

COUNCIL

13 OCTOBER 2010

Present :- Councillor Sonia Lewis (the Mayor) (Chairman)
Councillor Helen Chuah (Deputy Mayor)
Councillors Christopher Arnold, Nick Barlow,
Lyn Barton, Kevin Bentley, Mary Blandon,
Elizabeth Blundell, John Bouckley, Nigel Chapman,
Peter Chillingworth, Barrie Cook, Nick Cope, Mark Cory,
Beverly Davies, Tina Dopson, John Elliott, Andrew Ellis,
Margaret Fairley-Crowe, Stephen Ford, Wyn Foster,
Bill Frame, Ray Gamble, Christopher Garnett,
Martin Goss, Scott Greenhill, Mike Hardy, Dave Harris,
Pauline Hazell, Peter Higgins, Theresa Higgins,
Mike Hogg, Martin Hunt (Deputy Leader) , John Jowers,
Margaret Kimberley, Justin Knight, Michael Lilley,
Sue Lissimore, Jackie Maclean, Jon Manning,
Richard Martin, Colin Mudie, Kim Naish, Nigel Offen,
Beverley Oxford, Gerard Oxford, Philip Oxford,
Ann Quarrie, Lesley Scott-Boutell, Paul Smith,
Henry Spyvee, Terry Sutton, Colin Sykes, Laura Sykes,
Jill Tod, Anne Turrell (Leader of the Council) ,
Dennis Willetts, Julie Young and Tim Young

The meeting was opened with prayers by the Mayor's Chaplain, the Reverend Richard Allen.

28. Minutes

The minutes of the meeting held on 14 July 2010 were confirmed as a correct record.

29. Have Your Say!

Jarvis Simpson addressed the Council on behalf of Colchester Swimming Club pursuant to the provisions of Meetings General Procedure Rule 6(2). He sought the Council's help in resolving negotiations with Leisure World to secure more training time at Leisure World. The Club had recently enjoyed considerable success, including five swimmers qualifying for the national Championships. The Club were seeking the use of one extra lane between 6.00 am and 7.30 am and were willing to pay for this use. This would not inhibit public use of the pool. However, Leisure World were proving intransigent. Councillors were invited to view training sessions so they could see how committed members of the Club, particularly the younger swimmers, were.

The Mayor offered the Council's congratulations to Colchester Swimming Club on its recent successes.

Councillor Dopson, Portfolio Holder for Communities, responded and explained that

the Council was in discussions with the management of the Swimming Club over their request. An additional adult lane had been offered to the Club and this had been accepted. The Council was now consulting with other users and once the consultation period ended on 22 October, a final decision would be taken.

Ron Levy, Chairman of Colchester Retail Business Association (CoRBA) addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6 (2). CoRBA had recently conducted a survey of shops in the town centre in response to concerns about the number of vacant units and charity shops. This had shown that out of 745 units, 63 were vacant. This equated to 8.3%, which was well below the national average of 13%. The empty units were concentrated in the Eld Lane/Sir Isaac's Walk area. There were 15 charity shops, which equated to 2% of the total. Again this was well below the national average. The survey had therefore shown that Colchester town centre was faring better than most. CoRBA would look into the reasons for the concentration of empty units in Eld Lane/Sir Isaac's Walk.

The survey was presented to the Mayor, who referred it to Councillor Barlow, Portfolio Holder for Economic Development, Culture and Tourism. Councillor Barlow thanked CoRBA for the work it had undertaken and indicated that the Council would work with them on town centre issues.

Alderman Fulford addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2). She considered that it was important that the Mayoralty was retained in its current format. The consultation on the future of the Mayoralty should not be solely online as this would disenfranchise many residents. In terms of the electoral cycle, the existing system of annual elections should be retained. In respect of the Local Development Framework, the importance of ensuring that the necessary infrastructure was in place before development commenced was stressed.

Andy Hamilton addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to express his concerns about the Visual Arts Facility which he believed was structurally deficient and not fit for purpose. He alleged that the Council sought to conceal the truth about the VAF from the public. He believed the Council had never intended to replace the bus station and should now state that it would remain open until a replacement was built. He alleged that the Council was discriminatory and vindictive in its refusal to provide mobility scooter provision at the bus station.

Councillor Dopson, Portfolio Holder for Communities, responded to refute the allegation that the Council acted in a discriminatory fashion. It was open to Mr Hamilton to raise his concerns with the Ombudsman, although she noted that on previous occasions when he had done so, his complaints had not been upheld. The Council was working hard with Shopmobility to extend the scheme. Councillor Smith, Portfolio Holder for Resources and Diversity, responded that a recent Audit Commission report had praised the openness of the Council's approach on the VAF.

Wyn Foster and Dave Harris addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) in their capacity as members of the Colchester in Bloom Committee. They praised the leadership of the Colchester in Bloom Committee and asked Councillors to help promote Colchester in Bloom.

Colchester had won a Silver Gilt award and the Castle Park had won the Best Local Authority display at the Anglia in Bloom awards. These awards were presented to the Mayor.

The Mayor expressed the Council's thanks to the Colchester in Bloom Committee and the staff responsible for the Castle Park and indicated that she would be holding a small reception to celebrate the awards and demonstrate the Council's appreciation.

30. Mayor's Announcements

The Mayor made the following announcements:-

- On 29th September 2010, the Mayor had received the Cultural Minister of Macedonia;
- The Mayor's quiz would take place on 10 November 2010;
- The Mayor would be hosting a charity event in the Old Library. The proceeds would be split between the Mayor's charities and the Army Benevolent Fund.

31. 2009/10 Year End Review of Risk Management

RESOLVED that the recommendation contained in minute 25 of the Cabinet meeting of 8 September be approved and adopted.

32. Revised Executive Arrangements

RESOLVED that the recommendations contained in minute 28 of the Cabinet meeting of 8 September be approved and adopted.

33. Adoption of Development Policies Development Plan Document

RESOLVED that the recommendation contained in minute 18 of the Local Development Framework Committee meeting of 29 September 2010 be approved and adopted.

Councillor Elizabeth Blundell (in respect of her membership of Marks Tey Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Anne Turrell (in respect of her membership of Myland Parish Council and Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Colin Sykes (in respect of his membership of Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Bill Frame (in respect of his position as Chairman of Colne Housing) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Kevin Bentley and Councillor John Jowers (in respect of their membership of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

34. Adoption of Site Allocations Development Plan Document

Pete Hewitt addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2). The Inspector's finding that the Site Allocations Development Plan Document was sound only indicated that the correct process had been followed. This did not bind the Council to accept it. It was for Council to consider the hearts and minds of the residents of the borough. Council needed to consider the benefits of a rural landscape and green fields. Mile End Fields provided the opportunity for leisure activities such as walking and contributed towards biodiversity. Mile End Fields needed to be saved from development in order to keep a green access corridor to the rural hinterland.

David Clouston addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2). He stated that there was widespread opposition to further development in northern Colchester. This was not just blind opposition from residents, but was from bodies such as parish councils and sports clubs. The petition that had been submitted to the Local Development Framework Committee on these issues had been collected without much effort and far more signatures could have been collected. Once residents began to appreciate the impact of further developments on issues such as education, the opposition would only grow.

Catherine Clouston addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2). She considered that it was important that each ward took responsibility for new housing. If all planned development proceeded the population of Mile End would increase by 100%. Whilst the need for more housing development was accepted, she considered that Mile End and Braiswick had taken more than their fair share.

RESOLVED that:-

(i) the recommendation contained in minute 19 of the Local Development Framework Committee meeting of 29 September 2010 be approved and adopted (FORTY-SEVEN voted FOR, FOUR voted AGAINST and EIGHT ABSTAINED from voting).

(ii) The Council's thanks to Ian Vipond, Karen Syrett and the Spatial Policy team for the excellent work they had done on the Local Development Framework be formally

recorded.

A named vote having been requested on the adoption of the Site Allocations Development Plan Document pursuant to the provisions of Council Procedure Rule 15 (2), the voting was as follows:-

Those who voted FOR were:-

Councillors Arnold, Barlow, Barton, Bentley, Blandon, Blundell, Bouckley, Chapman, Chillingworth, Cook, Cope, Davies, Dopson, Ellis, Ford, Foster, Frame, Gamble, Garnett, Hardy, Harris, Hazell, P. Higgins, T. Higgins, Hogg, Hunt, Jowers, Kimberley, Knight, Lilley, Lissimore, Maclean, Manning, Mudie, Offen, B. Oxford, P. Oxford, Quarrie, Smith, Sutton, Spyvee, C. Sykes, L. Sykes, Tod, Willetts, J. Young and T. Young.

Those who voted AGAINST were:-

Councillors Goss, Greenhill, Naish and G. Oxford.

Those who ABSTAINED from VOTING were:-

Councillors Cory, Elliott, Fairley-Crowe, Martin, Scott-Boutell, Turrell, the Mayor (Councillor Lewis) and the Deputy Mayor (Councillor Chuah).

35. Licensing of Sexual Entertainment Venues (Sex Establishment Licence)

RESOLVED that the recommendation contained in minute 7 of the Licensing Committee meeting of 6 October 2010 be approved and adopted.

Councillor Tim Young (in respect of his father's previous employment by the Post Office) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor John Jowers (in respect of his son's employment by Royal Mail) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

36. Royal Mail

It was PROPOSED by Councillor Harris that:-

This Council:-

- Believes that throughout its long history, Royal Mail has provided a vital public service to isolated rural and urban communities alike across the length and breadth of the country, including the Borough of Colchester, providing a unique

- one-price-goes-anywhere daily service;
- Is convinced that privatisation will lead to widespread closure of Post Offices, jeopardise the uniform tariff and universal service for letters and lead to a deterioration of services, particularly for small businesses, domestic customers, vulnerable groups and communities;
- Supports the work Royal Mail continues to do, and furthermore is opposed to the privatisation of this valuable service;
- Resolves to write to the Minister responsible to make a plea that Royal Mail is left in full public ownership to ensure that the service is not put at risk for short term profit and to copy the letter to all 3 local MPs urging their support.

The Motion was LOST (MAJORITY voted AGAINST).

37. Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Questioner	Subject	Response
Oral Questions		
Councillor J. Young	The view of the Leader of the Council on the increased cost of university education following the abolition of the cap on tuition fees.	Direct verbal answer given by the Leader of the Council and Portfolio Holder for Strategy and Performance.
Councillor Bentley	When would Regional Cities East be wound up, how much funding had been received from Regional Cities East and who had been the recipients.	Written response to be provided by the Leader of the Council and Portfolio Holder for Strategy and Performance.
Councillor Hazell	How had the Portfolio Holder for Economic Development, Culture and Tourism reached the decision to close the clock museum and sell a lease for Tymperleys.	Direct verbal answer given by the Portfolio Holder for Economic Development, Culture and Tourism.
Councillor Davies	Whether the Leader of the Council believed in the ethos of the Big Society and whether officers would be advised to ensure that bureaucratic obstacles would not be put in front of communities seeking to help themselves.	Direct verbal answer given by the Leader of the Council and Portfolio Holder for Strategy and Performance.
Councillor Arnold	When the Leader of the Council provided details of	Direct verbal answer given by the Leader of the Council and Portfolio

	Regional Cities East funding, could details be provided as to whom was Council Leader at the time.	Holder for Strategy and Performance.
Councillor Willetts	The investment of Council funds in Icelandic banks and how much of these funds had been returned.	Direct verbal response given by the Portfolio Holder for Resources and Diversity.
Councillor Sutton	What were the costs involved in the decision, subsequently withdrawn, to close the clock museum and sell a lease for Tymperleys.	Written response to be provided by the Portfolio Holder for Economic Development, Culture and Tourism.
Councillor Jowers	What the Portfolio Holder understood by the concept of “the big society” and how it would impact on parish grants.	Direct verbal answer given by the Leader of the Council and Portfolio Holder for Strategy and Performance and the Portfolio Holder for Communities.
Councillor Arnold	Whether the funds invested by the previous administration in Icelandic Banks matured and were returned.	Direct verbal response given by the Portfolio Holder for Resources and Diversity.

38. Schedules of Decisions taken by Portfolio Holders

RESOLVED that the schedule of Portfolio Holder decisions for the period 3 July 2010 - 29 September 2010 be noted.