchester City Council did care about the condition of the city centre and considerable investment was being made in the city centre.

Angel Kalyan addressed Council pursuant to the provisions of Council Procedure Rule 6(1). The Monitoring Officer had confirmed to Councillors in December 2020 that the court had dealt with the devaluation of the lease of 139 Mersea Road several years earlier. However, in 2021 he contacted her attempting to settle what had previously been confirmed as already settled.

The Mayor indicated that if the query was put in writing, then it would be looked into.

Sir Bob Russell addressed Council pursuant to the provisions of Council Procedure Rule 6(1) and expressed his support for the views expressed about Crouch Street. This was not the only part of Colchester where the views and needs of cyclists were being given undue weight. The Council had not discussed these issues which had arisen during the pandemic lockdown. It appeared that most Councillors had attended the meeting by car. Cycle use generally was about 4%. In Station Way there was a purpose built bus lane which buses were prohibited to use. The number of cyclists using this had gone down over time. On Head Street the pavement would be narrowed to the detriment of pedestrians, which were the purest form of sustainable transport despite very limited usage of the route by cyclists. This was not a sensible use of public funding.

Councillor King, Leader of the Council and Portfolio Holder for Strategy, explained that a better balance between different forms of transport was being sought. Cycling could be difficult, unwelcoming and at times dangerous as Colchester only had fragments of the cycling infrastructure a modern city needed and that would encourage residents to make whole journeys by bike.

## **586 Mayor's Announcements**

The Mayor invited Councillors to join him for a minutes silence to mark the anniversary of Russia's invasion of Ukraine at 11.00 am on 24 February 2023 on the Town Hall steps. The Mayor also announced the following events:-

- Mayor's Quiz, 3 March 2023 in the Moot Hall.
- Mayor's Variety Night; 11 March 2023 at Colchester Arts Centre.
- Charity Golf Day, 22 March at Broxted Park Golf Club.
- Mayor's Masquerade Ball, 27 May 2023 at Colchester Arts Centre.

## **587 Colchester Strategic Plan 2023-26 - A City Fit for the Future**

*RESOLVED* that the recommendation contained in draft minute 714 of the Cabinet meeting of 25 January 2023 be approved and adopted (TWENTY FIVE voted FOR, THIRTEEN voted AGAINST and FIVE ABSTAINED from voting).

## **588 Budget 2023-24 and Medium Term Financial Forecast 2023-24 to 2027-28**

*RESOLVED* that the recommendations contained in draft minute 715 of the Cabinet meeting of 25 January 2023 and the recommendations in the report of the Section 151 officer entitled "Precept and Council Tax Levels 2023-24 be approved and adopted and that the contents of the report by the Section 151 Officer entitled "Budget 2023-34 and Medium Term Financial Forecast 2023-24 to 2027-28 – Supplementary Report" be noted (TWENTY SIX voted FOR, FIFTEEN voted AGAINST and TWO ABSTAINED from voting).

Further to the provisions of Council Procedure Rule 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Arnold, Barton, Bickersteth, Bloomfield, Chuah, Coleman, Cory, Cox, Fox, Goacher, Goss, Harris, Hogg, Jay, King, Kirkby-Taylor, Law, McLean, Pearson, Rippingale, Scott-Boutell, Smith, Spindler, Warnes, J. Young and the Mayor (T. Young).

AGAINST: Councillors Barber, Bentley, Buston, Chapman, Ellis, Hagon, Laws, Lissimore, Maclean, Moore, Smithson, Sunnucks, Tate, Willetts and Wood.

ABSTAINED: Davidson, the Deputy Mayor (Jowers).

**589 Colchester's New Economic Strategy 2022-25**

*RESOLVED* that the recommendation contained in draft minute 722 of the Cabinet meeting of 25 January 2023 be approved and adopted (TWENTY FIVE voted FOR, NINE voted AGAINST and NINE ABSTAINED from voting).

**590 Local Council Tax Support Scheme 2023-24**

*RESOLVED* that the recommendation contained in draft minute 720 of the Cabinet meeting of 25 January 2023 be approved and adopted (TWENTY EIGHT voted FOR, ONE voted AGAINST and FOURTEEN ABSTAINED from voting).

**591 Electoral Cycle**

*RESOLVED* that the recommendation contained in the draft minute of the meeting of the Elections Working Group of 9 February 2023 be approved and adopted (TWENTY SIX voted FOR, FOURTEEN voted AGAINST and THREE ABSTAINED from voting).

**592 Questions to Cabinet Members and Committee Chairs pursuant to Council Procedure Rule 10**

Questioner	Subject	Response
Oral questions		
Councillor Barber	Whether an Action Plan for enforcement action against drivers who dropped litter on the A12 and it's slip roads could be developed?	Councillor Goss, Portfolio Holder for Neighbourhood Services and Waste, explained that the A12 was the responsibility of National Highways, but litter clearing was delegated to the relevant city or borough Council. This was dangerous work and was the lowest priority in the hierarchy of road

		<p>cleaning. Consequently, the situation had deteriorated over the course of the pandemic as scarce resources were concentrated elsewhere.</p> <p>The Council was collaborating with other authorities, under the lead of Braintree Council, to commission a company to be responsible for clearing the length of the A12. This would allow specialist equipment and staff to be deployed and a uniform approach to be taken. There was also scope to work more closely with National Highways so litter picking could be undertaken when lanes were closed for roadworks.</p> <p>It was not possible to use speed cameras to enforce littering offences, but</p> <p>Councillors were reminded that if they saw littering they could report it to the Neighbourhoods Team, who could issue a Fixed Penalty Notice on the basis of the information they provided.</p>
Councillor Barton	<p>Could an update be provided on the proposals for Eudo Road Tennis Courts as she had been contacted by Lexden Hill Tennis Club who were seeking to organise their summer programme. They had contacted Colchester Amphora but had received no response.</p>	<p>Councillor Goss, Portfolio Holder for Neighbourhood Services and Waste, explained that the proposal was that Lexden Hills would be granted a licence to use the courts to the rear, and would also have rights under the lease to use the courts to the front until they were needed for the extension to the paddle courts. Heads of terms had been drafted and it was proposed to meet with Lexden Hills to take matters forward. He would</p>

		ensure that Lexden Hills Tennis Club were informed of the latest position.
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### 593     **Schedule of Portfolio Holder Decisions**

*RESOLVED* that the schedule of Portfolio Holder decisions covering the period 19 November 2022 -9 February 2023 be noted.