

Council

Wednesday, 26 July 2017

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 Robert Davidson, Councillor Beverly Davies, Councillor John Elliott, Councillor Andrew Ellis, Councillor Daniel Ellis, Councillor Annie Feltham, Councillor Adam Fox, Councillor Martin Goss, Councillor Dominic Graham, Councillor Dave Harris, Councillor Pauline Hazell, Councillor Mike Hogg, Councillor Brian Jarvis, Councillor John Jowers, Councillor Darius Laws, Councillor Cyril Liddy, Councillor Michael Lilley, Councillor Sue Lissimore, Councillor Derek Loveland, Councillor Fiona Maclean, Councillor Jackie Maclean, Councillor Patricia Moore, Councillor Beverley Oxford, Councillor Gerard Oxford, Councillor Chris Pearson, Councillor Lee Scordis, Councillor Rosalind Scott, Councillor Jessica Scott-Boutell, Councillor Lesley Scott-Boutell, Councillor Paul Smith, Councillor Martyn Warnes, Councillor Dennis Willetts, Councillor Barbara Wood, Councillor Julie Young, Councillor Tim Young

198 Prayers

The meeting was opened with prayers by the Mayor's Chaplain, the Reverend Hannah Cooper.

199 Apologies

Apologies were received from Councillors Higgins and P. Oxford

200 Minutes (Council)

RESOLVED that the minutes of the meeting held on 24 May 2017 be confirmed as a correct record.

201 Have Your Say! (Council)

Councillors Smith (as Director of North Essex Garden Communities) and T. Young (as Alternate Director of North Essex Garden Communities) declared a non-

pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

Simon Crow addressed Council pursuant to the provisions of Council Procedure Rule 7(5). He noted the proposals to develop two large garden communities, but queried where the jobs to support such large increases in population would come from. A number of major employers had left Colchester and had not been replaced. Little was done to attract new employers. The Knowledge Gateway and new business units would not create sufficient jobs alone. Unless plans were put in place to attract major employers, the West Tey garden community in particular would become a large dormitory settlement for commuters.

In response, Councillor Smith, Leader of the Council and Portfolio Holder for Strategy, explained that the jobs would be created alongside new housing development. In the last year, over 4,000 jobs had been created, which was greater than the number of houses built. The Knowledge Gateway was ensuring that Colchester was able to retain graduates and the new office development in Sheepen Road demonstrated how the Council supported local employers and the creation of quality jobs. All the units in the Queen Street business incubation centre had been filled and these business would grow and create further employment. Large employers, such as Curzon, were being attracted to Colchester. Whilst 21,000 people commuted out of the borough to work, 23,000 commuted in and the Council would seek to retain this balance.

Mark Goacher addressed Council pursuant to the provisions of Council Procedure Rule 7(5) to express concerns about the provision of public transport. Essex County Council were planning cuts to local bus services, in particular to No. 70 and No 75 services. He has been contacted by a concerned resident in Tiptree who would no longer be able to make evening trips to Colchester, if these cuts were implemented. He queried what efforts the Borough Council was making to lobby Essex County Council to stop the cuts to bus services.

Councillor Smith, Leader of the Council and Portfolio Holder for Strategy explained that he had discussed the issue with Councillor Bentley, Deputy Leader of Essex County Council, who took the concerns of residents seriously. An announcement would be made in due course.

Pauline Bacon addressed Council pursuant to the provisions of Council Procedure Rule 7(5). Through the experiences of her family and through her work in adult social care she was aware of the impact of dementia. She welcomed that Colchester had aspirations to be a dementia friendly community and Colchester Borough Council had signed up to the Dementia Action Alliance. However much more needed to be done. As well as more funding towards a cure, a social change was necessary. People needed to engage with and help those suffering from dementia. Colchester Borough Council needed to use its influence on suppliers, customers and colleagues to make Colchester

a dementia friendly community.

Councillor Bourne, Portfolio Holder for Housing and Communities, thanked Pauline for her comments. Colchester Strategic Partnership was leading on the Dementia Action Alliance in Colchester and a wide range of business and public bodies were involved. However, they did need more businesses in particular to come on board and help raise awareness. It would be beneficial for members to have greater awareness of the impact of dementia on their communities and how it stopped people accessing services.

Mr Orton addressed Council pursuant to the provisions of Council Procedure Rule 7(5) to express his concern about the cleanliness of the town centre, which he believed was dirty. There were also a number of other issues about the condition of the town centre, such as loose paving stones, subways in poor condition and graffiti. In addition, the Town Hall clock was not showing the correct time. This created a bad impression with tourists. There appeared to be no leadership and no plan to improve matters.

Councillor Lilley, Portfolio Holder for Public Safety and Licensing responded and explained that following concerns Mr Orton had expressed at Cabinet, he had done a tour of the town centre with him. A number of problems had been reported as a consequence. However, some of the issues were quite complex and a number were for partners and other authorities. It was for individual businesses to maintain their shopfronts and subways were an issue for Essex Country Council as Highways Authority. The Council had written to all town centre businesses inviting them to work with the Council to help maintain the condition of the town centre.

Councillor Smith presented the Mayor with a petition from local residents opposing cuts to the No. 66 bus service.

202 Mayor's Announcements

The Mayor reminded members about the ceremony to mark the 100th Anniversary of the Battle of Passchendaele on 21 July 2017.

203 Review of Meetings and Ways of Working

RESOLVED that the recommendations contained in minute 57 of the Governance and Audit Committee of 27 June 2017 be approved and adopted (Unanimous).

204 Annual Scrutiny Report

RESOLVED that the recommendation in minute 127 of the Scrutiny Panel meeting of 18 July 2017 be approved and adopted.

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

(i) Reduction in the Voting Age

Annesley Hardy addressed Council pursuant to the provisions of Council Procedure Rule 7(5) to express her concern about the potential moulding of the political views of children by adults. Through her work as a teacher she had experience of teachers seeking to influence the political views of pupils and colleagues. Should the voting age be reduced how was it proposed to protect students and pupils from such influences.

It was proposed by Councillor T. Young that:-

“This Council:-

Notes how successful reducing the voting age was in Scotland during the Independence referendum in engaging and enthusing young people in the political and democratic process. Therefore this Council:-

- o Supports reducing the voting age to 16;

Resolves to work with schools, colleges, youth groups and other interested parties in the Borough to lobby in favour of a reduction in the voting age;

- o Resolves to notify the government and the Electoral Commission that Colchester Borough is willing to offer itself as a trial area for a reduction in the voting age during the next set of Borough Council Elections.”

Councillor Barber proposed a main amendment as follows:-

The motion on the reduction of the voting age be approved and adopted subject to the addition of the following words after “Resolves” in the third bullet point:-

“to consult with the Essex Youth Parliament on this matter before considering whether”

Councillor T. Young indicated that the main amendment was accepted and the motion was therefore amended accordingly, as set out below:-

“This Council:-

Notes how successful reducing the voting age was in Scotland during the Independence referendum in engaging and enthusing young people in the political and democratic

process. Therefore this Council:-

- o Supports reducing the voting age to 16;
- o Resolves to work with schools, colleges, youth groups and other interested parties in the Borough to lobby in favour of a reduction in the voting age;
- o Resolves to consult with the Essex Youth Parliament on this matter before considering whether to notify the government and the Electoral Commission that Colchester Borough is willing to offer itself as a trial area for a reduction in the voting age during the next set of Borough Council Elections.”

The amended motion was put to the vote and was approved and adopted (majority voted for).

(ii) Borough of Sanctuary

Maria Wilbey and Rahaf Alghalyoun addressed Council pursuant to the provisions of Council Procedure Rule 7(5) and thanked Council for its decision to accept a number of refugees fleeing from Syria. Rahaf explained how she had resettled in Colchester and the opportunities it had opened for her and her family. Colchester had not just provided the practical help she needed but also had been a welcoming environment for her and her family.

Emma Gibby and Emily Warren addressed Council pursuant to the provisions of Council Procedure Rule 7(5) to explain the work of a group called Friends Not Foes that had been established at the Sixth Form College. They had done a project in support of unaccompanied children in camps at Calais and had helped with the pop up Syrian café at Firstsite. They also provided help supporting refugees with their driving theory tests and provided social opportunities to help support the integration of refugees into the community.

It was proposed by Councillor Scott that:-

“Colchester Borough Council has been instrumental in providing services and support for refugees under a variety of Home Office schemes over the years. Most recently the Council gave unanimous support to instigate the Syrian Vulnerable Persons Resettlement Scheme working with Essex County Council, public sector and voluntary sector partners. We are proud of our achievement in welcoming 12 Syrian families over the past 18 months.

In order to strengthen our commitment to those who face the ordeal of being separated from their families and home this Council pledges to:

- continue to do all in its power to welcome and assist refugees and all those forced to seek sanctuary in our Borough.
- ensure services and resources are accessible, including by signposting, translation, and advocacy.
- acknowledge the pledges of institutions, businesses, individuals and families across Colchester.
- declare ourselves as a Borough of Sanctuary, following the examples of other local authorities already signed up to the City of Sanctuary principles.”

Councillor Hazell proposed a main amendment as follows:

The motion on Borough of Sanctuary be approved and adopted subject to the deletion of the words “all those” in the first bullet point and their replacement with the words “the most vulnerable people from war-torn countries”.

Councillor Scott indicated that the main amendment was not accepted and on being put to the vote the main amendment was lost (majority voted against).

The motion was put to the vote and was unanimously approved and adopted.

(iii) Safety of buildings and housing

RESOLVED that Council Procedure Rule 11(2) be suspended for this motion to enable Council to debate the motion at this meeting.

It was proposed by Councillor J. Young that:

“This Council recognises and applauds the heroic effort of the London Fire Service attending the horrific Grenfell Tower fire; action which demonstrates the very best of public service. We further pay tribute to and commend the community and voluntary organisations who pulled together to support the victims of this tragic fire in their hour of need.

This Council believes that all councils must take action to ensure people are safe and remain safe. Therefore this Council will continue to undertake a thorough investigation into all buildings owned and maintained by Colchester Borough Council to ensure that any cladding is fire resistant and, if not, action is taken to resolve this.

Additionally this authority will investigate changing planning policy to ensure that any new application for high rise accommodation, houses in multiple accommodation (HMOs), care homes and sheltered accommodation include sprinkler systems.

This Council also undertakes to retro-fit sprinkler systems into HMOs or sheltered

housing schemes owned by this authority as part of future refurbishment plans.”

Councillor Goss proposed a main amendment as follows:-

The motion on the safety of buildings and housing be approved and adopted subject to the deletion of the words “undertakes to retrofit” in paragraph 4 and their replacement with the words “requests that the Cabinet investigates the retro-fitting of”

Councillor J. Young indicated that the main amendment was accepted and the motion was therefore amended accordingly, as set out below:-

“This Council recognises and applauds the heroic effort of the London Fire Service attending the horrific Grenfell Tower fire; action which demonstrates the very best of public service. We further pay tribute to and commend the community and voluntary organisations who pulled together to support the victims of this tragic fire in their hour of need.

This Council believes that all councils must take action to ensure people are safe and remain safe. Therefore this Council will continue to undertake a thorough investigation into all buildings owned and maintained by Colchester Borough Council to ensure that any cladding is fire resistant and, if not, action is taken to resolve this.

Additionally this authority will investigate changing planning policy to ensure that any new application for high rise accommodation, houses in multiple accommodation (HMOs), care homes and sheltered accommodation include sprinkler systems.

This Council also requests that the Cabinet investigates the retro-fitting of sprinkler systems into HMOs or sheltered housing schemes owned by this authority as part of future refurbishment plans.”

The amended motion was put to the vote and was unanimously approved and adopted

(iv) Penalty on neglect of local authority to remove refuse

It was proposed by Councillor Willetts that:-

“Council informs Cabinet of its opinion that Parliament should be petitioned to re-introduce the principle espoused in the Public Health Act 1875 that if a local authority, without reasonable excuse, fails to collect the waste designated by the Authority for removal, that local authority should be liable to pay to the occupier of such households a financial penalty for every day during which the default continues.”

On being put to the vote the motion was lost (majority voted against).

206 Objection to Proposals Contained in Network Rail's Draft (Essex and Others Level Crossing Reduction) Order Transport and Works Act 1972

Councillor Lilley, Portfolio Holder for Public Safety and Licensing proposed that the recommendations contained in the report by the Assistant Director, Policy and Corporate be approved and adopted.

RESOLVED (UNANIMOUSLY) that the recommendations contained in the report by the Assistant Director, Policy and Corporate, be approved and adopted and that the Council oppose the proposals contained in Network Rail's draft (Essex and Others Level Crossing Reduction) Order in relation to the proposed closures of the following level crossings:-

E41 Paget Road, Wivenhoe
E42 Sand Pits, Alresford
E51 Thornfield, Wakes Colne
E52 Golden Square, Mount Bures

207 Amendment to the Scheme of Delegation to Officers

RESOLVED that the recommendation contained in the Monitoring Officer's report be approved and adopted.

208 Schedule of Portfolio Holder Decisions

RESOLVED that the Schedule of Portfolio Holder decisions for the period 4 February 2017 - 5 July 2017 be noted.

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

In view of the late hour it was agreed that written responses would be sent to the pre-notified questions.

The Mayor indicated that he would convene a meeting with the Group Leaders to consider how the business at Council meetings could be managed in order to ensure that the scheduled business could be completed.

