

# Council Meeting

**Council Chamber, Town Hall, High Street,  
Colchester, CO1 1PJ**

**Wednesday, 16 October 2019 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: <http://www.colchester.gov.uk/haveyoursay>.

## 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

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to the Library and Community Hub, Colchester Central Library, using the contact details below and we will try to provide a reading service, translation or other formats you may need.

## 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.

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](mailto:democratic.services@colchester.gov.uk)

[www.colchester.gov.uk](http://www.colchester.gov.uk)

**COLCHESTER BOROUGH COUNCIL**  
**Council**  
**Wednesday, 16 October 2019 at 18:00**

**TO ALL MEMBERS OF THE COUNCIL**

**Published 08/10/2019**

You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Wednesday, 16 October 2019 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.

Please note that Agenda items 1 to 6 are normally dealt with briefly.

**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 also remind everyone to use microphones at all times when they are speaking, explain action required in the event of an emergency, mobile phones switched to silent and audio-recording of the meeting.

**2 Have Your Say! (Council)**

The Mayor will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the business of the Council. Please indicate if you wish to speak at this point if your name has not been noted by Council staff.

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

A... Motion that the minutes of the meeting held on 17 July 2019 be confirmed as a correct record.

**Minutes of meeting 170719**

9 - 20

## 4

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.

5

The Mayor to make announcements.

## 6

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

Council will consider the following recommendations:-

7(i)

B.. Motion that the recommendation contained in draft minute 378 of the Cabinet meeting of 4 September 2019 be approved and adopted.

7(ii)

C... Motion that the recommendation contained in minute 83 of the Licensing Committee meeting of 27 March 2019 be approved and adopted.

7(iii)

D... Motion that the recommendation contained in draft minute 168 of the Governance and Audit Committee meeting of 3 September 2019 be approved and adopted.

## 8

E... Motion that Council make (adopt) the West Bergholt Neighbourhood Plan following its approval at referendum.

## 9

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. )

9(i)

## Motion F

Proposer: Cllr Warnes:-

**Motion that:-**

*This Council calls upon the Government to significantly enhance the ability of Councils such as Colchester to build more new council homes.*

*It's 100 years since the passing of the Addison Act which gave Councils significant new duties and funding to build their own housing. Colchester has, as have many other places in the UK, a housing crisis. We have many residents either facing or experiencing homelessness within our borough, yet we also have a chronic shortage of council housing.*

*This Council is committed to building new council housing, but we face continuing restraints on our ability to deliver at scale and need Government to make council house building more viable.*

*We therefore call upon the borough's MP's Bernard Jenkin, Priti Patel and Will Quince to find new inspiration through the laudable aims of Christopher Addison that inspired council house building throughout the country and lobby the Ministry of Housing, Communities and Local Government and Her Majesty's Treasury to:*

- end restrictions on the use of the Right to Buy receipts so all the money we raise from council house sales could go back into building replacement homes*
- provide clarity over long-term social rent levels so we can continue to prudently borrow in order to deliver at scale a new generation of council housing for working families and those households in greatest need within our borough.*

*As the motion relates to an executive function it will stand referred direct to Cabinet, unless Council Procedure Rule 11(2) is suspended.*

## **9(ii) Contingency Plan B for the Local Plan**

**Motion G**

**Proposer: Councillor Barber**

**Motion that**

*This Council notes that:*

*- In a recent planning appeal decision, the inspector concluded that "Colchester Borough Council cannot demonstrate a five-year supply of deliverable housing sites."*

*- A lack of five-year supply would put the Council and the Borough at risk of speculative planning applications being permitted at appeal and highlights the importance of having a new, valid Local Plan.*

*Given that Colchester Borough Council's 5 year supply is now being challenged, the lack of unanimity on and belief in the suitability of the current proposals in Section 1 of the emerging local plan by council members, it is resolved by this Council that:*

*- Officers are instructed to develop, with immediate effect, a*

*contingency Plan B to the current proposals in Section 1 of the emerging local plan.*

*- This Plan B will go through the necessary local plan procedures and, if agreed by the Local Plan Committee and/or Full Council, be submitted to the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government if the current plans in Section 1 of the emerging Local Plan are found to be unsound. This will ensure communities across the borough are protected from speculative development.*

*- That a copy of this motion is sent to all three Colchester Borough MPs, the Planning Inspectorate and the Secretary of State for Housing, Communities and Local Government by signature of the Leader of the Council*

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

**10 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10**

Cabinet members and Chairmen 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 Chairmen (or in their absence Deputy Chairmen)).

**11 Schedule of Portfolio Holder decisions** 115 -

Council is invited to note the Schedule of Portfolio Holder decisions covering the period 2 July 2019 - 30 September 2019. 122

**12 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.

**13 Reports Referred to in Recommendations**

The reports specified below are submitted for information and referred to in the recommendations specified in item 7 of the agenda:

**Risk Management, report to Cabinet 4 September 2019** 123 -  
148

**Changes to the Hackney Carriage and Private Hire Licensing Policy report to Licensing Committee 27 March 2019** 149 -  
152

**Polling Districts and Polling Places, report to Governance and Audit Committee, 3 September 2019** 153 -  
166

14 **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)**