

Council Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ**

Wednesday, 31 October 2018 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.

Have Your Say!

The Council welcomes contributions and representations from members of the public at most public meetings. If you would like to speak at a meeting and need to find out more, please refer to the Have Your Say! arrangements here: <http://www.colchester.gov.uk/haveyoursay>.

Audio Recording, Mobile phones and other devices

The Council audio records public meetings for live broadcast over the internet and the recordings are available to listen to afterwards on the Council's website. Audio recording, photography and filming of meetings by members of the public is also welcomed. Phones, tablets, laptops, cameras and other devices can be used at all meetings of the Council so long as this doesn't cause a disturbance. It is not permitted to use voice or camera flash functions and devices must be set to silent. Councillors can use devices to receive messages, to access meeting papers and information via the internet. Looking at or posting on social media by Committee members is at the discretion of the Chairman / Mayor who may choose to require all devices to be switched off at any time.

Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, using the contact details below and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

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Colchester, CO1 1JB

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www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL
Council
Wednesday, 31 October 2018 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 23/10/2018

You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Wednesday, 31 October 2018 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)

Motion that the minutes of the meeting held on 18 July 2018 be confirmed as a correct record.

18-07-18 minutes

9 - 20

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) 2017/18 Year End Review of Risk Management 21 - 22

B... Motion that the recommendation contained in minute 295 of the Cabinet meeting of 10 October 2018 be approved and adopted.

8 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.)

8(i) IHRA Definition of Anti-Semitism

Proposer: Leader of the Council, Councillor Cory, and Group Leaders, Councillors Goss, Laws, G. Oxford and T. Young
C.... Motion that:

1. This Council believes that we are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Colchester Borough Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable. We are pleased to note the strong stance that Essex Police have taken against these issues. Colchester Borough Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent all these anti-social acts, and reassures all people living in Colchester borough that they are valued and welcome members of our community."

2. As reflected in our Equality and Diversity Policies, the Council will continue to:

(a) ensure that unfair discrimination does not arise by promoting equality of opportunity, valuing diversity and promoting good relations between the diverse members of our community, as well as

tolerance and understanding of the needs of others; and

(b) recognise that people need protection from unfair discrimination, as set out in the Equalities legislation;

(3) The Council notes:

(a) that, in December 2016, the UK Government became the first European Union country to formally adopt the International Holocaust Remembrance Alliance's working definition of Anti-Semitism; and

(b) the letter from the Secretary of State for Communities and Local Government, dated 30 January 2017, strongly encouraging councils to adopt the definition of Anti-Semitism.

(4) The Council adopts the International Holocaust Remembrance Alliance's working definition of Anti-Semitism, as set out below:

"Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of Anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

(5) The definition of Anti-Semitism, together with the accompanying illustrative examples, be used to guide the Council in the delivery of its equalities duties in relevant circumstances.

As the motion relates to a non-executive matter, it will be debated and determined at the meeting.

8(ii) **Breaking Point**

Proposer: Councillor T. Young

D... Motion that:

This Council notes that many council budgets are now at Breaking Point. Austerity has caused huge damage to communities up and down the UK, with devastating effects on key public services that protect the most defenceless in society – children at risk, disabled adults and vulnerable older people – and the services we all rely on, like clean streets, libraries, and children's centres;

- Conservative cuts mean councils have lost 60p out of every £1 that the last Labour Government was spending on local government in 2010;
- Councils had to spend an extra £800m last year to meet the demand on vital services to protect children;
- With an aging population and growing demand adult social care faces a gap of £3.5 billion – with only 14% of council workers now confident that vulnerable local residents are safe and cared for
- Government cuts have seen over 500 children's centres and 475 libraries close, potholes are left unfilled, and 80% of councils

workers now say have no confidence in the future of local services

- Northamptonshire County Council has already gone bust due to Conservative incompetence at both national and local level, and more councils are predicted to collapse without immediate emergency funding
- Councils now face a further funding gap of £7.8 billion by 2025 just to keep services 'standing still' and meeting additional demand. Even Lord Gary Porter, the Conservative Chair of the Local Government Association, has said 'Councils can no longer be expected to run our vital local services on a shoestring'

This Council condemns Chief Secretary to the Treasury Liz Truss for stating on BBC Newsnight on 1st October 2018 that the government is "not making cuts to local authorities", when all independent assessments of government spending show that this is entirely false; and that this Council further notes that Prime Minister Theresa May has also claimed that "austerity is over" despite planning a further £1.3bn of cuts to council budgets over the next year;

This Council agrees with the aims of the 'Breaking Point' petition signed by Labour councillors across the country, in calling for the Prime Minister and Chancellor to truly end austerity in local government by:

- Using the Budget to reverse next years planned £1.3bn cut to council budgets;
- Immediately investing £2bn in children's services and £2bn in adult social care to stop these vital emergency services from collapsing;
- Pledging to use the Spending Review to restore council funding to 2010 levels over the next four years.

This Council resolves to:

- Support the 'Breaking Point' campaign, recognising the devastating impact that austerity has had on our local community
- Ask the Leader of the Council to write to the Chancellor of the Exchequer, the Prime Minister, and the Secretary of State for Housing, Communities and Local Government setting out the funding pressures faced by our local council, and calling on the Government to truly end austerity in local government.

As the motion relates to a non-executive matter, it will be debated and determined at the meeting.

9 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 King, Portfolio Holder for Resources

Can the Portfolio Holder for Resources inform Council of the latest update for the Axial Way Pumping Station and overall Northern Gateway Project? Please can you state what the anticipated budget for both originally agreed was, what is now the current expected budget for both, in particular the Axial Way Pumping Station, and where the money for any over-budget spends will come from?

(ii) Councillor Chapman to Councillor Goss, Portfolio Holder for Waste, Environment and Transportation

Could the Portfolio Holder explain how the recent review of the way our Zone Teams operate will improve the collection of litter on the A12. I receive frequent complaints about the state of this major East Anglian thoroughfare, which, for part of its journey, crosses the Dedham Vale Area of Outstanding Natural Beauty a national designation that I spend so much of my time, as a representative of this Council, sustaining. It also, of course, forms some of the boundary between the wards that we both represent.

(iii) Councillor Cope to Councillor Lilley, Portfolio Holder for Planning, Public Safety and Licensing

Can there be an explanation please for the great delay in the opening of the child's play area adjacent to Cavalry Road and Circular Road North in the Quadriga estate behind Garland Road? It has now been several years since the estate opened; many representation have been made by councillors for the necessary action to be taken but the result has been disappointing. Can the official side give an estimate of the time when the play area will be opened?

10 Schedule of Portfolio Decisions

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To note the schedule of Portfolio Holder decisions covering the period 30 June 2018 - 19 October 2018.

11 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.

12 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:

2017-18 Year End Review of Risk Management, report to Cabinet
10 October 2018

**Year End Review of Risk Management - report to cabinet
101018**

29 - 54

13 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)