



Colchester
City Council

Council Meeting

**Council Chamber, Town Hall, High Street,
Colchester, CO1 1PJ
Wednesday, 18 October 2023 at 18:00**

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 streams public meetings for live broadcast over the internet and the recordings are available to listen to afterwards on the Council's YouTube channel. 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

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms.

Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first floor.

Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester City Council

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

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

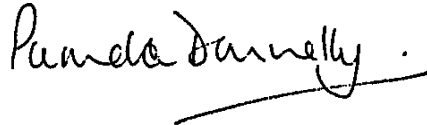
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COLCHESTER CITY COUNCIL
Council
Wednesday, 18 October 2023 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 10/10/2023

You are hereby summoned to attend a meeting of the Council to be held on Wednesday, 18 October 2023 at 18:00 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.

Apologies

Apologies have been received from Councillor Buston.

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

2 Have Your Say! (Council)

Members of the public may make representations to the meeting on any item on the agenda or any other matter relating to the business of Council. Members of the public may register their wish to address the Council by e-mailing democratic.services@colchester.gov.uk by 12.00 noon on the working day before the meeting. However, advance registration is not mandatory and members of the public may register to speak in person immediately before the meeting.

- 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 registerable interest or non-registerable interest.
- 4 Minutes of the Previous Meeting (Council)**
 Motion that the minutes of the meeting held on 19 July 2023 and 13 September 2023 be confirmed as a correct record.
- Council minutes 190723** 9 - 28
- Council minutes 130923** 29 - 30
- 5 Mayor's Announcements**
 The Mayor to make announcements.
- 6 Items (if any) referred under the Call-in Procedure (Council)**
 The Council consider any items referred by the Scrutiny Panel under the Call-in Procedure because they are considered to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.
- 7 Adoption of the Copford with Easthorpe Neighbourhood Plan** 31 - 70
 B... Motion that the Council makes (adopts) the Copford with Easthorpe Neighbourhood Plan following its approval at referendum.
- 8 Adoption of the Myland and Braiswick Neighbourhood Plan (Reviewed 2022-2023)** 71 - 114
 C... Motion that Council makes (adopts) the Myland and Braiswick Neighbourhood Plan (Reviewed 2022-2023) following receipt of the Examiner's Report.
- 9 Recommendations of the Cabinet, Panels and Committees**
 Council will consider the following recommendations:-
- 9(i) Treatment of War Pensions in the Calculation of Housing Benefit** 115 - 116
 D... Motion that the recommendation contained in draft minute 779 of the Cabinet meeting of 6 September 2023 be approved and adopted.
- 9(ii) 2022-23 Year End Review of Risk Management** 117 - 118
 E.. Motion that the recommendation in draft minute 781 of the Cabinet meeting of 6 September 2023 be approved and adopted.

9(iii) **Mid Year Capital Programme Updates 2023**

F... To consider any recommendations made by Cabinet at its meeting on 11 October 2023.

10 **Notices of Motion pursuant to the provisions of Council Procedure Rule 11**

Council will consider the following Motions:-

(Note: The maximum length of time for the consideration of all such motions shall be 80 minutes. In the event that a motion is still being debated when the 80 minutes have elapsed the Mayor shall invite the proposer of the motion to respond to the debate and then move straight to the vote.)

10(i) **Non-Disposable Single Use Vapes**

Motion G

Proposer: Cllr Goss

Council notes

(a) the serious harm and risk that non-disposable single use vapes are causing to our environment, our wildlife, our children and all users;

(b) the risk to our refuse collectors due to refuse lorries catching fire as a result of the battery elements within vapes;

(c) that as shown by figures provided by Greenpeace two disposable single use vapes are thrown away every second in the UK – 1.3 million a week presenting a considerable risk and harm to all of us;

Council also raises concern at the harm to young people due to the promotion of vapes which can be displayed near sweets and confectionary and notes incidents of young people being rushed to hospital due to indoctrinated vapes;

Council believes that the local environment and our young people deserve the highest possible protection;

Council requests that representation is made to Government through the local MPs for Colchester by Council writing to them requesting them to bring in urgent legislation without delay, to join over 40 other countries that have already banned vapes in some way to:

- 1. Ban the sale of non-disposable single use vapes;*
- 2. Ban open display of vapes and to treat sales in the same manner as cigarettes; and*
- 3. Bring in a programme of awareness amongst*

schoolchildren.

As the motion relates to a non-executive matter it will be debated and determined at the meeting.

10(ii) **Transparency**

Motion H

Proposer: Cllr Sunnucks

This Council believes that full transparency is in the interests of those we represent and leads to better decision making on their behalf. It therefore resolves that all data held and managed by the Council should be made publicly available upon request unless it relates to specific private individuals or current commercially sensitive contract negotiations: and that the 2015 Local Government Transparency Code should be respected in full.

As the motion relates to a non-executive matter it will be debated and determined at the meeting.

10(iii) **Climate Emergency**

Motion I

Proposer: Cllr Nissen, Seconder: Cllr Rippingale

This Council notes:

1. *2023 was one of the hottest summers since records began in 1880, with heat records being broken and extreme weather across Europe. The climate emergency remains the biggest threat to Colchester, with impacts on all aspects of life including health and finances.*
2. *The world is considered to be in climate breakdown by the United Nations, and efforts to reverse the 1.5°C rise have not been implemented. New fossil fuel exploration is contradictory to the Paris Agreement and an existential threat to our survival.*
3. *Poorly insulated homes comprise a very high percentage of Colchester's housing emissions, with an additional economic impact on residents squeezed by the cost of living. 61.9% of homes have an Energy Performance Certificate rating of D or below, indicating a large proportion of homes in Colchester are poorly insulated, impacting on the ability for residents to pay bills in a cost of living crisis. Colchester City Council has had successes within our social housing portfolio, by raising 85% of our homes to C rating; showing our commitments to both supporting vulnerable residents with financial hardship and mitigating the climate emergency.*
4. *Over 300 Councils have declared a climate emergency. To support them in delivering critical climate actions, central government needs to urgently increase funding to local authorities, under the National Adaptation Programme.*

5. *Investment in Green energy would create jobs, tackle unemployment and reduce the cost of living. It would go a way to mitigating both extreme heat and flash flooding, for which Colchester is vulnerable.*

This Council calls on the UK Government to:

1. *Implement necessary measures to ensure the UK meets its legally binding obligations to net zero by 2050; and consider committing to the internationally-recommended 2030 goal;*
2. *Provide enhanced funding from the Energy Profit Levy, to support a long-term investment programme on retrofitting poor insulated homes and local authority buildings;*
3. *Re-commit to the ban on oil, Liquefied Petroleum Gas (LPG) and new coal heating for off-gas-grid homes by 2026;*
4. *Promote the deployment of low carbon electricity types including solar, wind, hydropower;*
5. *Support 20 mph in highly urban areas, assisting councils to actively improve air quality;*
6. *Promote and fund Active Travel schemes which work in collaboration with existing infrastructure; including long-term support for successful initiatives including £2 bus travel.*

As the motion relates to a non-executive matter, it will be debated and determined at the meeting.

11 **Questions to Cabinet Members and Committee Chairs pursuant to Council Procedure Rule 10**

Cabinet members and Committee/Panel Chairs will receive and answer pre-notified questions in accordance with Council Procedure Rule 10(1) followed by any oral questions (not submitted in advance) in accordance with Council Procedure Rule 10(3).

(Note: a period of up to 60 minutes is available for pre-notified questions and oral questions by Members of the Council to Cabinet Members and Chairs (or in their absence Deputy Chairs)).

At the time of the publication of the Summons no pre-notified questions had been received.

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| 12 | Revised Licensing Committee Membership

J.... Motion that the recommendation contained in the report by the Head of Governance and Monitoring Officer be approved and adopted. | 119 -
120 |
| 13 | Schedule of Portfolio Decisions

Council is invited to note the Schedule of Portfolio Holder Decisions for the period 8 July - 6 October 2023. | 121 -
128 |

14 **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.

15 **Reports Referred to in Recommendations**

The reports specified below are submitted for information and referred to in the recommendations specified in item 9 of the agenda:

Treatment of War Pensions in Calculation of Housing Benefit, report to Cabinet, 6 September 2023 129 -
132

2022-23 Year End Review of Risk Management, report to Cabinet, 6 September 2023 133 -
158

Mid Year Capital Programme Update 23-24, report to Cabinet, 11 October 2023 159 -
168

16 **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)