

Council

Wednesday, 14 July 2021

Attendees:

Councillor Lewis Barber, Councillor Lyn Barton, Councillor Kevin Bentley, Councillor Tina Bourne, Councillor Michelle Burrows, Councillor Roger Buston, Councillor Nigel Chapman, Councillor Peter Chillingworth, Councillor Helen Chuah, Councillor Nick Cope, Councillor Mark Cory, Councillor Pam Cox, Councillor Simon Crow, Councillor Robert Davidson, Councillor Paul Dundas, Councillor Andrew Ellis, Councillor Adam Fox, Councillor Mark Goacher, Councillor Martin Goss, Councillor Jeremy Hagon, Councillor Dave Harris, Councillor Chris Hayter, Councillor Pauline Hazell, Councillor Mike Hogg, Councillor John Jowers, Councillor David King , Councillor Darius Laws, Councillor Martin Leatherdale, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Andrea Luxford Vaughan, Councillor Jackie Maclean, Councillor Roger Mannion, Councillor Sam McCarthy, Councillor Patricia Moore, Councillor Steph Nissen, Councillor Beverley Oxford, Councillor Gerard Oxford, Councillor Philip Oxford, Councillor Chris Pearson, Councillor Lee Scordis, Councillor Lesley Scott-Boutell, Councillor Leigh Tate, Councillor Martyn Warnes, Councillor Lorcan Whitehead, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

452 Prayers

The meeting was opened with prayers from the Reverend Dr Amanda Elmes.

453 Attendance and Apologies

Apologies were received from Councillor Coleman.

Councillors Cope, Warnes and Whitehead attended remotely and did not take part in any votes held in the course of the meeting.

454 Alderman Holt - One Minute's Silence

The Mayor invited Council to stand for a minute's silence in memory of Alderman Holt. Alderman Holt had served on Council for 18 years. He had served as Mayor in the 1978-79 municipal year and was appointed as an Alderman in 2008.

455 Have Your Say! (Hybrid meetings)

Alan Short addressed Council pursuant to the provisions of Council Procedure Rule 6(1). One of the key conditions imposed on the Alumno development at appeal was condition 15 which concerned the ramp to give disabled access from Priory Street. The Planning Committee had rejected a number of proposals put forward for the ramp. Planning officers had subsequently approved a scheme under delegated powers rather than referring the matter back to the Planning Committee. The scheme met the slope standard of the relevant British Standards but was still inherently unsafe as there was a blind corner and inadequate spaces to pass. It had been approved on 6 May 2021, when borough elections were taking place. Given the levels of public objection, the scheme for the ramp should not have been determined in this way, and if there was a subsequent serious accident, it would be the responsibility of those who took that decision.

The Mayor thanked Mr Short for his comments and for bringing the matter to the attention of Council.

The following written question from Catherine Spindler was read to Council:-

"With the increase of cycle lanes and promotion to cycle and following on from the previous Liberal Democrat led administration who committed to utilise empty shop premises in town to use as a secure cycle lockup facility, can you please advise what progress has been made to provide this much needed facility?"

Councillor Crow, Portfolio Holder for Environment and Sustainability, explained that he had pushing for such a facility to help reduce the number of bike thefts in the town centre. A secure cycle store would be opened shortly in Portal Place, once planning permission had been secured.

The following written question from Michael Spindler was read to Council:-

"Like many other residents living near Middlewick, I am delighted that the proposal initially proposed by Sir Bob Russell whom I have been delighted to meet and support with his proposals to protect the Middlewick from Abbotts Road to the hedging and direct building away from this area of significant beauty. Can you please reassure all of us living in this area that you will deliver on your promise to create a nature reserve/park at the Abbotts Road frontage to the hedging and liaise with Essex Wildlife Trust and the

Woodland Trust to ensure protection now and for future generations?”

Councillor Ellis, Portfolio Holder for Housing and Planning, explained that the Conservative Group had not voted to include Middlewick in the Local Plan. The site had a designated wildlife site within it, was a priority habitat with European protected species, was one of last remaining examples of lowland acid grassland and a valued and much used green space. All avenues to create a country park or nature reserve were being explored. The Council was awaiting a letter from the Planning Inspector on Section 2 of the Local Plan which would confirm whether or not it was included in the Local Plan, and that would impact on the options available. The Council would work with the well organised and informed local community to achieve the best possible outcome.

456 Minutes of the Previous Meeting (Council)

RESOLVED that the minutes of the meeting held on 26 May 2021 be confirmed as a correct record.

457 Mayor's Announcements

The Mayor made the following announcements:-

- He had attended the presentation of new colours to 1st, 2nd and 3rd battalions of the Parachute Regiment at Merville barracks;
- The Opening of the Oyster Fishery would take place on 3 September 2021;
- His Civic Service would take place on 28 September 2022 at Peldon Church;
- He would be hosting a charity Garden Party at his home on 24 July 2021.

458 Financial Regulations 2022-23

RESOLVED that the recommendation contained in draft minute 260 of the Governance and Audit Committee meeting of 22 June 2021 be approved and adopted.

459 Suspension of Procedure Rule 11(2)

Councillor Fox moved that Council Procedure Rule 11(2) be suspended to allow the motion on Unlocking the Potential of Colchester's High Street and Town Centre to be debated and determined at the meeting.

On being put to the vote the motion was LOST (NINETEEN voted FOR, TWENTY FOUR voted AGAINST and THREE ABSTAINED from votin..g).

A named vote having been requested pursuant to the provisions of Council Procedure Rule 15(2). the voting was as follows:-

FOR: Councillors Barton, Burrows, Chuah, Cory, Cox, Fox, Goacher, Goss, Harris, Hogg, King, Lilley, Luxford Vaughan, McCarthy, Nissen, Pearson, Scordis, Scott-Boutell and J. Young.

AGAINST: Councillors Barber, Bentley, Buston, Chapman, Chillingworth, Crow, Dundas, Ellis, Hagon, Hayter, Hazell, Jowers, Leatherdale, Lissimore, Loveland, Maclean, Mannion, Moore, B. Oxford, G. Oxford, P. Oxford, Tate, Willetts and Wood.

ABSTAINED FROM VOTING: Councillor Laws, the Mayor (Councillor Davidson) and the Deputy Mayor (Councillor T. Young).

460 Unlocking the Potential of Colchester's High Street and Town Centre

Pursuant to the provisions of Council Procedure rule 11(2) the following motion stood referred direct to Cabinet as it related to an executive function:

Proposer:- Councillor Fox and Councillor Goss

This Council believes that healthy high streets are essential for community cohesion, civic pride, employment, shopping, services and leisure. But many shops and businesses were struggling even before the Covid pandemic: high street retail employment fell in more than three-quarters of local authorities between 2015 and 2018 according to the Office of National Statistics and more than half of all UK consumers were shopping online before the pandemic. Colchester's Town Centre has fared better than many High Streets across the country but has lost many shops that were valued by

residents and visitors alike.

This Council notes that retail is among the sectors most affected by the coronavirus pandemic, and retail workers have been on the frontline of the crisis throughout. The almost complete shutdown of non-essential shops between March and June 2020 has hit businesses hard, and the need for social distancing has changed the way many businesses operate, reducing footfall. The pandemic has accelerated what, in many cases, has been a longer trend of lower footfall and changing shopping habits. As the Portas Review a decade ago acknowledged, the form and function of many high streets needs to radically change if they are to adapt and survive.

This Council welcomes the willingness of Government to acknowledge the problems and come forward with initiatives in response to these challenges such as the furlough scheme, the Covid support business loans, and the High Street Taskforce. However, as the Treasury Select Committee stated in 2019, the current system of Business Rates places an unfair burden on “bricks and mortar” businesses compared to online ones, and the Business Rate system needs radical overhaul. This council also welcomes the Town Deal funding secured by a range of partners to deliver £18.2million of investment in Colchester.

This Council resolves to:

- Write to the Government to urge them to undertake an urgent review of business rates in order to support high street businesses recover from the pandemic and level the playing field between online and high street businesses, to make it fair and sustainable for all.*
- Explore the creation of Community Improvement Districts to reconnect communities with the levers that drive economic development in town centres and create an equal partnership of business and community organisations to galvanise action at a local level.*
- Make any data held by the council on ownership of high street properties public and in an accessible format, so that community groups seeking to buy empty shops through a community share offer have the information they need to do so.*
- Make full use of s215 planning enforcement powers where empty units are attracting antisocial behaviour or creating an eyesore on the high street.*
- Proactively contact landlords of vacant premises, working with the Colchester Business Improvement District, to explore meanwhile use options and/or encourage alternative rental models (e.g. turnover rather than market rent) to enable new co-operatives, SMEs, social enterprises and community businesses to open their doors on the high street.*

461 The Queen's Platinum Jubilee

It was proposed by Councillor Crow that:-

As Britain's first city Colchester has a unique past and heritage which has played an important role in this country's history. In addition we have enjoyed many proud years as a garrison town playing host to the British army. Therefore this Council is delighted that next year we will be joining the nation to celebrate Her Majesty the Queen's Platinum Jubilee to mark her 70 years on the throne of this great nation.

On being put to the vote the motion was approved and adopted (UNANIMOUS).

462 The England Football Team

The Mayor indicated that he had allowed the submission of a motion on the England Football Team as an urgent item.

It was proposed by Councillor Scordis that:-

This Borough sends its thanks to the England team for bringing hope and unity to the Borough during Euro 2020 in what has been a tough year for everyone.

We recognise not only the achievement of the team performing better than any other England football team since 1966, but we also recognise the professionalism and inclusivity of this squad of players, many of whom have shown their dedication to Britain via their charity work. Their actions, on and off the pitch, have inspired millions across the country.

The Borough also stands by those players facing abuse and discrimination and condemns any form of racism. Colchester is a town known historically for its inclusivity and diversity and we are proud of this.

Councillor Scordis proposed an alteration to the motion to add the word "male" before the words "England Football Team" in the first sentence of the second paragraph and Council indicated its acceptance of this alteration.

On being put to the vote the motion was approved and adopted (UNANIMOUS).

Questioner	Subject	Response
Pre-notified questions		
Councillor J. Young	<p>The safety of young women in our town has to be one of our highest priorities, I applaud the additional investment in safer streets work and investment can't come soon enough. However, while public money is being invested in more surveillance and lighting it would appear that our most prestigious school has been rated as requiring improvement largely it seems down to a culture of "boys will be boys" encouraging boys and young men to have an entitled attitude and turning a blind eye towards rape culture. I am sure the news that has come from Scarlett Mansfield and Ofsted has shocked us all. I ask the Leader of the Council to write to the Head Teacher expressing our concern over this matter. In addition, I ask the Leader of the Council to consider the roles and opportunities in this authority and the scope for allowing greater power for women members. I remember the Town Deal announcement: 5 Men</p>	<p>Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, welcomed the investment in safer streets and the priority on the safety of women. He was working with the Police and Crime Commissioner to secure additional investment for Colchester. He indicated that he would write to the Head Teacher to express Council's concerns. The School needed to take swift action, and the Council needed to ensure they did. He also shared concerns that Council was not representative of Colchester. However, it was difficult to identify solutions to attract more female candidates. It was important Councillors treated each other with respect and moderated any personal criticism. The criticisms of the members of Tendring Colchester Border Garden Community were noted but the opposition had also appointed a male as their representative. The importance of promoting</p>

	<p>featured.I note that the biggest project this authority is about to deliver,the Tendring Colchester Borders Garden Community, will once again have a board of stale, male and pale representatives . Entitlement starts at a young age: we must do all we can to level the playing field and promote gender equality by offering roles to women to act as role models to our daughters and granddaughters.</p>	<p>role models was appreciated and he was willing to work with others to achieve that.</p>
<p>Councillor Harris</p>	<p>Could I ask about what Colchester Borough Council is going to do about electric plug-in points for electric vehicles in public places and can Colchester Borough Council amend planning policy to ensure that plug in points are included in all settings?</p> <p>Could the Cabinet work with the Communications Team to promote the work on Electric Vehicle Charging Points?</p>	<p>Councillor Ellis, Portfolio Holder for Housing and Planning explained that an Electric Vehicle Charging Strategy was being prepared and would align with Essex County Council's work in this area. Electric Vehicle Charing Points were included in all major capital projects involving refurbishment or redevelopment by the Council. There were also aims to secure funding to deliver charging points to a number of the Council's car parks.</p> <p>In terms of Planning Policy there were several references in the emerging Local Plan, and full details would be sent. It was an issue that the Council was working towards, even if</p>

		had not moved as quickly as some neighbouring authorities. He was happy to encourage the promotion of the work on charging points.
Councillor Harris	<p>The investment in Colchester via Active Travel Fund is to be welcomed. Would the Leader of the Council agree with me that removing Monkwick from the original plan was a missed opportunity to play a real and meaningful part in climate change in South Colchester? The ward Councillors for Monkwick were ready to play an active part and support the scheme.</p>	<p>Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy explained that the shortfall in the Town Deal award had meant that only one of the Liveable Neighbourhoods schemes could proceed. This would be the scheme in Greenstead which was part of the wider Heart of Greenstead scheme. However, this would act as pilot for the other schemes, which remained part of the Town Deal, and would be implemented as and when future funding became available.</p>
Councillor Cox	<p>The Government has recently published proposals to reform the planning system. One aspect that has raised particular concern is the proposal to remove local residents' right to object to individual planning applications in their own neighbourhood if the area is zoned for growth or renewal.</p> <p>As Portfolio Holder for Planning, what are your views on this proposed</p>	<p>Councillor Ellis, Portfolio Holder for Housing and Planning explained that he had been a member of the Local Plan Committee that had helped formulate the Council's response to the government's proposals. The response expressed concern that the White Paper did not provide new opportunities for communities or individuals to participate in the planning system and appeared to reduce</p>

	<p>reform? Do you feel that the rights of communities to object to individual planning applications should be protected?</p> <p>Did the Portfolio Holder believe that Liveable Neighbourhoods could be created through consultation, aswell as schemes such as the Town Deal?</p>	<p>opportunities for public engagement and involvement. The proposals were not supported on that basis, and the rights of communities to object or support individual planning applications should be supported. There were also concerns about zoning.</p> <p>He believed that Liveable Neighbourhoods could be created through consultation and was supportive of the concept of Neighbourhood Planning.</p>
Councillor Lilley	<p>Can the Portfolio Holder for Communities please tell me how she is planning to deal with grooming of children into drug gangs in Colchester now she and her Cabinet members have scrapped the Youth Zone which was one of the best chances to tackle this and has the support of Essex Police and the Police Commissioner and his deputy.</p>	<p>Councillor B. Oxford, Portfolio Holder for Communities stressed that the decision on the Youth Zone had not been taken by Cabinet. It had been put on hold by the Town Deal Board. The previous administration had not allocated capital or revenue expenditure for the Youth Zone and no suitable location had been found.</p> <p>Considerable work was being done to tackle the grooming of children into gangs such as school visits by the Community Policing Team and multi-agency</p>

		<p>child case conferences. Statutory and non-statutory agencies worked with the police to protect vulnerable children and due to their work a number of lines had been broken up. Other initiatives aimed at raising awareness and educating children and other groups who came into contact with children, such as taxi drivers, were also undertaken</p>
Councillor Lilley	<p>How many hours have Zone Wardens worked in the Town Centre in Partnership with Colchester Police in dealing with begging and drinking in public in the last month? Could more Zone Warden resource be targeted at illegal and anti-social behaviour in and around the Castle Park.</p>	<p>Councillor B. Oxford, Portfolio Holder for Communities, responded:</p> <ul style="list-style-type: none"> • 30 hours of joint patrols have taken place specifically with the Council's street wardens and police. • 18 hours on joint operation and nights of action. • The Council had also led on enforcement action on street drinking and cycling. • 4 hours on Town Centre Action Plan meetings. • The Covid Marshals patrolled for nearly 600 hours across the Borough, 260 in the town centre. • Operation Luscombe was a partnership initiative that continued to support those rough sleeping and tackle associated anti-social behaviour.

Councillor Lilley	Now the Mipermit app has been launched, since I introduced the idea, what work has been done to sign all the shops in town up to it.	Councillor Crow, Portfolio Holder for Environment and Sustainability explained that the scheme was being piloted for 6 months with 9 businesses. The project would be monitored at three stages to guide the final roll out, which would be supported the BID. The Council was working jointly with the BID to encourage shops to join the scheme.
Councillor T. Young	The overall turnout at this year's Borough Council Elections was under 34%. This ranged from under 20% in Greenstead ward to 43% in Lexden and Braiswick. Would the Leader of the Council agree with me that, given these disappointing statistics, we, as a council and political groups, need to do more to encourage voter turnout and lobby the government, through our MPs, to drops its plans for compulsory photo ID at polling stations which will only serve to suppress voter turnout and is pointless legislation to address a problem that doesn't exist?	<p>Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, responded and explained that low turnout in local elections was a concern all Councillors shared but it was not new. Whilst it was incumbent on political groups to try and improve turnout, he did not consider that the proposals for voter ID would have a significant impact on turnout. Nearly every other European country required some form of identification at polling stations and had higher levels of turnout than the UK. The key issue was to increase confidence in the system and to ensure that any system of voter ID was properly implemented.</p> <p>The Government had made a commitment to</p>

		provide resources for local government to support voter ID. The proposals included a wide range of ID documents, including some that had expired. If it was communicated well and implemented properly it should not cause a major problem
Oral questions		
Councillor Hogg	Last municipal year a request for a CCTV camera for the play area to the rear of the Oak Tree Centre had been made but it had not been approved due to funding and logistical reasons. Following a serious incident at the site, would the Portfolio Holder work with him and the team at the Oak Tree Centre to overcome the funding and logistical difficulties.	Councillor B. Oxford, Portfolio Holder for Communities indicated that she would be willing to provide whatever help she could.
Councillor Barton	Could the Leader of the Council explain what the transformational plans for the Townhouse, as she felt it was no longer fit for purpose and the funding should have been allocated to support the provision of the Youth Zone.	<p>Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, explained that a written response would be sent on the details of the Townhouse. The funding allocated for the Townhouse was only a small proportion of that needed for the Youth Zone.</p> <p>He had been impressed by the concept and the organisation behind the</p>

		<p>Youth Zone and was committed to the idea, but it may involve compromises on other priorities and projects. It would need a cross party approach and also a serious conversation with the residents of the borough.</p>
Councillor Pearson	<p>Could the Leader of the Council confirm when the review of the waste service would start and finish and confirm the remit of the review?</p>	<p>Councillor Crow, Portfolio Holder for Environment and Sustainability, confirmed that the review would start and finish as soon as possible.</p>
Councillor King	<p>Could the Portfolio Holder for Resources confirm that the Cabinet had looked at the impact of the reinstatement of Locality Budgets on the overall in year deficit, given that it was the one saving that Councillors had been able to put forward to help deal with the financial challenge faced by the Council and given that the Council was having to make staff redundant.</p>	<p>Councillor Lissimore, Portfolio Holder for Resources, responded to explain that Locality Budgets were the quickest and simplest way to get funding to organisations who were in real need of it. Post Covid there was an increased need for funding within communities. £6000 within a ward was a significant amount. It was not accepted that reinstating the locality budgets would lead to redundancies.</p>

Councillor King	<p>Could the Portfolio Holder for Resources clarify Youth Zone funding, as the previous administration had allocated £1.5 million in capital funding and £400,000 per annum in revenue funding to the project.</p> <p>Did the Town Deal Board receive any data or analysis on the outcomes he respective investments in youth provision would provide?</p>	<p>Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy indicated that he would find out whether the Board had received the information specified.</p> <p>The Medium Term Financial Forecast still included £400 000 per annum for the Youth Zone, but there was also already a budget gap of £1.6m. This needed to be reduced to zero in due course, so if the Youth Zone provision remained, another service or project would be impacted. Whilst Onside's projection was that the cost to local authority of Youth Zone was £440,000 this did not include capital repayments. In addition, allowance needed to be made for inflation. Sponsors and external funders generally contributed over periods of 2-4 years and so there was the possibility of needing to cover gaps in external funding.</p>
Councillor Fox	Was it appropriate that visitors to Leisure World would not have to follow social distancing or wear masks, given the rising rates of Covid 19 locally? Would removing restrictions encourage or discourage	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, explained that that he considered this was an operational matter for the managers of the service,

	users to attend leisure facilities? Given the Council's duty of care to staff, should the same standards be applied across all Council buildings?	and he trusted their judgement on the issue.
Councillor Fox	Could the Portfolio Holder for Business, Economy and Heritage provide an update on the suggestion by the Local Plan Committee that the Cabinet explore the purchase of the ABRO site?	Councillor Laws, Portfolio Holder for Business, Economy and Heritage responded and explained that he appreciated the importance of the site. A Joint Management Plan for the Roman Circus was now in place. A detailed update would be provided following the meeting.
Councillor Scott-Boutell	An apprenticeship post in the Planning Service was being advertised, for a period of 21 months and with no guarantee of a post at the end of the apprenticeship. Could the Portfolio Holder for Resources confirm when and why a decision was taken to move away from paying all staff the national living wage, and would she agree that this was not a proper apprenticeship given the period of service, the lack of study time and that there was no guarantee of employment at the conclusion of the apprenticeship?	Councillor Lissimore, Portfolio Holder for Resources, indicated she would look into the matter and provide a written response. However, it was not standard practice for apprenticeships to come with a guarantee of employment at the end of the apprenticeship.
Councillor Scott-Boutell	Could the Leader of the Council explain why the Conservative Party manifesto was on the	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy indicated that he was not aware of

	Council's Sharepoint site with links to the Council's website?	this. The Mayor indicated a written response would be provided by officers.
Councillor Willetts	Would the Leader of the Council make a commitment that if in future an executive decision on procurement was to be made that was contrary to the Council's climate emergency declaration, Council would be consulted before the decision was taken.	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, indicated he was happy to make that commitment.
Councillor Scordis	Could the Portfolio Holder for Communities explain what plans were in place to improve the service provided by the Neighbourhoods Teams?	Councillor B. Oxford, Portfolio Holder for Communities indicated that she raise the matter with the service and a written answer would be given.
Councillor Goacher	Can the Portfolio Holder for Housing and Planning shed any light on the allegations made in the Observer newspaper on Sunday regarding Middlewick Ranges? Are the allegations of a bespoke metric being agreed in order to get round environmental rules true? Is the insinuation that Colchester Council colluded in this true? If so who is the 'CBC Ecologist' who agreed to this metric as to my knowledge the Council does not have an Ecologist?	<p>Councillor Ellis, Portfolio Holder for Housing and Planning, indicated a full written response would be sent and circulated to all Councillors.</p> <p>Colchester did not employ an ecologist. The Council had commissioned ECOS, who were the ecological consultancy arm of Essex Wildlife trust, to work with DIO on a metric for Middlewick. The metric had been altered to make the hurdle higher.</p>

RESOLVED that the Schedule of Portfolio Holder decisions covering the period 9 February 2021 to 3 July 2021 be noted.