

# Council Meeting

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

**Wednesday, 22 February 2017 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](http://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](http://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.

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, 22 February 2017 at 18:00**

**TO ALL MEMBERS OF THE COUNCIL**

**Published 17/02/2017**

**You are hereby summoned to attend a meeting of the Council to be held at the Town Hall, Colchester on Wednesday, 22 February 2017 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**

Apologies: Councillor Buston

**1 Welcome and Announcements (Council)**

(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! (Council)**

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 (Council)**

A... Motion that the minutes of the meeting held on 8 December 2016 be confirmed as a correct record.

**Minutes 08-12-16**

7 - 18

### **4 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.

### **5 Mayor's Announcements**

Mayor's Announcements (if any) and matters arising pursuant to

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

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) 2017/18 Revenue Budget, Council Tax and Medium Term Financial Forecast** 19 - 34

B... Motion that the recommendations contained in minute 136 of the Cabinet meeting of 1 February 2017 and the recommendations contained in the Assistant Chief Executive's report entitled "Precept and Council Tax Levels 2017/18" 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 budget must be subject to a named vote.

**7(ii) Appointment of External Auditor** 35 - 36

C... Motion that the recommendation contained in minute 140 of the Cabinet meeting of 1 February 2017 be approved and adopted.

**7(iii) Review of the Statement of Licensing Policy** 37 - 38

D... Motion that the recommendation contained in minute 15 of the Licensing Committee meeting of 11 January 2017 be approved and adopted.

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

None received at the time of the publication of the Summons.

**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)).

Councillor Warnes to Councillor Davies, Chairman of the Scrutiny Panel:-

*I am concerned by the reported admission by the Chief Executive of Colchester Hospital, Nick Hulme, published by the BBC on 30th of January this year that, delayed transfers of patients is a "growing problem". Given that this has led to 240 hospital beds in Essex unable to be released allegedly fuelled by the ongoing financial*

*squeeze on local Councils, is it not time that Cllr Davies responds positively to this call and those made in previous Full Council meetings by my colleague Councillor Chris Pearson to set a date upon which the issue of delayed patient discharge back into the community from Colchester General Hospital can be adequately scrutinised by fellow Councillors on behalf of the residents of Colchester they represent?*

- |    |  |              |
|----|--|--------------|
| 10 | <b>Schedule of Portfolio Holder Decisions</b>  | 39 - 44      |
|    | To note the Schedule of Portfolio Holder Decisions covering the period 22 November 2016 - 3 February 2017.   |              |
| 11 | <b>Urgent Items (Council)</b>  |              |
|    | 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 | <b>Reports Referred to in Recommendations</b>  |              |
|    | The reports specified below are submitted for information and referred to in the recommendations specified in item 7 of the agenda:  |              |
|    | <b>2017/18 Revenue Budget, Council Tax, Medium Term Financial Forecast and Capital Programme - report to Cabinet</b>   | 45 - 128     |
|    | <b>Appointment of External Auditor - report to Cabinet</b>   | 129 -<br>130 |
|    | <b>Review of Statement of Licensing Policy - report to Licensing Committee</b>   | 131 -<br>188 |
| 13 | <b>Exclusion of the Public (not Scrutiny or Executive)</b>   |              |
|    | 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)