

Annual Council Meeting

**Charter Hall, Colchester Leisure World,
Colchester, CO1 1YH
Wednesday, 26 May 2021 at 10:30**

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

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

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

Have Your Say!

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

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

Audio Recording, Mobile phones and other devices

The Council audio records public meetings for live broadcast over the internet and the recordings are available to listen to afterwards on the Council's website. Audio recording, photography and filming of meetings by members of the public is also welcomed. Phones, tablets, laptops, cameras and other devices can be used at all meetings of the Council so long as this doesn't cause a disturbance. It is not permitted to use voice or camera flash functions and devices must be set to silent. Councillors can use devices to receive messages, to access meeting papers and information via the internet. Looking at or posting on social media by Committee members is at the discretion of the Chairman / Mayor who may choose to require all devices to be switched off at any time.

Access

The main access to Charter Hall is suitable for wheelchair users. There is an induction loop in all the Charter Hall.

Facilities

Toilets are available. Attendees are advised to bring their own refreshments or to purchase them from the Leisure World café which will be open.

Evacuation Procedures

Should the emergency alarm sound exit the building by the nearest available emergency exit and assemble at the Skate Park.

Library and Community Hub, Colchester Central Library, 21 Trinity Square,
Colchester, CO1 1JB

telephone (01206) 282222 or textphone 18001 followed by the full number you wish to call

e-mail: democratic.services@colchester.gov.uk

www.colchester.gov.uk

Covid 19

Please could attendees note the following:-

- Hand sanitiser, wipes and masks will be available.
- Do not attend if you feel unwell with a temperature or cough, or you have come in to contact with someone who is unwell with a temperature or cough.
- Masks should be worn whilst arriving and moving round the meeting room, unless you have a medical exemption.
- All seating will be socially distanced with 2 metres between each seat. Please do not move the chairs. Masks can be removed when seated.
- Please follow any floor signs and any queue markers.
- Try to arrive at the meeting slightly early to avoid a last minute rush.
- A risk assessment, including Covid 19 risks, has been undertaken for this meeting.

COLCHESTER BOROUGH COUNCIL
Council
Wednesday, 26 May 2021 at 10:30

TO ALL MEMBERS OF THE COUNCIL

Published 18/05/2021

You are hereby summoned to attend the Annual Meeting of the Council to be held on Wednesday, 26 May 2021 at 10:30 for the transaction of the business stated below.



Chief Executive

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

Please note that the business will be subject to short breaks at approximately 90 minute intervals.

Live Broadcast

Please follow this link to watch the meeting live on YouTube:

[\(107\) ColchesterCBC - YouTube](#)

1 Welcome and Announcements (Council)

The Mayor will welcome members of the public and Councillors and will ask the Chaplain to say a prayer.

The Mayor will invite Council to hold a minute's silence in memory of those whose lives were lost or affected by the Covid 19 pandemic.

The Mayor will explain the procedures to be followed at the meeting including a reminder everyone to use microphones at all times when they are speaking.

2 Have Your Say

Members of the public may make representations to the meeting. This can be made either in person at the meeting or by joining the meeting remotely and addressing the Council via Zoom. Each representation may be no longer than three minutes. Members of the public wishing to address the Council remotely may register their wish to address the meeting by e-

mailing democratic.services@colchester.gov.uk by 12.00 noon on the working day before the meeting date. In addition a written copy of the representation will need to be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself.

There is no requirement to pre register for those attending the meeting in person.

3 **Declarations of Interest**

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

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

A... Motion that the minutes of the meetings held on 1 February 2021 and 24 February 2021 be confirmed as a correct record.

Council minutes 010221

7 - 12

Council minutes 240221

13 - 24

5 **Mayor's Announcements**

The Mayor to make announcements.

6 **Appointment of the Leader of the Council**

Motion B

Motion to appoint the Leader of the Council for the remainder of their term of office.

7 **Delegations Made by the Leader of the Council**

To note the delegations made by the Leader of the Council, the appointment of the Cabinet members and the responsibility for portfolios as determined by the Leader of the Council.

8 **Appointments of Panels, Committees and Sub-Committees**

Motion C

Motion that:-

(i) In accordance with with the provisions of the Local Government and Housing Act 1989 to agree the number of seats, group representation and membership of the Committees and Panels for the ensuing municipal year.

(ii) In accordance with the provisions of of section 17 of the Local Government and Housing Act 1989 to agree the appointments to Committees and Panels for the ensuing municipal year which are not on a Group basis.

(iii) To agree the membership of the Independent Remuneration Panel.

The details of the proposed memberships of the Committees and Panels are to follow and will be circulated before the meeting.

9 Motion of Thanks

Motion D

Motion of Thanks to former Councillors Arnold, Barlow, Davies, Elliott, Jarvis, Higgins, Liddy and Maclean.

The Mayor to welcome new Councillors Burrows, Cox, Hagon, Laws, Leatherdale, Mannion, Nissen and Tate and to invite them to briefly introduce themselves to Council.

10 Urgent Items (Council)

Council will consider any business not specified in the Summons which by reason of special circumstances the Mayor determines should be considered at the meeting as a matter of urgency.

11 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)**

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)

Council

Wednesday, 24 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 Philip 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

434 Prayers

The meeting was opened with prayers from the Mayor's Chaplain, the Reverend Dr Amanda Elmes.

435 Minutes of the Previous Meeting (Council)

RESOLVED that the minutes of the meeting held on 3 December 2020 be confirmed as a correct record.

436 Have Your Say (Virtual Council Meetings)

Chris Piggott addressed Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1) to ask that as the Council had allocated £500,000 for the Local Plan in its budget would the Council today support his call for money to be set aside to help establish a country park on Middlewick?

Councillor J. Young, Portfolio Holder for Culture and Performance, responded and explained that there were twenty country parks in Essex including two in Colchester, Cudmore Grove and Highwoods Country Park. As the Ministry of Defence were the owners of the site, he should make his suggestion to the Member of Parliament so he could use his influence to press the idea on them. She had sought clarification from the Portfolio Holder at Essex County Council on the process for setting up a new Country Park. They frequently include a car park, a visitor centre, toilets and occasionally a café. The proposal for a county park could be made to the Local Plan Committee who could consider whether it was an appropriate use and way forward for that site. She believed residents wanted to see a much more biodiverse future for the site.

Thomas Rowe addressed Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1) to ask whether the Cabinet would back funds for neighbourhood plans, in order to help protect areas such as Bullock Wood and which would enable the promotion of a true infrastructure first approach across Colchester? Neighbourhood plans provided communities with the chance to engage in the long term planning decisions impacting their areas and could be used to enable communities to approve their own planning through neighbourhood development orders. If such an approach had been taken the current difficulties around Middlewick could have been avoided. A community led approach would reconnect residents with the planning process to develop a sense of connection to their natural and ancient environment and allow important sites such as Bullock Wood to be safeguarded. Smarter and more creative approaches to building communities needed to be taken such as incorporating commercial property for small shops into new estates and leaving pockets of land wild within estates to allow insects and small animals to thrive.

Councillor J. Young, Portfolio Holder for Culture and Performance, responded and explained that Neighbourhood Plans were plans prepared by the community rather than the Council. Council officers would continue to support those communities that put forward Neighbourhood Plans, but the Council could not produce or fund them itself. Garden Communities allowed the Council to address some of the issues highlighted and the new engagement website for the Tendring Colchester Garden Community had been launched. This would allow residents and community groups to feed ideas in. The Council already planned for small shops in developments.

Jodie Clark addressed Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1). She expressed her view that Wivenhoe was a small but proud village with a colourful history and rich heritage. Its residents, many of whom have lived there for generations, resonate strongly with the area and cherish the “Green Wedge”

between the village and Colchester. Why had the Leader of the Council, Councillor J. Young and Councillor Liddy voted in favour of a local plan that endangered the identity of all those who reside in Wivenhoe?

Councillor J. Young, Portfolio Holder for Culture and Performance, responded that all those Councillors who represented Wivenhoe and who supported the Local Plan were aware of the special characteristics of Wivenhoe and commended the community for producing its own Neighbourhood Plan. The importance of the "Green Wedge" was understood and the Local Plan included green buffers to protect the identity of communities. The Local Plan would offer a greater level of protection to the Wivenhoe community. Councillors had to consider the wider good of the borough when taking decisions.

A question from Parish Councillor Mannion, Tiptree Parish Council, was read to Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1), asking if the Portfolio Holder would apologise to communities like Tiptree, who have suffered from speculative development because of the Council's mishandling of the Local Plan?

Councillor J. Young, Portfolio Holder for Culture and Performance, responded and explained that sites in Tiptree were allocated by the Neighbourhood Plan rather than the Local Plan. It was delays in the early years of the Neighbourhood Plan that led to speculative applications. The Council worked hard to maintain its 5-year housing supply and this would help protect the borough from speculative development, as would the adoption of Section 1 of the Local Plan.

Jeremy Hagon addressed Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1). The Council was proposing an increase in Council Tax when other authorities were proposing a freeze. Given the difficult circumstances, did the Leader of the Council regret the funds that were used in support of a Garden Community which was found not to be sound. Resources had also been spent on an unnecessary rebranding.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, responded and explained that he had become Leader part way through the development of the Local Plan and had commissioned a spatial strategy to find the best place for development. The Local Plan was designed to meet housing targets set by the Conservative government. He was proud of the way the Council had worked with Conservative run neighbouring authorities on the plans and explored new ways to meet the challenging targets. The government pushed for the Council to explore ways of delivering development infrastructure first, and had supported the proposals with funding. He did listen to local communities and look at how smaller communities could be developed. Council tax had not risen over the last ten years, but the Council had suffered significant loss of funding from central government.

Angela Lingham Baker addressed Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1) on the future of the tennis courts at Eudo Road. These courts were the only such facility in the south of Colchester. In the current circumstances, sports were particularly important for physical and mental wellbeing. Since she had spoken on the issue last year, little had been heard, and surveyors from Colchester Amphora Housing had been seen on the site. Residents and users of the site were concerned about the future of the site. Could the Portfolio Holder rule out building on the Eudo Road tennis courts and commit to funds to enhance sports and leisure facilities in Shrub End?

Theresa Higgins, Portfolio Holder for Commercial Services responded and explained that the Council was looking at the site as it required some investment to future proof it. Concerns about the future of the tennis courts were appreciated but the levels of usage of the site brought in to questions its long term viability. All options need to be considered. The site was purchased by the Council in the 1930s, rather than being gifted to the Council. Like all Council assets, the Council needed to consider how it could best be used to future proof it. That did not necessarily rule out the future provision of tennis courts on the site.

Fabian Green addressed Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1), There was no budgetary provision for the Cabinet's decision to take legal action to force through an unwanted development on Queen Street by a private developer, Alumno. Would Portfolio Holder categorically rule out wasting further taxpayer money on this contract and development?

Councillor King, Portfolio Holder for Business and Resources, explained that whilst there was no specific provision, the actions that needed to be taken would be funded from a general budget. The actions were aimed at bringing forward a development that would bring considerable benefit to many. It would generate footfall, regeneration and traction for additional investment. It was appreciated that the development was disliked by some and there would be some learning from the process, but the Council had to balance those views with the undoubted benefits from the regeneration of this part of the town at this time.

Stephen Rowe addressed Council pursuant to the provisions of Remote Meetings Procedure Rule 5(1) about the elephant installation that had been planned to be installed on the Albert roundabout. Information was requested on who signed off on the proposal, what budget the Council set aside for this project and how much was spent before the decision was taken not to proceed further.

Councillor Goss, Portfolio Holder for Waste, Environment and Transportation, indicated that a written response would be sent.

A statement from Andy Hamilton was read to Council pursuant to the provisions of

Remote Meetings Procedure Rule 5(1) about Council tree planting in parks. This was now being done by Council contractors, without volunteers, no public consultation, or after care plans. The trees were given free by the Woodland Trust so it was a shame to see so many dying. The lack of public consultation over locations and no provision for aftercare was leading to difficulties as shown in Spring Lane Park. So much land was being built on that it was depressing to see part of the few remaining green spaces being turned into dense woodland of little use to the public. The Council should engage in constructive discussion on the issue.

Councillor King, Portfolio Holder for Business and Resources, responded and explained that he shared the concern over the high rate of tree loss. This was not a consequence of poor planning or planting but of a hot, dry spring. Those whips that had been lost would be replaced, although the sites would be chosen very carefully. Advice was being taken from the Woodland Trust on suitable sites. The Council would continue to engage and consult widely. Once Covid restrictions eased there would be a return to community planting. The vision was for additional and accessible planting that would improve biodiversity. A written response would be sent to Mr Hamilton.

437 Mayor's Announcements

The Mayor indicated that in view of the current restrictions he had been unable to carry out any functions but he welcomed the indication that functions could begin to resume from 21 June 2021 onwards.

438 Suspension of Procedure Rules

RESOLVED that Council Procedure Rule 14(3) be suspended to allow for one representative of each political group to speak untimed on the item on the Budget 2020-21 and Medium-Term Financial Forecast only.

439 Budget 2021-22 and Medium Term Financial Forecast

Councillor King, Portfolio Holder for Business and Resources, proposed that the recommendations contained in draft minute 536 of the Cabinet meeting of 27 January 2021 together with the recommendations contained in the reports entitled Supplementary Budget report and Precept and Council Tax Levels 2021/22 be approved and adopted.

Main amendments

Councillor Buston moved a main amendment as follows:-

That the recommendations contained in draft minute 536 of the Cabinet meeting of 27 January 2021 and the recommendations contained in the reports entitled Supplementary Budget report and Precept and Council Tax Levels 2021/22 be approved and adopted by Council, subject to the following supplementary note applied to Appendix G, Community, Bereavement Services:

That this Council recognises increasing Bereavement Services costs by 3x the current rate of inflation during a pandemic is unreasonable and does not reflect well on the Council or its Members. Therefore the 2.7% across the board increase in Cemetery and Crematorium is abandoned for the financial year (21/22). That the anticipated £39,000 revenue loss from Appendix G – General Fund Budgets, Bereavement Services is balanced by Use of Reserves for FY 21/22.

Councillor King indicated that the main amendment was not accepted.

Councillor Barber moved a main amendment as follows:-

That the recommendations contained in draft minute 536 of the Cabinet meeting of 27 January 2021 and the recommendations contained in the reports entitled Supplementary Budget report and Precept and Council Tax Levels 2021/22 be approved and adopted by Council, subject to the following change to Appendix I:

That Item 7 of Appendix I – Allocation of New Homes Bonus; Support to Tendring Colchester Borders and Local Plan is reduced from £500,000 to a total of £450,000. A new Item 7A is added as follows:

7A Support for full Feasibility Study to construct a workable proposal for a revised allocation at Middlewick enabling the creation of a Country Park between Abbot's Road and Birch Brook Cost: £50,000

Councillor King indicated that the main amendment was not accepted.

Councillor Willetts moved a main amendment as follows:-

That the recommendations contained in draft minute 536 of the Cabinet meeting of 27 January 2021 and the recommendations contained in the reports entitled Supplementary Budget report and Precept and Council Tax Levels 2021/22 be approved and adopted by Council, subject to the following amendment by appending of words:

“and Council, noting that during the summer of 2020 the fish in Lexden Lake died, it was enveloped by invasive weed and it emitted a foul odour which constituted a public nuisance to surrounding dwellings, allocates in this budget £97,000 to facilitate proper remedial work to the lake. Furthermore that corresponding adjustments are made to reserves to ensure a balanced budget, or by such other virements that Cabinet shall take to balance the budget.”

Councillor King indicated that the main amendment was not accepted.

Voting

On being put to the vote the main amendment proposed by Councillor Buston was lost (TWENTY THREE voted FOR, TWENTY FIVE voted AGAINST, TWO ABSTAINED from voting).

Further to the provisions of Council Procedure 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Arnold, Barber, Bentley, Buston, Chapman, Chillingworth, Crow, Dundas, Elliott, Ellis, Goacher, Hayter, Hazell, Jarvis, Jowers, Lissimore, Loveland, Luxford Vaughan, F. Maclean, J. Maclean, Moore, Willetts and Wood.

AGAINST: Councillors Barlow, Barton, Bourne, Chuah, Coleman, Cope, Cory, Fox, Goss, Harris, Higgins, Hogg, King, Liddy, Lilley, McCarthy, B. Oxford, G. Oxford, P. Oxford, Pearson, Scordis, Scott-Boutell, Warnes, Whitehead and J. Young.

ABSTAINED: Councillors Davidson (The Mayor) and T. Young (The Deputy Mayor)

Councillor Barber proposed an alteration to his main amendment to add the words “and/or Nature Reserve” after the words “creation of a Country Park”. On being put to the vote this was agreed and the main amendment was deemed altered accordingly (TWENTY THREE voted FOR, TWENTY TWO voted AGAINST and FIVE ABSTAINED from voting).

Further to the provisions of Council Procedure 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Arnold, Barber, Bentley, Buston, Chapman, Chillingworth, Crow, Dundas, Elliott, Ellis, Goacher, Hayter, Hazell, Jarvis, Jowers, Loveland, Lissimore, Luxford Vaughan, F. Maclean, J. Maclean, Moore, Willetts and Wood.

AGAINST: Councillors Bourne, Chuah, Coleman, Cory, Fox, Goss, Harris, Higgins, Hogg, King, Liddy, Lilley, McCarthy, B. Oxford, G. Oxford, P. Oxford, Pearson, Scott-Boutell, Warnes, Whitehead, J. Young and T. Young (The Deputy Mayor).

ABSTAINED : Councillors Barlow, Barton, Cope, Scordis and Davidson (The Mayor).

On being put to the vote the main amendment proposed by Councillor Barber was lost (TWENTY THREE voted FOR, TWENTY FIVE voted AGAINST and TWO ABSTAINED from voting).

Further to the provisions of Council Procedure 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Arnold, Barber, Bentley, Buston, Chapman, Chillingworth, Crow, Dundas, Elliott, Ellis, Goacher, Hayter, Hazell, Jarvis, Jowers, Lissimore, Loveland, Luxford Vaughan, F. Maclean, J. Maclean, Moore, Willetts and Wood.

AGAINST: Councillors Barlow, Barton, Bourne, Chuah, Coleman, Cope, Cory, Fox, Goss, Harris, Higgins, Hogg, King, Liddy, Lilley, McCarthy, B. Oxford, G. Oxford, P. Oxford, Pearson, Scordis, Scott-Boutell, Warnes, Whitehead and J. Young.

ABSTAINED: Councillors Davidson (the Mayor) and T. Young (the Deputy Mayor)

On being put to the vote the main amendment proposed by Councillor Willetts was lost (TWENTY TWO voted FOR, TWENTY SIX voted AGAINST and TWO ABSTAINED from voting).

Further to the provisions of Council Procedure 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Arnold, Barber, Bentley, Buston, Chapman, Chillingworth, Crow, Dundas, Elliott, Ellis, Goacher, Hayter, Hazell, Jarvis, Jowers, Lissimore, Loveland, F. Maclean, J. Maclean, Moore, Willetts and Wood.

AGAINST: Councillors Barlow, Barton, Bourne, Chuah, Coleman, Cope, Cory, Fox, Goss, Harris, Higgins, Hogg, King, Liddy, Lilley, Luxford Vaughan, McCarthy, B. Oxford, G. Oxford, P. Oxford, Pearson, Scordis, Scott-Boutell, Warnes, Whitehead and J. Young.

ABSTAINED: Councillors Davidson (the Mayor) and T. Young (the Deputy Mayor).

On being put to the vote the motion proposed by Councillor King was carried (TWENTY NINE voted FOR and TWENTY ONE voted AGAINST).

Further to the provisions of Council Procedure 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Barlow, Barton, Bourne, Chuah, Coleman, Cope, Cory, Fox, Goacher, Goss, Harris, Higgins, Hogg, King, Liddy, Lilley, Luxford Vaughan, McCarthy, B. Oxford, G. Oxford, P. Oxford, Pearson, Scordis, Scott-Boutell, Warnes, Whitehead, J. Young, T. Young (the Deputy Mayor) and Davidson (the Mayor).

AGAINST: Arnold, Barber, Bentley, Buston, Chapman, Chillingworth, Crow, Dundas, Elliott, Ellis, Hayter, Hazell, Jarvis, Jowers, Lissimore, Loveland, F. Maclean, J. Maclean, Moore, Willetts and Wood.

440 Members' Allowances Scheme

RESOLVED that the recommendations of the Independent Remuneration Panel following its review of the Members Allowances Scheme as set out in the Panel's report and as detailed in paragraph 4.3 (a) – (e) of the Monitoring Officer's report be approved and adopted.

441 Schedule of Portfolio Holder Decisions

RESOLVED that the schedule of Portfolio Holder decisions covering the period 20 November 2020 – 9 February 2021 be noted.

442 Closure of Meeting

In view of the late hour the Mayor closed the meeting and directed that written responses be provided to the pre-notified questions to Portfolio Holders that had been submitted.

