

Council – 11 December 2018

Minutes of the meeting of **Council** held on **11 December 2018** when there were present:-

Chairman: Cllr D Merrick
Vice-Chairman: Cllr R R Dray

Cllr J C Burton	Cllr M J Lucas-Gill
Cllr Mrs L A Butcher	Cllr Mrs J R Lumley
Cllr C C Cannell	Cllr Mrs C M Mason
Cllr M R Carter	Cllr J R F Mason
Cllr T G Cutmore	Cllr R Milne
Cllr D S Efde	Cllr Mrs C E Roe
Cllr A H Eves	Cllr S P Smith
Cllr Mrs J R Gooding	Cllr D J Sperring
Cllr J D Griffin	Cllr C M Stanley
Cllr B T Hazlewood	Cllr M J Steptoe
Cllr N J Hookway	Cllr I H Ward
Cllr Mrs D Hoy	Cllr M J Webb
Cllr M Hoy	Cllr Mrs C A Weston
Cllr K H Hudson	Cllr A L Williams
Cllr G J Ioannou	Cllr S A Wilson

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs N L Cooper, Mrs J E McPherson, T E Mountain, R A Oatham, Mrs C A Pavelin, Mrs L Shaw and P J Shaw.

OFFICERS PRESENT

S Scrutton	-	Managing Director
A Hutchings	-	Strategic Director
N Lucas	-	Section 151 Officer
J Bostock	-	Assistant Director, Democratic Services
L Moss	-	Assistant Director, Community & Housing Services
M Power	-	Democratic Services Officer
S Worthington	-	Democratic Services Officer

241 MINUTES

The Minutes of the meeting held on 30 October 2018 were approved as a correct record and signed by the Chairman.

242 DECLARATIONS OF INTEREST

Cllrs T G Cutmore, Mrs J R Lumley, M J Steptoe and Mrs C A Weston each declared a non-pecuniary interest in Item 11 of the Agenda, Motion on Notice, by virtue of being Essex County Councillors.

243 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER OF THE COUNCIL

The Chairman had attended a number of engagements on behalf of the Council and had particularly enjoyed the Mencap Christmas concert, which was delivered in an atmosphere of joy.

244 MINUTES OF THE EXECUTIVE AND COMMITTEE MEETINGS HELD BETWEEN THE PERIOD 22 OCTOBER TO 30 NOVEMBER 2018

Council received the Minutes of the Executive and Committee meetings held between the period 22 October to 30 November 2018.

245 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

Report of the Licensing Committee

Consultation on the Review of the Statement of Licensing Policy (Gambling Act 2005)

Council considered the report of the Licensing Committee on the consultation on the Review of the Statement of Licensing Policy (Gambling Act 2005)

It was noted that the wording in paragraph 1.2 of the report into Council should be: 'There was a consensus that paragraph 3.15 of the policy should be adjusted to make it explicit that casino premises licences should not be issued for the duration of the policy'.

Resolved

- (1) That the updated Statement of Licensing Policy (Gambling Act 2005) be approved.
- (2) That casino premises licences not be issued for the duration of the updated statement of Licensing Policy (Gambling Act 2005).

Reports of the Review Committee

(1) Regulation of Investigatory Powers Act 2000 (RIPA)

Council considered the report of the Review Committee on the Regulation of Investigatory Powers Act 2000 (RIPA)

Resolved

- (1) That the amendments to the Council's RIPA policy set out in Section 4 of the officer report and at Appendix A be approved.
- (2) That the new policy relating to the use of social media in relation to investigations, attached as Appendix B to the officer report, be approved.

(2) Treasury Management 2018/19 Mid-Year Review

Council considered the report of the Review Committee on the Treasury Management 2018/19 Mid-Year Review

The Review Committee wished to thank Matthew Petley, Chief Finance Officer, who would be leaving the authority, for the work he had done for the Committee over the years.

Resolved

That the Treasury Management 2018/19 Mid-Year report be noted.

(3) Report of the Working Party on 'The Voice of the Councillor'

Council considered the report of the Review Committee on the report of the Working Party on 'The Voice of the Councillor'

Resolved

That that the changes proposed to the Notices of Motion section in the Constitution be adopted.

Report of the Executive

Advice Services Contract 2019-22

Council considered the report of the Executive on the Advice Services Contract 2019-22.

Resolved

That the Advice Services Contract 2019-22 be awarded to Citizens Advice Rochford and Rayleigh.

246 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE

Council received the following report from the Leader on the work of the Executive:-

"This is the third Ordinary Council meeting of the 2018/19 Municipal Year and I would like to welcome all Members.

Since the meeting on 30 October, the Executive has met twice, during which considerations included:

- The quarter 2 2018/19 revenue budget and capital position and the latest position on the Council's key performance indicators.
- Delegating authority to the Assistant Director Environmental Services, in consultation with Portfolio Holder for Environment, to approve the grant

award of £45,400 and consequent execution of the project to overhaul the play equipment at Sweyne Park Open Space.

- The contents of the latest version of the Projects Programme Management Office (PMO) Dashboard.
- Agreeing that, in consultation with the Portfolio Holder for Community and the Portfolio Holder for Enterprise, further work is undertaken by officers to explore options for future leisure service provision, following the expiration of the contract with Fusion Lifestyle.
- Agreeing the updated arrangements for the Police, Fire and Crime Panel.

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

247 MOTION ON NOTICE

Pursuant to Council Procedure Rule 13, the following motion had been received from Cllrs M J Steptoe and T G Cutmore:-

‘This Council has noted the review and public consultation that has been launched by Essex County Council in regard to the library provision across the County, including the District of Rochford.

The District Council also recognise that the current library service is outdated and needs modernising.

We encourage all to respond to the consultation as this will shape the way the future service will be delivered.

However, we are mindful that the County Council also has a duty under the 1964 Libraries and Museums Act to provide a library service for our residents. We are largely rural communities and we will endeavour to ensure that Essex County Council also considers this within its review, taking into account the Equality Act 2010 and access to services.

Therefore, this Council pledges to work alongside Essex County Council and the local community in both shaping and delivering future library provision throughout the District and will support the retention of a library service in all the current five existing areas in the District.’

The Motion was moved by Cllr T G Cutmore and seconded by Cllr M J Steptoe.

Speaking against the motion, a Member felt that the consultation document produced by Essex County Council was flawed and contradictory. Although there was a duty to provide a comprehensive and efficient library service, the document stated locations where it was considered unnecessary to provide

library services in order to meet the statutory duty. There were inconsistent opening times in the libraries and downgraded services, which ignored the needs of the most vulnerable members of the community, including those with limited mobility who would be adversely affected by the need to travel further distances to the nearest library. There were many non-book lending activities that took place in libraries, including the provision of a meeting place for groups, a place of safety and IT access and assistance that is used by job seekers.

Cllr Mrs C M Mason moved an amendment to the Motion, seconded by Cllr J R F Mason, that the final paragraph be replaced with “Rochford District Council calls on Essex County Council to retain the five libraries in our District as fully funded library services, maintaining the full digital access that is currently provided and funded, staffed and serviced by Essex County Council in recognition of the community’s wishes and needs”.

A Member, speaking to the amendment, felt that the wording of the motion allowed for the retention of a library service with voluntary and reduced services and that the proposals diminished the opportunity to retain a fully funded library service with the existing full range of services provided.

The Leader of the Council emphasised that the motion sought to encourage residents to engage with the consultation on the County Council’s proposals. The proposals recognised the need for modernisation of the current service and called for a review of the way that services were delivered.

A Member made the point that, while the need for modernisation of the libraries’ premises was accepted, the consultation was to reduce the number of libraries in the District, which did not meet the requirement in the consultation for a maximum of a two mile walk for any resident to a library.

On a requisition pursuant to Council Procedure Rule 17.4 a recorded vote was taken on the amendment to the motion, as follows:-

For (11)	Cllrs J C Burton, C C Cannell, A H Eves, Mrs J R Gooding, N J Hookway, Mrs D Hoy, M Hoy, Mrs C M Mason, J R F Mason, C M Stanley and S A Wilson.
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Against (21)	Mrs L A Butcher, M R Carter, T G Cutmore, R R Dray, D S Efde, J D Griffin, B T Hazlewood, K H Hudson, G J Ioannou, M J Lucas-Gill, Mrs J R Lumley, D Merrick, R Milne, Mrs C E Roe, S P Smith, D J Sperring, M J Steptoe, I H Ward, M J Webb, Mrs C A Weston, A L Williams.
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Abstain (0)

The amendment was declared lost.

In support of the substantive motion, a Member reiterated that as many people as possible in the community should be encouraged to contribute to the consultation. Essex County Council should appreciate that a function of the libraries was to provide a 'community hub'. The need for modernisation of the library service was recognised, including the provision of an improved access to as many books as possible and an increased focus on e-books.

The Leader of the Green and Rochford District Residents Group observed that library use had been measured by calculating the number of library card transactions that had taken place during a period; this did not record other community activity in the libraries. He questioned if Rochford District Council would be willing to take on the role of supporting some of the libraries if the County Council would not support. Offers had been made to take some of the library premises for use as community hubs.

The Leader of the Council reiterated that the consultation ran for twelve weeks from 29 November 2018 and that 7,000 responses had been received to date. There was no practical need for a library lending service to remain in the current buildings and premises in the community had been offered to the library service. To date, no libraries had been closed; the proposals were about providing a better service in the community not saving money. Councillors are well positioned to bring forward suggestions and residents and community groups were encouraged to respond to the consultation on proposals that would shape the way a future library service would be delivered.

On a requisition pursuant to Council Procedure Rule 17.4 a recorded vote was taken on the motion, as follows:-

- For (22) Cllrs Mrs L A Butcher, M R Carter, T G Cutmore, R R Dray, D S Efde, Mrs J R Gooding, J D Griffin, B T Hazlewood, K H Hudson, G J Ioannou, M J Lucas-Gill, Mrs J R Lumley, D Merrick, R Milne, Mrs C E Roe, S P Smith, D J Sperring, M J Steptoe, I H Ward, M J Webb, Mrs C A Weston and A L Williams.
- Against (10) Cllrs J C Burton, C C Cannell, A H Eves, N J Hookway, Mrs D Hoy, M Hoy, Mrs C M Mason, J R F Mason, C M Stanley and S A Wilson.
- Abstain (0)

Resolved

That the Motion as set out in the report be agreed.

248 LOCAL COUNCIL TAX SUPPORT SCHEME 2019/20

Council considered the report of the Section 151 officer, which sought approval for the proposed Local Council Tax Support scheme for 2019/20, to be implemented from 1 April 2019.

The Leader of the Green and Districts Residents Group had a concern that the minimum income floor that would be used by the Council in the calculation of deductible tax and contributions of self-employed earners after two years from start-up would be based on 35 hours per week multiplied by the national living wage/national minimum wage, regardless of the actual income.

In response to a Member question, the Assistant Director, Housing and Community Services advised on their understanding that the full amount of £8,000 in the hardship fund created for people in receipt of Local Council Tax Support who had difficulty paying their Council Tax had been fully spent in the last financial year; this could be confirmed.

Resolved

That the Local Council Tax Support scheme, detailed in the appendix to the report and required under Section 13A of the Local Government Finance Act 1992, be approved to come into effect from 1 April 2019.

(Note: Cllrs N J Hookway and M Hoy wished it to be recorded that they had voted against the resolution.)

249 PAY POLICY STATEMENT 2018/19

Council considered the report of the Managing Director on a revision to the Council's Pay Policy Statement.

In response to a Member question, the Managing Director advised that job evaluations for Leadership Team posts would be carried out by an independent adviser. There was no plan to undertake job evaluations for other Council staff. Council staff did not receive performance-related pay as would be seen in the private sector, although an annual appraisal process took place across the organisation, which may provide awards of additional salary increments within the pay scale. The Managing Director advised that it was his role to ensure the appropriate number and level of posts needed to deliver the Council's services.

The Leader of the Green and Rochford District Residents Group expressed concern that the proposals in the Pay Policy statement would undermine the intentions of Members when the current Leadership Team structure had been devised, following an expensive and extremely detailed process. Recent changes in staff had resulted in there being fewer Assistant Directors in the organisation and the move towards employing more Managers.

The Leader of the Council pointed out that, compared with other local authorities, Rochford had a flat and narrow staffing structure and that the proposed revised Pay Policy Statement would allow the authority to recruit/retain senior staff in the current job market.

Resolved

That the Pay Policy Statement be amended to incorporate the revised local salary grades for Assistant Directors.

250 BREXIT RISK REGISTER

Council considered the report of the Strategic Director on the key emerging implications for the Council of the UK leaving the European Union so far as they are known at the date of the report.

Resolved

That the report and the ongoing work of the Council to understand the emerging implications of Brexit be noted.

251 RESPONSE TO LOWER THAMES CROSSING CONSULTATION

Council considered the report of the Managing Director on the Highways England consultation on the latest proposals for a new motorway crossing over the River Thames connecting Kent and Essex, referred to as the 'Lower Thames Crossing'.

There was concern that the proposed route would not benefit the District in terms of road connections to South Essex. There was further concern regarding the impact of the potential sterilisation of development opportunities in Thurrock Borough as a result of the proposed route on the rest of South Essex.

Resolved

- (1) That the current consultation from Highways England regarding proposals for a Lower Thames Crossing be noted.
- (2) That a response be submitted, as set out in the report, by close of the consultation.

(Note: Cllr M Hoy wished it to be recorded that he had voted against the resolution.)

The meeting closed at 8.40 pm.

Chairman

Date

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