

# Council

Monday, 01 February 2021

**Attendees:**

Councillor Christopher Arnold, Councillor Lewis Barber, Councillor Nick Barlow, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Tina Bourne, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Peter Chillingworth, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Nick Cope, Councillor Mark Cory, Councillor Simon Crow, Councillor Robert Davidson, Councillor Paul Dundas, Councillor John Elliott, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Dave Harris, Councillor Chris Hayter, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Mike Hogg, Councillor Brian Jarvis, Councillor John Jowers, Councillor David King, Councillor Cyril Liddy, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Andrea Luxford Vaughan, Councillor Fiona Maclean, Councillor Jackie Maclean, Councillor Sam McCarthy, Councillor Patricia Moore, Councillor Beverley Oxford, Councillor Gerard Oxford, Councillor Chris Pearson, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Martyn Warnes, Councillor Lorcan Whitehead, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

**429 Apologies**

Apologies were received from Councillor P. Oxford.

**430 Prayers**

The meeting was opened with prayers from Reverend Dr Amanda Elmes.

**431 Alderman Sutton**

The Mayor invited Council to hold a minute's silence in memory of Alderman Terry Sutton, who had passed away on 22 January 2021. Alderman Sutton was elected as Mayor in 2005/06 and was appointed Alderman in 2014.

## 432 Have Your Say (Virtual Council Meetings)

The following speakers addressed Council or statements were read to Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1) in respect of the recommendation from the Local Plan Committee meeting of 14 December.2020-

Bill Marshall stressed the shared nature of the proposed Section 1 of the Local Plan asked how could Colchester Borough Council Councillors be certain that Tendring District Council Councillors would fully share any benefits of the garden community once the shared Section 1 of the Local Plan was adopted? How could Colchester Borough Council protect the interests of its 195,000 residents from the escalating Housing Infrastructure Fund (HIF) with the Grant Determination Agreement?

Jane Black of the Wivenhoe Society stressed the need for settlement separation in order to protect the identity of existing communities. The text box relating to landscape buffers on Map 10.2 should be reinstated or included in policy SP8 to make clear the importance of buffers of sufficient size to provide settlement separation. Clarification was sought as to whether the Rapid Transit route connecting the Garden Community to the town centre would be made as part of the Development Plan Document decision making process, rather than a decision made by Essex County Highways. It was important that the public were adequately consulted on this issue. The wording of paragraph 13 on Community Infrastructure was highlighted, but it was emphasised that the Wivenhoe Society had urged in the consultation that any proposal that the existing medical facilities should be relocated should be dropped as it would deleterious for communities to lose their primary care facilities as a result of relocation. The Plan also needed to be clear and unambiguous and the remaining references to those garden communities which were no longer being proceeded with should be removed.

Andrew Wilkinson of En-Form highlighted a number of issues which had been raised by Community Panels:-

- Most of the development seemed to be in Tendring, so what effect would that have in reducing housing allocation targets for Colchester?
- What effect would development above Salary Brook have on Salary Brook Nature Reserve?
- What would be the anticipated loss of food production and how much Grade A farmland would be lost under this development?
- The main reason put forward for the Local Plan would be to prevent speculative development. As any speculative development would have to comply with planning regulations, what was the real risk?
- There was concern that this was a rushed and unnecessary meeting designed to prevent proper scrutiny and consultation. Why has this meeting been arranged at short notice and why did section 1 of the Local Plan need to be approved now?

- During the planned period 2013-2033 housing needs were set at 18400, or 920 per year. How many homes had been built since 2013 and how many were still required to be built by 2023?
- According to the Housing Delivery test since 2001 Colchester had built 1448 homes over target.
- How many homes had yet been built but had been granted planning permission, and were the identified windfall sites included in the housing needs requirement?
- Housing needs could change dramatically as a consequence of reduced immigration as a result of Brexit, the decline of town centres releasing buildings and sites for housing and the trend of working at homes which could release office space for housing. What research had been done to see how many homes could be provided by these factors.

Part one of the Local Plan should be rejected at this stage whilst the consequences were examined and implications were updated in the light of changing circumstances.

The following statement from Keith Boddington was read to Council:-

“The Planning Inspector has found The North Essex Authorities SHARED Section 1 Local Plan 2013 - 2033 conditionally sound, with The Tendring Colchester Border Garden Community (TCBGC) being dependent on the Government's Homes England £99M Homes Infrastructure Funding Request awarded to Essex County Council who have subsequently majorly modified the HIF with their December 2020 Grant Determination Agreement to Homes England.

1. If you look at the title of this Item presented to the Committee it is noticeable that 'SHARED' is omitted. Cllr Stock OBE has in the past labelled Colchester Borough Council as untrustworthy. And Tendring District Councillors have stated that most of the land of TCBGC is within Tendring - will The TCBGC be shared equally?
2. Both Colchester Borough Council and Tendring District Council officers have stated that the housing allocations of the TCBGC can be met within their SHLAAs. Why are Colchester Borough Council, Tendring District Council and Essex County Council hellbent on building on over 600ha of Grade 1 agricultural land and destroying the countryside when existing housing stock and infrastructure in and around Colchester need urgent and necessary improvements?”

The following statement from Pat Marsden was read to Council:-

“The first thing I would like to say is that I am astonished that this meeting is being held at such short notice. It seems undemocratic and gives the impression that the adoption of the Local Plan is being rushed through without giving people a chance to comment or contribute while the country is distracted by the pandemic.

2. The second thing I would like to say is that I'm equally astonished by the fact that no mention has been made of the pandemic and how this might affect the Local Plan.

We are experiencing a crisis in which hundreds of thousands of people are dying, resulting in a decrease of population, the loss of jobs, increasing unemployment, the loss of homes by people being unable to pay the mortgage or being evicted by landlords because they cannot pay the rent, increasing homelessness, increasing poverty, and possible shortfalls in government funding, etc.

a) With regard to this why is there no reference to social housing and low rent homes in the plan rather than the vague government redefinition of 'affordable homes' which we all know means homes to buy. Social housing and low rent homes are going to be vital as the country tries to recover from the devastating effects of the pandemic. In my view the adoption of the plan should be paused to take into consideration the more urgent requirements of the aftermath of the pandemic.

3. With regard to the Agenda documents themselves there are a number of smaller issues:

a) The available maps are confusing; the one showing the site of garden community is demonstrated by a crude red blob north of the A133

b) The 'broad' map is almost unreadable with its pale background and a crude line showing the boundary of the garden community spilling out to the south of the A133 - something which has always been a contentious issue for Wivenhoe especially with its vague use expressed as unspecified university expansion or an unclear and ridiculous Park and Choose site.

c) Since the early 1960s the historic town of Wivenhoe has had close links with the University. But in the Local Plan this has been forgotten and Wivenhoe has been sidelined - its status has been reduced to that of a secondary settlement and you have even described it as a 'village' when it is a thriving town.

d) Finally it is ironic that while you are extolling the virtues of the car free aspect of the garden community you are spending millions of pounds on a new link road whose only purpose is to service the garden community."

Councillor J. Young, Portfolio Holder for Culture and Performance, was invited to respond to the comments made under Have Your Say! She indicated that a written response would be sent in response to the detailed questions raised by Andrew Wilkinson. In response to the comments raised by Bill Marshall she explained that governance arrangements would put in place clear arrangements for the benefits of the Garden Community to be shared. Long term stewardship was an integral part of the Garden Community model. Ownership and maintenance of public spaces and community facilities would be secured over the long term. There was no evidence of escalating costs in respect of the link road.

In respect of the comments made by Jane Black, Councillor J. Young explained that the wider area included land that would not be allowed to be built on, which would provide greater protection than not including it in the Plan area. The consultation on the DPD would allow views on where the boundary should lie to be considered before a decision was reached. As Highway Authority, Essex County Council would be responsible for delivering the RTS route, but they would work closely with Colchester and Tendring on this. The consultation on the RTS route was undertaken by Essex County Council in November 2019. The Councils were working closely with healthcare providers to expand delivery in a phased manner to benefit both existing and new residents. The references cited to other Garden Community proposals would be removed from the final version of the Plan.

In response to Keith Boddington's questions, Councillor J. Young explained that policy SP9 provided that housing delivery for the Plan period would be equally distributed between Colchester and Tendring Councils irrespective of its actual location. The Plan provided for the Garden Community to deliver between 2200 and 2500 houses during the Plan period. It would also provide wider benefits and provide a sustainable location for future growth and ensure that infrastructure was provided in a phased manner in tandem with growth. The Garden Community model provided for extensive green infrastructure including food production and increased biodiversity.

In respect of Pat Marsden's comments, it was stressed that the statutory publication timescales for the meeting had been complied with, and the referral from the Local Plan Committee had taken place seven weeks ago. The Plan had initially been submitted in 2017 and had been extensively debated since then. There was no question of it being rushed through. The full effects of the pandemic were not yet known, but the need for new housing would not go away. The maps included land that would not be built on, which provided greater protection than excluding the land from the Plan, and there would be consultation on the actual boundaries. Not approving the Plan would leave the borough open to ad hoc development. The link road was one element of a sustainable transport package to support the Garden Community including the Rapid Transport System and footways and cycle paths. These transport links would also benefit the communities of Wivenhoe and Tendring as well as the University.

#### **433 Adoption of Section 1 of the Local Plan**

**Councillors Bentley, Harris, Jowers and Lissimore (in respect of their membership of Essex County Council), Councillor King (as the Council's representative on Tendring Colchester Borders Garden Community) and Councillor J. Young (as the Council's substitute representative on Tendring Colchester Borders Garden Community) declared a non-pecuniary interest in the following item pursuant to**

**the provisions of Meetings General Procedure Rule 7(5).**

*RESOLVED* that the recommendation contained in draft minute 205 of the Local Plan Committee meeting of 14 December 2020 be approved and adopted and accordingly the modified Section 1 Local Plan be adopted in accordance with section 23(3) of the Planning and Compulsory Purchase Act 2004 (29 voted FOR, TWO voted AGAINST and 18 ABSTAINED from VOTING)