

COUNCIL
19 MAY 2010

Present :- Councillor Sonia Lewis (the Mayor) (Chairman)
Councillor Helen Chuah (Deputy Mayor)
Councillors Christopher Arnold, Nick Barlow,
Lyn Barton, Kevin Bentley, Mary Blandon,
John Bouckley, Nigel Chapman,
Peter Chillingworth, Barrie Cook, Nick Cope,
Mark Cory, Beverly Davies, Tina Dopson,
John Elliott, Andrew Ellis, Margaret Fairley-Crowe,
Margaret Fisher, Wyn Foster, Bill Frame,
Ray Gamble, 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

Councillor Goss was not present for items at minutes 1 - 6.

The meeting was opened with prayers by the Retiring Mayor's Chaplain, The Reverend David Harper.

The Retiring Mayor chaired the meeting for item at minute 1.

1. Election of Mayor

It was PROPOSED by Councillor Fairley-Crowe, SECONDED by Councillor Scott-Boutell and SUPPORTED by Councillors T. Young and G. Oxford and -

RESOLVED UNANIMOUSLY that Councillor Sonia Lewis be elected Mayor of the Borough of Colchester for the ensuing Municipal Year.

Councillor Lewis took the customary oath and made and subscribed the declaration of acceptance of office.

The Mayor then took the Chair and returned thanks for her election.

2. Minutes

The minutes of the meeting held on 24 March 2010 were confirmed as a correct record.

3. Election of Deputy Mayor

It was PROPOSED by Councillor Blandon, SECONDED and SUPPORTED by Councillors Chapman, T. Young and G. Oxford and -

RESOLVED UNANIMOUSLY that Councillor Chuah be elected Deputy Mayor of the Borough of Colchester for the ensuing Municipal Year.

Councillor Chuah then made and subscribed the declaration of acceptance of office and returned thanks for her election as Deputy Mayor.

4. Vote of Thanks to Retiring Mayor

It was PROPOSED by Councillor Barlow, SECONDED and SUPPORTED by Councillors Bentley, T. Young and G. Oxford and -

RESOLVED UNANIMOUSLY that the best thanks of the Council are due and are hereby accorded to Councillor Henry Spyvee for the admirable manner in which he had discharged the responsible duties of the Mayoralty during the past year and that a transcript of this resolution under the Common Seal be furnished to Councillor Henry Spyvee.

5. Mayor's Chaplain and Other Announcements

The Mayor announced that she had appointed the Reverend Richard Allen to be her Chaplain for the ensuing Municipal Year and indicated that the theme of her Mayoralty would be "Community and Volunteers".

The Civic Service would take place on Sunday 6 June at St Leonard's Church, Lexden. The Mayor announced that a Soldier's Memorial Garden would be erected at Colchester Cemetery.

The Mayor indicated that she would be supporting the following charities:-

Army Benevolent Fund

Multiple Sclerosis Society
Neurology Group (constituting Alzheimer's Society, Epilepsy Action, Headway, Huntington's Disease, Motor Neurone Disease Association, Parkinson's Disease Society)
Community Supporters (Grassroots, C CVS, Essex Wildlife Trust, Essex Air Ambulance)
Scouts and Guides (Lexden Scouts, Girl Guiding North East Essex)

6. Adjournment

RESOLVED that the meeting stand adjourned until 12.00 noon and be resumed in the Council Chamber.

7. Have Your Say!

Bob Russell MP addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to ask the Leader of the Council if the Council had received any notification from Essex County Council about the status of the Building Schools for the Future funding, which had been the subject of reports in the local press. He stressed that the Council should be kept informed rather than having to rely on newspaper reports. He reminded the Council that it had indicated its support for "option 4" and that it had indicated that it would only allow the development of the new access road to Philip Morant to proceed if the full funding was received.

Councillor Turrell responded that the Council had received no such notification from Essex County Council and she would look into the issue.

Catherine Clouston addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to express concern about plans to build on green fields in Mile End and Braiswick. She represented over 1200 residents who signed a petition, which would be presented to a later meeting. Whilst she appreciated the difficulty the Council faced in meeting government targets and juggling conflicting demands, further consultation was needed on this issue. The change of government gave an opportunity to pause for thought. Residents were not blindly opposed to development and were willing to work with the Council to find a solution.

Councillor Turrell responded that she understood residents concerns and would welcome the opportunity to work with them.

Paula Whitney addressed the Council pursuant to the provisions of Meetings

General Procedure Rule 6(2) to stress the importance of tackling carbon emissions. She hoped that a motion would be put to Council in July inviting Council to sign up to the Friends of the Earth Get Serious campaign which aimed at reducing carbon emissions by 40% by 2020. In view of the amount of development and traffic in the borough the Council needed to do more to limit and control carbon emissions.

Councillor Barton reiterated the work the Council was doing to limit carbon emissions and the targets it was working towards. If the Council signed up to meet another target, it could waste valuable time and effort on the administrative work involved. The Council would welcome suggestions from Friends of the Earth for projects it could undertake that would help address the issue.

Andy Hamilton addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2). He argued that the Council's failure to provide a storage facility for mobility scooters on the bus park was contrary to its commitment on fair access to all. As development was not taking place on the bus station at the moment there was nothing to prevent the provision of such a facility. This contrasted with help given to an arts group to obtain 15 Queen Street. He would be submitting a complaint to the Local Government Ombudsman.

Councillor Dopson responded that whilst Mr Hamilton had every right to express his concerns she took issue with the allegation that the Council had behaved in a "dishonourable" way and that it deliberately sought to obstruct the provision of mobility scooters. Shopmobility use was increasing and the Council was working with Shopmobility to provide a good level of service.

8. Appointment of the Leader of the Council

RESOLVED that Councillor Turrell be appointed Leader of the Council for the ensuing Municipal Year.

9. Appointment of the Deputy Leader of the Council

RESOLVED that Councillor Hunt be appointed Deputy Leader of the Council for the ensuing Municipal Year.

10. Appointment of the Cabinet

RESOLVED that in accordance with the provisions of section 24 of the Local Government Act 2000 the number of seats, Group representation and membership of the Cabinet for the ensuing Municipal Year be as circulated at the meeting and attached to these minutes.

11. Delegations made by the Leader of the Council

RESOLVED that the allocation of responsibility by Cabinet members for the ensuing Municipal Year, as determined by the Leader of the Council and as circulated at the meeting, be noted.

12. Appointment of Panels, Committees and Sub-Committees

RESOLVED that:-

(i) that in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989 the number of seats, Group Representation and membership of the Accounts and Regulatory Committee, Crime and Disorder Committee, Finance and Audit Scrutiny Panel, Licensing Committee, Local Development Framework Committee, Planning Committee, Policy Review and Development Panel and the Strategic Overview and Scrutiny Panel for the ensuing municipal year be as circulated at the meeting and attached to these minutes.

(ii) that in accordance with the provisions of Section 17 of the Local Government and Housing Act 1989, the appointments of the Standards Committee and the Task and Finish Groups shall not be on a Group basis and membership shall be as circulated at the meeting and attached to these minutes.

(iii) that authority to approve the membership of the Council's Independent Remuneration Panel be delegated to the Group Leaders.

13. Former Councillors

RESOLVED that the Council hereby records its grateful thanks to former Councillors Robert Davidson, Chris Hall, Gaye Pyman and Nick Taylor for the public service rendered by them to the Borough during their periods of office as Councillors and instructs that a transcript of this resolution be furnished to each of them under the Common Seal of the Borough as a permanent record of the appreciation of the Council.

14. Capital Programme - Release of Funds for Visual Arts Facility in Advance of Bond Payment

Andy Hamilton addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to express concern that further public money would be spent on the VAF on the basis of a report he believed was misleading. There were few facts to back up the assertions in the report. Contractors were reluctant to work on the project. The Council was responsible for the rise in construction costs. He also expressed concern that the author of the report had written to the local media and considered that the contents of the letter went beyond correcting inaccurate reporting and engaged in political debate.

Councillor Hunt, Deputy Leader of the Council and Portfolio Holder for Street and Waste Services, indicated that the letter to the media had been sent at the request of Councillors. He invited Adrian Pritchard, Chief Executive, to respond to the comments made about the letter. Mr Pritchard stated that as the article in question had been printed during the pre-election period when Councillors were unable to respond, it was entirely appropriate for officers to seek to correct factual inaccuracies in it. He fully supported the letter that was sent and did not consider that it strayed into the political arena.

RESOLVED that the recommendations contained in the Executive Director's report be approved and adopted (MAJORITY voted FOR).

15. Duty to Respond to Petitions

RESOLVED that the recommendations contained in the Head of Corporate Management's report be approved and adopted.

16. Membership of Cabinet, Committees and Panels

Municipal Year 2010/11

Cabinet (8 seats)

Group representation – Lib Dem 5, Lab 2, Highwoods 1

Members:

Councillor Barlow - Economic Development, Culture and Tourism Portfolio

Holder

Councillor Barton - Planning and Sustainability Portfolio Holder

Councillor Dopson - Communities Portfolio Holder

Councillor Hunt - Street and Waste Portfolio Holder

Councillor B. Oxford - Customers Portfolio Holder

Councillor Smith - Resources and Diversity Portfolio Holder

Councillor Turrell - Strategy and Performance Portfolio Holder

Councillor T. Young - Housing and Community Safety Portfolio Holder

Accounts and Regulatory Committee (10 seats)

Group Representation - Con 3, Lib Dem 5, Lab 1, Highwoods 1

Councillor Arnold

Councillor Cope

Councillor Greenhill

Councillor Lissimore

Councillor Manning

Councillor Mudie

Councillor Naish

Councillor G. Oxford

Councillor C. Sykes

Councillor Willetts

Finance and Audit Scrutiny Panel (10 seats)

Group Representation - Con 3, Lib Dem 5, Lab 1, Highwoods 1

Councillor Arnold

Councillor Cope

Councillor Greenhill

Councillor Lissimore

Councillor Manning

Councillor Mudie

Councillor Naish

Councillor G. Oxford

Councillor C. Sykes

Councillor Willetts

Licensing Committee (12 seats)

Group Representation - Con 5, Lib Dem 5, Lab 2, Highwoods -

Councillor Blandon

Councillor Bouckley

Councillor Cook

Councillor Cope
Councillor Cory
Councillor Foster
Councillor Garnett
Councillor Harris
Councillor Hogg
Councillor Kimberley
Councillor Lilley
Councillor Quarrie

Local Development Framework Committee (9 seats)

Group Representation - Con 4, Lib Dem 4, Lab 1, Highwoods -

Councillor Blundell
Councillor Cory
Councillor Davies
Councillor Garnett
Councillor Goss
Councillor Jowers
Councillor Naish
Councillor Spyvee
Councillor C. Sykes

Planning Committee (12 seats)

Group Representation - Con 5, Lib Dem 5, Lab 1, Highwoods 1

Councillor Chillingworth
Councillor Chuah
Councillor Elliott
Councillor Ellis
Councillor Ford
Councillor Gamble
Councillor T. Higgins
Councillor Maclean
Councillor Manning
Councillor P. Oxford
Councillor Quarrie
Councillor L. Sykes

Policy Review and Development Panel (7 seats)

Group Representation - Con 3, Lib Dem 3, Lab 1, Highwoods -

Councillor Chapman
Councillor Fisher
Councillor Hardy
Councillor Lilley
Councillor Offen
Councillor Scott-Boutell
Councillor Tod

Strategic Overview and Scrutiny Panel (10 seats)

Group Representation - Con 4, Lib Dem 4, Lab 1, Highwoods 1

Councillor Arnold
Councillor Chapman
Councillor Cory
Councillor Ellis
Councillor Frame
Councillor T. Higgins
Councillor Offen
Councillor G. Oxford
Councillor Willetts
Councillor J. Young

Crime and Disorder Committee (10 seats)

Group Representation - Con 4, Lib Dem 4, Lab 1, Highwoods 1

Councillor Arnold
Councillor Chapman
Councillor Cory
Councillor Ellis
Councillor Frame
Councillor T. Higgins
Councillor Offen
Councillor G. Oxford
Councillor Willetts
Councillor J. Young

Standards Committee

Members:

Councillor Chapman

Councillor Chuah
Councillor Gamble
Councillor Sutton

Independent members:

Ian Andrews
Derek Coe
Sven Farmer
Peter Fitton
Steven Roberts-Mee

Parish members:

Parish Councillor Chip Abnett
Parish Councillor Malcolm Bartier
Parish Councillor Vivienne Eden

Task and Finish Groups

Night Time Economy

Councillor Barlow
Councillor Davies
Councillor Naish
Councillor B. Oxford

20 mph speed limit

Councillor Ford
Parish Councillor Gili-Ross
Councillor Hardy
Councillor Offen
Councillor G. Oxford

Mayoralty

Councillor Garnett
Councillor Naish
Councillor B. Oxford
One further member to be nominated by the Liberal Democrat Group

Waste Prevention and Recycling Options Appraisal

Councillor Arnold
Councillor Barlow

Councillor Chillingworth
Councillor P. Oxford
Councillor Smith
Councillor J. Young