

# Policy and Public Initiatives Panel Meeting

**Grand Jury Room, Town Hall, High Street,  
Colchester, CO1 1PJ  
Wednesday, 31 July 2019 at 18:00**

**The Policy and Public Initiatives Panel** provides legislative, improvement and policy advice to Cabinet and Portfolio Holders on issues that may affect executive functions. The Panel considers issues at the request of Cabinet and Portfolio Holders and must seek approval from Cabinet on whether and how issues proactively identified by the Panel are examined. The Panel also considers initiatives for review from members of the public.

# Information for Members of the Public

## Access to information and meetings

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Dates of the meetings are available here:

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

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## **Policy and Public Initiatives Panel – Terms of Reference**

- (1) To proactively identify issues and legislative changes that may require review and improvement and to seek Cabinet's agreement as to whether and how they should be examined.
- (2) To review strategies and policies at the request of the Cabinet and to make recommendations back to Cabinet for decision.
- (3) To review issues at the request of a Portfolio Holder and to make recommendations back to the Portfolio Holder for decision.

**COLCHESTER BOROUGH COUNCIL**  
**Policy and Public Initiatives Panel**  
**Wednesday, 31 July 2019 at 18:00**

**The Scrutiny Panel Members are:**

Councillor Phil Coleman	Chairman
Councillor Martyn Warnes	Deputy Chairman
Councillor Christopher Arnold	
Councillor Helen Chuah	
Councillor John Jowers	
Councillor Derek Loveland	
Councillor Lee Scordis	

**The Policy and Public Initiatives Panel Substitute Members are:**

All members of the Council who are not Cabinet members.

**AGENDA**  
**THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING**  
**(Part A - open to the public)**

Please note that Agenda items 1 to 5 are normally dealt with briefly.

**1 Welcome and Announcements**

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

**2 Substitutions**

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

**3 Urgent Items**

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

**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 **Policy and Public Initiatives Panel minutes of meeting on 19 June 2019** 7 - 12
- 6 **Have Your Say!**  
The Chairman 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 terms of reference of the meeting. Please indicate your wish to speak at this point if your name has not been noted by Council staff.
- 7 **Public Initiatives** 13 - 20  
The Chairman will invite members of the public who wish to suggest ideas for review by the Policy and Public Initiatives Panel. Speaking arrangements for this item would be the same as Have Your Say.
- 8 **Use of the River Colne** 21 - 46  
This report presents information regarding current uses made of the River Colne and information to aid the Panel's discussion as to potential ways to increase recreational activities whilst recognising environmental and other constraints.
- 9 **Policy and Public Initiatives Panel Work Programme 2019-20** 47 - 50  
This report sets out the current Work Programme 2019-2020 for the Policy and Public Initiatives Panel, providing details of the items of business that are scheduled for each meeting during the municipal year.
- 10 **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)**



# Policy and Public Initiatives Panel

Wednesday, 19 June 2019

**Attendees:** Councillor Christopher Arnold, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Derek Loveland, Councillor Lee Scordis, Councillor Martyn Warnes

**Substitutes:** Councillor Nigel Chapman (for Councillor John Jowers)

**Also Present:**

## 32 Policy and Public Initiatives Panel Minutes of 22 May 2019

*RESOLVED* that the minutes of the meeting held on 6 March 2019 and 22 May 2019 were confirmed as a correct record.

## 33 Responsible Dog Ownership

Councillor Scott-Boutell attended and, with the consent of the Chairman, addressed the Panel to give her views on responsible dog ownership. She praised the success of 'Bark in the Park' events for increasing engagement between residents and officers and raised the possibility of running similar events in the future, potentially in partnership with commercial organisations. Awareness of dog-related issues continues to be benefited by event participation of Council officers and Councillor Scott-Boutell thanked the involved officers for their efforts in providing free microchipping of dogs.

Councillor Scott-Boutell queried whether commercial dog carers and walkers were required to register with the Council. Some had been noted as not clearing up after the dogs in their care. A further query was made as to whether there was a maximum number of dogs one individual should walk at one time.

Councillor Scott-Boutell asked the Panel to consider whether enclosed areas could be installed in park areas (such as Stanway and Highwoods Country Parks), where dogs could be let off the lead. This would particularly benefit energetic breeds and could reduce the use of extendable leads which sometimes caused injuries of dog walkers, if used incorrectly. Agility training could take place in such areas, improving bonds between owners and their dogs. Online booking options could be offered to allow access to those who book time in the area, using specific entry codes that would be provided.

Councillor Scott-Boutell further requested an update on progress made to deal with 'back-yard' commercial breeding, asked for online signposting to be provided for residents who have concerns about this, and for the Panel to recommend that Cabinet

take action in this area or form a task and finish group to examine the issue.

Belinda Silkstone, Environmental Protection Manager, and Brandon Kirk, Neighbourhood Manager, presented the report. The Environmental Protection Manager highlighted the statutory duties relating to dog ownership and welfare, split between owners, the Borough Council, the Police and the RSPCA. The Council's duties covered collection of strays, duty of care for dogs in kennels or day-care and licensing of operators providing these services, and duties regarding enforcement tackling dog fouling. Duties for the Council also covered microchipping, enforcement against nuisance caused by irresponsible dog ownership (such as accumulations of dog mess) and to investigate reported back-yard breeding concerns.

She also explained the production of the 2012-15 Responsible Dog Ownership Strategy and that data had shown that this had not been frequently accessed online. Although the content was still relevant, the decision had been made not to update the document, due to the low numbers accessing it. Efforts had been channelled into raising awareness of responsible dog ownership guidance through participation of officers at community events, CBH 'Make a Difference' Days and Police-run events. The Dogs' Trust also provided advice at events and through visits to schools. Councillor Scott-Boutell requested clearer online signposting to explain where different statutory duties lay, and for more information to be provided via social media.

Regarding commercial dog-walking services, The Environmental Protection Manager informed the Panel that the best practice guidance was for a maximum of four dogs to be walked by an individual walker at any one time, and that it may be possible to introduce regulation of this in public areas and parks through amendment of an existing Public Spaces Protection Order (PSPO). Community Protection Warnings could then be issued as the first level of enforcement.

The Neighbourhood Manager addressed the suggestion of enclosed spaces within which dogs could be let off leads. He highlighted the need to ensure that they were of a certain size to be feasible, and for public consultation to be carried out on each area proposed. Location and size would need to be discussed, and a Panel Member expressed concern that such areas would not benefit households without dogs.

The Panel discussed how new and replacement dog bins could be requested by councillors and raised concern that it took weeks for replacements to be installed. Panel members asked whether it was Council policy not to install new bins, even where significant numbers of residents requested them or where fouling was a significant issue. The Neighbourhood Manager informed the Panel that there was no Council policy barring the installation of new bins, but that resource was an issue, with the cost having to come from the budget for small-scale works. There was also a requirement to obtain permission from Essex County Council before new street furniture could be installed. It was highlighted that dog waste bags could be deposited in litter bins, if no dog bins were

available.

Panel members discoursed on enforcement options to address fouling and dumping of bagged dog waste. The Neighbourhood Manager described current enforcement options, practices, and efforts made to provide education prior to enforcement, but informed the Panel that resources for enforcement were limited and that many problem areas were not located on Neighbourhood Team patrol routes. Wardens did respond to investigate problem areas upon receipt of reports from councillors and/or members of the public. Obtaining sufficient evidence as to perpetrators of dog fouling was a key element in successful enforcement.

The Chairman described the PSPO in force at the Colchester Rugby Football Club and the work between members of the public and Neighbourhood Team officers leading to enforcement actions, including the issuing of 14 Fixed Penalty Notices (FPNs) over the most recent year. It was stressed that the provision of as much information about individual breaches of the PSPO assisted Neighbourhood Wardens in targeted patrolling and successful enforcement, followed by publicity of the enforcement which acted as a deterrent to potential future offenders. Councillors agreed that it was important for the communities and Neighbourhood Teams to work together to address non-clearance problems.

The Panel were informed that the level of FPNs were fixed at £100 (rising over set timescales in the event of non-payment). It was noted that there was a current PSPO prohibiting dog fouling across the Borough. Panel members discussed whether the specific PSPO in force at Colchester Rugby Club could be emulated for play areas and sports pitches across the Borough, with similar enforcement and publicity applied. The Neighbourhood Manager agreed that options for enforcement and publicity on this issue could be examined, and that this would be best scheduled in three to six months, to allow the bedding-in of the new Neighbourhood Team structures.

*RESOLVED* that the information in the report regarding responsible dog ownership be noted.

*RECOMMENDED* to CABINET that:-

- (i) The Council website is updated to include a responsible dog ownership page to provide dog owners with information on responsible dog ownership and compliance with the law;
- (ii) The Animal Services Team continue to support the free CBC Neighbourhood Team events, CBH 'Make A Difference Days' and Police-led events;
- (iii) The Council continue to provide a free dog microchipping service;
- (iv) A publicity drive is carried out to increase public awareness of Council

enforcement action regarding dog fouling;

(v) The existing Public Spaces Protection Order (PSPO) covering the Colchester Rugby Club is expanded to cover all play areas and sports pitches in Colchester Borough and that this is publicised;

(vi) The Council pursue a multi-agency approach to tackle fouling issues, where practical, and direct Neighbourhood Teams to temporarily increase their presence in areas where dog fouling is known to be common, followed by publicity of enforcement action taken.

## **34 Work Programme 2019-20**

The Panel considered the draft Work Programme for 2019-20, presented by Owen Howell, Democratic Services Officer. A report on potential recreational and commercial uses of the River Colne was being prepared and was due to come to the Panel in July. A public engagement session had been provisionally scheduled for 25 September, and the Panel was asked to approve the method to be used in gathering initiatives and ideas from the public prior to that date, in the same manner as was used in 2018/19. The input into this session would be used to further populate the Panel's Work Programme. The impact of Austerity and Universal Credit had been scheduled for November 2019 in order to allow more time to investigate options for inviting external guests, such as from the Department for Work and Pensions. Options for the High Street had been scheduled for 15 January 2020 in order to allow for this to be considered after the Council has received confirmation as to whether it has progressed to Phase 2 of the 'Future High Streets' bidding process.

The Panel agreed that the High Street item scheduled for 15 January 2020 would be a large-scale item attracting much interest, and so should be the sole item on that agenda.

Councillor Scordis, who had chaired the Panel when the 2018 public engagement session had been held, confirmed that more public input had been received for that Panel meeting than for most Panel or Committee meetings, but this still had not been a huge response. He recommended that ways to increase publicity on this should be found.

The Panel discussed potential recommendations to Cabinet as to issues for the Panel to consider in the future.

A member of the Panel requested that Panel seek Cabinet approval to examine the committee system model for the Council's administrative arrangements, on the basis that this would provide far greater opportunity for public engagement and transparency of decision making compared to the current Cabinet and Leader model adopted by the

Council. The positives and negatives of the two administrative arrangements were briefly discussed, particularly in relation to greater strategic decision-making opportunities within Cabinet and Leader arrangements and the slower nature of decision making within a committee system.

Councillor Cory, Leader of the Council, attended and, with the consent of the Chairman, addressed the Panel. He confirmed that he would welcome a review of the Council's administrative arrangements at the appropriate time. Councillor Cory explained that, under his leadership, he had encouraged more open decision making and the widening of democratic opportunities and had welcomed good ideas and initiatives, including those from members of the Opposition.

The Panel members requested an update from Councillor Cory on the potential for the Council to become carbon-neutral. Councillor Cory informed the Panel that he and Councillor Whitehead would be submitting a motion to Council, seeking to declare a Climate Change Emergency. The aim would be for the Council to become carbon-neutral by 2030, with the issue being taken on by the Conservation and Environmental Sustainability Task and Finish Group.

The Panel asked if further consideration should be given to 'The Walls Project', as previously considered. Councillor Cory detailed work being done by the Council and the Colchester Business Investment District (BID). Dan Gascoyne, Chief Operating Officer, was of the view that the Panel did not need to take further action on the Walls Project and offered to bring an update back for Panel Members' information.

The Future Options for the High Street Programme item was discussed. Councillor Cory confirmed that, in principle, he would be in favour of pedestrianizing the High Street, but that significant public consultation would be necessary and that the significant transport implications that this would entail would need to be mitigated through working in cooperation with Essex County Council. Councillor Cory confirmed that Colchester's bid for 'Future High Streets' funding had centred around promotion of the Town's significant heritage.

Councillor Cory updated the Panel on progress regarding Sustainable Transport. He explained that it was a vast area of possible work and would be considered by the new Conservation and Environmental Sustainability Task and Finish Group. The Group would consider items such as electric cycle hire and other cycling issues, rapid transport systems and potential for third-party community transport bus services. Councillor Cory confirmed that it was for the Panel to decide whether there were further aspects of this subject that they would recommend for examination. A Panel member requested that options for secure and/or covered cycle parking be investigated. Councillor Cory informed the Panel that Councillor King, Portfolio Holder for Business and Resources, was currently considering this.

A request was made by the Chairman for the Panel to gain Cabinet approval to investigate the potential for providing a sports and social centre for young people, following the example of local authorities who had set up Youth Zones in partnership with the charity Onside and private sector funding. He explained that the Youth Zone in Barking and Dagenham attracted 3,300 members in its first four weeks and currently accommodated 1,900 users per week.

*RESOLVED* that the Work Programme for 2019 be noted.

*RECOMMENDED* to CABINET that approval be given for the following items to be included in the Policy and Public Initiative Panel's work programme for the future:-

- (i) A review of the Council's Cabinet and Leader model of administrative arrangements to determine whether the Council should continue with these arrangements or revert to a committee model;
- (ii) To investigate the potential for providing a sports and social centre for young people, in the form of a Youth Zone;
- (iii) To investigate the provision of secure and covered bicycle parking options for Colchester.



31 July 2019

<b>Report of</b>	<b>Assistant Director Policy &amp; Corporate</b>	<b>Author</b>	<b>Owen Howell</b> ☎ 282518
<b>Title</b>	<b>Public Initiative - Cycleway issues</b>		
<b>Wards affected</b>	N/A		

## 1. Executive Summary

- 1.1 This report outlines concerns expressed by Councillor Robert Johnstone, of Myland Community Council, regarding the way in which Essex County Council/Essex Highways installs cycleways on existing footways, especially where this results in a shared cycle/footway. Councillor Johnstone wishes to address the Panel as part of the 'Public Initiatives' agenda item.

## 2. Action Required

- 2.1 The Policy and Public Initiatives Panel to consider whether to recommend to Cabinet that the Panel be authorised to add this as a topic for further consideration to its work programme.

## 3. Background Information

- 3.1 Councillor Johnstone seeks to raise a number of concerns and considerations relating to the current practice by Essex Highways regarding installation of cycleways on existing footways. More specifically, he wishes to raise questions regarding the planning, installation and funding of shared cycleways and footways in parts of the Borough by Essex County Council, and asks the Policy and Public Initiatives Panel to recommend to Cabinet that the Panel be asked to conduct a review of all provisions for cycling within Colchester Borough. The submission from Councillor Johnstone can be found at Appendix A.
- 3.2 Factors which Councillor Johnstone believes are affecting the implementation and use of cycling measures and cycle lanes include:
- Essex Highways' efforts to reduce traffic congestion on highways face constraints regarding space on carriageways and limited budgets available.
  - Relevant advice, regulation and statutes include the Local Transport Note 1/12, Highway Code Rule 64, and the Highways Act 1980.
  - Cyclist, Pedestrian and Driver safety. Education and enforcement of regulations and statute.
  - Unenforceable and confusing signage, particularly for shared-use foot- and cycleways.
  - Lack of consultation on options for cycleways. County Council consultation could include the Borough Council, parish councils, cycling organisations and local groups, schools and others.
  - Lack of ability for borough/district councils to be involved in the design of highways and cycleways at the planning stage, as well as in identifying areas for concern and issues regarding signage and maintenance.

- Potential for cyclists to mistake footways for cycleways and drivers expecting cyclists to be in designated cycleways (or shared pavement routes) rather than on the road.
- As pedestrian and cyclist numbers may increase over time, what extra capacity do footways/cycleways have and are they feasible in the future?

#### **4. Equality, Diversity and Human Rights implications**

4.1 There are no equality, diversity or human rights implications to this report.

#### **5. Standard References**

5.1 There are no particular references to consultation or publicity considerations or financial; community safety; health and safety or risk management implications.

#### **6. Strategic Plan References**

##### Growth

- Help make sure Colchester is a welcoming place for all residents and visitors
- Ensure residents benefit from Colchester's economic growth with skills, jobs and improving infrastructure
- Develop jobs, homes, infrastructure and communities to meet the borough's future needs by creating new Garden Communities

##### Responsibility

- Promote responsible citizenship by encouraging residents to get involved in their communities and to identify solutions to local issues
- Create new routes for walking or cycling and work with partners to make the borough more pedestrian-friendly.

##### Opportunity

- Promote initiatives to help residents live healthier lives.

##### Wellbeing

- Help residents adopt healthier lifestyles by enabling the provision of excellent leisure facilities and beautiful green spaces, countryside and beaches.

#### **7. Health, Wellbeing and Community Safety Implications**

7.1 As the subject of this item relates to Essex County Council/Highways functions, there are no direct implications, however there may be implications to recommendations which may potentially be made by Colchester Borough Council to Essex County Council.

#### **Appendices**

Appendix A – Text of Councillor Robert Johnstone's submission.

Appendix B – Photographs provided by Councillor Johnstone of cycling measures and challenges.

**Please note that this is a submission by Cllr Robert Johnstone (of Myland Community Council) and is not the work of officers or elected members of Colchester Borough Council.**

I intend tonight to tell you how the shared cycleway/footways in Mile End Rd – and other places – were:

- Not consulted on;
- Poorly planned;
- Badly implemented;
- Not transparently funded.

I shall quote from Government guidance, Local Transport Note 1/12.

Firstly, consultation, or rather the lack of it. - There had been no discussion of it at Essex County Council when this scheme was first mentioned – at least Anne Turrell was not aware of it, there was no consultation with CBC, or with Myland Community Council, Colchester Cycling, or local schools, or even residents. This shared cycleway/footway was not asked for by any cyclists or by any councillor or resident. Mile End Rd traffic has decreased considerably since the opening of the Northern Approach Rd.

Then planning and design – there was a Public Information event held locally in which we were told what was going to happen. But when it was pointed out to Essex Highways that the proposed design involved cyclists having to dismount and make three crossings of Mile End Road - it was soon amended.

The implementation phase fared no better – originally scheduled to last 14 weeks (*Photos provided of Sign showing date and Cycleway creation*) and cost £750,000, it actually took 28 weeks – but somehow still cost £750,000!

The scheme was funded by the non-elected South East Local Enterprise Panel – SELEP – an extremely difficult body to get any information at all from. One officer from Essex Highways confided to me that “at least it wasn't going to cost ECC Highways anything as SELEP were paying for it.” I replied that Essex Highways may not be paying for it, but the tax payers of Mile End Road certainly were.

There are many obstructions found on a footway that are unlikely to be found on any carriageway - lampposts, parking signposts, utility installations, pillar boxes, waste paper bins and on Fridays (in M.E.R [Mile End Road]) many rubbish bins and boxes, bus stops, children playing and pedestrians!

And, of course, there may be other cyclists coming the other way.

In addition, there are 75 driveways on Mile End Road. And, as the pavement was widened, so the road was narrowed - making it harder to overtake cyclists safely.

Pedestrians as I am sure we all know are an unpredictable lot – often wearing headphones, reading or talking on a phone, carrying large bags, or wheeling suitcases. Sometimes a group walks three abreast. Sometimes they are walking dogs. Sometimes they pat their pockets and turn round without warning! They may be elderly, infirm or with hearing or visual impairments

However the worst possible danger comes from parked cars – being doored. This happens when a car parks and a few moments later, after collecting their belongings a driver, or more likely, a passenger opens a door at the moment when a cyclist is passing.

Signposts related to shared cycleway/footways is often misleading, contradictory, unenforceable and quite probably a complete waste of money! *(Photo Confusing signs)*

Maintenance is practically non-existent. *(Photo Poor Maintenance)*

The recommended **minimum** width of any shared use cycleway/footway is three metres. LTN 1/12 states that this minimum will need to be increased if the route is bounded by a road or a wall. The cycleway/footway in Mile End Rd is an **average** of three metres. It will also need to be increased if usage increases. It is unsustainable.

In new developments, currently open fields, there are no space restrictions, and yet even with a 20mph speed limit, cyclists are to be encouraged to cycle on the pavement with no cycling facilities on the road. ECC Highways seem to be saying that it is impossible to build safe on road cycling whatever the space available. Other countries manage it! LTN 1/12 says that shared cycleway/footways should **never** be the first (or only) option. *(Photos Armadillo and Danish Cycleway)*

Some pedestrian safety features have been removed in order to accommodate the cycleway/footway – a traffic island (refuge) in Mile End Rd and railings at the roadside edge of the footway at North Station Roundabout.

It may also be worth mentioning that the “pinch point” under North Station bridge is merely one metre wide – to accommodate pedestrians and cyclists in both directions. There are no clear sight splays around this bend under the bridge.

I believe it is essential that CBC debate the whole issue of cycling provision and they should **not** accept the current situation.

In conclusion to quote LTN 1/12

*“Shared use routes created through the conversion of footways or footpaths can be controversial. There are many such examples that have been implemented inappropriately and/or poorly designed, particularly in urban areas. It is essential for designers to understand that shared use is not the ‘easy fix’ it might appear to be.”*



*'Work commencing' signage*



*Cycleway construction*





*Confusing Signage*







*Armadillos in use*



*Danish Cycleway*





31 July 2019

<b>Report of</b>	<b>Assistant Director, Policy and Corporate</b>	<b>Author</b>	<b>Owen Howell</b> ☎ 282518
<b>Title</b>	<b>Use of the River Colne</b>		
<b>Wards affected</b>	Lexden and Braiswick, Castle, Greenstead, Old Heath and the Hythe, Wivenhoe, Mersea and Pyefleet, Rural North		

**1. Executive Summary**

1.1 This report presents information regarding current uses made of the River Colne and information to aid the Panel’s discussion as to potential ways to increase recreational activities whilst recognising environmental and other constraints. This report focuses on the length of the Colne from the disused lido at Colne Bank Avenue through to the Colne Estuary, as this is the stretch owned by the Council. The Panel may however wish to also discuss whether there is potential for increasing recreational riverside activities to the North West of Colchester, running to the Borough’s border to the West of Wakes Colne.

**2. Action Required**

- 2.1 To note the information provided within this report.
- 2.2 To consider whether to recommend to Cabinet that a strategy, framework or vision document be developed for the River Colne to increase recreational use.

**3. Reason for Review**

3.1 On 9 January 2019, the Panel were asked to consider holding an open discussion regarding ways to better utilise the Colne, from a recreational, social and sporting perspective. This was recommended by the Panel and approved by Cabinet as an item for the Panel’s work programme.

**4. Background Information**

Guests to address the Panel

- 4.1 Invited guests who will provide evidence and views to the Panel on the subject of this report are:
  - Mr. James Thomas, Harbour Master of Brightlingsea
  - Dr. Jonathan Scales, Co-ordinator of ColneWatch

A range of stakeholders and groups using the river for recreational purposes have also been invited and may wish to address the Panel within the ‘Have Your Say!’ section of this item.

### General background

- 4.2 There is currently no overarching Colchester Borough Council (CBC) strategy or policy in place regarding the use and stewardship of the River Colne. The Council does however work with stakeholders and agencies to address enforcement issues regarding antisocial behaviour around the River and to facilitate legitimate and lawful recreational and commercial activities upon and around the Colne. This work is overseen by Stephen Collis, Parks, Contracts and Volunteering Specialist.
- 4.3 Officers have noted that a number of individuals and organisations wish to be involved in helping to provide stewardship for the river and that the Council may be well-placed to draw them together to produce a strategy or guiding document for ongoing and increased use of the Colne and enforcement of bylaws and restrictions. Over the last three years, 'Days of Action' with Marine Police, and information provided by witnesses has led to 11 prosecutions being successful in cases where byelaws and speed restrictions have been flouted. Evidence of less-serious antisocial behaviour has led to Police advice and warnings being issued.

### Ownership of land and existing rights of use

- 4.4 The River Colne upstream of the Colne Bank Avenue lido is in private ownership, with limited opportunities for the Council to affect its use.
- 4.5 The Council has limited ownership of land around the River Colne and its estuary, with the majority being in private ownership and some owned and used by the Ministry of Defence. This can give rise to potential difficulties when considering new or expanded activities, construction or work upon and aside the river. It has also meant that regeneration work and provision of new amenities has mostly been through conditions set on developers as part of the planning system, rather than proactively carried out by Colchester Borough Council.
- 4.6 Regarding mooring agreements and licences, some agreements are with the Council's Environment Directorate and others are administered within Colchester Commercial Holdings Ltd. In some cases, there are well established moorings for which no agreements are in place, due to the length of time for which the mooring point has been in use and the riparian rights that have been established.
- 4.7 It should be noted that Policy SS12b (Coast Road Mersea) within the Emerging Local Plan 2017-33 prohibits new moorings for residential houseboats in coastal areas, due to their impact on the landscape and environment of designated habitats. An exemption may be applied in the case of houseboats of historical maritime significance.

### Existing use and users of the Colne

- 4.8 Current groups using the River Colne for recreational and nature-based or conservation activities include:
- Wivenhoe Sailing Club
  - West Mersea Yacht Club
  - Dabchicks Sailing Club (West Mersea)
  - Colne Yacht Club
  - Brightlingsea Sailing Club
  - Brightlingsea Coastal Rowing Club

- Pioneers Sailing Trust
- WIVGIGS Rowing Club
- Wivenhoe Corsairs Rowing Club
- Rowhedge Coastal Rowing Club
- Wivenhoe Canoe and Kayak Club
- Essex Wildlife Trust
- Royal Society for the Protection of Birds
- Wivenhoe and Rowhedge Ferry
- Hythe Boaters

4.9 In addition to these groups, there is recreational use made of the river by individual residents and visitors who engage in navigating the river, walking or cycling the riverside paths and cycle routes, or other activities such as flying drones or swimming. On Mersea Island there are currently nine private slipways and one public slipway, in use for recreational sailing and boating activities.

4.10 Pedestrian and cycle access to the land adjoining the Colne includes cycle and footpaths through Castle Park and the Wivenhoe and Rowhedge Trails. The Rowhedge Trail is designated a Riverside Walk but is not currently an official cycle route. Access on this route for cyclists and pedestrians is due to be improved later this year. The safeguarding of access and river walkways is an issue that is considered when river-side development proposals are submitted. The Colchester Local Plan 2001-2021 and Emerging Local Plan 2017-2033 both seek to provide protection from development that would obstruct strategic green links (see Policy ENV3: Green Infrastructure). These green links include riverside footpaths and cycle routes. The primary Colne green link runs from Colne Bank Avenue through to the border with Tendring District, to the South-East of Wivenhoe. Along its length can be found a number of nature reserves and specific conservation areas which attract visitors and recreational users, including:

- Lower Lodge Farm (Colne Local Nature Reserve)
- Wivenhoe Woods (Colne Local Nature Reserve)
- Hythe Lagoons
- Fingringhoe Wick
- East Mersea Flats
- Cudmore Grove (Mersea Island)

To the North West of Colchester, the Colne Valley also includes environmental conservation areas such as Lexden Springs Nature Reserve, Cymbeline Meadows and the Chappel Millennium Green.

4.11 In addition to established moorings used by organisations utilising the Colne for recreational sporting and navigation activities, there are also a number of agreements and licences in place to secure rights for residential moorings, as well as moorings and structures in use for commercial purposes.

#### Existing problems and enforcement

4.12 Current issues affecting the Colne include watercraft exceeding the set speed limits, sunken or abandoned craft, and difficulties caused by deteriorating banks in the Hythe area, leading to large timbers becoming dislodged and at times obstructing the navigation channel. Silting remains an issue and is, in some areas, a barrier to the mooring/docking of recreational craft and prevents the development of an attractive waterfront from which to conduct recreational

activities. There are also limitations on the navigation of the Colne due to its tidal nature up to East Mill where the weir creates a barrier to watercraft travelling between tidal and non-tidal stretches.

4.13 Environmental issues include odours emanating from the sewage treatment works on Haven Road and regular flooding in that area, dumping of shopping trolleys and rubbish and the disturbance of seabird and wading bird roosts by use of craft such as jet skis and canoes.

4.14 Work is currently underway to address issues relating to obsolete mooring fittings and security concerns in the Hythe area. Investment to fund the replacement of malfunctioning mooring bollards in the Hythe area (which provide electricity and water to moored craft) has already been agreed by the Council's Revolving Investment Fund Committee. It is anticipated that increased mooring facilities and security measures along the Quay area (such as already-scheduled installation of CCTV along the King Edward Quay) will lead to greater demand for mooring by high-quality craft, to allow for mooring fees to be increased and for increased use of the area for recreational activities, including walking and cycling.

4.15 Issues affecting the Colne are monitored and addressed by the Council, in collaboration with external agencies and groups. These include:

- Brightlingsea Harbour Commission
- Essex Police and Marine Police
- Wivenhoe Town Council
- East Donyland Parish Council
- Natural England
- The Environment Agency
- ColneWatch (representing a number of individual and group stakeholders in the River Colne)
- West Mersea Waterside Committee
- Natural England
- RSPB
- Essex Wildlife Trust

4.16 Interest has also been expressed by ColneWatch stakeholders in reforming the Colne Estuary Partnership. Administrative support and resourcing would need to be sourced before this would be able to proceed.

#### Background Documents and Local Plan Policies

4.17 A number of Local Plan Policies contain content regarding the protection of existing open spaces and green travel links, and the development of health and wellbeing in the Borough. The following policies are taken from the Adopted Local Plan and are expected to be replaced by similar policies in the Emerging Local Plan:

- Policy SP5 (Infrastructure and Connectivity)
- Policy SP6 (Place Shaping Principles)
- Policy ENV3 (Green Infrastructure)
- Policy EC2 (East Colchester/Hythe Special Policy Area)
- Policy EC3 (East Colchester)
- Policy EC4 (Transport in East Colchester)
- Policy SS12b (Coast Road, West Mersea)
- Policy OV2 (Countryside)

- Policy DM1 (Health and Wellbeing)
- Policy DM4 (Sports Provision)
- Policy DM5 (Tourism, Leisure, Culture and Heritage)
- Policy DM17 (Retention of Open Space and Recreation Facilities)
- Policy DM20 (Promoting Sustainable Transport and Changing Travel Behaviour)
- Policy DM23 (Flood Risk and Water Management)

4.18 Information relating to the Council's approach to developing the Hythe riverside areas can be found within the Colne Harbour Master Plan (2008). Whilst this document mainly focusses on planning considerations to guide development of the historic port area at the Hythe, it gives significant guidance on preserving and managing public realm open space and is intrinsically linked to the Colne's ability to attract more visitors and recreational users, whilst preserving strategic green links. The historic commercial harbour of Colchester (incorporating facilities at the Hythe and Rowhedge) was closed following the enacting of the Colchester Borough Council Act (2001). The Council continues to work to guide appropriate residential and recreational development in the historic port areas.

4.19 Members should note that Castle Park is a Grade 2 Registered Park and Garden, which will have implications regarding the use of the Colne in that area.

#### Suggestions for enhanced use of the Colne

4.20 The length of the River is split into a number of stretches of different character, with some potential additional recreational uses and complimentary public realm improvements listed below. The following have been gathered from engagement with stakeholders, officers and members. Please be aware that this is not an exhaustive list and that it covers a range of items, some of which have been suggested, but have not been subject to viability assessment or any form of cost/benefit analysis:

- Increased use of boats and sports craft around Wivenhoe, Alresford Creek and Brightlingsea (up to the East Mill Weir).
- Possible public realm improvements, lighting, facilities for boats and additional moorings to address the waiting list for moorings at King Edward Quay (Hythe, Colchester). Additional moorings have been identified as a possibility, should issues regarding silting and abandoned craft be addressed.
- Protection of, and investment in, open spaces and public realm within the Gas Quay developments (Hythe, Colchester).
- Recreational and sporting activities from East Street Weir to Middle Mill, through the Castle Park stretch, including paddle-boarding, canoeing and use of the river banks to give families better access to the waterside. This could involve the use of Century House (North Station Road) to enhance river use, possibly through providing facilities for recreation (canoeing, paddleboats or paddle boards) on the river and café premises.
- Seeking possible recreational uses for the disused lido to the North of Colne Bank Avenue. It should be noted that this now falls within the boundary of Colchester Conservation Area 04 (North Station Road and Environs).

- Potential improvements to the length of the Colchester to Wivenhoe cycle route to allow for this to be extended and provide riverside cycle access from Colchester to Brightlingsea.
- Improved links from Colchester Hythe Station and Greenstead Estate to the riverside. Improved access to the Wivenhoe Trail from the University, addressing current limitations of the footbridge across the railway, sited behind B&Q. Work with the University is currently underway to carry out a study of costed options for this.
- Potential ways to promote walking routes including some to and along the river, working with the University and student accommodation providers. Work is also ongoing with the County Council to improve walking and cycling links in Colchester, potentially improving links to and around the riverside areas. Investment as part of the Government Local Cycling and Walking initiative is likely in the medium term.
- A new, predominantly traffic-free and traffic-calmed route for cyclists from the Hythe to the town centre. No safe and attractive route currently exists for cyclists who wish to cycle through town to the Wivenhoe and Rowhedge trails.

4.21 Work is currently underway to identify ways to use a Community Development Contribution of £88k (from the developers of The Maltings on King Edward Quay). This contribution is to be used on work to improve King Edward Quay for visitors, quay users and residents and a consultation exercise is scheduled for September 2019. Ideas proffered so far include improvements to the public realm, additional facilities for boaters' use, and activities/events for residents and visitors. Improvements to the area already scheduled include WiFi and CCTV camera coverage along the Quay, to be funded and installed by the Department of Culture, Media and Sport Fibreoptic project later this year.

4.22 The Panel will need to note the environmental constraints when considering potential recreational activities upon and around the Colne, and the possibilities for overcoming these. Appendix C consists of maps which display the areas designated as being of special conservation and environmental value.

4.23 The Panel will need to consider whether they wish to recommend to Cabinet that a strategy, vision document or framework be produced to set out the Council's stewardship duties and priorities for the Colne. This could be a formal strategy on use of the river (and enforcement to prevent antisocial and illegal behaviour), which is prescriptive in its nature. The creation and enforcement of such a strategy would however require resources to be sourced and allocated to it.

4.24 An alternative to a formal strategy would be a recommendation to Cabinet that a vision document and framework of principles for the Colne be produced, which would then inform formal Council policies and strategies which touch upon the use and stewardship of the Colne. Such a document could be used to guide existing workstreams and project work, where they relate to the river. It would also assist the drafting of Neighbourhood Development Plans for areas around the Colne to ensure that these address the care and use of the river and its banks.

## **5. Equality, Diversity and Human Rights implications**

- 5.1 There are no human rights implications to this report. There are equality and diversity implications regarding use of the river insofar as the Panel should be mindful of the need to ensure that access points to the River, and its riparian footpaths, are as accessible as possible to those with physical disabilities and members of the public with limited mobility.

## **6. Strategic Plan References**

- 6.1 This report has implications regarding the following priorities of the Strategic Plan 2018-21:

### Growth

- Help make sure Colchester is a welcoming place for all residents and visitors
- Promote inward investment to the Borough

### Responsibility

- Create new routes for walking or cycling and work with partners to make the Borough more pedestrian-friendly.

### Opportunity

- Promote and enhance Colchester borough's heritage and visitor attractions to increase visitor numbers and to support job creation
- Promote initiatives to help residents live healthier lives.

### Wellbeing

- Help residents adopt healthier lifestyles by enabling the provision of excellent leisure facilities and beautiful green spaces, countryside and beaches.

## **7. Consultation**

- 7.1 A number of stakeholders have been consulted and asked to take part in the discussion of this item. This includes the Harbour Master of Brightlingsea and representatives of ColneWatch, an organisation which monitors speeding and other antisocial behaviours along the River and is backed by a range of recreational clubs and organisations using the Colne, as well as by Wivenhoe Town Council.
- 7.2 Members of the Public are invited to give their views to the Policy and Public Initiatives Panel at this meeting.
- 7.3 It should be noted that any specific recommendations to Cabinet regarding increasing recreational use of the Colne should take into consideration the likely effects that these may have on existing users of the river, and appropriate consultation would need to be considered accordingly.

## **8. Publicity Considerations**

- 8.1 There are no direct publicity considerations at this time, however these may arise in relation to specific actions which may be recommended by the Panel to Cabinet. These would be considered as part of any decision-making process by Cabinet or portfolio holders.

## **9. Financial implications**

- 9.1 Recommendations put forward by the Policy and Public Initiatives Panel are likely to have financial implications, which will need to be discussed and considered. Increased recreational use of the Colne is likely to increase income to the Borough Council, either directly (if the Council or Colchester Amphora Trading Ltd provides successful recreational activities) or indirectly, via an increase in visitors to the Borough, who bring revenue and increase the customer base for potential new or expanded businesses.
- 9.2 There is currently no resource identified to fund the creation and operation of a formal strategy for the Colne. An alternative would be for a vision document and framework of principles to be put in place, to guide individual projects and actions within existing workstreams. This could potentially be produced within existing budgets.
- 9.3 Should the Panel wish to recommend improvements to Council assets or the public realm in order to make additional/increased recreational activities possible, the cost of this work would need to be assessed and considered by Cabinet.
- 9.4 It is likely that more-intensive use of the River would increase the need for enforcement action to prevent anti-social behaviour and speeding, with an increase in the cost of providing that enforcement function. This increased cost is likely to apply to the Council and the partner agencies with which the Council works. The financing for enforcement options would need to be decided in consultation with these external partner agencies and bodies.
- 9.5 The Brightlingsea Harbour Commission has indicated that there is currently the potential to take advantage of EU funding opportunities in order to develop opportunities for additional activity and enforcement relating to the River.

## **10. Health, Wellbeing and Community Safety Implications**

- 10.1 Health and wellbeing is influenced by a number of factors, many of which fall under the responsibility of the Council. These include planning, housing, access to green space, licensing, environmental health protection and economic development. The council must do all it reasonably can to promote positive health benefits to our residents whilst reducing, removing or minimising any unintended consequences to health that may arise from services or decisions. The development of additional recreational activity along the Colne must maximise access to green space whilst ensuring environmental health protection and that any negative externalities from economic and residential development are minimised.
- 10.1 Colchester Borough Council has stewardship duties regarding the River Colne. The Council carries out enforcement action and works with partner organisations in order to ensure all legal restrictions and regulations to safeguard community safety are complied with by river users. As numbers using the Colne and its riverside increase, there may be a need to examine whether additional CCTV coverage should be provided in order to aid in the detection of antisocial and/or illegal activities.



## **11. Health and Safety Implications**

11.1 There are no direct health and safety implications, although the Panel will need to consider the health and safety implications of any specific recommendations which it may choose to make to the Council's Cabinet.

## **12. Risk Management Implications**

12.1 There are no specific risk management implications to this report. There will potentially be risk management implications to any recommendations for additional uses of the Colne.

### **Appendices**

Appendix A – Locations of moorings and current organisations using the River for recreational purposes.

Appendix B – Map detailing Strategic Green Links and Riverside Walks.

Appendix C – Maps displaying areas of environmental interest in and around the Colne, specifically:

- Environment Agency Floodzones
- Environmentally Sensitive Areas
- Sites of Special Scientific Interest
- RAMSAR Areas (Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat)
- EU Special Areas of Conservation











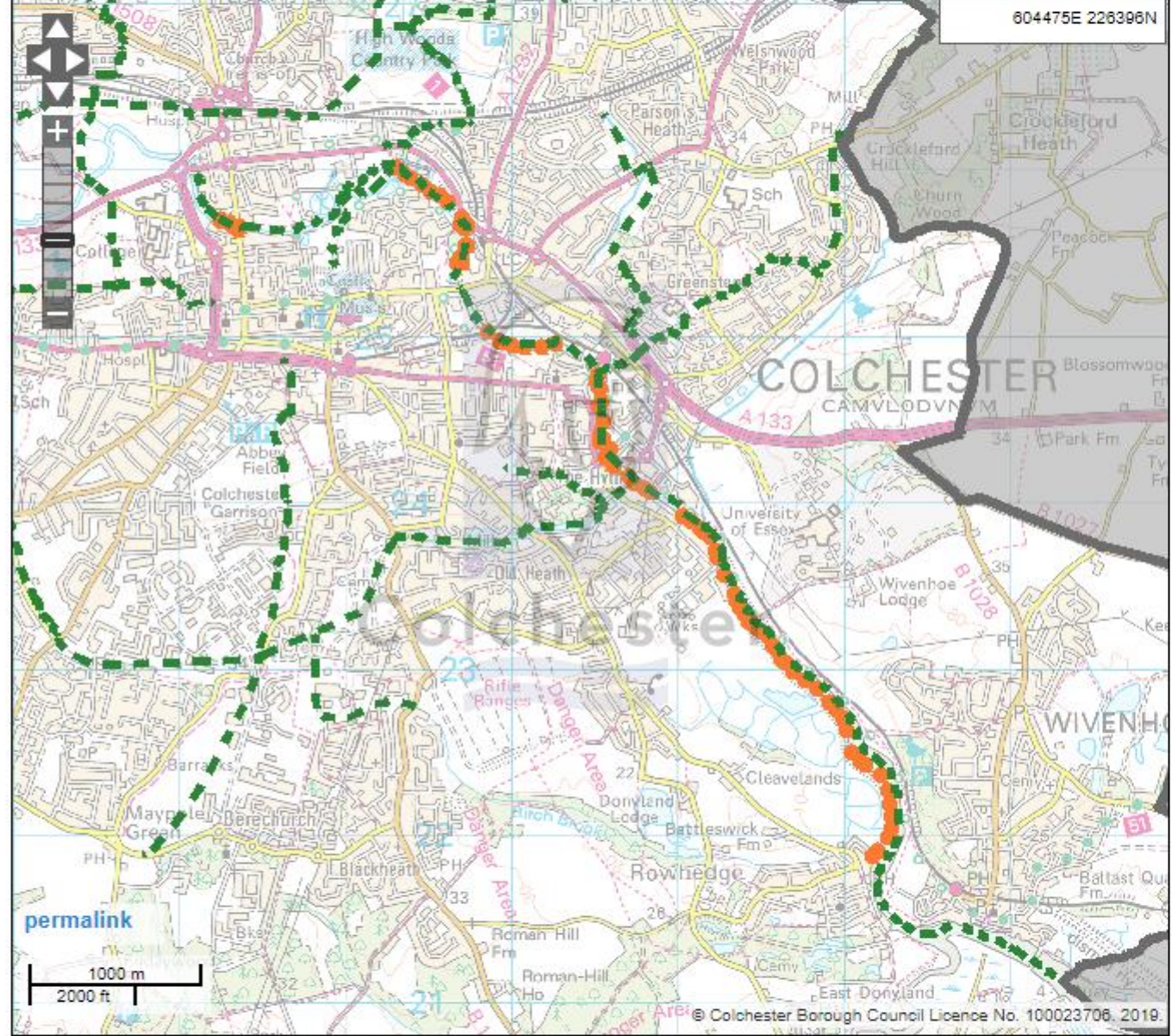
**Search** **Overview** **Key** **Policies**

- Areas
- Cultural Facilities
- West Mersea Waterside Area of Special Character
- Historic Parks and Gardens
- Colchester Local Wildlife Sites
- Sites of Special Scientific Interest
- Regional Important Geological (and Geomorphological) Sites
- RAMSAR
- Coastal Protection Belt
- Special Areas of Conservation
- Special Protection Areas
- Area of Outstanding Natural Beauty
- Riverside Walks
- Protected Lanes
- Green Links
- Conservation Areas
- Local Nature Reserves
- CBC Scheduled Monuments
- Environment Agency National Flood Zones

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**Boundaries**

- Area Outside the Borough
- Borough Boundary



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# Colne River



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Colchester



Floodzone 3



Floodzone 2



ESA



Sites of Special Scientific Interest



RAMSAR



Special Areas of Conservation

10/07/2019

Not to scale



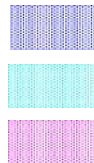




# Colne River



Colchester



Floodzone 3

Floodzone 2

ESA



Sites of Special Scientific Interest

RAMSAR

Special Areas of Conservation

10/07/2019

Not to scale







# Colne River



Colchester



Floodzone 3



Floodzone 2



ESA



Sites of Special Scientific Interest



RAMSAR



Special Areas of Conservation

10/07/2019

Not to scale







# Colne River



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Colchester



Floodzone 3



Floodzone 2



ESA



Sites of Special Scientific Interest



RAMSAR



Special Areas of Conservation

10/07/2019

Not to scale



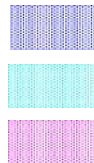




# Colne River



Colchester



Floodzone 3  
Floodzone 2  
ESA



Sites of Special Scientific Interest  
RAMSAR  
Special Areas of Conservation

10/07/2019

Not to scale



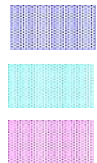




# Colne River



Colchester



Floodzone 3

Floodzone 2

ESA



Sites of Special Scientific Interest

RAMSAR

Special Areas of Conservation

10/07/2019

Not to scale







## Policy and Public Initiatives Panel

Item  
**9**

31 July 2019

<b>Report of</b>	<b>Assistant Director Policy and Corporate</b>	<b>Author</b>	<b>Owen Howell</b> ☎ 282518
<b>Title</b>	<b>Work Programme 2019-20</b>		
<b>Wards affected</b>	Not applicable		

### 1. Executive Summary

- 1.1 This report sets out the current Work Programme 2019-2020 for the Policy and Public Initiatives Panel, providing details of the items of business that are scheduled for each meeting during the municipal year.

### 2. Recommended Decision

- 2.1 The Panel is asked to note the contents of the Panel's Work Programme for 2019-2020 as set out below and to confirm the appropriate scheduling of work for the next municipal year.

### 3. Alternative Options

- 3.1 This function forms part of the Panel's Terms of Reference and, as such, no alternative options are presented.

### 4. Background Information

- 4.1 The Policy and Public Initiatives Panel's Work Programme will evolve as the municipal year progresses. Items can be added to the Work Programme in two ways, either through Cabinet approving a request from the Panel, or Portfolio Holders and Cabinet requesting policies, strategies or other issues be reviewed. The Panel may also receive outline scoping reports on service reviews that are taking place across the Council and these will be added to the work programme when appropriate.

- 4.2 Approval was sought from Cabinet for the inclusion in the work programme of requests relating to the following items. Approval for these items was given by Cabinet on 10 July 2019:

- (a) A review of the Council's Cabinet and Leader model of administrative arrangements to determine whether the Council should continue with these arrangements or revert to a committee model;
- (b) To investigate the potential for providing a sports and social centre for young people, in the form of a Youth Zone;
- (c) To investigate the provision of secure and covered bicycle parking options for Colchester.

4.3 The three items named in 4.2 above are provisionally scheduled for consideration by the Panel on the following dates, subject to the Panel's preferences and officer availability:

- (a) Cabinet and Leader model of administration: 4 March 2020
- (b) Potential for a Youth Zone in Colchester: 27 November 2019
- (c) Secure and covered bicycle parking: 5 January 2020

4.4 The item relating to secure cycle storage is felt to compliment the existing item scheduled for 5 January (relating to Colchester High Street) and the examination of the current and potential forms of administrative arrangements for the Council has been recommended for 4 March as there are currently no items scheduled for that meeting. The Panel resolved to undertake another Public Engagement session, which has been scheduled for 25 September 2019, and which will likely be an involved meeting with no capacity for further substantive items to be added to the agenda.

## **5. Standard References**

5.1 There are no specific references to publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

## **6. Strategic Plan References**

6.1 Policy review is integral to the delivery of the Strategic Plan's priorities and direction for the Borough as set out under the four themes of growth, responsibility, opportunity and wellbeing.

## **7. Appendix**

7.1 Appendix A – Provisional Work Programme for 2019-20

**Policy and Public Initiatives Panel Work Programme 2019-20**

<b>19 June 2019</b>
<ol style="list-style-type: none"> <li>1. Responsible Dog Ownership</li> <li>2. Work Programme 2019-20 and suggestion of items for consideration</li> </ol>
<b>31 July 2019</b>
<ol style="list-style-type: none"> <li>1. The use of the River Colne in terms of encouraging more effective use from environmental and activity aspects.</li> </ol>
<b>25 September 2019</b>
<ol style="list-style-type: none"> <li>1. Public Engagement – Survey Responses and Contributions at the meeting.</li> </ol>
<b>27 November 2019</b>
<ol style="list-style-type: none"> <li>1. Impact of Universal Credit and Austerity Measures</li> <li>2. Potential for providing a Youth Zone sports and social centre</li> </ol>
<b>15 January 2020</b>
<ol style="list-style-type: none"> <li>1. Next steps regarding options for Colchester High Street: agreeing objectives, gathering data and consulting stakeholders and the public.</li> <li>2. Secure and covered cycle storage options</li> </ol>
<b>4 March 2020</b>
<ol style="list-style-type: none"> <li>1. Review of the Cabinet and Leader model of Council administration and the alternative committee model</li> </ol>

Requests awaiting consideration by Cabinet:

- None currently outstanding.

