

COUNCIL
24 MARCH 2010

Present :- Councillor Henry Spyvee (Chairman)
Councillor Sonia Lewis (Mayor)
Councillor Helen Chuah (Deputy Mayor)
Councillors Christopher Arnold, Nick Barlow,
Lyn Barton, Kevin Bentley, Mary Blandon,
Elizabeth Blundell, John Bouckley, Nigel Chapman,
Peter Chillingworth, Nick Cope, Mark Cory,
Beverly Davies, Tina Dopson, John Elliott,
Andrew Ellis, Margaret Fisher, Stephen Ford,
Wyn Foster, Ray Gamble, Martin Goss,
Chris Hall, Mike Hardy, Dave Harris,
Pauline Hazell, Peter Higgins, Mike Hogg,
John Jowers, Margaret Kimberley, Justin Knight,
Michael Lilley, Sue Lissimore, Jackie Maclean,
Jon Manning, Richard Martin, Kim Naish,
Nigel Offen, Beverley Oxford, Gerard Oxford,
Gaye Pyman, Ann Quarrie, Lesley Scott-Boutell,
Paul Smith, Terry Sutton, Laura Sykes,
Nick Taylor, Jill Tod, Anne Turrell, Dennis Willetts,
Julie Young and Tim Young

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

57. Minutes

The minutes of the meeting held on 17 February 2010 were confirmed as a correct record.

58. Have Your Say!

Bob Russell MP addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to congratulate the Council on the floral displays on Cowdray Avenue. He questioned whether Essex County Council would allow such large scale planting. He supported unitary status for Colchester as this would allow Colchester to run its own affairs. He stated that approximately £20-30 million of the BSF funding referred to in the Motion previously approved by Council would now be going elsewhere. If the reorganisation was abandoned this would solve the issue of the access to Philip Morant school and allow the existing schools to be retained.

Nick Chilvers addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to emphasise the importance of safeguarding businesses and job creation. Development in Colchester had concentrated on housing, rather than jobs. More help needed to be given to start up businesses where young people could learn skills. No cuts should be imposed on the Council department responsible for job creation. Cars were now a necessity and provision for cars should be included when planning. He also expressed his support for Colchester in Bloom.

Councillor Barlow, Portfolio Holder for Business and Tourism, responded and promised that a full written response would be sent.

Mr Quince addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to present two Union flags to the Leader of the Council. These met the Ministry of Defence specification and had anti-fray netting. They should therefore meet the concerns expressed about the previous flag he had presented. He requested that a Union flag be flown from Rowan House by the end of the week.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, replied that she would respond positively to Mr Quince's request if she could and that a flag already flew permanently from the Town Hall, which was the Council's civic building.

Mr Woulf addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) about the provision of allotments in Highwoods. Allotments encouraged sustainability and community cohesion. He expressed concern that the Parks and Recreation budget had been cut. He was looking at a number of sites in Highwoods which would be suitable for allotments. He called on the Portfolio Holder to pledge his support for the provision of allotments in Highwoods and to ensure that the allotment budget was not cut.

A written response would be sent by the Portfolio Holder for Communication, Customers and Leisure.

Mr Laws addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) and the future plans for Gosbecks Archaeological Park. He understood that a significant sum had set aside for the development of the site.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, responded that she would be attending a meeting about Gosbecks shortly. A significant sum had been allocated via a section 106 agreement several years ago. A full written response would be sent.

Andy Hamilton addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2). At the Cabinet meeting on 17 March 2010, the Council had refused to provide details of the legal actions being pursued in respect of the Visual Arts Facility (VAF). He believed that public funds were being squandered on legal actions with little chance of success. The exterior works on the VAF were over-budget and the contractor was struggling to complete them. The Council was proposing to spend £6.4 million in 2010/11 on internal fittings. He believed that £1 million already raised by firstsite should be sufficient for the interior works. The VAF could be opened without spending more public money whilst still meeting the Arts Council conditions. The forthcoming election would act as a referendum on the VAF.

Councillor Smith, Portfolio Holder for Resources, Diversity, Culture and the Arts, explained that details of the legal action could not be made public at this stage. Some of the details were sub-judice and it would not be in the public interest to reveal details at this stage as to do so may jeopardise the prospects of the legal action. However, there had already been one judgement in favour of the Council, with costs awarded.

Councillor Bentley offered an apology to Mr Hamilton for the reception he had received whilst speaking under the Have Your Say arrangements at the Council meeting on 17 February 2010.

Mr Wheeler addressed the Council pursuant to the provisions of Meetings General Procedure Rule 6(2) to present a further 60 signatures to the petition presented to the Leader of the Council at the Cabinet meeting on 17 March 2010 about the pay to park proposals for Crouch Street. He stressed that this was not a political campaign. Introducing payment for parking in Crouch Street would not increase the turnover of parking, which was the aim of the proposals. Currently, a single parking space was often used four or five times in a 30 minute period. The proposals would destroy the informal character of Crouch Street.

Councillor T. Young, Portfolio Holder for Street and Waste Services responded that the current administration had not made any decision and was consulting on proposals. It was anticipated that stakeholders would be invited to a round table discussion once the consultation period had expired.

59. Mayor's Announcements

The Mayor announced a lecture "The Future of Energy" by Professor Blowers OBE on 25 March 2010 and the Mayor's Charity Dinner on 14 May 2010.

The Mayor had written to the Mayor of Wootton Bassett paying tribute to the

veterans and citizens of the town for the dignified way they marked the repatriation of fallen servicemen. The letter had been presented to the Mayor of Wootton Bassett by Councillor Sutton, president of the Colchester Royal British Legion at a moving service of thanks in Wootton Bassett and had been gratefully received.

The Mayor announced Merilyn Baldwin, the Mayor's Secretary, would be retiring from the Council on 26 March 2010. The Mayor expressed his personal thanks to Merilyn and the gratitude of all former Mayors she had served for her dedicated and professional support. The Council asked that its appreciation of the excellent service Merilyn had provided be formally recorded.

60. Standards Committee Annual Report 2009/10

RESOLVED that the Standards Committee Annual Report 2009/2010 be noted (MAJORITY VOTED FOR).

61. Review of Standards Committee Composition

RESOLVED that the recommendation contained in minute 21 of the Standards Committee meeting of 5 March 2010 be approved and adopted (MAJORITY VOTED FOR).

62. Review of Local Code of Corporate Governance

RESOLVED that the recommendation contained in minute 73 of the Cabinet meeting of 17 March 2010 be approved and adopted (MAJORITY VOTED FOR).

Councillor Anne Turrell (in respect of her membership of Essex County Council and Myland Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Laura Sykes (in respect of her membership of Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor John Jowers (in respect of his membership of Essex County Council and the Regional Planning Panel) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Martin Goss (in respect of his membership of Myland Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Lyn Barton, Councillor Kevin Bentley and Councillor Margaret Fisher (in respect of membership of Essex County Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Mark Cory (in respect of membership of the East of England Regional Assembly) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

63. Colchester in 2031

Andy Hamilton addressed the Council pursuant to the provisions of Council Procedure Rule 6(2) to stress the importance of the Council having the resources to back up its efforts to improve the environment. When an enforcement notice over open land was blatantly ignored, the Council should be mandated to issue a compulsory purchase order. The local community could then fund the transfer into a charitable trust so the land would be an asset to the community. The Council would have improved the environment at minimal cost to the taxpayer. The transformation of Colchester in Bloom to a recognised charity would also help with the protection of open spaces. Abandoned buildings also needed protection. Some abandoned buildings were eyesores. Some listed historic buildings were also at risk despite being in private ownership.

Councillor Cory introduced a debate on Colchester in 2031. A report from the Executive Director had been circulated to all members in advance of the meeting.

The following issues were raised in the debate.

Development

- The need for Colchester to cope with an estimated population growth of 80,000. Difficult decisions would need to be taken as to where development should take place to accommodate this growth in population. Most brownfield sites had already been developed. It was vital that housing

- development be accompanied by the relevant supporting infrastructure.
- Concerns about further housing development were expressed. However, account needed to be made of the pressures arising from an increasingly mobile population and the trend towards smaller family units. Failure to meet the growth in housing demand would drive up house prices at the expense of the economically vulnerable. It was important that the right mix of housing types and tenures was delivered.
 - The design of housing development needed to improve to move away from the ubiquitous Essex Design Guide look of recent developments.

Decision making

- Account need to taken of the abolition of the Regional Assembly and the impact this would have on how decisions about the allocation of housing and jobs across the region were taken.
- Careful planning was needed to ensure that decisions were made at the right time. The move to four yearly elections may help with long term planning.
- The long lead in time for housing and economic development meant that decisions about Colchester in 2031 would begin to be taken fairly soon.
- Consultation with residents was vital.
- It was important to be flexible in planning for the future as it was difficult to predict how events and new technologies might shape the future.

Local Government

- Would services be delivered better under a unitary structure?
- It was hoped that communities would be more sustainable and self sufficient so that more of the population would be less reliant on public services. Local government would not need central government targets and initiatives in order to deliver quality services.
- It was hoped that ethnic minority groups would be better represented on the Council.

Other issues

- A sustainable, integrated transport system needed to be delivered. This would not only help addresses issues of congestion but would also help address climate change, which was one of the key challenges facing the borough.
- Communities needed to be sustainable and self sufficient. This could be achieved through the provision of green spaces, more allotments, better public transport. There was a need for an emphasis on localism.
- It was hoped that society would be more compassionate and fairer. The inequalities gap would have been narrowed. Extremist groups would be

defeated. Improved facilities and services would be provided for ethnic minority groups and there would be improved accessibility to public and commercial buildings.

- Meeting the needs of a growing elderly population would be a particularly significant challenge for the Council. It would need to ensure services were provided in an appropriate way and that the necessary provision was made for an ageing population, such as building sufficient appropriate accommodation. The Council would have an important role in leading the borough on this issue and should ensure that its policies protected and promoted the interests of the elderly.
- High quality cultural facilities could play a key role in “putting Colchester on the map” and in promoting Colchester both nationally and internationally. The Visual Arts Facility and the Mercury Theatre would play an important role in this, but other cultural projects, such as a purpose built concert hall, should be taken forward.
- The Council needed to build on links with University in order to develop a highly skilled workforce and a high wage economy in Colchester.
- Full advantage needed to be taken of recent developments in communications technology and an integrated communications system needed to be developed. However, the full impact of IT developments had to be taken into account. For instance, the growth in online shopping would affect the town centre. It was essential that full consideration was given to those sections of the population who did not have access to such technologies.
- It would be important to develop a retail strategy to help plan the future development of retail and commerce in the borough.

64. Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Questioner	Subject	Response
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Pre-Notified Questions

Councillor Chillingworth	Following my questions to him at the February Council Meeting, is the Portfolio Holder for Communication, Customers and Leisure aware that very few of the March edition of the Courier have, once again, been delivered to residents in my ward? My enquires are proceeding, but so far I have only found 2 households who have received copies. Obviously it is impossible to	Verbal response provided by the Leader of the Council and Portfolio Holder for Strategy and written response to be sent by the Portfolio Holder for Communication, Customers and
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know the full extent of the failure, but I have not received one. Leisure.

Does the Portfolio Holder consider that public money is being properly spent if the Courier was not reaching every household in the Borough.

Oral Questions

Councillor Ford	The insertion of an apostrophe in the sign on the door of the Mayor's Parlour.	Verbal response provided by the Leader of the Council and Portfolio Holder for Strategy.
Councillor Hardy	Would the Portfolio Holder for Planning, Sustainability and the Environment provide details of the response to central government about the extent of housing development in gardens (ie "garden grabbing") and provide details of the extent of "garden grabbing" in the borough? Could the Portfolio Holder ensure that all applications involving housing development in gardens recommended for approval be referred to the Planning Committee for determination?	Written response to be sent by the Portfolio Holder for Planning, Sustainability and the Environment.
Councillor Naish	Installation of the Adizone in Monkwick.	Verbal response provided by the Portfolio Holder for Performance and Partnerships.
Councillor Blundell	What provision was made in the budget for an improved standard of benches in bus waiting areas and what standard of bench did the Portfolio Holder for Planning, Sustainability and the Environment consider was appropriate?	The Portfolio Holder for Planning, Sustainability and the Environment declined to respond to the question.
Councillor Davies	What efforts had the Portfolio Holder for Business and Tourism made to secure a Business Hub exhibition in the Eastern region? Would Colchester be represented at the Business Travel	Written response to be sent by the Portfolio Holder for Business and Tourism.

Network, Business Start Up events and the Speciality and Fine Food Fair?

Councillor Hazell	What progress had been made with the redevelopment of the old football ground site at Layer Road?	Verbal response provided by the Portfolio Holder for Planning, Sustainability and the Environment.
Councillor Ellis	Whether Portfolio Holder for Planning, Sustainability and the Environment had had an opportunity to examine the amount of land available for the construction of the proposed 2200 dwellings within the Northern Growth Area Urban Extension, and will all these dwellings fit into the available area without any loss of land previously allocated as open space? Does the Portfolio Holder agree that the Council should examine whether an Area Action Plan DPD would be a better way of dealing with this development issue, rather than the current Supplementary Planning Document, as it would enable far more community and other expert involvement in the shaping of the development proposals?	Written response to be sent by the Portfolio Holder for Planning, Sustainability and the Environment.
Councillor Lewis	Could the Chairman of the Planning Committee explain the current position on the request that 172 Lexden Road be listed, and explain what the legal and financial implications to the Council of listing the building?	Written response to be sent by the Chairman of the Planning Committee.
Councillor Cope	Could the Portfolio Holder for Street and Waste Services provide an update on the consultation on residents' parking?	Verbal response provided by the Portfolio Holder for Street and Waste Services.
Councillor Willetts	The circumstances around the issuing of a parking ticket to a volunteer taking a blind person to a meeting.	Verbal response provided by the Portfolio Holder for Street and Waste

		Services.
Councillor Willetts	What negotiations had the Portfolio Holder for Business and Tourism had to ensure that 3500 jobs planned at Stayne Park were delivered as soon as possible?	Verbal response provided by the Portfolio Holder for Business and Tourism.
Councillor Bentley	Could the Portfolio Holder for Business and Tourism provide an update of any discussions he had with the Federation of Small Businesses and the Chamber of Commerce?	Verbal response provided by the Portfolio Holder for Business and Tourism.
Councillor Bentley	Could the Portfolio Holder provide detailed plans for the community involvement in the Olympic Torch bid?	Written response to be sent by the Portfolio Holder for Communication, Customers and Leisure.
Councillor Bentley	The location of the clock that had previously been in the Old Library.	Written response to be sent by the Portfolio Holder for Resources, Diversity, Culture and the Arts.
Councillor Hall	The commitment of the Council to support the Mercury Theatre.	Verbal response provided by the Portfolio Holder for Resources, Diversity, Culture and the Arts.
Councillor Jowers	Could the Leader of the Council report on the meeting of the Area Forum and confirm the level of the Council was receiving from Essex County Council in relation to Parks and Ride, the NAR and the new A12 junction.	Verbal response provided by the Leader of the Council and Portfolio Holder for Strategy.
Councillor Harris	The position on grant funding for the Citizen's Advice Bureau.	Verbal response provided by the Portfolio Holder for Performance and Partnerships.
Councillor Lissimore	The effectiveness of fortnightly litter picks	Verbal response provided by the Portfolio Holder for

		Street and Waste Services.
Councillor G. Oxford	The value of the work done by the Highwoods Community Crew.	Verbal response provided by the Portfolio Holder for Street and Waste Services.
Councillor Naish	The quality of the work done by the Street Care and Cleaning teams.	Verbal response provided by the Portfolio Holder for Street and Waste Services.
Councillor Goss	The effectiveness of the litter picking and cleaning work recently completed on the Northern Approaches Road.	Verbal response provided by the Portfolio Holder for Street and Waste Services.

65. Schedules of Decisions taken by Portfolio Holders

RESOLVED that the Schedule of Portfolio Holder decisions for the period 6 February 2010-11 March 2010 be noted.