

# Annual Council Meeting

**Moot Hall, Town Hall, High Street,  
Colchester, CO1 1PJ  
Wednesday, 25 May 2022 at 10:30**

# 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 (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published.

Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

## Have Your Say!

The Council welcomes contributions and representations from members of the public at most public meetings. If you would like to speak at a meeting and need to find out more, please refer to the Have Your Say! arrangements here:

<https://colchester.cmis.uk.com/colchester/HaveYourSay.aspx>.

## Audio Recording, Mobile phones and other devices

The Council streams public meetings for live broadcast over the internet and the recordings are available to listen to afterwards on the Council's YouTube channel. Audio recording, photography and filming of meetings by members of the public is also welcomed. Phones, tablets, laptops, cameras and other devices can be used at all meetings of the Council so long as this doesn't cause a disturbance. It is not permitted to use voice or camera flash functions and devices must be set to silent. Councillors can use devices to receive messages, to access meeting papers and information via the internet. Looking at or posting on social media by Committee members is at the discretion of the Chairman / Mayor who may choose to require all devices to be switched off at any time.

## Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms.

## Facilities

Toilets with lift access, if required, are on each floor of the Town Hall. A water dispenser is available on the first 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.

Colchester Borough Council

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)

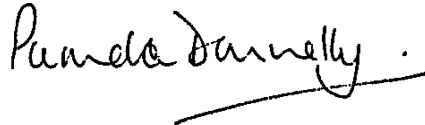
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**COLCHESTER BOROUGH COUNCIL**  
**Council**  
**Wednesday, 25 May 2022 at 10:30**

**TO ALL MEMBERS OF THE COUNCIL**

**Published 17/05/2022**

**You are hereby summoned to attend the Annual meeting of the Council to be held on Wednesday, 25 May 2022 at 10:30 for the transaction of the business stated below.**



**Chief Executive**

**AGENDA**  
**THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING**  
**(Part A - open to the public)**

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

**1 Election of the Mayor**

Motion A

Motion to elect Councillor Tim Young as Mayor of the Borough of Colchester for the ensuing municipal year.

The Mayor to make the declaration and take the customary oath.

The Mayor to return thanks.

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

Motion B

Motion that the minutes of the meeting held on 23 February 2022 be confirmed as a correct record.

**Council minutes 230222**

**7 - 22**

**3 Election of the Deputy Mayor**

Motion C

Motion that Councillor John Jowers be elected as Deputy Mayor for the Borough of Colchester for the ensuing municipal year.

The Deputy Mayor to make the declaration and return thanks.

**4 Vote of Thanks to the Retiring Mayor**

Motion C

Motion of thanks to the Retiring Mayor, Councillor Robert Davidson.

The Retiring Mayor to make an acknowledgement.

**5 Mayor's Chaplain and Other Announcements**

The Mayor to announce the appointment of the Mayor's Chaplain and make other announcements.

**6 Adjournment**

Motion E

Motion to Adjourn

National Anthem (members of the public are asked to remain standing after the National Anthem whilst the Council Procession leaves the Moot Hall).

**7 Have Your Say**

The Mayor will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the business of the Council. Please indicate if you wish to speak at this point if your name has not been noted by Council staff.

**8 Declarations of Interest**

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

**9 Appointment of the Leader of the Council**

Motion F

Motion to appoint the Leader of the Council for the remainder of their term of office.

**10 Delegations Made by the Leader of the Council**

To note the appointments of the Deputy Leader of the Council, the appointment of Cabinet members and the allocation of responsibility for portfolios as determined by the Leader of the Council (to follow).

**11 Appointment of Panels, Committees and Sub-Committees**

Motion G

(i) in accordance with the provisions of section 15 of the Local Government and Housing Act 1989 the number of seats, Group representation and membership of the Environment and Sustainability Panel, Governance and Audit Committee, Licensing Committee, Local Plan Committee, Planning Committee, Policy Panel and Scrutiny Panel (including the Crime and Disorder Committee) be as circulated at this meeting (to follow).

(ii) that the membership of the Independent Remuneration Panel be as circulated at this meeting (to follow).

(iii) that the terms of reference of the Tendring Colchester Borders Garden Community Joint Committee be amended to remove the requirement that one of the members appointed by Colchester Borough Council must be the Chairman of the Local Plan Committee. Therefore Colchester Borough Council's membership of the Joint Committee be 3 members, one of whom must be a member of the Cabinet, all to be appointed by the Leader.

**12 Notification of Urgent Decisions taken under Council Procedure Rule 18 – Adoption of Marks Tey and West Mersea Neighbourhood Plans 23 - 40**

Council is invited to note the decisions taken under Council Procedure Rule 18 (Matters of Urgency) to make the Neighbourhood Plans for Marks Tey and West Mersea.

**13 Motion of Thanks**

Motion H

Motion of Thanks

Motion of Thanks to former Councillors Bourne, Chillingworth, Cope, Crow, Dundas, Hayter, Hazell, Loveland, P. Oxford and Whitehead.

The Mayor to welcome new Councillors Arnold, Bloomfield, Kirkby-Taylor, Law, Mclean, Ripplingale, Smith, Smithson, Spindler and Sunnucks and to invite them to briefly introduce themselves to Council.

**14 Exclusion of the Public (not Scrutiny or Executive)**

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)**

# Council

Wednesday, 23 February 2022

**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 Phil Coleman, 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

**509 Prayers**

The meeting was opened with prayers from Father Alexander Haig.

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

*RESOLVED* that the meetings held on 2 December 2021 and 20 December 2021 be confirmed as a correct record.

**511 Have Your Say! (Hybrid meetings)**

Sir Bob Russell addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). The next Full Council meeting at which business could be discussed was in July 2022. A Special Council meeting should be convened to discuss traffic congestion in Colchester, which had been exacerbated by temporary changes brought in at the start of the pandemic. Essex

County Council were intending to make these changes permanent. This was a relevant issue for the Council as they were the elected representatives of residents who were badly affected. It may also have an impact on the Council's budget through lost car parking revenue. The changes increased pollution which was contrary to their aim of improving the environment. There had no consultation on some of the proposed changes, such as the no entry onto the river bridge on North Station Road, and residents had not been aware of what was proposed until he had delivered leaflets on the issue. A Special Council meeting should be convened and the Council's representations on the issue be sent to Essex County Council.

The Mayor invited Sir Bob Russell to submit his comments in writing so that they could given full consideration.

Paula Crees addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). As a rapidly expanding town with new developments it was important that existing communities such as Greenstead were not overlooked for investment. The considerable investment in Greenstead included in this budget was welcomed. It would enable the development of much needed affordable housing, the redevelopment of Tamarisk Way as a Community Hub and an attractive public space. It was important that these changes were not merely cosmetic They needed to provide real solutions to the challenges faced by residents of Greenstead and make it a better place to live and work. There must be genuine engagement with residents to ensure plans were co-developed and ensure they addressed issues such as low income and anti-social behaviour. Residents wanted a nice place to live and were frustrated by the recent spate of anti-social behaviour and criminal damage. Residents were keen to find solutions which would keep young people occupied and provide an environment they were proud to live in as shown by the recent tree planting initiative. The investment needed to be spent in the best way possible and ensure it made the difference that residents of Greenstead needed and deserved.

Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy responded. He was a member of the Heart of Greenstead Board and was very conscious of the need to engage and listen to what local people wanted. It was important to genuinely consult the community and not to impose solutions. The elected representatives on the Board were all conscious of this. There were plans to bring extra representation on to the Board which he welcomed.

## **512 Mayor's Announcements**

The Mayor announced the following events:-

- Commonwealth Flag Raising, 14 March 2021



- Mayoral fundraiser for St George's Day, 23 April 2022

The Mayor also indicated that this was the last Council meeting for the Chief Executive, Adrian Pritchard, before his retirement on 31 March 2022. He thanked Adrian on behalf of Council for his loyal service and expressed Council's best wishes for a happy retirement.

### 513 Budget 2022/23 and Medium Term Financial Forecast

It was proposed by Councillor Lissimore that the recommendations contained in draft minute 622 of the Cabinet meeting of 26 January 2022 and the recommendations in the report entitled "Precept and Council Tax Levels 2022-23" be approved and adopted

A main amendment was proposed by Councillor King, seconded by Councillor Fox and Councillor Nissen, as follows:-

*That the recommendations contained in draft minute of the Cabinet meeting of 26 January 2022 and the recommendations contained in the Chief Operating Officer's report entitled "Budget 2022-23 and Medium Term Financial Forecast" be approved and adopted, subject to such amendments necessary to give effect to the following resolution, for the reasons and purposes set out below:*

1. ***Recognising the energy and cost of living crisis faced by so many, including the most vulnerable and just about managing.*** Noting that the Government's Council Tax rebate and fuel bills loan will be far too late and too little to stop yet more families falling into fuel poverty, to choose between warmth and food:
1. ***To freeze Council Tax in 2022/23 to help with the public's cost of living and energy crisis at a cost of some £0.32m in 2022/23. And to create:***
2. ***A Colchester Emergency Fund*** targeted help for those in extreme difficulty, whether with food or warmth or other essential needs, as a supplement to national schemes and other support, working through our community partners. at a one off cost of £100k in 2022/23

**1.3 A Crisis Reaction Service**, drawing on our high performing benefits team but strengthening them, acknowledging rising demand. So that they can continue to connect residents to sources of support and to otherwise alleviate hardship, at pace, with partners. At a cost of £50K, in 2022/23 and future years.

## **Cost and Use of Reserves**

*It is recognised that these amendments increase the revenue budget for 2022/23 by £470,000, to be funded by drawing upon unrestricted reserves. These amendments have implications for later years, by increasing the funding gap, from 2023/24 onwards. It is recognised this will have to be addressed by the Council, through further efficiencies, savings or use of reserves. The amendments however are modest in scale relative to the Budget but will provide encouragement, relief and support to many.*

*Because of the referendum principles, a freeze in Council Tax for 2022/23 would be a loss in each year of the MTFF, £320k in 2022/23 or £1.7m across the five years.*

*An updated version of the MTFF agreed by Cabinet in January 2022 is shown below in Table 1, which includes the above proposed amendments. The January MTFF position is shown in Table 2 for comparison.*

**Table 1**

### **2022/23 Budget and MTFF – Proposed amendments above**

	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>25/26</b>
	£'000	£'000	£'000	£'000
<b>Previous year's budget</b>	<b>21,747</b>	<b>22,025</b>	<b>22,030</b>	<b>23,365</b>
<i>Cost pressures &amp; Growth items</i>	2,319	396	900	900
<i>Capital financing</i>	0	609	385	(276)
<i>Income losses</i>	0	(150)	(200)	(200)
<i>Savings</i>	(2,045)	(146)	(50)	(50)

<i>Change in forecast use of new homes bonus</i>	4	(704)	300	0
<b>Current year's budget</b>	<b>22,025</b>	<b>22,030</b>	<b>23,365</b>	<b>23,739</b>
<i>Business rates</i>	(6,413)	(5,956)	(5,500)	(5,044)
<i>Govt Grant</i>	(568)	0	0	0
<i>New Homes Bonus</i>	(1,954)	(950)	(950)	(950)
<i>Council Tax</i>	(12,980)	(13,425)	(13,878)	(14,339)
<i>Previously planned use of reserves</i>	810	935	935	935
<i>Covid use of reserves</i>	(920)	(400)	(200)	(200)
<b>Budget Gap Cumulative</b>	<b>0</b>	<b>2,234</b>	<b>3,772</b>	<b>4,141</b>

**Table 2**

<b>2022/23 Budget and MTFF – January Cabinet</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>25/26</b>
	£'000	£'000	£'000	£'000
<b>Previous year's budget</b>	<b>21,747</b>	<b>21,875</b>	<b>21,980</b>	<b>23,315</b>
<i>Cost pressures &amp; Growth items</i>	2,169	496	900	900
<i>Capital financing</i>	0	609	385	(276)
<i>Income losses</i>	0	(150)	(200)	(200)
<i>Savings</i>	(2,045)	(146)	(50)	(50)
<i>Change in forecast use of new homes bonus</i>	4	(704)	300	0
<b>Current year's budget</b>	<b>21,875</b>	<b>21,980</b>	<b>23,315</b>	<b>23,689</b>
<i>Business rates</i>	(6,413)	(5,956)	(5,500)	(5,044)
<i>Govt Grant</i>	(568)	0	0	0
<i>New Homes Bonus</i>	(1,954)	(950)	(950)	(950)
<i>Council Tax</i>	(13,300)	(13,757)	(14,221)	(14,693)
<i>Previously planned use of reserves</i>	810	935	935	935
<i>Covid use of reserves</i>	(450)	(400)	(200)	(200)

**Budget Gap Cumulative**

**0**

**1,852**

**3,379**

**3,737**

Councillor Lissimore indicated that the main amendment was not accepted.

A main amendment was proposed by Councillor Goacher as follows:-

*That the recommendations contained in the draft minute of the Cabinet meeting of 26 January 2022 and the recommendations contained in the Chief Operating Officer's report entitled "Budget 2022-23 and Medium Term Financial Forecast" be approved and adopted, subject to such amendments necessary to give effect to the following proposals for the reasons and purposes set out below:*

*The U.K. is one of the most nature depleted countries in the world, according to the World Wildlife Fund's 2019 'Living Planet Report', which placed the U.K. in 189th place out of 218 countries. According to a further report by the Natural History Museum (London), the U.K. has just 53% of its biodiversity left compared to a 75% global average. There is an ecological emergency as well as a climate emergency and the U.K. is facing an ecological recession with 41% of species having declined since 1970.*

*It is not always easy for members and officers to fully appreciate the ecological impact of policy initiatives without expert advice.*

*In this context, Colchester Council needs an in-house ecologist to oversee and advise officers and members on the ecological impact of all that we do and to liaise with outside organisations and experts. They would work alongside officers responsible for the climate emergency and Woodland Project.*

*Therefore it is proposed that:-*

- £34,000 per annum be allocated to fund the recruitment and appointment of an in-house Ecology Officer post.*
- For the first year this would be funded out of reserves and for subsequent years to be part or fully funded out of savings made by reducing funding to ecologically damaging projects as identified by the Ecology Officer. Thus part of their role becoming to fund their own job via conducting an ecological audit of Council activities."*

Councillor Lissimore indicated that the main amendment was not accepted.

On being put to the vote the main amendment proposed by Councillor King was lost (TWENTY FOUR voted FOR and TWENTY SIX voted AGAINST).

Further to the provisions of Council Procedure Rule 15(3) a named vote was taken and the voting was as follows:-

FOR: Councillors Barton, Bourne, Burrows, Chuah, Coleman, Cope, Cory, Cox, Fox, Goacher, Goss, Hogg, King, Lilley, Luxford Vaughan, McCarthy, Nissen, Pearson, Scordis, Scott-Boutell, Warnes, Whitehead, J. Young and the Deputy Mayor (T. Young).

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

On being put to the vote the main amendment proposed by Councillor Goacher was lost (TWENTY THREE voted FOR, TWENTY FIVE voted AGAINST and TWO ABSTAINED from voting).

Further to the provisions of Council Procedure Rule 15(3) a named vote was taken and the voting was as follows:-

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

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

ABSTAINED: The Mayor (Davidson) and the Deputy Mayor (T. Young).

On being put to the vote the motion proposed by Councillor Lissimore was carried (TWENTY SIX voted FOR and TWENTY FOUR voted AGAINST).

FOR: Councillors Barber, Bentley, Buston, Chapman, Chillingworth, Crow, Dundas, Ellis, Hagon, Hayter, Hazell, Jowers, Laws, Leatherdale, Lissimore, Loveland, Maclean, Mannion, Moore, B. Oxford, G. Oxford, P. Oxford, Tate, Willetts, Wood and the Mayor (Councillor Davidson).

AGAINST: Councillors Barton, Bourne, Burrows, Chuah, Coleman, Cope, Cory, Cox, Fox, Goacher, Goss, Hogg, King, Lilley, Luxford Vaughan, McCarthy, Nissen, Pearson, Scordis, Scott-Boutell, Warnes, Whitehead, J. Young and the Deputy Mayor (Councillor T. Young).

#### **514 Resetting the Capital Programme and Capital Strategy**

**Councillor Warnes (as a member of the Board of Colchester Commercial Holdings Ltd) declared a non-pecuniary interest in the following item pursuant to the provisions of Council Procedure Rule 11(5)**

*RESOLVED* that the recommendations contained in draft minute 623 of the Cabinet meeting of 26 January 2022 be approved and adopted (UNANIMOUS).

#### **515 Councillor Development Policy**

*RESOLVED* that the recommendations contained in draft minute 632 of the Cabinet meeting of 26 January 2022 be approved and adopted (UNANIMOUS).

#### **516 Questions to Cabinet Members and Chairs pursuant to Council Procedure Rule 10**

Questioner	Subject	Response
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Pre-notified questions		
Councillor Cox	What was the outcome of the bidding process that closed on 9 November 2021 in relation to the purchase of the former ABRO site? If CBC's own bid was unsuccessful, can Councillors and Officers be briefed – in confidence if necessary – on the successful bid?	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, explained that although the Council had put in a very competitive bid, it had not been successful. The identity of the successful bidder was not known at this stage. They would need to comply with the robust Supplementary Planning Document for the site. A briefing would be arranged when more information was available.
Councillor J. Young	Greenstead and Longridge residents are already suffering the consequences of development in Tendring up to our border at Salary Brook including drainage works our side of the river to facilitate the 145 homes Bellway Homes are building. Can I have the Leader of the Council's assurance that the 1.5km buffer zone protecting the Salary Brook local nature reserve will be adhered to in the DPD being developed ?	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, explained that the DPD was being developed in line with Section 1 of the Local Plan. It was due to be considered by the Tendring Colchester Borders Garden Community Joint Committee. The recommended option did leave a significant buffer and this would be subject to consultation. The responses to the consultation would shape the final DPD so members should engage with the consultation if they wished to influence the outcome. The final DPD would be subject to approval by Council.
Councillor J. Young	I fully support investment in the Castle to enable appropriate catering to take place to enhance the visitor experience, but do we really need our Jewel in our Crown, Colchester Castle, converted into a gin bar ? If this plan proceeds how will this be made accessible to all and our historic asset be protected?	Councillor Laws, Portfolio Holder for Economy, Business and Heritage, stressed that the Castle and its staff were highly valued. However there was no catering facility and he believed that it was an idea worth exploring, although there were no concrete plans at this stage. Parts of the Castle were

		<p>inaccessible and this needed to be addressed in the next capital bid. The previous administration had leased out parts of the Town Hall for use as a bar.</p>
<p>Councillor Lilley</p>	<p>Could the Council set up a pump to help relieve the continuous problem of the flooding at the Hythe. The Hythe Task Group keeps talking the talk but the road still floods. Will the Portfolio Holder agree to get a pump in and help business and motorists from this nightmare? Would the Council seek contributions from all partners to pay for the installation of the pump now?</p>	<p>Councillor Crow, Portfolio Holder for Environment and Sustainability, indicated that the Council was working with partners to identify a solution to the problem. This had included work to test the capacity of Distillery Pond to store the freshwater flow at peak times. The Council had agreed with Essex County Council to fund the tide flap valve. The Council was not the responsible authority. As the situation was complex and longstanding a multi-agency approach was the right one and the Hythe Task Force helped facilitate this. At the last meeting, Essex Fire and Rescue Authority had suggested a high volume pump be used and tested at the earliest available opportunity. The Environment Agency and Essex County Council, as the responsible authorities, had indicated they would look into potential funding sources for this. These issues would be discussed further at the next meeting of the Task Force. Considerable progress had been made over recent months to solving a longstanding problem to which there was not a simple solution.</p>
<p>Councillor Fox</p>	<p>Please could the Portfolio Holder confirm that for the plan period to 2033, the Tendring/Colchester Borders Garden Community will deliver a 50/50 split between the two authorities with</p>	<p>Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, explained that the existing position was that to 2033 the housing would be split between the</p>



	regards to meeting our housing target and the proportion of affordable housing that will be delivered?	<p>two authorities with approximately 1100 each. In terms of affordable housing, the percentage of affordable housing would be 30%. But the available affordable housing to Colchester would be 0. Beyond 2033 there was no sharing of the housing numbers. There was no formal agreement on these issues.</p> <p>However, an agreement in writing had now been reached with Tendring District Council to share the housing numbers to 2033 as in Section 1 of the Local Plan, to share the affordable housing to 2033 and the intent to share the housing numbers and affordable housing for the complete build out of the Garden Community. This had corrected an oversight by the previous administration. This was a positive development as it would give residents access to more affordable housing, particularly as Tendring was not a member of Gateway to Home Choice.</p>
Oral questions		
Councillor Luxford Vaughan	Would the Leader of the Council confirm that he would not support development south of the A133, if as anticipated the consultation showed this was not welcomed?	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, indicated that it was necessary to have a thorough consultation, and if that was the view that was reflected in the responses to the consultation, he would support it.
Councillor Barber	Following the recent storms, some residents had been left without power for several days and felt that there was	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy explained that whilst he

	a gap in the support provided and in emergency planning. Would the Leader of the Council or relevant Cabinet member work with him, local councillors and partners to assist in drawing stronger tailored contingency plans to support residents when power was lost?	believed that UK power networks had responded well in difficult conditions, he would support that proposal.
Councillor Hagon	It had been alleged at the July Council meeting that the Conservative Group had misused the Council systems by storing a copy of its manifesto on its network. Could the Leader of the Council make a statement to explain the situation and would the Leader of the Liberal Democrats apologise for the unfounded allegation of impropriety?	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, explained that copies of manifestos of all local political groups were on the Council's network to help officers prepare for any potential administration. It was for the Leader of the Liberal Democrat Group to consider whether any apology was necessary.
Councillor Buston	Given the rare but welcome unanimity of concern about the situation in Ukraine would the Leader of the Council write to the Prime Minister expressing support for the government's stance on the issue.	Councillor Dundas, Leader of the Council and Portfolio Holder for Strategy, expressed his concern about the situation in Ukraine and that he would be happy to do so.
Councillor Warnes	There had been multiple instances of graffiti bearing the same tag. At the recent Scrutiny Panel meeting, the Portfolio Holder for Communities had indicated that information about tags was not recorded. Would the Portfolio Holder make available sufficient resources and management controls so there was a full suite of deterrents in place? Simply cleaning up graffiti was not enough. There needed to be processes in place to provide police with sufficient evidence to act, such as cataloguing tags. Unless this was done, the recently adopted Graffiti Strategy was worthless.	Councillor B. Oxford, Portfolio Holder for Communities stressed that graffiti was a police matter and that she was working with the police to find a way forward. She was investigating why tags were not recorded and if they should be. She would keep Councillor Warnes informed.

Councillor Harris	Residents had expressed concern that there were several “bought back” ex council houses – notably in Rockhampton Walk and Prince Charles Road , that were standing empty for some time. Could the Portfolio Holder for Housing and Planning confirm whether there was a dated plan to make these homes habitable? Could a list of properties that were waiting to be improved and brought back and the date in which was anticipated they would return to use be provided?	Councillor Ellis, Portfolio Holder for Housing and Planning, indicated that he would provide a written answer. Housing was brought to up to a very high standard which took time. A further company had been taken on to speed up the work on properties under the 100 Homes project.
Councillor Harris	Could the Portfolio Holder for Communities confirm if there was a way of adding additional multi-use litter and dog waste bins, purchased through section 106 funds or locality budgets for example, on existing collection routes?	Councillor B. Oxford, Portfolio Holder for Communities, explained that litter bins could already be used as dog waste bins. Adding additional bins would lead to an increase in collection times.
Councillor Goss	Could the Portfolio Holder for Environment and Sustainability explain why recyclable material from town centre recycling bins was not being recycled but sent to landfill? He had already raised this with officers so that appropriate notices were put on the bins.	Councillor Crow, Portfolio Holder for Environment and Sustainability indicated that a written answer would be sent.
Councillor Goss	Could the Portfolio Holder for Environment and Sustainability explain what would be done to clear litter from the A12?	Councillor Crow, Portfolio Holder for Environment and Sustainability, indicated that Highways England were the responsible authority. Responsibility was delegated to the Council but no funding provided and the work was scheduled in with the other responsibilities. Specialist safety measures were required and the overgrown verges made it difficult. Highways England had indicated these would be cut soon. The new EV vehicles would

		increase the Council's capacity to deal with this issue.
Councillor Scordis	Could the Portfolio Holder for Environment and Sustainability explain why there had been no prosecutions for flytipping and what would be done to increase the number of prosecutions? Other Councillors and he had provided evidence but the cases had not been taken forward and he understood that the practice of officers issuing fines for flytipping had been stopped.	Councillor Crow, Portfolio Holder for Environment and Sustainability, explained that evidence was required to bring a prosecution. The last case had been brought in October 2020. Legal advice was taken on all potential cases, but there was little purpose in bringing prosecutions in cases the Council was unlikely to win. The number of fixed penalty notices for littering in the street and flytipping had increased in this municipal year which showed the issue was being taken seriously. A written answer would be provided on the issues relating to evidence provided by Councillors and the alleged change in practice.
Councillor Hagon	There had been an excellent response in Stanway to the first electric waste vehicle and would the Portfolio Holder for Environment and Sustainability consider using it in Stanway, should it be taken on trial again?	Councillor Crow, Portfolio Holder for Environment and Sustainability, indicated it had been taken on trial. The feedback about it from crews had been very positive and if it was used again he would consider using it in Stanway.
Councillor J. Young	Could the Portfolio Holder for Environment and Sustainability explain what information he had received about the electric waste vehicle and what reassurance could be provided about whether it would provide value for money?	Councillor Crow, Portfolio Holder for Environment and Sustainability, explained that he did not have the technical specification and was aware that it was very expensive. The Council was not in a position to invest in such vehicles yet and was probably four years away from being able to do so. The major limitation on that particular vehicle was its range. However the Council was committed to using this technology in future as part of its

		response to the Climate Emergency.
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**517 Approval of Non Attendance**

*RESOLVED* that the recommendations in the Monitoring Officer's report be approved and adopted (UNANIMOUS).

**518 Schedule of Portfolio Holder Decisions**

*RESOLVED* that the schedule of Portfolio Holder decisions covering the period 20 November 2021 to 10 February 2022 be noted.



**25 May 2022**

<b>Report of</b>	<b>Assistant Director, Corporate and Improvement</b>	<b>Author</b>	<b>Richard Clifford</b> ☎ 507832
<b>Title</b>	<b>Notification of Urgent Decisions taken under Council Procedure Rule 18 – Adoption of Marks Tey and West Mersea Neighbourhood Plans</b>		
<b>Wards affected</b>	Marks Tey and Layer, Mersea and Pyefleet		

## 1. Executive Summary

1.1 The Neighbourhood Plans for Marks Tey and West Mersea had successfully completed the process of examination and approval at referendum and were referred to the Council to be made (approved) as part of the Colchester Local Plan.

1.2 Full Council is legally required to ratify the Neighbourhood Plans within 8 weeks of receipt. As there were no Council meetings scheduled within 8 weeks of when the Plans were referred to the Council, the decision to ratify each of the Neighbourhood Plans was taken under the urgency provisions of the Council Procedure Rules.

1.3 When decisions are taken under the urgency provisions this must be reported to the next meeting of Full Council and this report meets that requirement.

## 2. Recommended Decision

2.1 Council is invited to note the decisions taken under Council Procedure Rule 18 (Matters of Urgency) to make the Neighbourhood Plans for Marks Tey and West Mersea.

## 3. Reason for Recommended Decision

3.1 Urgent decisions taken under Council Procedure Rule 18 must be reported to the next meeting of Council.

## 4. Alternative Options

4.1 No alternative options are presented.

## **5. Background Information**

5.1 The Neighbourhood Plans for Marks Tey and West Mersea had successfully completed the process of examination and approval at referendum and were referred to the Council to be made (approved) as part of the Colchester Local Plan.

5.2 Neighbourhood Plans and legally required to be made by Full Council within 8 weeks of receipt. As there were no Council meetings scheduled within 8 weeks of when the Plans were received by the Council, the decision to make each of the Neighbourhood Plans was taken under the urgency provisions set out in rule 18 of the Council Procedure Rules. The decisions were taken by the Monitoring Officer on 7 April 2022 following consultation with the Mayor and the Chair of the Scrutiny Panel. Details of the decisions were circulated to all Councillors.

5.3 The details of the decisions to approve the Neighbourhood Plans, including information on how the Plans were prepared, the consultation undertaken and how they were examined, are set out in the reports which are attached as appendices to this report as follows:-

- Appendix A report and decision notice in respect of the Neighbourhood Plan for Marks Tey
- Appendix B report and decision notice in respect of the Neighbourhood Plan for West Mersea

## **6. Standard References**

6.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management implications arising from this report.

6.2 The standard references arising from the decisions to approve the Neighbourhood Plans are set out in the relevant report.

## **Appendices**

- Appendix A report and decision notice in respect of the Neighbourhood Plan for Marks Tey
- Appendix B report and decision notice in respect of the Neighbourhood Plan for West Mersea



## COLCHESTER BOROUGH COUNCIL

### RECORD OF DECISIONS TAKEN UNDER URGENCY PROVISIONS

#### Explanatory Note

Rule 18(1) of the Council Procedure Rules provides that where the Proper Officer considers that a matter of urgency has arisen in connection with a non-executive function and requires a decision before the next regular meeting of the Council, the Proper Officer after consultation with the Chairman of the Scrutiny Panel, or in whose absence, the Deputy Chairman of the Scrutiny Panel, shall have the power to act and shall report the action to the next ordinary meeting of the Council; provided that no action shall be taken under this provision in any matter which cannot be delegated by the Council.

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#### Part A – To be completed by the appropriate Officer

**Title of Report**

Adoption of the Marks Tey Neighbourhood Plan

**Emergency, Urgency or Delegated Decision**

Urgent decision pursuant to Rule 18 of the Council Procedure Rules

**Decisions Taken**

That the Council makes (adopts) the Marks Tey Neighbourhood Plan following its approval at referendum.

**Scrutiny**

Has the Chairman of the Scrutiny Panel been consulted in advance of the decision being made?

Yes

**Conflict of Interest**

Specify any conflict of interest declared by any Cabinet member who is consulted by the Officer taking the decision

None

**Dispensation by Head of Paid Service**

Specify any dispensation granted by the Head of Paid Service in relation to any conflict of interest declared by any Cabinet member who is consulted by the Officer taking the decision

None

**Dispensation by Monitoring Officer**

Specify any dispensation granted by the Monitoring Officer in relation to any conflict of interest in relation to the Members' Code of Conduct declared by the Officer taking the decision.

None

**Approved by Monitoring Officer (Designation)**

**Signature: Andrew Weavers**

**Date: 8 April 2022**

**Part B – To be completed by the appropriate Councillor(s)**

**I confirm that the above named officer consulted me in relation to the above matter.**

**Position Chair of Scrutiny Panel**

**Signature: Cllr Mark Cory**

**Date: 8 April 2022**

**I confirm that the above named officer consulted me in relation to the above matter.**

**Position Mayor**

**Signature Cllr Robert Davidson**

**Date: 7 April 2022**

**PART C - To be completed by Democratic Services**

**Officer Decision Reference Number**

***OFF-02-21***


**Implementation Date**

This decision has been published on the Council's website and can be implemented on 8 April 2022

**Signature Richard Clifford**



**25 May 2022**

<b>Report of</b>	<b>Assistant Director of Place and Client Services</b>	<b>Author</b>	<b>Catherine Bailey</b>
<b>Title</b>	<b>Adoption of the Marks Tey Neighbourhood Plan</b>		 <b>282530</b>
<b>Wards affected</b>	Marks Tey		

## **1. Executive Summary**

- 1.1 The Marks Tey Neighbourhood Plan has successfully completed the process of examination and approval at referendum and has now come before the Council to be made (adopted) as part of the Colchester Local Plan.
- 1.2 Due to the legal requirement for the Full Council to ratify the results of the referendum within 8 weeks, this decision was approved in accordance with the urgency provisions contained in the Council Procedure Rules.

## **2. Recommended Decision**

- 2.1 That the Council makes (adopts) the Marks Tey Neighbourhood Plan following its approval at referendum.

## **3. Reason for Recommended Decision**

- 3.1 To ensure the Council's planning policies provide a robust basis for decisions on future planning applications in the Borough.
- 3.2 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft neighbourhood plan, then the neighbourhood plan must be 'made' by the local planning authority within 8 weeks of the referendum.

## **4. Alternative Options**

- 4.1 There is no alternative option. Not adopting the Neighbourhood Plan would be contrary to the positive approach to Neighbourhood Plans found in National Planning Policy Framework and Planning Guidance. If the majority of those who vote in a referendum are in favour of the draft Neighbourhood Plan, then the neighbourhood plan must be made by the Local Planning Authority.

## **5. Background Information**

- 5.1 Colchester Borough Council designated the Marks Tey Neighbourhood Plan Area on 16 September 2015 for the purpose of preparing a Neighbourhood Plan (in accordance with The Neighbourhood Planning (General) Regulations 2012). The plan area includes the whole of Marks Tey parish.
- 5.2 During the course of the preparation of the Neighbourhood Plan, the Marks Tey Neighbourhood Plan Steering Group carried out a significant number of meetings, consultation events and publicity. This included the following:
- Regular public meetings
  - Public consultation events, including hard to reach groups such as young people, and commuters using the railway station.
  - Residential, business and housing needs survey
  - Establishment and maintenance of dedicated webpages on the Marks Tey Parish Council website ([https://marksteyparish.org.uk/?page\\_id=69](https://marksteyparish.org.uk/?page_id=69) )
  - Postings on social media
  - Press releases
- 5.3 The Neighbourhood Plan does not allocate sites for housing due to the limitations caused by the capacity of the existing road network and ongoing uncertainties as to when upgrades to the A120 might take place. There have also been uncertainties due to the Colchester Braintree Borders Garden Community being rejected in the Section One Local Plan examination and the resultant delay to the adoption of the emerging Local Plan. No sites are therefore allocated in the emerging Local Plan. The Plan contains 15 Policies that cover a wide range of issues including housing mix and choice; local character and heritage; Local Green Spaces; traffic and transport; business; infrastructure; creating walking and cycle friendly neighbourhoods and business and employment. In addition, a number of Community Projects are proposed.
- 5.4 Colchester Borough Council appointed an independent examiner, Mr Peter Biggers, to examine the Neighbourhood Plan in August 2021. The Examiner's Report was issued in October 2021 and concluded that subject to modifications recommended by the examiner being made to the document, the Neighbourhood Plan satisfied all the Basic Conditions set out in legislation and should proceed to Referendum.
- 5.5 The Referendum on the Marks Tey Neighbourhood Plan was held on 17<sup>th</sup> March 2022 with the following results: 308 votes recorded in favour of the plan and 41 against, which amounts to 88% in favour.
- 5.6 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft neighbourhood plan then the neighbourhood plan must be 'made' by the local planning authority within 8 weeks of the referendum. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum. Due to there being no Full Council meetings within the 8 week period, this decision was approved in accordance with the urgency provisions contained in Council Procedure Rule 18.
- 5.7 The Portfolio Holder for Housing and Planning has also been consulted and is content that Full Council adopts the Marks Tey Neighbourhood Plan.

## **6. Equality, Diversity and Human Rights implications**

- 6.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link: [Equality Impact Assessments · Colchester Borough Council](#).
- 6.2 There are no particular Human Rights implications.

## **7. Strategic Plan References**

- 7.1 Effective strategic planning supports the Strategic Plan 2020-23 which includes a commitment to create great places to live through the provision of new homes with infrastructure and facilities that support sustainable living and promote health and wellbeing. The Marks Tey Neighbourhood Plan will contribute towards achieving these objectives.

## **8. Consultation**

- 8.1 The preparation of the Marks Tey Neighbourhood Plan was underpinned by extensive public consultation. The consultation process was documented in a Consultation Statement submitted along with the Neighbourhood Plan document as part of the examination process.

## **9. Publicity Considerations**

- 9.1 Both Marks Tey Parish Council and Colchester Borough Council have publicised the Neighbourhood Plan on their respective websites.
- 9.2 On adoption, the document will be made available on the Colchester Borough Council and Marks Tey Parish Council websites, and stakeholders will be notified, in accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.
- 9.3 Neighbourhood planning is generally seen as a positive activity and any publicity arising should be seen in this light.

## **10. Financial implications**

- 10.1 Colchester Borough Council is financially responsible for organising the examination and referendum for Neighbourhood Plans in their areas. The Council can however reclaim £20,000 from the Department for Levelling Up, Housing and Communities for all Neighbourhood Plans once a date is set for a referendum following a successful examination. These payments have been made by Central Government to Local Authorities to reflect the additional financial burdens associated with supporting Parish Councils or Neighbourhood Plan Forums prepare Neighbourhood Plans. The grant will cover the cost of the examination and referendum.

## **11. Health, Wellbeing and Community Safety Implications**

- 11.1 None identified.

## **12. Health and Safety Implications**

- 12.1 None identified.

### **13. Risk Management Implications**

- 13.1 The adoption of the Marks Tey Neighbourhood Plan will help ensure that the Council's planning policies are robust and up-to-date and help to reduce the risk of inappropriate development being permitted.

### **14. Environmental and Sustainability Implications**

- 14.1 In order to support the achievement of sustainable development, the Neighbourhood Plan aims to ensure that new development will be both sustainable and improve life for the community without prejudicing lives for future generations. The plan contains objectives that include ensuring that any proposed development provides footway and cycleway links, encouraging residents to walk and cycle; preserving and enhancing the distinctive characteristics of Marks Tey including maintaining a separate identity for neighbouring Parishes; protection and enhancement of environmental qualities including existing, hedgerows and wildlife corridors; delivery of environmental improvements through regeneration opportunities including existing employment and business areas; ; and ensuring that a stronger sense of community is created and maintained
- 14.2 A screening opinion, carried out under the Environmental Regulations 2004, was undertaken in March 2020 and concluded that the Neighbourhood Plan is not likely to have significant environmental effects and consequently confirmed that a Strategic Environmental Assessment (SEA) is not required.



## COLCHESTER BOROUGH COUNCIL

### RECORD OF DECISIONS TAKEN UNDER URGENCY PROVISIONS

#### Explanatory Note

Rule 18(1) of the Council Procedure Rules provides that where the Proper Officer considers that a matter of urgency has arisen in connection with a non-executive function and requires a decision before the next regular meeting of the Council, the Proper Officer after consultation with the Chairman of the Scrutiny Panel, or in whose absence, the Deputy Chairman of the Scrutiny Panel, shall have the power to act and shall report the action to the next ordinary meeting of the Council; provided that no action shall be taken under this provision in any matter which cannot be delegated by the Council.

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#### Part A – To be completed by the appropriate Officer

**Title of Report**

Adoption of the West Mersea Neighbourhood Plan

**Emergency, Urgency or Delegated Decision**

Urgent decision pursuant to Rule 18 of the Council Procedure Rules

**Decisions Taken**

That the Council makes (adopts) the West Mersea Neighbourhood Plan following its approval at referendum.

**Scrutiny**

Has the Chairman of the Scrutiny Panel been consulted in advance of the decision being made?

Yes

**Conflict of Interest**

Specify any conflict of interest declared by any Cabinet member who is consulted by the Officer taking the decision

None

**Dispensation by Head of Paid Service**

Specify any dispensation granted by the Head of Paid Service in relation to any conflict of interest declared by any Cabinet member who is consulted by the Officer taking the decision

None

**Dispensation by Monitoring Officer**

Specify any dispensation granted by the Monitoring Officer in relation to any conflict of interest in relation to the Members' Code of Conduct declared by the Officer taking the decision.

None

**Approved by Monitoring Officer (Designation)**

**Signature: Andrew Weavers**

**Date: 8 April 2022**

**Part B – To be completed by the appropriate Councillor(s)**

**I confirm that the above named officer consulted me in relation to the above matter.**

**Position Chair of Scrutiny Panel**

**Signature: Cllr Mark Cory**

**Date: 8 April 2022**

**I confirm that the above named officer consulted me in relation to the above matter.**

**Position Mayor**

**Signature Cllr Robert Davidson**

**Date 7 April 2022**

**PART C - To be completed by Democratic Services**

**Officer Decision Reference Number**

***OFF-01-21***

**Implementation Date**

This decision has been published on the Council's website and can be implemented on 8 April 2022

**Signature: Richard Clifford**



**25 May 2022**

<b>Report of</b>	<b>Assistant Director of Place and Client Services</b>	<b>Author</b>	<b>Rachel Forkin</b>
<b>Title</b>	<b>Adoption of the West Mersea Neighbourhood Plan</b>		
<b>Wards affected</b>	West Mersea		

## **1. Executive Summary**

- 1.1 The West Mersea Neighbourhood Plan has successfully completed the process of examination and approval at referendum and has come before the Council to be made (adopted) as part of the Colchester Local Plan.
- 1.2 Due to the legal requirement for the Full Council to ratify the results of the referendum within 8 weeks, this decision was approved in accordance with the urgency provisions contained in the Council Procedure Rules.

## **2. Recommended Decision**

- 2.1 That the Council makes (adopts) the West Mersea Neighbourhood Plan following its approval at referendum.

## **3. Reason for Recommended Decision**

- 3.1 To ensure the Council's planning policies provide a robust basis for decisions on future planning applications in the Borough.
- 3.2 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft neighbourhood plan, then the neighbourhood plan must be 'made' by the local planning authority within 8 weeks of the referendum.

## **4. Alternative Options**

- 4.1 There is no alternative option. Not adopting the Neighbourhood Plan would be contrary to the positive approach to Neighbourhood Plans found in National Planning Policy Framework and Planning Guidance. If the majority of those who vote in a referendum are in favour of the draft Neighbourhood Plan, then the neighbourhood plan must be made by the Local Planning Authority.

## **5. Background Information**

- 5.1 In November 2016, Colchester Borough Council designated the West Mersea Neighbourhood Plan Area for the purpose of preparing a Neighbourhood Plan (in accordance with The Neighbourhood Planning (General) Regulations 2012). The plan area includes the whole of West Mersea Ward.
- 5.2 During the course of the preparation of the Neighbourhood Plan, the West Mersea Neighbourhood Plan Working Group carried out a significant number of meetings, consultation events and publicity. This included the following:
- Regular public meetings
  - Public consultation events
  - Residential, business and housing needs survey
  - Establishment and maintenance of a website (<https://www.merseamatters.uk/>)
  - Regular postings on social media
  - Articles about the Neighbourhood Plan in various local publications
  - Summary leaflets prepared and inserted into local publications
- 5.3 The Neighbourhood Plan does not allocate sites for housing but refers to those allocated in the emerging Local Plan. The Plan contains 19 Objectives, and 28 Policies that cover a wide range of issues including housing; open space, sport and recreation; traffic and transport; business; infrastructure; natural environment and landscape; tourism; heritage; and development design. In addition, a number of Community Aspirations are proposed.
- 5.4 Colchester Borough Council appointed an independent examiner, Mr David Kaiserman, to examine the Neighbourhood Plan in October 2021. The Examiner's Report was issued in December 2021 and concluded that subject to modifications recommended by the examiner being made to the document, the Neighbourhood Plan satisfied all the Basic Conditions set out in legislation and should proceed to Referendum.
- 5.5 The Referendum on the West Mersea Neighbourhood Plan was held on 17<sup>th</sup> March 2022 with the following results: 1,127 votes recorded in favour of the plan and 148 against, or 88% in favour.
- 5.6 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft neighbourhood plan then the neighbourhood plan must be 'made' by the local planning authority within 8 weeks of the referendum. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum. Due there being no Full Council meetings within the 8 week period, this decision was approved in accordance with the urgency provisions contained in Council Procedure Rule 18.
- 5.7 The Portfolio Holder for Housing and Planning has also been consulted and is content that Full Council adopts the West Mersea Neighbourhood Plan.

## **6. Equality, Diversity and Human Rights implications**

- 6.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link: [Equality Impact Assessments · Colchester Borough Council](#).
- 6.2 There are no particular Human Rights implications.

## **7. Strategic Plan References**

- 7.1 Effective strategic planning support the Strategic Plan 2020-23, which includes a commitment to create great places to live through the provision of new homes with infrastructure and facilities that support sustainable living and promote health and wellbeing. The West Mersea Neighbourhood Plan will contribute towards achieving these objectives.

## **8. Consultation**

- 8.1 The preparation of the West Mersea Neighbourhood Plan was underpinned by extensive public consultation. The consultation process was documented in a Consultation Statement submitted along with the Neighbourhood Plan document as part of the examination process.

## **9. Publicity Considerations**

- 9.1 Both West Mersea Town Council and Colchester Borough Council have publicised the Neighbourhood Plan on their respective websites.
- 9.2 On adoption, the document will be made available on the Colchester Borough Council and West Mersea Town Council websites, and stakeholders will be notified, in accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.
- 9.3 Neighbourhood planning is generally seen as a positive activity and any publicity arising should be seen in this light.

## **10. Financial implications**

- 10.1 Colchester Borough Council is financially responsible for organising the examination and referendum for Neighbourhood Plans in their areas. The Council can however reclaim £20,000 from the Department for Levelling Up, Housing and Communities for all Neighbourhood Plans once a date is set for a referendum following a successful examination. These payments have been made by Central Government to Local Authorities to reflect the additional financial burdens associated with supporting Parish Councils or Neighbourhood Plan Forums prepare Neighbourhood Plans. The grant will cover the cost of the examination and referendum.

## **11. Health, Wellbeing and Community Safety Implications**

- 11.1 None identified.

## **12. Health and Safety Implications**

- 12.1 None identified.

### **13. Risk Management Implications**

- 13.1 The adoption of the West Mersea Neighbourhood Plan will help ensure that the Council's planning policies are robust and up-to-date and help to reduce the risk of inappropriate development being permitted.

### **14. Environmental and Sustainability Implications**

- 14.1 In order to support the achievement of sustainable development, the Neighbourhood Plan aims to ensure that new development will be both sustainable and improve life for the community without prejudicing lives for future generations. The plan contains objectives that include ensuring that any proposed development provides footway and cycleway links, encouraging residents to walk and cycle; preserving and enhancing existing wildlife corridors; protection and enhancement of designated habitats in their own rights and from the impact of new development; and ensures that where tourism is encouraged it respects the rural countryside, coastal character and natural habitat.
- 14.2 A screening opinion, carried out under the Environmental Regulations 2004, was undertaken in July 2020 and concluded that the Neighbourhood Plan is not likely to have significant environmental effects and consequently confirmed that a Strategic Environmental Assessment (SEA) is not required.