

# Council

Wednesday, 18 July 2018

**Attendees:**

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

**265 Prayers**

The meeting was opened with prayers from the Mayor's Chaplain, the Reverend John Richardson.

**266 Apologies**

Apologies were received from Councillor Goss.

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

*RESOLVED* that the minutes of the meeting held on 23 May 2018 be confirmed as a correct record.

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

Mark Goacher addressed Council pursuant to the provisions of Council Procedure Rule 6(5) on behalf of a number of residents of Castle ward who had expressed concern about the proposed new development at St Botolphs. The Council had promised to develop the area into a cultural quarter. However, the plans proposed a block of student housing which would dominate the area. Concerns had been expressed across all political groups. The proposals included no cultural facilities and were driven by profit. There were major concerns in particular about the size and density of the development. It would block views of Firstsite from Queen Street. The Council should listen to the views of the local community about the future development of the Cultural Quarter, particularly those who cared about the arts.

Councillor Barlow, Portfolio Holder for Commercial Services, responded and explained that proposals for the redevelopment of the area had been discussed since he was first elected in 2007. The original proposals brought forward in 2007 were almost identical in terms of size and mass. It was always envisaged that there would be a residential element to the development. This was a major redevelopment of a brownfield site, and would bring investment and footfall to the Cultural Quarter.

Councillor T. Young, Portfolio Holder for Business and Culture, also responded and stressed that the development would add to the Cultural Quarter. It would provide accommodation for students at the University or the Institute studying the arts. The development would include a performance arts space and would have an art curator. Improved drawing of the development would be produced. The Council would listen to the concerns that had been raised and design changes would be made. The alternative was to start again which would only lead to further delays in the development of the Cultural Quarter.

Victoria Weaver addressed Council pursuant to the provisions of Council Procedure Rule 6(5) in support of the principle of unitary authorities. A unitary authority made government truly local. Unitary authorities also reduced bureaucracy, brought services together and allowed for better strategic decision making, which in turn would strengthened the local business environment. The Policy Review Panel should look at a strategy for the establishment of Colchester as a unitary authority.

Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, responded and explained that he believed there were advantages to unitary authorities, and suggested that she might raise the idea with the Policy and Public Initiatives Panel. He also highlighted that the Council was seeking to work more closely with Essex County Council.

John Akker addressed Council pursuant to the provisions of Council Procedure Rule 6(5). He noted that this was an historic date as it was the 100th anniversary of the birth of Nelson Mandela. A number of members of Council had spoken about the need to drive party politics out of the Local Plan process and he called on Council to make this a

reality. The process needed a consensus across all groups, not just the ruling group, and whole Council support: It was not just a matter for the Local Plan Committee. The Council should also seek to work with and engage community groups and build a consensus with them. The existing Local Plan had some rough edges to it. For example, it was noted that the allocation of new homes for Mersea Island was 200 new homes over two sites, but he understood that it had been stated at a training event that if the Local Plan were approved, planners would press for greater numbers if the sites could take a greater density of housing.

Councillor T. Young, Portfolio Holder for Business and Culture, explained that some of the matters raised were for the Local Plan Committee. He understood that point on the 2 sites issue was incorrect, but he would ask that this be clarified. The Local Plan would come to Full Council for approval and all members would have the opportunity to vote on it. Together with the Leader of the Council he would be holding a listening session with community groups in the near future, and the views expressed would be fed into the Local Plan process.

Mr Orton addressed Council pursuant to the provisions of Council Procedure Rule 6(5) to raise concerns about the service an elderly tenant had received after reporting an issue with her accommodation. She had been given incorrect advice and had to wait an unacceptably long time for repairs. This was contrary to the Council's repairs policy and the Council's housing policies needed to be looked at again. He had sought to discuss the matter with the Portfolio Holder but had not received a response.

Councillor Bourne, Portfolio Holder for Housing and Communities responded and explained it would not be appropriate to discuss the full details of the case at a Council meeting. However she was satisfied that the right policies had been in place and had been followed. The issue had now been resolved, although it was accepted that it could have been resolved more quickly.

## **269 Mayor's Announcements**

The Mayor thanked Councillors for the support he had received since his election and announced the following events:-

- A visit to the Air Ambulance Airfield at Earls Colne on 23 July 2018;
- Essex Wildlife Trust were holding a Family Wildlife Day in the Castle Park on 23 August 2018;
- On 22 September 2018, the Mayor would be walking the new Colchester Orbital Route and Councillors were welcome to join him.

**270 Review of Meetings and Ways of Working - Digital Update**

*RESOLVED* that the recommendations contained in minute 116 of the Governance and Audit Committee meeting of 10 July 2018 be approved and adopted (MAJORITY voted FOR).

**271 Annual Scrutiny Report 2017-18**

*RESOLVED* that the recommendation contained in minute 171 of the Scrutiny Panel meeting of 17 July 2018 be approved and adopted (MAJORITY voted FOR).

**272 Mandatory Member Development**

It was proposed by Councillor King that the recommendation contained in minute 5 of the Member Development Group meeting of 10 July 2018 be approved and adopted.

A secondary amendment was moved by Councillor Arnold that the recommendation contained in minute 5 of the Member Development Group meeting of 10 July 2018 be approved and adopted subject to the deletion of the following words in paragraph (f)

“Where, in the opinion of the Monitoring Officer, the withholding of the payment of the allowance is likely to cause financial hardship then this provision shall not apply”

Councillor King indicated that the secondary amendment was accepted and the motion was deemed amended accordingly.

The motion was then put to the vote and was carried (MAJORITY voted FOR).

**273 Suspension of Procedure Rule 11(2)**

*RESOLVED* that Council Procedure Rule 11(2) be suspended for the following item to enable Council to debate and determine the motion.

**274 Modern Slavery and Procurement**

It was proposed by Councillor Liddy that:-

This Council resolves:

1. To ensure that the Council’s procurement practices do not support modern

slavery the Council will adopt and apply the Co-operative Party's Charter Against Modern Slavery (as far as is legally possible), by

- Training its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
  - Requiring its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
  - Challenging any abnormally low-cost tenders to ensure they do not rely upon a potential contractor practising modern slavery.
  - Highlighting to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
  - Publicising its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
  - Requiring its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
  - Reviewing its contractual spending regularly to identify any potential issues with modern slavery.
  - Highlighting for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies.
  - Referring for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
  - Reporting publicly on the implementation of this policy annually, in accordance with CBC Modern Slavery Act 2015 Transparency Statement 2016/17.
2. Ensure that it will do everything reasonably possible to tackle modern day slavery in line with the Local Government Association's guidance and that it will also seek to ensure that any company that it has shares in will also do everything reasonably possible to tackle modern day slavery in line with the Local Government Association's guidance.
  3. Write to government to ask that support for victims of modern day slavery is extended beyond the current 45 days.

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

**275 Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10**

Questioner	Subject	Response
Questions		
Councillor Laws	Could the Leader of the Council guarantee that the Zones teams will be given the resources to keep on top of their work especially in respect of street cleaning, and would appropriate enforcement action be taken against those who drop cigarette butts?	Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, explained that the administration was providing a further £300,000 towards cleaning up and promoting the town centre. Enforcement action would be taken against those who dropped cigarette butts.
Councillor Barber	Could the Portfolio Holder for Housing and Communities arrange for policies to be reviewed so that brownfield sites owned by Colchester Borough Homes on estates could be made available for residents' parking?	Councillor Bourne, Portfolio Holder for Housing and Communities, explained that housing land was an asset that was managed by Colchester Borough Homes and any use had to be in accordance with the Housing Revenue Account Business Plan. A number of brownfield garage sites had been redeveloped as Council housing sites.  The Council was looking to undertake feasibility studies on other such sites and bid for funding from

		<p>central government for funding to build more Council housing. It was rare for such sites to be used for parking provision. If the details of particular sites were provided she would look into the position.</p>
Councillor Fox	<p>Could the Portfolio Holder for Business and Culture provide details of the ballot on the Business Improvement District and what benefits it would bring?</p>	<p>Councillor T. Young, Portfolio Holder for Business and Culture, explained that 85% had voted in favour, on a 35% turn out, which was a comparatively high turnout for a BID ballot. It would be for the BID board to decide how to spend the BID levy. The Board was looking to involve all types of businesses in its decision making. The Council would not be reducing its services in the town centre, so businesses could only gain.</p>
Councillor Buston	<p>Councillor Buston provided details of questions he had asked of Cllr Lilley, Portfolio Holder for Planning, Community Safety and Licensing, in respect of the travellers on King George V playing field.</p>	<p>No response necessary.</p>
Councillor Moore	<p>Given that the Council promoted Mersea Island as a tourist destination, what further resources would be put in place to improve infrastructure and enforcement of bye laws? At</p>	<p>Councillor T. Young, Portfolio Holder for Business and Culture explained that Mersea Island was an important part of Colchester's tourism offer. He had held</p>

	<p>what point would Mersea Island reach saturation point in terms of tourism?</p>	<p>productive meetings with West Mersea Town Council, and was liaising with other Portfolio Holders to see what extra resources could be provided.</p>
<p>Councillor Jarvis</p>	<p>Why did the administration's views towards the Tollgate Village development change following the election? Could the administration also rethink its strategy towards the proposed St Botolph's development?</p>	<p>Councillor T. Young, Portfolio Holder for Business and Culture explained that the administration took a pragmatic view. Tollgate Village had been granted permission on appeal, and there would no benefit in continued dispute. They had met the developers and been reassured that they were not looking to damage the economy of the town centre.</p> <p>The principles of the St Botolph's development were right and would lead to a high quality development which would complement the cultural quarter.</p>
<p>Councillor Luxford Vaughan</p>	<p>Residents in Wivenhoe had reacted positively to the idea of funding Police Community Safety Officers (PCSOs). Did the investment in the alliance plan mean an increase in the police presence on the streets?</p>	<p>Councillor Lilley, Portfolio Holder for Planning, Public Safety and Licensing explained that the Council had suffered from a lack of police officers. Some additional funding had been made available and would be used to fund PCSOs. An announcement would be made in due course, once the final details had been agreed</p>

		with the police. The priority would be for an increased presence in the town centre. It was accepted that rural areas wanted a more visible police presence and the administration would look at provision in rural areas also. Communities could also fund a Special Constable, who had powers of arrest.
Councillor Pearson	Could the Chairman of the Planning Committee confirm that she was familiar with the Planning Committee Procedures Code of Practice and that she would abide by the section 1 of the Code?	Councillor Hazell, Chairman of the Planning Committee, confirmed that she was familiar with the Code of Practice and would look at section 1.
Councillor Barton	Following discussions with Drury Road allotment holders, did the Council have a robust allotments policy and was there an effective enforcement policy to ensure that plots that were not being used were made available to those on the waiting list? Was it possible for the holders of plots to take over the maintenance of the site?	Councillor Bourne, Portfolio Holder for Housing and Communities, explained that there was currently a waiting list of two people for Drury Road allotments.  The Council did welcome applications for allotment holders to become site stewards. Site stewards were given appropriate training and had access to officers for advice and guidance on the management of the sites.
Councillor Davies	Could the Portfolio Holder for Resources provide reassurance that the item on Strategic Plan Spending	Councillor King, Portfolio Holder for Resources, indicated he was happy to provide such a

	<p>Priorities recently considered by Cabinet would be referred to the Scrutiny Panel and when would this take place?</p>	<p>reassurance. More details on the proposals would follow soon and this would be brought forward to the Scrutiny Panel as early as it could be. The administration was working on a principle of openness on the proposals.</p>
<p>Councillor Davies</p>	<p>Could the Portfolio Holder for Planning, Community Safety and Licensing confirm that the additional funding for PCSOs would be from the additional £1.95 million allocated in the Strategic Plan Spending Priorities report? Could he provide reassurance that this would be an ongoing commitment and that funding would be made available in the base budget to fund this on an ongoing basis?</p>	<p>Councillor Lilley, Portfolio Holder for Planning, Community Safety and Licensing, indicated that it would be funded from the £1.95 million. The proposals were for more than funding for a PCSO and the full details would be announced once agreed. The detailed figures would be brought to the meeting of the crime and Disorder Committee in September.</p>
<p>Councillor Jarvis</p>	<p>Would the Leader of the Council distance himself from personal comments made about the competency of the Chair of Planning Committee both immediately after her first meeting as Chair and in this meeting?</p>	<p>Councillor Cory, Leader of the Council and Portfolio Holder for Strategy, explained that he was seeking a new approach. There had been political “knockabout” from both sides in the past. The comments were not attacks but criticisms but he hoped that criticism could be made in a more constructive way in future.</p>

**276 Renaming the Policy Review Panel**

*RESOLVED* that the decision contained in the report by the Assistant Director, Policy and Corporate, be approved and adopted.

**277 Schedule of Portfolio Holder Decisions**

*RESOLVED* that the Schedule of Portfolio Holder decisions for the period 6 February 2018 - 28 June 2018 be noted.