

Council – 15 December 2009

Minutes of the meeting of **Council** held on **15 December 2009** when there were present:-

Chairman: Cllr A J Humphries
Vice-Chairman: Cllr D G Stansby

Cllr Mrs P Aves	Cllr J R F Mason
Cllr C I Black	Cllr D Merrick
Cllr Mrs R Brown	Cllr Mrs J A Mockford
Cllr Mrs L A Butcher	Cllr R A Oatham
Cllr P A Capon	Cllr J M Pullen
Cllr T G Cutmore	Cllr C G Seagers
Cllr Mrs H L A Glynn	Cllr M G B Starke
Cllr T E Goodwin	Cllr M J Steptoe
Cllr K J Gordon	Cllr J Thomass
Cllr J E Grey	Cllr Mrs M J Webster
Cllr K H Hudson	Cllr P F A Webster
Cllr Mrs G A Lucas-Gill	Cllr Mrs C A Weston
Cllr M Maddocks	Cllr Mrs B J Wilkins

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs T J Capon, M R Carter, J P Cottis, Mrs J Dillnutt, T Livings, C J Lumley, Mrs J R Lumley and P R Robinson.

OFFICERS PRESENT

R J Honey	-	Corporate Director (Internal Services)
G Woolhouse	-	Corporate Director (External Services)
Y Woodward	-	Head of Finance, Audit & Performance Management
J Bostock	-	Committee Services Manager

328 MINUTES

The Minutes of the meeting held on 27 October 2009 were approved as a correct record and signed by the Chairman, subject to the inclusion of an apology for absence from Cllr Mrs B J Wilkins.

329 ANNOUNCEMENTS FROM THE CHAIRMAN

Carol Services and visits to schools had been a feature of various events attended by the Chairman and the Vice-Chairman since the last meeting.

330 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS

Council noted the minutes of Executive and Committee meetings held between 16 October 2009 and 3 December 2009.

331 REPORTS FROM THE EXECUTIVE AND COMMITTEES

(1) Report of the Licensing Committee – 16 November 2009

Council considered the report of the Licensing Committee containing recommendations relating to the Statement of Licensing Principles for Gambling.

Resolved

- (1) That a 'no casino' resolution be agreed and inserted into the Statement of Licensing Principles for Gambling.
- (2) That the amended Statement of Licensing Principles that will be applied in exercising functions under the Gambling Act 2005 for the 3-year period commencing on 3 January 2010, as set out at Appendix B of the report, be adopted. (HES)

(2) Report of the Executive – 9 December 2009

(a) Independent Remuneration Panel

Council considered the report of the Executive containing a recommendation relating to adoption of the Remuneration Scheme proposed by the Independent Remuneration Panel for 2010/11.

Resolved

That the Remuneration Scheme for 2010/11 proposed by the Independent Remuneration Panel be adopted. (HICS)

(b) Wyvern Community Transport Trust – Change of Appointee

Council considered the report of the Executive containing a recommendation relating to a change of appointee to the Wyvern Community Transport Trust.

The Corporate Director (External Services) read out the contents of a letter dated 14 December 2009 from Mrs June Lumley, the Chairman of Trustees for Wyvern Community Transport, indicating that the organisation no longer wished to invite Rochford District Council to nominate a Member to join its Board of Trustees/Management Committee.

It was agreed that, under the circumstances, there would be no point in progressing an appointment further on this occasion.

332 REFERRAL OF DECISION TO FULL COUNCIL

Pursuant to Overview and Scrutiny Procedure Rule 15(b) a requisition had been received in the name of Cllrs C I Black, Mrs J Dillnutt and C J Lumley

requiring referral to Council of a decision made by the Executive on 9 December 2009 that an Area Committee Chairman, in consultation with the Lead Officer, can reject a question that has been submitted by a member of the public to an Area Committee meeting if it is substantially the same as a question that has been put to a meeting in the past six months.

Cllr C I Black confirmed that he had a concern about the constitutional position of such a facility in the context of paragraph 3.01(c) of Article 3 of the Constitution (participation by citizens). He also felt that it could be more appropriate for any such facility to relate to a specific individual so that a different individual would be able to raise the same question at a future meeting.

With regard to Article 3, the Corporate Director (Internal Services) advised that the proposal provided for a rule of good order at the point when an Area Committee meeting is adjourned to hear questions on any subject from residents. It would not prevent the right of citizens to participate in question time and could be viewed in the same way that structure needs to be in place around how citizens can contribute to investigations by the Review Committee (also provided for under Article 3).

During discussion of the proposed facility, Members observed that:-

- There are a number of restrictions to the scope of questions submitted by the public to Council meetings.
- During the last municipal year the Review Committee had given detailed consideration to all aspects of the work of Area Committees (including those around the Community Forum) and had submitted recommendations that were considered by the Executive.
- Residents would continue to be able to ask questions on any subject. The facility would only be an option available to a Chairman if required.
- It can be recognised that members of particular interest groups may wish to use the Community Forum facility to repeat the same question.

On a show of hands it was:-

Resolved

That the Chairman, in consultation with the Lead Officer, can reject a question that has been submitted by a member of the public to an Area Committee meeting if it is substantially the same as the question that has been put to a Committee meeting in the past six months. (HICS)

Note: Cllr C I Black wished it to be recorded that he voted against the above decision.

333 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 my last report into Full Council in 2009 and, before I go further, can I wish all Members and officers a Merry Christmas and a Happy New Year. Since my last speech in October, we’ve seen the formal publication of the Audit Commission’s Organisational Assessment of the Council under the new Comprehensive Area Assessment (CAA) regime. I am delighted to report we have scored 3 out of 4 for both elements of the Assessment – Use of Resources and Managing Performance.

In the Audit Commission’s own terminology, a 3 equates to an organisation that exceeds minimum requirements – it performs well. I think that such an Assessment, following on from last year’s CPA re-categorisation and the findings arising from the National Place Survey, demonstrate how well the Council is doing. Further evidence comes via our recent national award for our recycling performance and national recognition for our Shop at My Local Campaign. Whilst we can never be complacent, I think it is appropriate, on the receipt of such news, for all Members and officers to congratulate themselves on a job well done.

The challenge will be for us all to maintain this momentum and continue to search for ways to improve our services, given the likelihood of a decline in overall public sector finances and the amount of money which this Council receives from Central Government in the form of grant.

The Executive has formally met on 2 occasions in November and December. We’ve continued to receive reports on our performance this year; we’ve considered our capital programme and looked at our overall financial management for the year based on the latest information. In advance of our November Member budget away-day, we looked at the Medium Term Financial Strategy and received a position update. Clearly, our budgetary position will remain a challenge, particularly in the post general election period when the extent of the cutbacks required in the public sector will be revealed. May I, at this point, thank all Members who attended the first Members’ away day a few weeks ago. I think it was a worthwhile and informative exercise for all of us who attended and something which I believe makes the whole budget setting process that much more understandable and easier to progress through its various stages. I would encourage all Members to try to attend the second budget away-day on 16 January when, hopefully, we can make real progress in bringing all the budget strands together and agreeing a way forward, prior to the budget setting Council meeting on 26 January 2010.

At our meeting last week we agreed the way forward on Cherry Orchard Country Park in terms of budget and the projects to progress. We also took

decisions on matters related to actual projects to be delivered on the ground – at Rawreth Lane Playing Fields to address the car parking issue and at Clements Hall Playing Fields concerning new bridleway provision. We considered the report of the Independent Remuneration Panel on Member's remuneration and concurred with their recommendations.

Since the Council meeting in October, the various Member Portfolio Holders have made decisions relating to the Urban Tree Planting Scheme, the ICT Contract Renewal and a variety of planning related matters from the Rayleigh Town Centre Action area plan consultation through to the East of England Plan Consultation – Scenarios for Housing and Economic Growth up to 2031.

The Portfolio Holder for Planning and Transportation has also taken the decision to again allow free car parking on the last four Saturday mornings before Christmas. That is in addition to the free Saturday afternoon, all day Sunday and evening parking throughout the year residents and visitors already enjoy. From the feedback I've received, I have no doubt that in the current financial climate this continues to prove to be a good decision, demonstrating the Council's support as part of the wider Shop at My Local Campaign for our local town centres.

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

Reference was made to how it was pleasing that the car park extension at the Rawreth recreation field and the bridle path extension at Clements Hall, Hawkwell had been approved. Both projects were a good example of interaction between the Area Committees and the Executive.

Thanks were extended to the Portfolio Holder for Planning and Transportation for some advice given to a Member relating to the problem of vehicle clamping by unlicensed companies. It was observed that perhaps the body responsible for issuing licences to companies could be consulted on whether there is a particular problem in the District.

The Chairman of the Audit Committee wished to extend thanks to the Head of Finance, Audit and Performance Management and her staff for their work.

Council concurred with the observation of the Leader that all officers should be thanked for their contribution in helping the Council to obtain high scores under the Comprehensive Area Assessment process, a notable achievement in the context of the type of scores usually achieved by smaller District/Borough Councils.

334 SETTING THE COUNCIL TAX BASE 2010/11

Council considered the report of the Head of Finance, Audit and Performance Management on determining the Tax Base for each individual Parish or Town Council area within the District.

It was noted that the calculation total should be 31398.81

Resolved

- (1) That the method of calculation of the Council's Tax Base for the year 2010/2011 be noted.
- (2) That pursuant to this report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended) the amount calculated by the Rochford District Council as its Council Tax Base for the year 2010/11 shall be in the following parts:-

ASHINGDON	1231.19
BARLING MAGNA	630.14
CANEWDON	548.86
FOULNESS ISLAND	58.39
GREAT WAKERING	2010.63
HAWKWELL	4563.50
HOCKLEY	3855.46
HULLBRIDGE	2383.87
PAGLESHAM	100.56
RAWRETH	437.07
RAYLEIGH	12316.47
ROCHFORD	2969.22
STAMBRIDGE	238.32
SUTTON	55.13
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	31398.81

335 CAPITAL STRATEGY 2010/11 TO 2014/15

Council considered the report of the Head of Finance, Audit and Performance Management presenting the Capital Strategy for approval.

Resolved

That the Capital Strategy for 2010/11 to 2014/15, as set out in the report, be agreed. (HFAPM)

336 REVISED BUDGETARY ESTIMATES FOR 2009/10

Council considered the report of the Head of Finance, Audit and Performance Management seeking approval for the revised budgetary estimates for the current financial year, 2009/10.

Resolved

That the revised estimates for 2009/10, as set out in the report, be agreed.
(HFAPM)

The meeting closed at 8.12 pm .

Chairman

Date

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