

# Council

Thursday, 07 December 2017

**Attendees:**

Councillor Christopher Arnold, Councillor Lewis Barber, Councillor Nick Barlow, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Tina Bourne, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Peter Chillingworth, Councillor Helen Chuah, Councillor Phil Coleman, Councillor Nick Cope, Councillor Mark Cory, Councillor Robert Davidson, Councillor Beverly Davies, Councillor John Elliott, Councillor Andrew Ellis, Councillor Annie Feltham, Councillor Vic Flores, Councillor Adam Fox, Councillor Martin Goss, Councillor Dave Harris, Councillor Theresa Higgins, Councillor Mike Hogg, Councillor Brian Jarvis, Councillor John Jowers, Councillor Darius Laws, Councillor Cyril Liddy, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Patricia Moore, Councillor Beverley Oxford, Councillor Gerard Oxford, Councillor Philip Oxford, Councillor Chris Pearson, Councillor Lee Scordis, Councillor Rosalind Scott, Councillor Jessica Scott-Boutell, Councillor Lesley Scott-Boutell, Councillor Paul Smith, Councillor Martyn Warnes, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

**227 Prayers**

The meeting was opened with prayers from the Mayor's Chaplain, the Reverend Hannah Cooper.

**228 Apologies**

Apologies were received from Councillors D. Ellis, Graham, Hazell and F. Maclean.

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

*RESOLVED* that the minutes of the meeting on 1 November 2017 be confirmed as a correct record, subject to an amendment to minute 221 to substitute Councillor Laws for Councillor Barber as asking the question to Cllr T. Young, Portfolio Holder for Business and Culture, about Holy Trinity Church.

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

Paul Dundas addressed Council pursuant to the provisions of Council Procedure Rule 6(5) about commercial development in Stanway. The proposed new retail park would provide a number of new retail units together with highway improvements. Stanway had previously suffered from high levels of housing growth. However, Stane Park and Tollgate Village would provide considerable employment opportunities. The Leader of the Council was invited to confirm that he would welcome proposals to bring jobs to the Stanway area.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that the consideration of individual applications was a matter for the Planning Committee. It would be inappropriate for him to comment on specific applications as this could potentially prejudice his future consideration of them.

Victoria Weaver addressed Council pursuant to the provisions of Council Procedure Rule 6(5) to raise concerns about disabled parking and dropped kerbs on the High Street. Disabled parking on the High Street currently ended at 6.00pm. This discouraged people with disabilities from coming into the town centre in the evening and the Council should look to lift these restrictions, and also ensure that dropped kerbs were suitably located.

Councillor Lilley, Portfolio Holder for Public Safety and Licensing, responded and explained that there was an issue with parking in the town centre at night. For example, parked cars sometimes blocked the Head Street taxi rank. He would look at the issue. If he was provided with the relevant locations, he would raise the issue of dropped kerbs with Essex County Council

Phil Lee addressed Council pursuant to the provisions of Council Procedure Rule 6(5) to congratulate the Council on its policy on A-boards in the town centre. It was noticeably easier for a visually impaired person to walk around the town centre. The Royal National Institute for Blind People had commissioned research which had demonstrated that there was no evidence that A-boards either helped or hindered businesses.

Councillor Lilley, Portfolio Holder for Public Safety and Licensing, thanked Mr Lee for attending and for his comments. Most businesses supported the policy on A-boards and had complied with it. However, he was disappointed by the abusive nature of some of the comments he had received on the issue. He also thanked the Scrutiny Panel for supporting the new policy.

Scott Everest addressed Council pursuant to the provisions of Council Procedure Rule 6(5) about the installation of a Changing Places toilet in the library in Colchester town centre. He thanked Councillor Lissimore in particular for her work in bringing this forward, Councillor Smith, for agreeing to the maintenance of the facility and Councillor Davies and Graham for their support and interest. There was a growing public acceptance of the Changing Places initiative. The toilet in the Castle Park should be

made fully inclusive and accessible. Whilst a refit was planned this should be expanded to ensure that the toilet was made a Changing Places facility. Developers also had a responsibility to provide accessible services and the Planning Committee should use its powers to ensure that Changing Places facilities were included in public developments such as cinemas. Colchester Borough Council should become an early adopter of Changing Places and enforce it in all new developments in the borough.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that many Councillors had worked hard on the scheme and paid tribute to the work with Essex County Council to deliver the facility. He also paid tribute to the work of Councillor Higgins who had worked tirelessly on disability rights issues. There was cross party commitment to improving accessibility in Colchester. Councillor Bourne, Portfolio Holder for Housing and Communities, also paid tribute to the work of Councillor Higgins. A toilet block was due to be installed in Castle Park in the next two years, and she would look to see if it was possible for this to be a Changing Places facility.

Simon Crow addressed Council pursuant to the provisions of Council Procedure Rule 6(5) about Colchester town centre. Colchester town centre had previously attracted shoppers from Chelmsford, but Chelmsford had now overtaken Colchester and left it behind. Chelmsford town centre was now vibrant with a real “buzz”, and attracted Colchester residents. The Bond Street development had been planned and built despite the downturn in the economy. Therefore the reasons put forward by the Council for not proceeding with the Vineyard Gate development were not valid. To prevent Colchester falling further behind its neighbours the Council needed to do all in its power to deliver a scheme that added real value to the town centre, and did not just involve building more blocks of flats.

Councillor T. Young, Portfolio Holder for Business and Culture, responded. He did not agree with Mr Crow’s assessment. Colchester had more to offer than Chelmsford. The Council had secured a £30 million investment in the town centre with Fenwicks, and new shops and restaurants had been attracted to the town centre, including major names such as Primark. The town centre also had a number of high quality attractions such as the Castle and Firstsite. Whilst it was accepted that more could and would be done, Chelmsford had not overtaken Colchester either for attractions or for retail.

Jeremy Hagan addressed Council pursuant to the provisions of Council Procedure Rule 6(5). He had attended the event on Colchester High Street on 26 November when the Christmas lights were turned on. A dangerous crush had developed, which had resulted in one person requiring medical attention. There had been considerable comment and concern expressed on social media. He queried why there had been no obvious crowd control for the event, and why were there no physical barriers to prevent vehicles accessing the High Street whilst the event was on. In addition he was concerned that there had been no clear route for emergency vehicles.

Councillor Lilley, Portfolio Holder for Public Safety and Licensing, explained that a review of the event was currently underway. No complaints about the event had been made to the Council and the person who had required medical attention had gone into labour, rather than being injured.

## **231 Mayor's Announcements**

The Mayor made the following announcements:-

- The readings of "A Christmas Carol" had now sold out;
- An additional performance of "Macbeth" by the Priory Players would be held on 21 January 2018;
- A Comedy Evening would be held at the Headgate Theatre on 25 February 2018.

## **232 Local Council Tax Support 2018/19**

*RESOLVED* (UNANIMOUSLY) that the recommendation contained in draft minute 220 of the Cabinet meeting on 22 November 2017 be approved and adopted.

## **233 Officer Pay Policy Statement 2018/19**

*RESOLVED* (UNANIMOUSLY) that the recommendation contained in draft minute 221 of the Cabinet meeting of 22 November 2017 be approved and adopted

## **234 Nomination of Deputy Mayor 2018/19**

*RESOLVED* (UNANIMOUSLY) that the recommendation contained in draft minute 224 of the Cabinet minute of 22 November 2017 be approved and adopted and Councillor Nick Cope be elected as Deputy Mayor of the Borough of Colchester for the 2018-19 municipal year.

## **235 Revised Committee Membership**

*RESOLVED* that the decision set out in the Monitoring Officer's report be approved and adopted.

## **236 Vineyard Gate**

It was proposed by Councillor Willetts that:-

“Council informs Cabinet of its disappointment that it has abandoned support for the Vineyard Gate project, which would have completed the redevelopment of the town centre, and accordingly requests Cabinet to fully embrace the economic redevelopment opportunity of the Vineyard Gate area, consulting with the residents of Colchester on the opportunities available.”

A main amendment was moved by Councillor Smith that the motion on Vineyard Gate be approved and adopted subject to:-

- The deletion of the words “disappointment that it has abandoned”;
- The insertion of the words “the new approach to ” between the words “for” and “the” ;
- The deletion of the words “have completed” and their replacement with the word “continue”;
- The deletion of the words “accordingly requests Cabinet” and their replacement with the words “understands that, in the view of recent decisions, a fresh look is required which may include residential, leisure, street scene and entertainment, in addition to retail development. It accordingly endorses the Cabinet’s position”
- The deletion of the word “of “and its replacement with the words “and relevant stakeholders and partners in”

Councillor Willetts indicated that the motion was not accepted, but on being put to the vote the main amendment was agreed (26 voted for and 20 voted against) and the motion was amended accordingly.

The amended motion was put to the vote and was approved and adopted (majority voted for).

## **237 Universal Credit**

It was proposed by Councillor Bourne that:-

"In July 2018, the staged roll out of Universal Credit reaches Colchester. Universal Credit replaces individual payments for: Child Tax Credit, Housing Benefit, Income Support, income-based Job Seekers Allowance, income-related Employment and Support Allowance, Working Families Tax Credit.

This Council is aware of the escalating concerns surrounding implementation of Universal Credit for new claims and existing 'legacy' claimants. In recognising these worries this Council will:

- 1) continue building on the work with local agencies, such as the Department of

Work and Pensions, voluntary sector organisations, Colchester Borough Homes, Housing Associations, to prepare residents fully for July 2018 implementation and beyond for legacy claims.

2) encourage local private sector landlords to play their part in working cooperatively with tenants who are also Universal Credit claimants, to alleviate hardship and possible later eviction due to late rent payment caused by changes to Universal Credit payments.

3) use channels available to us to feedback on pre and post implementation of Universal Credit in order to mitigate any negative effects on Colchester claimants - especially through the District Councils' Network, Local Government Association and the MPs for the Borough of Colchester: Will Quince; Bernard Jenkin; and Priti Patel."

The motion was put to the vote and was unanimously approved and adopted.

## **238 Plastic Packaging**

It was proposed by Councillor J. Scott-Boutell that:-

"This Council notes:

- That since introducing clear sacks for plastic recycling a decade ago, Colchester Borough Council has been able to collect and recycle a wide variety of plastic products.
- That there are still a number of types of plastic that cannot be easily collected and recycled such as polystyrene packaging, bubble wrap and plastic film. Some of these are particularly prevalent in food packaging, making it harder for residents to reduce and/or reuse them too.
- That much non-recyclable plastic is also non-biodegradable and is known to be a pollutant of our oceans with significant harmful effects on marine life.
- That the Government has proposed taking action both to reduce the amount of plastic entering the seas and the amount of waste generated by unnecessary and unrecyclable food packaging.

This Council resolves:

- To request that the Leader of the Council and the Portfolio Holder for Waste and Sustainability write to the Secretary of State for the Environment, Food and Rural Affairs and local MPs to support reductions in the amount of non-recyclable and non-biodegradable materials used in packaging.

- To encourage other Councils to take similar actions to show support for these causes."

Pursuant to Council Procedure Rule 12(1)(c) Councillor Willetts moved that the issues in the second bullet point of the motion be remitted direct to Cabinet for immediate consideration. On being put to the vote, this motion was lost (majority voted against).

The substantive motion was then put to the vote and was unanimously approved and adopted.

## 239 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Questioner	Subject	Response
Pre-notified Questions		
Councillor Barber	Public Health England have called for councils to tighten up planning regulations to help fight obesity. In particular, they have called for tougher regulation on A5 businesses (fast food takeaways), which have seen an 8% increase in openings in three years. The heaviest concentrations of fast food outlets were to be found in the most economically deprived areas and are also often clustered nearby to schools. Would the council review its planning policies to ensure they are well placed, as called for by Public Health England, to help fight obesity	Councillor T. Young, Portfolio Holder for Business and Culture explained that obesity did need to be taken seriously and this was an issue that affected Colchester. Better controls, such as a sugar tax, needed to be imposed. There was a role for more education about the implications of food choices. However, consideration also needed to be given to the needs of businesses and it was recognised that such businesses generated significant employment. He would take up the issue with officers.

	among the population and in particular young and/or lower income people?	Councillor Cory, Portfolio Holder for Resources, also responded and indicated that he would raise the matter with planning officers. As this was a public health issue there was also a role for Essex County Council to play.
Councillor Barber	Government guidelines on Local Plans recommend that councils lay out for their first 5 years specific details on planned infrastructure improvements, where this infrastructure will go and the sources of finance for it. Our emerging Local Plan does not do such thing. Do you accept that you have once again failed to address resident concerns on not having infrastructure led development?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy responded. Despite the best efforts of local authorities to put in place policies to secure infrastructure alongside development, the government allowed developers to evade their obligations. Therefore the Council was seeking to approach development in a different way. Garden communities would be infrastructure led. As local authorities would own the land, it could secure the finance and ensure the infrastructure was put in place before development began. This would take the power away from developers. The improvements to the Park and Ride service brought in following pressure by the Council demonstrated the Council's commitment to infrastructure improvements.



		<p>Councillor Goss, Chairman of the Local Plan Committee also responded and stressed that the new draft Local Plan was infrastructure led. The continued success of Milton Keynes demonstrated that this was the right approach.</p>
Councillor Laws	<p>In the light of the celebrity Janet Street Porter's public criticism of poor signage when looking for Firstsite, can the Borough Council review this area and with a broader approach to include other key destinations and historic sites of interest?</p>	<p>Councillor T. Young, Portfolio Holder for Business and Culture, explained that signage was a long standing issue which was difficult to resolve. This was partly due to the fact that responsibility for signage was split. Highways England were responsible for brown tourist signs and Essex County Council were responsible for other road signs. Firstsite was signposted on the Council's pedestrian signage and firstsite had planning permission for a banner sign in Queen Street.</p> <p>Currently there was no funding available for a revised pedestrian signage scheme, although it had been identified as a town centre improvement should funding become available. It could be an issue for the</p>

		<p>BID, should one be established.</p> <p>Consideration also needed to be given to the fact that visitors and residents also now navigated in new ways using digital technology.</p> <p>He was happy to involve Castle ward councillors in discussions going forward.</p>
Councillor Laws	Colchester's High Street lit with Christmas lights is dwarfed by the unlit Jumbo. Can we meet soon to discuss how we can get Jumbo lit up at night?	<p>Councillor T. Young, Portfolio Holder for Business and Culture, indicated that he was happy to meet Cllr Laws, and he was not opposed to the idea of lighting Jumbo. Planning officers considered that it would be too late to light Jumbo this winter and he was uncertain whether there were funds available for this. There may be some possibilities through partnership working to take this forward.</p>
Councillor Warnes	Has the Portfolio Holder any plans to introduce electric buses in Colchester Town Centre.	<p>Councillor J. Scott-Boutell, Portfolio Holder for Waste and Sustainability, that the Council was keen to work with the providers of bus services and it offered support and advice to secure cleaner and greener bus services including electric. The Council had been</p>

		<p>successful in securing funding to retro fit cleaner technology to 10 buses, and further funding had been sought in partnership with other local authorities. Whilst she supported the concept of electric buses there no plans of which she was aware for them to be introduced in Colchester.</p>
Councillor Warnes	<p>A recent report by Savills states that in England nearly 100,000 new households a year are unable to afford to rent or buy in their local housing market. A proportion of those will be in the Colchester Borough. Given that it is becoming increasingly obvious that 'affordable housing' is no longer affordable, can the Portfolio Holder for Housing and Communities tell me if she has been in touch with Ministers asking them to release funds to allow us to once more start building Council Homes in Colchester. What support did the Portfolio Holder need from local MPs to kickstart building of affordable housing in the borough?</p>	<p>Councillor Bourne, Portfolio Holder for Housing and Communities, explained that whilst the Government had pledged to build 300,000 more homes, she had hoped that it would have done more in the budget to allow councils to build housing again. Local authorities had an excellent track record of delivering housing. Affordable housing had to be genuinely affordable. Many residents could not afford the private rented sector and therefore had to approach councils for help. For example there were 400 children homeless in Colchester. More housing needed to be delivered through developer contributions or councils had to be allowed to borrow in order to build themselves.</p> <p>There needed to be less opportunity for developers</p>

		to avoid their planning obligations. Councils needed more flexibility in the use of right to buy receipts, and the Social Housing Green paper needed to be closely examined to ensure funds were released to local authorities.
Verbal questions		
Councillor Laws	Could the Portfolio Holder for Housing and Communities give details of calls for rodent control over the past three years in Castle ward?	Councillor Bourne, Portfolio Holder for Housing and Communities explained that the figures had remained fairly stable over the last three years and there were approximately 5 calls relating to mice and 18 for rats per annum.
Councillor Jarvis	Further to the recent Fire Safety briefing, could the Leader of the Council and Portfolio Holder for Strategy confirm whether the Sheepen Road Phase 2 Office block would contain a sprinkler system?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, indicated he would look into the matter and provide a written response.
Councillor Flores	A local elderly resident had in Shrub End ward had recently tried to use the online system to arrange for refuse to be collected. She had tried 6 times, but no response had been generated. In the light of this would the Portfolio Holder for Resources, confirm that the online system for reporting was working efficiently?	Councillor Cory, Portfolio Holder for Resources, explained that the online system for reporting had been working well. If full details were forwarded to him he would look into the matter.

Councillor Flores	Would the Portfolio Holder for Waste and Sustainability confirm that all the waste collection arrangements were efficient and running correctly? Why was she using her locality budget to bolster the service with extra collections?	Councillor Scott-Boutell, Portfolio Holder for Waste and Sustainability explained that it was working efficiently and she had full confidence in the service. The service would be fully reviewed at the meeting of the Scrutiny Panel on 12 December. She had used her locality budget to help residents who had contacted her on a specific issue and used it so they did not need to travel to Shrub End to dispose of garden waste.
Councillor Arnold	Would the Portfolio Holder establish whether recycling sites at local supermarkets and shopping parades, some of which included recycling facilities for tetrapacks, were still operated by the Council?	Councillor Scott-Boutell, Portfolio Holder for Waste and Sustainability indicated that she would look into the matter and provide a response.
Councillor Arnold	Could the Portfolio Holder for Business and Culture establish why the Colchester App had only about 100 users?	Councillor T. Young, Portfolio Holder for Business and Culture, indicated that he would look into the matter and provide a response.
Councillor Arnold	Would the Portfolio Holder for Public Safety and Licensing confirm that he would hold a review into the events surrounding the Christmas Launch on the High Street?	Councillor Lilley, Portfolio Holder for Public Safety and Licensing, confirmed that the events were taken seriously and a full review would be held to prevent any repetition. The complaints on social media were being reviewed. An update to Councillors and the public would be

		provided once a full report had been prepared.
Councillor Goss	<p>Could the Leader of the Council and Portfolio Holder for Strategy update Council on discussions on infrastructure and congestion that were being held with Councillor Bentley, with particular reference to the area around North Station?</p> <p>Could concerns about the mortar in the High Street also be raised with Essex County Council?</p>	<p>The Leader of the Council and Portfolio Holder for Strategy explained that the Park and Ride Scheme would be extended from 5.30 am to 9.00pm, subject to planning consent. This would be a significant improvement to the service, particularly for commuters. It would also reduce traffic around North Station. A group ticket would also be available from 9.00am. This was evidence of effective partnership working with Essex County Council. There were also opportunities to use the Park and Ride facilities for major events at the Community Stadium.</p> <p>The issues with the pavement in the High Street should be taken up by Essex County Council colleagues.</p>
Councillor Scott	<p>Whilst the provision of some women only swimming sessions at Leisure World was welcomed, how could the Council improve the offer of women-only sessions at Leisure World and provide segregated sessions. This would be in line with the Council's ethos of</p>	<p>Councillor Feltham, Portfolio Holder for Commercial Services, explained that in 2016 Leisure World had received a grant for the provision of 10 subsidised women-only swimming sessions. When the funding ended and the sessions became full price,</p>

	<p>accessibility and good practice. The imbalance in numbers of female and male lifeguards at Leisure World was noted and reassurance was sought that this was not a consequence of gender bias in recruitment?</p>	<p>the numbers had fallen and the session became unsustainable. The issue was taken seriously and work was currently underway to gather information about the level of demand for such a service, the level of exclusion required and how this could be managed. Leisure World was designed for open access and for ease of use large groups such as schools. It was therefore difficult to limit for restrict access for relatively small groups. The impact on the financial performance of Leisure World also needed to be considered.</p> <p>There was no gender bias in recruitment across the Council. Proper recruitment processes were closely followed at both political and officer level.</p>
Councillor Moore	<p>Could the Portfolio Holder for Waste and Sustainability provide a response to Abberton Parish Council's query about why the Council could not sell black bags to local people?</p>	<p>Councillor Scott-Boutell, Portfolio Holder for Waste and Sustainability explained that a response had been sent to the Parish Clerk. The additional black sacks the Council held in stock were used by the Zones Teams for issues such as the collection of fly tipping.</p>

**240      Schedule of Portfolio Holder Decisions**

*RESOLVED* that the schedule of Portfolio Holder decisions for the period 13 October 2017- 28 November 2017 be noted.