

Council Meeting

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

Wednesday, 18 February 2015 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, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services. Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to most public meetings. If you wish to speak at a meeting or wish to find out more, please refer to Attending Meetings and "Have Your Say" at www.colchester.gov.uk

Audio Recording, Filming, Mobile phones and other devices

The Council audio records all its public meetings and makes the recordings available on the Council's website. Audio recording, photography and filming of meetings by members of the public is also permitted. The discreet use of phones, tablets, laptops, cameras and other such devices is permitted at all meetings of the Council, with the exception of Committee members at all meetings of the Planning Committee, Licensing Committee, Licensing Sub-Committee and Governance Committee. It is not permitted to use voice or camera flash functionality and devices must be kept on silent mode. Where permitted, Councillors' use of devices is limited to receiving messages and accessing papers and information via the internet.

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 use one of the contact details at the bottom of this page and we will try to provide a reading service, translation or other formats you may need.

Facilities

Toilets with lift access, if required, are located on each floor of the Town Hall. A vending machine selling hot and cold drinks is located on the ground 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.

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COLCHESTER BOROUGH COUNCIL
Council
Wednesday, 18 February 2015 at 18:00

TO ALL MEMBERS OF THE COUNCIL

Published 17/02/2015

You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Wednesday, 18 February 2015 at 18:00 for the transaction of the business stated below.



Chief Executive

AGENDA - Part A
(open to the public including the press)

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

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

Apologies

Councillors Arnold, Bentley, Fairley-Crowe, Gamble, L Scott-Boutell

1 Welcome and Announcements

(a) The Mayor to welcome members of the public and Councillors and to invite the Chaplain to address the meeting. The Mayor to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Mayor's discretion, to announce information on-

- action in the event of an emergency;
- use of mobile phones;
- audio recording of the meeting;
- location of toilets.

2 Have Your Say!

The Mayor to ask members of the public to indicate if they wish to ask a question, make a statement or present a petition on any matter relating to the business of the Council - either on an item on

the agenda for this meeting or on a general matter not on this agenda and to invite any such contributions (Council Procedure Rule 6(2)).

(Note: A period of up to 15 minutes is available for general statements and questions under 'Have Your Say!').

3 **Minutes**

A... Motion that the minutes of the meetings held on 11 December 2014 and 19 January 2015 be confirmed as a correct record.

Minutes of Council meeting 11-12-14 11 - 20

Minutes of Council meeting 19-01-15 21 - 22

4 **Mayor's Announcements**

Mayor's Announcements (if any) and matters arising pursuant to Council Procedure Rule 8(3).

5 **Declarations of Interest**

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.

- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

6 **Items (if any) referred under the Call-in Procedure**

To 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 **Recommendations of the Cabinet, Panels and Committees**

To consider the following recommendations:-

7(i) **Strategic Plan 2015-18** 23 - 32

B... Motion that the recommendation contained in minute 50 of the Cabinet meeting of 28 January 2015 be approved and adopted.

7(ii) **Colchester's Environmental Sustainability Strategy 2015-2020** 33 - 34

C... Motion that the recommendation contained in minute 51 of the Cabinet meeting of 28 January 2015 be approved and adopted.

7(iii) **2015/16 General Fund Revenue Budget, Capital Programme and Medium Term Financial Forecast** 35 - 50

The Leader of the Council will move the suspension of Council Procedure Rule 14(3) to allow the Portfolio Holder for Business and Resources and the leaders of the Conservative, Labour and Highwoods and Stanway Independent Groups to speak untimed on this item only.

D... Motion that the recommendations contained in minute 52 of the Cabinet meeting of 28 January 2015 and the recommendations contained in the Assistant Chief Executive's report entitled Precept and Council Tax Levels 2015/16 be approved and adopted.

Please note that in accordance with the provisions of Council Procedure Rule 15(3) any motion or amendment on the setting of the Council's budget must be subject to a named vote.

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

To consider the following Motions:-

(i) **Magna Carta**

Proposer: Councillor Willetts

E... Noting that 15th June 2015 marks the 800th anniversary of the sealing of Magna Carta, which proclaimed the liberties of all free people and is the basis of the constitution of many nations, Council commends the principal clauses of Magna Carta to the people of Colchester as a bulwark against oppressive authority."

As the motion relates to a non-executive matter, it will be debated

and determined by Full Council.

Main Amendment

Proposer: Councillor Liddy

That the motion on Magna Carta be approved and amended subject to the following amendments:-

- The deletion of the words “Noting that” and their replacement with the word “The”;
- The deletion of all the words following the word “nations” and the addition of the following words:-

. This Council notes the totemic status of the 1215 Magna Carta and its symbolic effect in English law. It also notes that only two of the original sixty three chapters still survive. They are set out below and are commended to the residents of Colchester:-

(39) No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.

(40) To no one will we sell, to no one deny or delay right or justice.

Should the Main Amendment be agreed, the revised wording of the Motion would be as follows:-

The 15th June 2015 marks the 800th anniversary of the sealing of Magna Carta, which proclaimed the liberties of all free people and is the basis of the constitution of many nations. This Council notes the totemic status of the 1215 Magna Carta and its symbolic effect in English law. It also notes that only two of the original sixty three chapters still survive. They are set out below and are commended to the residents of Colchester:-

(39) No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his equals or by the law of the land.

(40) To no one will we sell, to no one deny or delay right or justice.

(ii) Pedestrian Crossing at Cymbeline Way

Proposer: Councillor Goss

Colchester Borough Council wishes to applaud Essex County Council for listening to local Colchester Citizens and committing to leaving a pedestrian crossing on the Cymbeline Way for use by the hundreds of students and commuters who use it on a daily basis to

get safely to Colchester North Station, St Helena School, Colchester Institute and the surrounding area. However, Colchester Council wishes to be fully engaged in the siting of the proposed "temporary" crossing and wants commitment from Essex County Council that a crossing will remain in place permanently and that it won't be removed from the new site. The Council resolves to send a copy of this resolution along with the names of all Councillors who supported it to Cllr Bass, Essex County Council Cabinet member for Highways and Transportation.

As the motion relates to a non-executive matter, it will be debated and determined by Full Council.

(iii) Renaming of Hythe Station

Proposer: Councillor Havis

G... Colchester Borough Council requests that Network Rail renames Hythe Station as Colchester Hythe Station to bring it in line with the other Colchester stations.

As the motion relates to a non-executive matter, it will be debated and determined by Full Council.

Main Amendment

Proposer: Councillor T. Young

That the Motion on the Renaming of Hythe Station be approved and adopted subject to the following amendments:-

- The deletion of the words "Network Rail" and their replacement with the words "Abellio Greater Anglia (working in collaboration with Network Rail)";
- The insertion of the following additional text at the end of the Motion:-

"This Council believes that any changes to the classification of Hythe Station should not have an adverse effect on the pricing or fare structure for passengers travelling towards London or on the Clacton line.

This Council supports a more integrated railway under a publicly accountable authority which would make the changes outlined above far easier to achieve."

Should the Main Amendment be approved, the revised wording of the Motion would be as follows:-

"Colchester Borough Council requests that Abellio Greater Anglia (working in collaboration with Network Rail) renames Hythe Station as Colchester Hythe Station to bring it in line with the other Colchester Stations.

This Council believes that any changes to the classification of Hythe Station should not have an adverse effect on the pricing or fare structure for passengers travelling towards London or on the Clacton line.

This Council supports a more integrated railway under a publicly accountable authority which would make the changes outlined above far easier to achieve."

(iv) Foster Carers

Proposer: Councillor Lissimore

H... This Council recognises the invaluable work that foster carers do for the community.

As the motion relates to a non-executive matter it will be debated and determined by Full Council.

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

To 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)).

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

10 Schedule of Portfolio Holder Decisions

51 - 54

To note the Schedule of Portfolio Holder decisions covering the period 2 December 2014 - 5 February 2015

11 Urgent Items

To 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.

12 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:

Strategic Plan 2015-18, report to Cabinet 28 January 2015
Colchester's Environmental Sustainability Strategy 2015-20, report to Cabinet 28 January 2015
2015/16 Revenue Budget, Capital Programme and Medium Term Financial Forecast, report to Cabinet 28 January 2015

Strategic Plan - report to Cabinet 280115	55 - 66
Environmental Sustainability Strategy - report to Cabinet 280115	67 - 108
2015/16 General Fund Revenue Budget, Capital Programme and MTFF - report to Cabinet 280115	109 - 180

13 **Exclusion of the Public**

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)