

Council Meeting

**Online Meeting, Virtual Meeting Platform
Thursday, 03 December 2020 at 18:00**

Information for Members of the Public

Access to information and meetings

You have the right of access to all meetings of the Council, its Committees and Cabinet which may be conducted remotely such as by live audio or video broadcast / webcast. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is published on the Council's website at least 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>.

Occasionally certain issues, for instance, commercially sensitive information or details concerning an individual have to be considered in private. When this is the case an announcement will be made, the live broadcast will end and the meeting will be moved to consider in private.

Have Your Say!

The Council welcomes contributions from members of the public at most public meetings. If you would like to submit representations to a meeting and need to find out more, please refer to the Have Your Say! arrangements here:

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

Members of the public can register to speak at the meeting using the form access via the link below. Members of the public need to register and submit a copy of their comments by 12.00 noon on the working day before the meeting.

[Council Have Your Say form](#)

COLCHESTER BOROUGH COUNCIL
Council
Thursday, 03 December 2020 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 03/12/2020

You are hereby summoned to attend a meeting of the Council to be held online on Thursday, 03 December 2020 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.

Live Broadcast

Please follow this link to watch the meeting live on YouTube:
<https://www.youtube.com/user/ColchesterCBC>

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 explain the procedures to be followed at the meeting including a reminder everyone to use microphones at all times when they are speaking, but otherwise keep microphones muted.

2 Have Your Say (Virtual Council Meetings)

Members of the public may make representations to the meeting. Each representation may be no longer than three minutes (500 words). Members of the public may register their wish to address the meeting by registering online by 12.00 noon on the working day before the meeting date. In addition a written copy of the representation will need to be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself. The Mayor will invite members of the public to make their representations at the start of the meeting.

3 **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.

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

A... Motion that the minutes of the meeting held on 21 October 2020 be confirmed as a correct record.

Minutes 211020

11 - 24

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) **2019/20 Year End Review of Risk Management** 25 - 26

B...Motion that the recommendation contained in minute 509 of the Cabinet meeting of 14 October 2020 be approved and adopted.

7(ii) **Review of Remote (Digital) Council Meetings** 27 - 32

C...Motion that the recommendation contained in draft minute 229 of the Governance and Audit Committee meeting of 20 October 2020 be approved and adopted.

7(iii) **Review of the Statement of Licensing Policy – Licensing Act 2003** 33 - 34

D...Motion that the recommendation contained in draft minute 121 of the Licensing Committee meeting of 11 November 2020 be approved and adopted.

7(iv) **Local Council Tax Support Scheme 2021 – 2022** 35 - 36

E...Motion that the recommendation contained in draft minute 521 of the Cabinet meeting of 23 November 2020 be approved and adopted.

7(v) **Officer Pay Policy Statement for 2021/22** 37 - 38

F...Motion that the recommendation contained in draft minute 522 of the Cabinet meeting of 23 November 2020 be approved and adopted.

7(vi) **Review of Ethical Governance Policies** 39 - 40

G...Motion that the recommendation contained in draft minute 233 of the Governance and Audit Committee meeting of 24 November 2020 be approved and adopted.

7(vii) **Local Code of Corporate Governance**

41 - 42

H...Motion that the recommendation contained in draft minute 235 of the Governance and Audit Committee meeting of 24 November 2020 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) **Reducing Inequality**

Motion I

Proposed jointly by Councillors Bourne and King

In July 2020 this Council agreed a Motion of Thanks recognising the considerable effort undertaken by many in our Borough during the pandemic crisis that in turn has created a force for good. We are all proud of the response of our Council, their officers, our partners and the wider community effort across the Borough of Colchester. Marcus Rashford MBE's campaign on feeding school children in the holiday helped to harness Colchester's community effort once again during the recent half term break, with over 2500 meals provided to families across the borough and a welcome promise by the government to fund food for families entitled to Free School Meals throughout 2021.

This Council believes that while the overwhelming majority of residents are playing their part in observing COVID regulations and a large number have taken on community volunteering roles, we are not 'all in this together'. When the pandemic is over the most vulnerable groups will still be vulnerable - economically, socially, academically and in their health and wellbeing outcomes. We cannot accept this.

Public Health England's Strategy 2020 to 2025 (September 2019) commits it to "work to narrow the health gap". This Council welcomes the work already undertaken by ECC Director of Public Health before and during the pandemic and notes that the national strategy includes ambitions to:

- reduce the overall rates of smoking and inequalities affecting lower socio-economic groups and vulnerable communities;
- advise and influence decision-makers on the effectiveness of actions to promote healthy indoor and outdoor environments (including their ability to reduce inequalities);
- reduce inequalities in premature mortality for people with

long-term and severe mental health problems;

- reduce inequalities across key markers of maternal and child health;
- develop new indicators to improve the monitoring of outcomes and inequalities in the early years and facilitate evaluations of early years services; and
- enhance insights into the population's health and health inequalities.

The result of this Motion will be to shine a spotlight on vulnerability in our Borough. There are families struggling on a low income and accessing the benefits system for the first time, adults with learning difficulties losing their weekly lifeline social clubs, those with disabilities isolated from their families and friends, and residents living in poor quality housing with lack of access to green space, all examples of increasing vulnerability.

Now it is time to recognise, track and address the inequality gaps made more visible during both lock downs. We want to see this Council and our partners discussing the wider determinants of health with outcomes to tackle the inequality gap that has widened during the pandemic.

This Council resolves to:

1. Report twice yearly on inequality across our borough using national, county and local profiles;
2. Instigate our own locality measures with outcomes that raise the life chances of particular vulnerable groups or neighbourhoods;
3. Consider the impact on inequality in our decision making;
4. Encourage formal and informal partnerships to contribute positively to reducing inequality across the borough;
5. Invite our MPs to take up the mantle of reducing inequality in the constituencies they represent.

As the motion relates to executive matters, it will stand referred direct to Cabinet unless Procedure Rules are suspended.

8(ii) Adoption of Amenities for New Housing Development

Motion J

Proposer: Councillor Bentley

This Council recognises the frustrations of many residents who have bought new properties on new housing developments in Colchester when the local roads and other amenities have yet to be adopted and therefore residents are left at the mercy of the developers or their contractors to make good repairs to highways or fix streetlights or maintain open spaces or deal with flooding issues . All of these residents pay full Council Tax however, local Councillors are left to negotiate with developers on their behalf without any authority. This is unacceptable.

Therefore, this Council resolves to ensure that any new development of more than 20 properties is subject to a detailed

schedule and timetable drawn up and agreed by the developer and CBC Planning department of when works are to be completed and roads and fixtures are to be handed over for adoption. This should form part of the planning application. Failure to comply will result in penalties for the companies involved, to be agreed by Planners and Members.

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

Main Amendment

Proposer: Cllr Barlow

The motion on Adoption of Amenities for New Housing Development be approved and adopted subject to the following amendments:-

In the first paragraph:-

- delete "All of these residents pay full Council Tax however," , and replace with "Councils and";
- after "are" insert "often".

In the second paragraph:-

- replace "resolves to ensure" with "believes",
- replace "is" with "should be",
- replace "and CBC Planning department" with "Planning, Highways and other relevant departments of Colchester Borough Council (CBC), Essex County Council (ECC) and other organisations".
- delete all words from "This should form..." ;

Add new paragraph as follows:

"This Council resolves to begin discussions with ECC Highways and other relevant organisations as appropriate to ascertain the feasibility and practicality of bringing in such a scheme, including resolving the issue of whether it would be possible to introduce under existing legislation. This Council also requests that the Borough's representatives on ECC and in the House of Commons provide the support necessary to further this proposal and the Planning Officers report progress and options to the Local Plan Committee and a final report is referred from that Committee to Full Council for discussion and approval no later than the July 2021 meeting.

If the approved, the amended motion would read as follows:

This Council recognises the frustrations of many residents who have bought new properties on new housing developments in Colchester when the local roads and other amenities have yet to be adopted and therefore residents are left at the mercy of the developers or their contractors to make good repairs to highways or

fix streetlights or maintain open spaces or deal with flooding issues . Councils and local Councillors are often left to negotiate with developers on their behalf without any authority. This is unacceptable.

Therefore, this Council believes that any new development of more than 20 properties should be subject to a detailed schedule and timetable drawn up and agreed by the developer and Planning, Highways and other relevant departments of Colchester Borough Council (CBC), Essex County Council (ECC) and other organisations of when works are to be completed and roads and fixtures are to be handed over for adoption.

This Council resolves to begin discussions with ECC Highways and other relevant organisations as appropriate to ascertain the feasibility and practicality of bringing in such a scheme, including resolving the issue of whether it would be possible to introduce under existing legislation. This Council also requests that the Borough's representatives on ECC and in the House of Commons provide the support necessary to further this proposal and the Planning Officers report progress and options to the Local Plan Committee and a final report is referred from that Committee to Full Council for discussion and approval no later than the July 2021 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 Barton

Could the Leader of the Council please give me an update on what progress has been made in re-letting the Old Library and the Cells in the Town Hall?

(ii) Councillor Hogg

Following a 2year journey of planning, consultation, and design, we now have a brand new fixed equipment play park in Alderton Road at a cost of approximately £40 K provided and paid for by Colchester Borough Homes, for which I and my residents are indeed very grateful. This will provide exercise and play for youngsters in an area of predominantly Social Housing .

Given the importance of exercise and play for all young people, could I ask the Portfolio Holder that given the present financial situation the Council finds itself in, what is the prospect of similar

provision on our private estates across the borough in the foreseeable future?

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| 10 | Schedule of Portfolio Holder Decisions | 43 - 48 |
| | Council is invited to note the Schedule of Portfolio Holder decisions for the period 3 October 2020 - 20 November 2020 | |
| 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... of the agenda: | |
| | Review of Risk Management, report to Cabinet, 14 October 2020 | 49 - 70 |
| | Review of Meetings, Report to Governance and Audit Committee, 20 October 2020 | 71 - 116 |
| | Review of the Statement of Licensing Policy, report to Licensing Committee, 11 November 2020 | 117 -
176 |
| | Local Council Tax Support Scheme, report to Cabinet, 23 November 2020 | 177 -
180 |
| | Officer Pay Policy Statement 2021-22, report to Cabinet, 23 November 2020 | 181 -
196 |
| | Review of Ethical Governance Policies, report to Governance and Audit Committee, 24 November 2020 | 197 -
278 |
| | Local Code of Corporate Governance, report to Governance and Audit Committee, 24 November 2020 | 279 -
312 |
| 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)