

COLCHESTER BOROUGH COUNCIL

Council Meeting

1 November 2017, 6.00pm

Supplementary Information

Apologies: None

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

3. Minutes

A... Motion that the minutes of the meeting held on 26 July 2017 be confirmed as a correct record (see page 9 of the Council Summons).

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

None

7. Recommendations of the Cabinet, Panels and Committees

To consider the following recommendations:-

(i) 2016/17 Year End Review of Risk Management

B... Motion that the recommendation contained in minute 200 of the Cabinet meeting of 6 September 2017 be approved and adopted (see page 19 of the Council Summons).

(ii) Review of the Council's Ethical Governance Policies

C... Motion that the recommendation contained in minute 75 of the Governance and Audit Committee meeting of 17 October 2017 be approved and adopted (see page 21 of the Council Summons).

(iii) Health and Safety Policy 2017-18

D... Motion that the recommendation contained in minute 76 of the Governance and Audit Committee meeting of 17 October 2017 be approved and adopted (see page 23 of the Council Summons).

(iv) Review of the Local Code of Corporate Governance

E... Motion that the recommendation contained in minute 78 of the Governance and Audit Committee of 17 October 2017 be approved and adopted (see page 25 of the Council Summons).

8. Notices of Motion pursuant to Council Procedure Rule 11

(i) RMT and Greater Anglia

Proposer: Councillor T. Young

F... This Council notes that;

- There is a dispute between RMT and Greater Anglia Trains
- Greater Anglia trains are owned by Abellio, who is jointly owned by the Dutch State Railway and the Japanese firm Mitsui
- The dispute centres around union concerns that Greater Anglia is extending Driver Only Operation on the franchise as a result of introducing new trains
- That RMT conductors have voted by 9-1 on a 90% turnout to take strike action and RMT drivers have also voted to take action.
- The RMT is concerned that Greater Anglia is removing the guarantee that there will continue to be a conductor on the services in question and also removing the Conductor's role in ensuring the safe despatch of trains.
- That Abellio, when introducing new trains on their franchise in Scotland, were able to reach an agreement with RMT on this issue which resulted in retaining the guarantee of the conductor on the services in question and also the conductor's role in ensuring the safe despatch of trains.

This Council believes;

- That if Abellio in Scotland can reach an agreement in Scotland with the RMT on safe train despatch and keeping the guarantee of the conductors on new trains then Abellio can reach the same agreement with RMT in Greater Anglia
- That such an agreement would assist in protection of service, safety, security and accessibility for Greater Anglia passengers, including those residents of the borough that regularly use Greater Anglia services.

This Council calls on;

- Greater Anglia to reach such an agreement as soon as possible
- The Government to allow and not block such an agreement.

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

(ii) Essex University

Proposer: Councillor Goss

G.... This Council condemns the letter recently sent to Essex University by Chris Heaton-Harris MP requesting copies of the syllabuses and links to online lectures which relate to the teaching of European affairs with particular reference to Brexit. This Council fully supports the free thinking, radical and innovative culture Essex University encourages in all its employees and students.

Council requests that a copy of this motion be sent to the Prime Minister.

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

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

Pre-notified questions

(i) Councillor Graham to Councillor Lilley, Portfolio Holder for Public Safety and Licensing:

“The recently introduced Public Space Protection Order (PSPO) which has been recently implemented across the Town Centre bans, among other things, being in possession of an open vessel of alcohol in a public place.

It also prohibits “any person behaving in a manner that causes or is likely to cause intimidation, harassment, alarm, distress, nuisance or annoyance to any person.”

If a person breaches the terms of the PSPO they will receive a fixed penalty notice of £100. There is no formal appeal process. If the fine is unpaid a summons to the Magistrates Court will follow.

Please can you explain why the decision was taken to implement such a draconian policy without any debate, discussion or vote at Cabinet or Full Council?”

(ii) Councillor Graham to Councillor B. Oxford, Portfolio Holder for Customers:

“There have been rumours swirling about a new Changing Places facility to be installed in Colchester library. Please can the Portfolio Holder for Customers provide an update?”

(iii) Councillor Goss to Councillor Smith, Leader of the Council and Portfolio Holder for Strategy

“Can the Leader of the Council please provide an update on how discussions and planning with Essex County Council are progressing about new infrastructure for Colchester especially for North Station and North Colchester?”

(iv) Councillor Goss to Councillor Lilley, Portfolio Holder for Public Safety and Licensing

“Can the Portfolio Holder for Public Safety and Licensing advise me how to get funding for a full parking review on the Northern Approaches development which we visited together to look at the issues highlighted by residents.”

10. Revised Council Procedure Rules

H.... Motion that the recommendation contained in the Monitoring Officer's report be approved and adopted (see page 27 of the Council Summons).

Main Amendment

Proposer: Councillor Arnold

The recommendation contained in the Monitoring Officer's report be approved and adopted subject to the following amendment to paragraph 8(3) of the Revised Council Procedure Rules:-

- That sub-paragraph (m) (Questions from Councillors to the Leader of the Council, Cabinet Members and Chairmen of Panels and Committee) be moved so that it comes immediately before sub-paragraph (l) (To receive motions the subject matter of which comprises a non-executive function) and that the sub-paragraphs be renumbered accordingly.

11. Schedules of Decisions taken by Portfolio Holders

To note schedules covering the period 6 July 2017 – 12 October 2017 (page 47 of the Council Summons).

12. Urgent items

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

14. Exclusion of the Public

I... In accordance with Section 100A(4) of the Local Government Act 1972 motion 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)

15. Recommendations of the Cabinet, Panels and Committees (Part B)

Council will consider the following recommendations:-

15(i) Colchester Northern Gateway (North) Sports Development Project Review

J... Motion that the recommendation contained in paragraph (c) of minute 193 of the Cabinet meeting on 9 August 2017 be approved and adopted (see page 223 of the Council Summons).

15(ii) Amphora Place Phase 2 Office Development Proposal

K... Motion that the recommendation contained in paragraph (e) of minute 194 of the Cabinet meeting on 9 August 2017 be approved and adopted (see page 225 of the Council Summons).