

## Council – 13 February 2024

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Minutes of the meeting of **Council** held on **13 February 2024** when there were present:-

Chairman: Cllr J L Lawmon  
Vice-Chairman: Cllr Mrs S J Page

Cllr Mrs D L Belton	Cllr J R F Mason
Cllr N J Booth	Cllr Mrs J E McPherson
Cllr Mrs L A Butcher	Cllr R Milne
Cllr M R Carter	Cllr G W Myers
Cllr R P Constable	Cllr J E Newport
Cllr J E Cripps	Cllr L J Newport
Cllr A G Cross	Cllr D W Sharp
Cllr A H Eves	Cllr Mrs L Shaw
Cllr I A Foster	Cllr D J Sperring
Cllr Mrs E P Gadsdon	Cllr Mrs D P Squires-Coleman
Cllr J N Gooding	Cllr C M Stanley
Cllr Mrs J R Gooding	Cllr M J Steptoe
Cllr M Hoy	Cllr I H Ward
Cllr Ms T D Knight	Cllr S A Wilson
Cllr R Lambourne	Cllr Mrs V A Wilson
Cllr R C D Linden	Cllr S E Wootton
Cllr Mrs C M Mason	

**Please note that the full livestream of this meeting can be viewed at:**  
<https://www.youtube.com/watch?v=mB13MCQgRv4&t=3371s>

### **58 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr Mrs E L Brewer, Cllr D S Efde, Cllr E O K Mason and Cllr A L Williams

### **59 OFFICERS PRESENT**

J Stephenson - Chief Executive Officer  
S Summers - Strategic Director  
E Yule - Strategic Director  
P Barnes – Director, Assets and Investment  
M Hotten – Director, Environment  
T Willis - Interim Director, Resources  
P Shepherd - Corporate Manager, Revenue and Benefits  
M Stickley – Interim Corporate Manager, Democratic Services  
J Quilter – Corporate Manager, Strategic Planning

### 60 MINUTES

The Minutes of the meeting held on 14 December 2023 be agreed as an accurate record.

### 61 TO RECEIVE DECLARATIONS OF INTEREST

Cllr M J Steptoe declared that he was a member of Barling Magna Parish Council

### 62 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE.

No announcements were made.

### 63 UPDATE ON THE WORK OF THE YOUTH COUNCIL

The Council received a presentation from members of the Rochford District Youth Council. The presentation summarised the Youth Council's mental health campaign, which the Council noted had seen an improvement in mental health self-reporting by students who were participating in this project.

Several members spoke to comment the work of the Youth Council and spoke in favour of further support from Rochford District Council being provided to the Youth Council.

The Leader of the Council, Councillor J R F Mason, invited the Youth Council to contribute to the development of Rochford District Council's strategic plan during the consultation period.

### 64 PUBLIC QUESTIONS

Pursuant to Council Procedure Rule 10, the following questions were received:

From Mr John Payton to the Leader of the Council, Councillor J R F Mason

It is understood that currently there are commercial issues which temporarily prohibit this council from releasing more information and an update concerning the Asset Delivery Programme. However, when these issues are resolved, will the leader agree that the council will bring forward a formal public inquiry into the Asset Delivery Programme so that lessons can be learnt, documented, reviewed publicly and all information be brought to the attention of the taxpayer in a timely and transparent manner?

Response from the Leader of the Council, Councillor J R F Mason

Thank you, Mr Payton, for your question which I will now answer.

Whilst the Council is not able to hold a public enquiry like the Government can the Council utilises its Overview and Scrutiny Committee in reviewing Council decisions and this Committee has reviewed previous documents and decision making and made relevant recommendations on the ADP.

The Council has undertaken external independent Health Check Reviews of the Asset Delivery Programme. Health check Reviews are an essential element of strong governance where the process provides an independent assessment of the health of a project ahead of key decision points.

On the 11th October 2022, the Executive was presented with a Health Check Review by Local Partnerships of the ADP.

Local Partnerships is owned by HM Treasury and the Local Government Association and offers professional independent support to public bodies in the review of strategic projects.

The Overview and Scrutiny Committee considered the Health Check Review of the Asset Delivery Programme at its meeting on 4 October 2022. This health check review is published in the public domain.

Furthermore, the Council previously commissioned a Health Check Review of the ADP by Local Partnerships in February 2019, ahead of drafting the Final Business Case.

Once the Council is able to do so it will release the elements of information it legally is able to, in order to demonstrate the Council's decision making regarding the ADP.

At that point The Council can consider with The Chair of Overview & Scrutiny Committee whether a further review is required on the ADP by The Overview and Scrutiny Committee.

Thank you, Chairman.

### **65 PETITIONS**

There were no petitions

### **66 MEMBER QUESTIONS ON NOTICE**

Pursuant to Council Procedure Rule 12, the following questions were received:

**From Councillor I H Ward to the Lead Member for Strategic Planning,  
Councillor S E Cripps**

Until the change in political administration last May, Conservatives had a very clear and well-publicised policy and declared in the annual monitoring report its preference to build on brownfield sites before developing green belt land. Can the Lead Member for Strategic Planning please tell us what the current administration's position is?

### **Response from the Lead Member for Strategic Planning, Councillor S E Cripps**

In response to the question about where we stand, this new administration supports the optimisation of brownfield opportunities in accordance with the NPPF [National Planning Policy Framework] criteria. In our very first Planning Policy Committee meeting in July 2023, we demonstrated our support in supporting the reworking and update of the brownfield register and then went on to introduce the interactive location map of the brownfield sites, both available on the council website. We believe the register has been given an appropriate level of attention so far and we are committed to revisit the register again during 2024. I would close by highlighting the context of the register: the 33 potential sites could generate circa 15% of the new Local Plan homes target; a very welcome contribution. We support the use of brownfield.

### **Supplementary question from Councillor I H Ward to the Lead Member for Strategic Planning, Councillor S E Cripps**

With reference to the Planning Policy Committee on the 17th of October 2023, I moved a motion which was seconded by Councillor Foster that the council should comply with the NPPF [National Planning Policy Framework] statement that planning policies and decisions should promote the effective use of land making, as much use as possible of previous developed or brownfield land, and I do not understand, actually, the voting because on that particular day members voting in favour of the motion were myself, Councillor Foster, and Councillor Steptoe; but both yourself, Councillor Cripps, Councillor Hoy, and Councillor Newport, the Deputy Leader, actually voted against the NPPF [National Planning Policy Framework] and you know I'm very pleased that you've actually come back and said that you do agree with it but I was quite surprised in what happened in that meeting and why.

### **Response from the Lead Member for Strategic Planning, Councillor S E Cripps**

It's very easily explained. I don't think we need a soundbite to demonstrate our commitment. I think the cross-party Planning Policy Committee has worked together closely and we'll be doing so again on Friday when we've got yet another workshop to tackle some of the other issues and there is no doubt that we are I'll make it quite clear that we support brownfield which has to meet the criteria of the NPPF [National Planning Policy Framework] rules and that's a given.

### **From Councillor Mrs E P Gadsdon to the Lead Member for Strategic Planning, Councillor S E Cripps**

At the 14th of December's full Council meeting, I proposed a motion on notice relating to gypsy and traveller pitches this was attend intended to address a real and current problem designed to protect the green belt from inappropriate applications. The response from the administration was an amendment which referred it to the Planning Policy Committee. The Chairman of the Planning

Policy Committee committed to providing short-term solutions though would not commit to a timescale. My question to the Lead Member for Strategic Planning, therefore, is why did the gypsy and traveller issue not even get onto the agenda for the planning policy committee meeting held on the 16th of January?

### **Response from the Lead Member for Strategic Planning, Councillor S E Cripps**

The simple answer is that very strange circumstances occurred coincident with Christmas, and I'll endeavour to explain to you why it didn't come to the committee. The January Planning Policy Committee agenda was driven by the pre-Christmas delivery of two large officer reports from both Dan Goodman and Phil Drain and the objective was to get them written by those authors before they left the council. Dan Goodman left the day after the full Council you're referring to and Phil Drain a few days later. In the remaining week before the seasonal break their replacements were due to start in January after the break. Because of that it was obvious to me that research and a meaningful report on the longstanding gypsy and traveller issue could not be delivered before the meeting deadline and the meeting deadline for the Christmas break was very harsh so that Corporate Services could get them out on time in the new year. However, with the help of officer Dunn we met with the incoming new Director of Place and the new Corporate Manager of Development and Enforcement and briefed them in detail on this subject. The groundwork work is now underway, and I intend to brief the Planning Policy Committee members this coming Friday during our next workshop session. So, in a nutshell, we couldn't tackle that because we were absent in terms of numbers in the planning department to deal with it and, as you said in your preamble, I made a point of not committing to a timescale.

### **From Councillor D S Efde to the Leader of the Council, Councillor J R F Mason**

In the absence of Councillor D S Efde and with the agreement of the Leader of the Council, the Chairman of the Council read the question:

The financial appraisal for Rochford District Council's 2030 Net Zero Carbon Target report, page 74 paragraph 23, states that 'the initial survey of Freight House identified that significant investment in building fabric measures such as insulation of solid walls and window upgrades made the cost prohibitive'. This appears to suggest that with no budget provision in 2024-25, the Freight House will be moth-balled and left to rot. Furthermore, the intention is to sell off and vacate the council premises in South Street, Rochford. With the current administration's declared intent to reopen the Civic Suite in Rayleigh, reopen Castle Hall in Rayleigh, maintain the Mill Hall in Rayleigh (despite no clear plan to run this cost effectively), can the Leader please outline his vision and say what regeneration of council assets will there be in the east of the district, i.e., specifically in Rochford town?

### Response from the Leader of the Council, Councillor J R F Mason

I'd just like for the record to thank Councillor Efde for his question. The council's intention is to always work with key stakeholders to help shape the future of our places and the development of Rochford is something that can only be done with the community. The joint administration has listened and at the Executive Committee on the 8th of February the following was added to the budget which will be considered at full Council next week on the 20th of February: £25,000 per year marked to enable the consultation and engagement to take place with our residents, businesses, and key stakeholders in respect of the regeneration opportunities in Rochford, taking into account all council-owned assets such as South Street and Freight House. Just for clarity, I expect that the council will have completed its research on a range of options for both the future of the South Street premises and the Freight House soon after the beginning of the next municipal year. There will then be a period of public engagement and consultation on the options which will then be reviewed by appropriate specialist consultants before the council is presented with final options ahead of any decisions being taken. This way the council will create the shared vision working collaboratively with its residents and key stakeholders. I think this is what Councillor Efde was seeking from his question.

### 67 BUSINESS FROM LAST COUNCIL MEETING

The Council considered the Motion on Notice deferred from the meeting held on 14 December 2023.

The motion was moved by Councillor R P Constable and seconded by Councillor Mrs D L Belton.

Members spoke in favour of the motion to encourage greater participation in council decision-making attendance from working members. Other members spoke against the proposal, arguing that it would impede the transaction of urgent business and did not reflect modern day flexible working practices. In response to questions, officers confirmed the practice of holding licensing appeal hearings in the daytime was commonplace to allow applicants and professionals to attend.

The motion was put to the vote and carried.

**RESOLVED:** That Rochford District Council will hold all committee meetings of either Full Council or the Executive during the evening to ensure that maximum inclusivity of both Councillors and members of the public.

For: 18  
Against: 16  
Abstain: 3

**68 TO AGREE THE MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS HELD BETWEEN THE PERIOD 27 NOVEMBER 2023 TO 16 JANUARY 2024**

The minutes were noted.

**69 TO CONSIDER ANY REPORTS FROM EXECUTIVE AND COMMITTEES TO COUNCIL**

**11(1) Report of the Planning Policy Committee – Local Development Scheme 2024-26**

The Council considered a report setting out a forward timetable for the preparation of the development plan documents and other core planning documents as well as an update to the Council's Local Development Scheme.

The recommendations within the report were moved by Cllr J E Cripps and seconded by Cllr J R F Mason.

Council discussed the deadline for plan-making under the current scheme and questioned the timetable within the report which indicated that submission would be after the deadline of 30 June 2025 set by the Secretary of State.

Council discussed the strategic transport assessment, noting that the assessment had been conducted jointly with Essex County Council and that officers would write to members following the meeting confirming the expected timeline and cost. Council further discussed whether flood zones would be identified within the plan.

A motion was moved by Councillor S E Wootton and seconded by Councillor Mrs L Shaw such that:

Under standing order 15.10(e), to adjourn debate on the matter to allow for further information to be provided on the proposed timeline for plan-making, consultation, and submission prior to the Council determining the recommendations on the report.

The motion was put to the vote and fell.

For: 12  
Against: 21  
Abstain: 4

**The meeting was adjourned at 20:58.**

Following the resumption of the meeting, a motion was moved by the Chairman and seconded by Councillor Mrs C M Mason such that:

Under standing order 14(n), that the meeting continue beyond 2½ hours in duration.

The motion was put to the vote and fell.

For: 14

Against: 16

Abstain: 3

The Chairman advised the Council that he would reorder the agenda to take agenda items 14 and 15 following the conclusion of item 11.

As mover of the motion, Councillor J E Cripps notified Council of an amendment of the recommendations within the report:

That the timeline within the report is changed such that a final plan will be submitted to the Secretary of State for independent examination in the second quarter of 2025.

This was agreed by the seconder of the original motion, Councillor J R F Mason.

The amended recommendations were put to the vote and carried.

**RESOLVED:**

1. That the Planning Policy Committee notes the proposed programme plan, set out at Appendix B.
2. That the Planning Policy Committee recommends to Full Council that the Local Development Scheme 2024-26, attached at Appendix A, be adopted and published on the Council's website.
3. That the timeline within the report is changed such that a final plan will be submitted to the Secretary of State for independent examination in the second quarter of 2025.

For: 35

Against: 0

Abstain: 1

**11(2) Report of the Overview & Scrutiny Committee – Quarter 3 Treasury Management Update**

The Council considered a report providing an update of the Council's Treasury Management activity for the period April 2023 to 31 December 2023 in accordance with the Council's Treasury Management Policy.

**RESOLVED:**

That the contents of the Treasury Management Quarter 3 Review 2023/24 report be noted.



### **11(3) Report of the Climate Emergency Committee – Sustainability Strategy Council Progress Report**

The Council considered a report setting out the progress made against the five key targets for 2023/24 drawn from the Council's Sustainability Strategy set by the Climate Emergency Committee.

#### **RESOLVED:**

That the Sustainability Progress report be noted.

### **70 ADOPTION OF THE REVISED CONSTITUTION**

The Council considered a report of the Lead Member, Governance & Communications proposing the revised Constitution to be adopted by Full Council.

The recommendations within the report were moved by Councillor Mrs C M Mason and seconded by Councillor J R F Mason.

In response to a question about whether the agreement of motion agreed under item nine – Business from Last Council Meeting – would be accounted for in the new constitution, the Monitoring Officer confirmed that the proposed new constitution stated that committee meetings would usually be held in the evenings but that this did not apply to meetings of working groups.

An amendment to the recommendations was proposed such that at least one Independent Person and one parish councillor would sit on the sub-committee which reviews complaints against councillors. However, the Chairman informed the Council that the amendment was in contravention of standing order 16.1 as the committee establishment had last been reviewed in December 2023.

#### **RESOLVED:**

That the revised Rochford District Council Constitution be adopted with effect from 21 May 2024.

For: 33

Against: 0

Abstain: 1

### **71 RECOMMENDATIONS OF THE INDEPENDENT REMUNERATION PANEL – SCHEME OF MEMBER ALLOWANCES**

The Council considered a report of the Independent Remuneration Panel recommending to Council a revised scheme of allowances, for Council's approval.

The recommendations within the report were moved by Councillor S E Wootton and seconded by Councillor J R F Mason.

In response to questions, officers confirmed that the Council must have regard for the recommendations of the Independent Remuneration Panel but may choose to adopt a different scheme; and that individual members were entitled to refuse some portion or all of their allowances.

An amendment to the recommendations was moved by Councillor S E Wootton and seconded by Councillor J R F Mason such that a further review of members' allowances be undertaken one year after the introduction of the committee system in May 2024. This was put to the vote and agreed.

Members discussed the proposing of an amendment which would have set allowance rates at the current level for the coming municipal year. In discussion of the ability of members to refuse some or all of their allowance payments, the amendment was withdrawn.

### **RESOLVED:**

1. That the Scheme of Member Allowances recommended by the Independent Remuneration Panel at appendix B be agreed.
2. That a further review of allowances be undertaken during 2026, two years after the implementation of the committee system, to validate that the level of the allowances are reflective of the actual workload and responsibilities of the roles.
3. That the Council adopts a parental leave policy for members, the content of which is to be determined by the Council.

For: 34  
Against: 0  
Abstain: 0

## **72 LOCAL COUNCIL TAX SUPPORT SCHEME**

The Council considered the report of the Lead Member, Resources Climate Change & Economy seeking Council's approval to continue the Local Council Tax Support (LCTS) Scheme and the Discretionary Reduction in Council Tax Liability Policy for 2024/25.

The recommendations of the report were moved by Councillor M Hoy and seconded by Councillor Mrs J E McPherson.

### **RESOLVED:**

1. The Local Council Tax Support Scheme be confirmed from 1 April 2024.
2. The Discretionary Reduction in Council Tax Liability Policy is continued from 1 April 2024.

For: 34  
Against: 0  
Abstain: 0

### 73 POLLING PLACE AND POLLING DISTRICT REVIEW

The Council considered the report of the Joint Director, People & Governance seeking to review the electoral arrangements within 16 months of the scheduled date of a Parliamentary election.

The recommendations of the report were moved by Councillor M Hoy and seconded by Councillor Mrs J E McPherson.

The Council discussed the process of selecting sites of polling places and the consultation undertaken on the proposals.

#### **RESOLVED:**

1. That the polling place for polling district JA in Hullbridge ward be moved from St Thomas of Canterbury Church, Thorpedene Avenue, Hullbridge be moved to Hullbridge Community Centre, Pooles Lane, Hullbridge.
2. No further recommendations and suggest that existing polling places remain the same.

For: 34

Against: 0

Abstain: 0

### 74 MOTIONS ON NOTICE

There were no motions on notice

### 75 REPORT ON URGENT DECISIONS

There were no reports on urgent decisions

### 76 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE

The Leader advised the Council that, following consultation with the Corporate Leadership Team and Lead Members, the following reports would be brought to the Executive meeting on 19 March 2024:

- Materials Recovery Facilities (MRF) Contract
- Update on Energy Company Obligation 4(ECO 4); Great British Insulation Scheme and Home Upgrade Grant 2
- Purchase of Waste & Street Cleansing Vehicles
- Update on Introduction of Separate Food Waste
- Update on The Strategic Assets Programme
- Update on Mill Hall
- Proposal from the Leisure Contract Working Group on the re-assessment of In-house Leisure Provision

The meeting closed at 21.58.

Chairman .....

Date .....

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