

Council

Wednesday, 27 July 2016

- Attendees:** Councillor Christopher Arnold (Member), Councillor Lewis Barber (Member), Councillor Nick Barlow (Member), Councillor Tina Bourne (Member), Councillor Roger Buston (Member), Councillor Karen Chaplin (Member), Councillor Nigel Chapman (Member), Councillor Peter Chillingworth (Member), Councillor Helen Chuah (Member), Councillor Phil Coleman (Member), Councillor Nick Cope (Member), Councillor Mark Cory (Member), Councillor Robert Davidson (Member), Councillor Beverly Davies (Member), Councillor John Elliott (Member), Councillor Andrew Ellis (Member), Councillor Daniel Ellis (Member), Councillor Annie Feltham (Member), Councillor Martin Goss (Member), Councillor Dominic Graham (Member), Councillor Dave Harris (Member), Councillor Pauline Hazell (Member), Councillor Theresa Higgins (Member), Councillor Mike Hogg (Member), Councillor Brian Jarvis (Member), Councillor John Jowers (Member), Councillor Darius Laws (Member), Councillor Cyril Liddy (Member), Councillor Michael Lilley (Member), Councillor Sue Lissimore (Member), Councillor Derek Loveland (Member), Councillor Fiona Maclean (Member), Councillor Jackie Maclean (Member), Councillor Patricia Moore (Member), Councillor Beverley Oxford (Member), Councillor Gerard Oxford (Deputy Mayor), Councillor Philip Oxford (Member), Councillor Chris Pearson (Member), Councillor Lee Scordis (Member), Councillor Rosalind Scott (Member), Councillor Jessica Scott-Boutell (Member), Councillor Lesley Scott-Boutell (Member), Councillor Paul Smith (Member), Councillor Martyn Warnes (Member), Councillor Dennis Willetts (Member), Councillor Barbara Wood (Member), Councillor Julie Young (Mayor and Chairman), Councillor Tim Young (Member)
- Substitutes:** No substitutes were recorded at the meeting

139 Prayers

The meeting was opened with prayers by the Reverend Tim Platt.

140 Apologies

Apologies were received from Councillors Barton, Bentley and Fox.

141 Minutes (Council)

RESOLVED that the minutes of the meeting held on 25 May 2016 be confirmed as a correct record.

142 Have Your Say! (Council)

Nick Chilvers addressed the Council pursuant to the provisions of Council Procedure Rule 7(5) to express his concerns about the Charter market, which was not living up to expectations. He queried whether the Council had the expertise to manage the market. A considerable sum had been invested to little effect and it was operating well under capacity. It needed better stalls and a better mix. If a market failed, it meant the operator was failing too. The Council should bring in the necessary expertise to manage it properly or it should be handed over to a professional operator or moved back to Culver Street.

Councillor T. Young, Portfolio Holder for Culture and Regeneration, responded that the market was run by a professional market manager and was performing well, with a good range of stalls.

Councillor J. Scott-Boutell addressed the Council pursuant to the provisions of Council Procedure Rule 7(5) and presented the Mayor with a petition containing nearly 600 signatures entitled "Save Stanway's Lexden Heath Delivery Office". The Delivery Office had operated in Stanway for over 40 years and their employees played an active role in the community. The closure was due to take place in September 2016, although there were rumours that this might take place earlier, with services and employees due to transfer to Moorside. Both employees and customers would need to travel by car to Moorside. This was a difficult and time consuming journey which would only increase congestion. This would also be detrimental to business in Stanway.

The Mayor received the petition, which was passed to Councillor Paul Smith, Leader of the Council.

143 Mayor's Announcements

The Mayor thanked those Councillors who attended the Civic Service. She had made a number of visits to local business to engage them in her Mayoral Year and to seek sponsorship for events. Tesco were supporting three charity events and also developed a strong link with Beacon House. Sponsorship arrangements and support in kind had also been agreed with Williams and Griffin, New Homes Group, Colchester Round Table, Alderman Sutton, Boydens, Monthind, Anglia Crown, The Mercury Theatre, Tiptree Jam, Colchester Zoo, David Lloyd, Turners, Debenhams, Colchester Borough Homes, Colne Housing, John Fowler Solicitors and Platinum Crown.

The Charity Committee had run three events: the Mayor's Quiz, the Classic Lunch and the Alderton Trusler Trophy Match. In addition the 100th Anniversary of the Battle of the Somme had been marked on 1 July 2016.

The following Mayoral events were scheduled:-

- The Mayors Cricket Tent: 4th August 2016
- The Opening of the Oyster Fisheries: 2nd September 2016
- Walking the Ward: 18th September 2016
- The Classic Lunch: a second helping: 23rd September 2016
- Colchester Fire Swim: 1st October 2016
- Beer Festival: 15th October 2016
- A special screening of "To Kill a Mocking Bird" together with a discussion on tackling racial division at Colchester Arts Centre: 23rd October 2016
- The Oyster Feast: 30th October 2016

144 Annual Scrutiny Report

RESOLVED (UNANIMOUSLY) that the recommendations contained in minute 78 of the Scrutiny Panel meeting of 19 July 2016 be approved and adopted.

145 Notices of Motion pursuant to the provisions of Council Procedure Rule 11

It was proposed by Councillor T. Young and supported by Councillors B. Oxford, Higgins and Willetts that:-

"We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. This Council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

This Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in the Borough of Colchester that they are valued members of our community."

On being put to the vote, the motion was carried unanimously.

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

Questioner	Subject	Response
Verbal Questions		
Councillor L. Scott-Boutell	Would the Leader of the Council agree that that the petition presented to the Mayor earlier in the meeting indicated a strong level of opposition to the closure of the Lexden Heath Delivery Office and what action would he take to support residents on this issue?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, indicated that it did show a strong level of opposition and that he had written to the Post Office to ask for a meeting to discuss the issue.
Councillor Harris	What plans were in place to support the community groups using the Alderman Blaxill site and secure accommodation for them, given the plans to reopen the school in two years?	Councillor Feltham, Portfolio Holder for Business, Opportunities and Leisure, indicated that she would look into the issue.
Councillor Hazell	Whether the Portfolio Holder for Business, Opportunities and Leisure would provide information about the budget for 2015-16 for Gosbecks Archaeological Park, as previously requested?	Councillor Feltham, Portfolio Holder for Business, Opportunities and Leisure indicated that she would forward the information.
Councillor Chillingworth	Whether the administration had any plans for a travellers transit site in the borough and whether it would adopt the same process the Conservative administration had used to successfully identify the travellers site at Severalls Lane?	Councillor Bourne, Portfolio Holder for Housing and Public Protection, explained that the Essex County Travellers Unit was trying to get a commitment for such sites from boroughs across Essex. The provision of a transit site would make it easier to move travellers from unauthorised sites. The administration was content to use the Local Plan process to see if a

		suitable site could be found.
Councillor Wood	Could the Portfolio Holder for Resources confirm that the budget for 2016/17 was a balanced budget? According to her calculations it was not and should be revised and resubmitted.	Councillor Cory, Portfolio Holder for Resources invited Councillor Wood to set out her concerns in writing so they could be addressed.
Councillor Liddy	How the Council's performance on irrecoverable debts compared with other local authorities in the region.	Councillor Cory, Portfolio Holder for Resources, invited Councillor Liddy to submit a detailed written question to which he would respond. However, debts were rigorously pursued.
Councillor Scott	Could the Portfolio Holder for Waste and Sustainability provide an update on the latest position on the waste and recycling options consultation? Had a further report from QA been commissioned?	Councillor Graham, Portfolio Holder for Waste and Sustainability, indicated that the consultation had concluded and the results were being analysed. The conclusions would be announced soon. The report would be circulated to all Councillors in due course and the recommendations from the consultation would be referred to the Scrutiny Panel.
Councillor Lissimore	Could the Portfolio Holder for Waste and Sustainability confirm that the target announced by officers of reporting to Scrutiny Panel and Cabinet on the consultation by September 2016 was still realistic and would he be publishing a plan to increase the levels of recycling?	Councillor Graham, Portfolio Holder for Waste and Sustainability, indicated that he could not be precise on the timing but expected that he would be able to report in September.

Councillor Jarvis	Councillor Jarvis thanked Councillor T. Young for making himself available and sharing information where appropriate and hoped that this would continue as they had the shared aim of improving Colchester's prosperity.	Councillor T. Young, Portfolio Holder for Culture and Regeneration, thanked Councillor Jarvis for his comments.
Councillor Davies	As the Charter Market had started with 100% occupancy rates, and that occupancy rates were now 54% what had happened to the other 46% of occupants.	Councillor T. Young, Portfolio Holder for Culture and Regeneration, explained that he would be looking at occupancy rates with the market manager. However, the occupancy rates were amongst the best of any market in Essex.
Councillor Davies	Would the Portfolio Holder for Community Safety and Licensing be pursuing a policy of tackling inconsiderate parking outside schools?	Councillor Lilley, Portfolio Holder for Community Safety and Licensing, explained that he had asked officers to see what could be done to address the issue and the Civil Enforcement Officers had been asked to visit each school every two weeks. He would brief the Shadow Portfolio Holder when he had further information.
Councillor Davies	Were all websites for which Colchester Borough Council was responsible, kept fully up to date? In particular there was information on the Better Colchester website that was out of date.	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, indicated that every effort was made to keep websites up to date but if Councillors came across out of date or incorrect information, then they should inform the Council.

Councillor Pearson	Did the Leader of the Council have a view on collective Cabinet responsibility for agreed Council policy?	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that all members of the Council and Cabinet had a responsibility to work together to provide the best performance for the people of Colchester. There would on occasions be times when views differ and members may need to represent the views of their residents rather than the views of Cabinet.
Councillor Maclean	Had the Council received any legal advice in respect of the Planning Inspector's decision on Stane Park and whether the Council would be appealing. Given the complexity of the issues, would the possibility of significant costs being awarded against the Council be considered as part of the decision making on any appeal?	Councillor Graham, Portfolio Holder for Waste and Sustainability, indicated that the Council was considering its position and it would be inappropriate to comment further at this stage. The risk of costs being awarded against the Council would be considered as part of the assessment of any appeal.
Councillor Laws	Would the Portfolio Holder for Community Safety and Licensing see what could be done to repair the bridge at Middleborough by the River Lodge and also the condition of the bridge on North Station Road.	Councillor Lilley, Portfolio Holder for Community Safety and Licensing, indicated that he had asked officers to look into both these issues.
Councillor Arnold	Officers had indicated at the Scrutiny Panel meeting that they were not aware of a timetable for the reporting on the outcome of the waste recycling options consultation.	Councillor Graham, Portfolio Holder for Waste and Sustainability, indicated that he would speak to officers to ensure that a timetable was agreed in the near

	Was the Portfolio Holder aware that it was his responsibility to drive the process forward?	future.
Councillor Hazell	Would the Portfolio Holder for Community Safety and Licensing ensure that Gosbecks Primary School was included in the schools visited in respect of inconsiderate parking?	Councillor Lilley, Portfolio Holder for Community Safety and Licensing, explained that all schools would be visited.
Councillor Chapman	Had the Portfolio Holder for housing and Public Protection had enquiries from residents or organisations wishing to self-build and what steps had been taken to match people and plots. Would there be value in further publicity?	Councillor Bourne, Portfolio Holder for Housing and Public Protection, explained that a register had been set up and to date 11 applications had been received. There would be an opportunity through the Local Plan process to match applicants with suitable plots. Information on the scheme was available on the website. It was quite a specialised field and most of those who were interested had already been aware of the scheme.
Councillor Barber	Would the Leader of the Council give residents greater say over the use of New Homes Bonus? The community budgets were not enough to cope with need especially in respect of investment in infrastructure.	Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that each Councillor was given a community budget of £2000 from New Homes Bonus funding, to spend on projects within their ward. In terms of infrastructure, Essex County Council received 20% of New Homes Bonus raised in Colchester and did not

		reallocate any of this back in Colchester.
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147 Amendments to the Constitution

RESOLVED that the decisions proposed in the Monitoring Officer's report be approved and adopted.

148 Schedule of Portfolio Holder Decisions

RESOLVED that the schedules of Portfolio Holder decisions for the period 2 February 2016 – 12 July 2016 be noted.