

## **Council – 23 October 2012**

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Minutes of the meeting of **Council** held on **23 October 2012** when there were present:-

Chairman: Cllr Mrs J A Mockford  
Vice-Chairman: Cllr Mrs B J Wilkins

Cllr Mrs P Aves	Cllr Mrs G A Lucas-Gill
Cllr C I Black	Cllr M Maddocks
Cllr M R Carter	Cllr Mrs J E McPherson
Cllr T G Cutmore	Cllr D Merrick
Cllr Mrs H L A Glynn	Cllr T E Mountain
Cllr T E Goodwin	Cllr R A Oatham
Cllr K J Gordon	Cllr Mrs C E Roe
Cllr J E Grey	Cllr C G Seagers
Cllr J D Griffin	Cllr S P Smith
Cllr Mrs A V Hale	Cllr D J Sperring
Cllr B T Hazlewood	Cllr M J Steptoe
Cllr Mrs D Hoy	Cllr I H Ward
Cllr M Hoy	Cllr Mrs M J Webster
Cllr K H Hudson	

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs P A Capon, Mrs T J Capon, J P Cottis, C J Lumley, Mrs J R Lumley, Mrs C M Mason, J R F Mason, P F A Webster and Mrs C A Weston.

### **OFFICERS PRESENT**

P Warren	–	Chief Executive
A Bugeja	–	Head of Legal, Estates and Member Services
Y Woodward	–	Head of Finance
S Scrutton	–	Head of Planning and Transportation
J Bostock	–	Member Services Manager

### **215 MINUTES**

The Minutes of the meeting held on 17 July 2012 were approved as a correct record and signed by the Chairman.

### **216 ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman had recently attended many activities, including the High Sheriff's Justice Service at Chelmsford Cathedral, a number of church services and various events organised by volunteer groups across the District. The Vice-Chairman had provided welcome support, including at an Epping Forest Civic Event.

### 217 PETITION

Council received a petition presented by Mrs Claire Powell, a resident of flats in Sudbury Close, Hawkwell. The petition sought re-commissioning of the flats for the over 50's age group in view of anti-social behaviour issues being experienced in relation to younger residents.

The petition would receive an acknowledgement within ten working days.

### 218 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS

Council received the Minutes of Executive and Committee meetings held between the period 7 July to 12 October 2012.

### 219 REFERRAL OF DECISION TO COUNCIL

Pursuant to Overview and Scrutiny Procedure Rule 15(b), a requisition had been received in the names of Cllr C I Black, C J Lumley and R A Oatham requiring that the decision under Minute 185 (Performance Report on Key Performance Indicators for the period April to June 2012) of the meeting of the Executive held on 19 September 2012 be referred to Full Council.

Responding to questions from Cllr C I Black:-

- The Portfolio Holder for Young Persons, Adult Services, Community Care and Wellbeing, Health and Community Safety, Cllr Mrs J E McPherson, confirmed that the detail of publicity issued in relation to alerting residents to the importance of not leaving vehicles insecure on the highway and on driveways would be provided.
- The Portfolio Holder for Planning and Transportation, Cllr K H Hudson, advised that, whilst at first sight the annual trend in relation to planning and enforcement control cases did not look good, the months of preparation required for a six day public enquiry was a significant factor in terms of the officer resource. May 2012 had seen the appointment of an additional enforcement officer and there had been a monthly fall from 542 outstanding cases in June 2012 to 498 in September. The same period had also seen new cases. Cllr C I Black observed that, at this stage, whether some of the outstanding cases would represent a significant time commitment was unknown.

### 220 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

#### (1) Appointment to Rochford Housing Association Board

Council considered the report of the Portfolio Holder for Overall Strategy and Policy direction on the appointment of Cllr P A Capon to the Board of the Rochford Housing Association pending confirmation by Full Council.

**Resolved**

That the appointment of Cllr P A Capon to the Rochford Housing Association Board be confirmed. (HLEMS)

**(2) Essex Police and Crime Panel**

Council considered the report of the Executive containing recommendations relating to the terms of reference for the Essex Police and Crime Panel and the appointment of a substitute representative on the Panel.

**Resolved**

- (1) That the terms of reference for the Essex Police and Crime Panel, as set out in Appendix B of the report of the Chief Executive, be confirmed.
- (2) That Cllr T E Mountain attend as the substitute in the absence of Cllr Mrs J E McPherson, the Council's representative on the Panel. (CE)

**(3) Protocol for Independent Persons**

Council considered the report of the Standards Committee containing a recommendation relating to adoption of an Independent Persons Protocol.

**Resolved**

That the Independent Persons Protocol, as appended to the report of the Head of Legal, Estates and Member Services, be approved and adopted. (HLEMS)

**(4) Mandatory Planning Training Arrangements**

Council considered the report of the Standards Committee containing recommendations relating to arrangements for mandatory planning training.

An amendment to elements of the recommendations was moved by Cllr K H Hudson and seconded by Cllr Mrs H L A Glynn.

It was noted that information relating to the training available for newly elected Members was made available to election candidates.

Responding to questions, the Portfolio Holder for Planning and Transportation, Cllr K H Hudson, advised that:-

- There was no reason why dispensation from the requirement to attend a mandatory training session could not be applied for in advance.

- It could be of value for there to be a specific training session on planning policies supporting reports submitted to the Development Committee. Members should feel free to suggest any training that they would consider to be appropriate.
- In terms of the timing of training arrangements, account needed to be taken of the officer resource.

The value of attendance at planning appeals as a means of developing an understanding of planning processes was recognised.

The motion was carried and it was:-

### **Resolved**

- (1) That four sessions of mandatory planning training will be timetabled to take place during the year, which Members will be expected to attend. Should a Member miss two consecutive training sessions he/she will be rested from the Development Committee until he/she attends a further scheduled mandatory planning training session. The training will be based on a rolling program from one year to the next.
- (2) That a Member who is rested from the Development Committee will be able to speak on an item but not vote (as is now the case for Members who have not attended prescribed mandatory training) until after he/she has attended the next compulsory training session.
- (3) That newly elected Members will need to attend the first possible planning training session (likely to be May). If they miss this they will not become a member of the Development Committee until they have attended a compulsory training session.
- (4) That all hand outs will be provided to Members who have missed any training sessions.
- (5) That the Members' tour of the District be removed from the mandatory training programme as it is inadequate for this to be attended in place of other planning training. The tour to continue to be held, however.
- (6) That, under the new arrangements, there will be a facility whereby a Member can apply for dispensation from a Mandatory Training Session to the Standards Committee. In order to be granted this dispensation it will be expected that the Member will be able to demonstrate that they have achieved the appropriate standard, under their own cognisance, commensurate with the standard of knowledge achieved by their peers which would have been provided by the two training sessions that they had missed. In order to expedite this it is anticipated that a tribunal of three

members of the Standards Committee, the Chairman or Vice Chairman and two others, will meet as soon as possible to hear the application for dispensation. The Monitoring Officer, or his representative, will be in attendance.

- (7) That no 'mop-up' sessions are offered for Members who do not attend mandatory training sessions. (HLEMS)

### **(5) New Homes Bonus Policy**

Council considered the report of the Executive containing a recommendation relating to use of the New Homes Bonus Policy for 2013/14.

#### **Resolved**

That the Council's policy on the New Homes Bonus Policy for 2013/14 be that it should be used to support the General Fund in order to reduce the impact of further Government spending cuts and that this policy be reviewed annually. (HF)

## **221 REPORT ON URGENT DECISIONS**

Pursuant to Overview and Scrutiny Procedure Rule 15(f), Council noted a report on a decision that had been taken as a matter of urgency and not subject to call-in/referral.

## **222 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE**

Council received the following report from the Leader, Cllr T G Cutmore, on the work of the Executive:-

"This is our first Council meeting of the autumn cycle and, in reflecting back over the past few months, it has certainly been quite a busy autumn.

First and foremost we had some very welcome news last month in respect of the legal challenge against the Core Strategy. Mr Justice Singh found in our favour and completely dismissed all the arguments put up by Cogent Land against us. Cogent have wisely, in my opinion, chosen not to seek leave of appeal, and so we can now progress work on the Draft Allocations Pre-Submission Development Plan. The Local Development Framework Sub-Committee will be meeting next week to continue its work on that plan; the intention being to report in with its recommendations to a special meeting of Council, now scheduled for 27 November.

Work on the Pre – Submission version of the Hockley Area Action Plan has now progressed sufficiently so that it can also be considered by the Sub-Committee, and then brought into the November Council meeting.

At the same time, discussions are on-going with Southend Borough Council with a view to fixing a date for the next meeting of the Joint Area Action Plan Forum, so that the Area Action Plan can be progressed.

As a consequence of the above, it appears that the next few Council meetings will have a strong planning flavour.

Over the past few years we've developed a range of successful initiatives around Arts and Crafts and in September we had the Rayleigh Arts Festival in and around Rayleigh Town Centre. From the feedback I've had the Festival was again well received. Next week we have the Rochford Arts Trail in and around Rochford Town Centre. Again we have a wide range of artists participating. I hope it will be as successful as last year's event, which generated a lot of public interest in the town.

Last weekend several hundreds braved the elements to attend the "Apple Day" event in Cherry Orchard Jubilee Country Park to celebrate the official opening of the traditional orchard and the appointment of a "Guardian tree". I understand that the scarecrow competition was a particular success; this was judged by Councillor David Merrick. I would wish to express my appreciation on behalf of the Council for the tireless efforts of our Friends group and the Council staff who made the event possible.

The new Holiday Inn at the airport opened for business at the start of this month. The local Rochford, Rayleigh and Hockley Chambers held an event there on its second day of opening. I was invited along with some other Members to the event, which was attended by about 100 or more local businesses. One interesting fact emerging from Alastair Welch, the managing director at the airport, who spoke at the event, was that August 2012 had seen over 90,000 passengers pass through the airport, compared to just over 3,000 in August 2011. I believe the total number using the airport from April to August this year was more than 368,000. That to me demonstrates the impact the airport is starting to have on the local economy. The challenge for local businesses and also this Council is how best to now capture the spend being generated by that level of growth.

Earlier this month officers and I also had our regular six monthly meeting with the local Parishes. We gave them an insight into the way our funding from Government was likely to change. As always, they wanted to know about planning and the Core Strategy; and we talked to them about the changes coming about in the way the health services will operate locally and initiatives such as the Community Budget, which is on the agenda tonight.

This time of year is when we start to focus on next year's budget. The messages coming out of Central Government are not very promising and suggest we are in for another tough settlement next year. The Head of Finance has organised an initial Member briefing for next week to set the scene for us prior to the Member Awayday on 24 November. I would urge as many Members as possible to attend next week's event.

In addition to the work around the budget and the special Council meeting focussing on Planning, November is starting to look like a very busy month, as it also encompasses the Police and Crime Commissioner elections on 15 November and the planned Peer Review of this Authority the week commencing 19 November.

Since my last Leader's report to the Council in July, there has been two meetings of the Executive. September's Executive looked at first quarter performance, which again is on the agenda this evening, the voluntary sector grants process for 2013/14, and the Essex Police and Crime Panel. Our recommendations on the latter are before Council this evening. We also considered a report relating to secondary glazing and replacement double glazing of the Council Offices and determined the way forward in connection with the Chief Executive's review of staff terms and conditions on Essential and Casual Car Allowances.

October's Executive meeting, which was held last week, monitored progress against decisions taken, recommended a way forward in connection with the New Homes Bonus, which is on tonight's agenda, and agreed a new procurement strategy. We also approved a new community re-use scheme for furniture and electrical goods and considered the latest batch of write-offs under Business Rates and Housing Benefits.

Since the last Council, Executive Colleagues have taken decisions on matters such as the Joint Health and Wellbeing Strategy for Essex, the Rayleigh Windmill Civil Ceremony Promotional Offer, a fare tariff increase for Hackney Carriages, the footpath at Plumberow Mount and the consultation on Business Rates Retention.

As always, I will be happy to take any questions from Members in respect of the work of the Executive and I'm sure my Executive colleagues will be happy to contribute where appropriate."

Responding to questions, the Leader confirmed that the civil marriage ceremony offer at the Mill, Rayleigh was operative.

It was observed that the fact that none of the respondees to the Council's car park survey had experienced theft from their vehicles was positive. It was also observed that 10% of respondees had felt that spaces provided were slightly narrow and that further facilities for parent/child parking would be useful. The Portfolio Holder for Planning and Transportation, Cllr K H Hudson, advised that space width aspects would be given consideration. The Portfolio Holder also referred to the fact that, whilst 74% of respondees had indicated that pricing affected visiting, charges were set at a level that provided for well-lit, well attended and comfortable facilities. All respondees were car park users.

### **223 WHOLE ESSEX COMMUNITY BUDGET**

Council considered the report of the Chief Executive outlining detail around the Whole Essex Community Budget and seeking in principle support and sign-up to the submission to Government and subsequent engagement and implementation of the proposals outlined.

The Leader observed that proposals were both bold and appropriate in the context of the current financial climate.

**Resolved**

- (1) That the principles behind the Whole Essex Community Budget submission to Central Government and contained in the individual business cases be supported.
- (2) That the Council's commitment to work with the County Council and other partners in progressing the delivery of the business cases, with any detailed resource implications specifically related to this Council being reported back for consideration prior to implementation, be confirmed.
- (3) That this Council work with Essex County Council and other Essex partners on the pursuit and negotiation with Government of a 'Deal' for economic growth, with any finalised draft agreement being reported back for consideration and approval by the Council prior to any formal commitment being given to entering into any such agreement. (CE)

**224 ESSEX COUNTYWIDE TRAVELLER UNIT – GOVERNANCE AGREEMENT**

Council considered the report of the Head of Planning and Transportation on approving the arrangements for the Joint Committee that was to be set up to manage the Essex Countywide Traveller Unit.

**Resolved**

That that management arrangements for the Essex Countywide Traveller Unit be accepted and that the Council sign-up to the Essex Countywide Traveller Committee Agreement 2012. (HPT)

The meeting closed at 8.42 pm.

Chairman .....

Date .....

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