

Council – 18 October 2016

Minutes of the meeting of **Council** held on **18 October 2016** when there were present:-

Chairman: Cllr Mrs C A Weston

Cllr C I Black	Cllr Mrs C M Mason
Cllr J C Burton	Cllr J R F Mason
Cllr M R Carter	Cllr D Merrick
Cllr Mrs I Cassar	Cllr R Milne
Cllr N L Cooper	Cllr J E Newport
Cllr T G Cutmore	Cllr R A Oatham
Cllr R R Dray	Cllr Mrs C E Roe
Cllr D S Efde	Cllr Mrs L Shaw
Cllr J D Griffin	Cllr S P Smith
Cllr B T Hazlewood	Cllr D J Sperring
Cllr N J Hookway	Cllr C M Stanley
Cllr Mrs D Hoy	Cllr M J Steptoe
Cllr M Hoy	Cllr I H Ward
Cllr Mrs T R Hughes	Cllr M J Webb
Cllr G J Ioannou	Cllr A L Williams
Cllr M J Lucas-Gill	Cllr S A Wilson
Cllr Mrs J R Lumley	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs L A Butcher, A H Eves, Mrs J R Gooding, E O K Mason and T E Mountain.

OFFICERS PRESENT

S Scrutton	- Managing Director
N Khan	- Executive Director
M Hotten	- Assistant Director, Environmental Services
R Manning	- Section 151 Officer
S Worthington	- Committee Administrator

227 MINUTES

The Minutes of the meeting held on 19 July 2016 were approved as a correct record and signed by the Chairman.

228 DECLARATIONS OF INTEREST

Cllrs R R Dray, J E Newport, R A Oatham, Mrs C E Roe, D J Sperring, C M Stanley and I H Ward each declared a non-pecuniary interest in item 9 of the Agenda relating to urgent decisions taken in respect of play spaces service level agreements by virtue of membership of Rayleigh Town Council.

229 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS

Council received the Minutes of Executive and Committee meetings held between the period 9 July 2016 to 28 September 2016.

230 REPORTS FROM COMMITTEES TO COUNCIL

(1) Review of Gambling Act Statement of Licensing Policy

Council considered the report of the Licensing Committee containing a recommendation in relation to adoption of the Council's updated statement of licensing policy (Gambling Act 2005) and issue of casino licences.

Resolved

That the updated statement of licensing policy (Gambling Act 2005), attached to the Committee report, be approved and no provision be made in respect of the issue of casino licences. (ADLS)

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

Council considered the report of the Review Committee containing a recommendation relating to approval of a revised RIPA policy.

Resolved

That the proposed changes to the Council's 'Covert Surveillance Policy and Procedure Manual' (RIPA policy) be approved. (ADLS)

(3) New Arrangements to Appoint External Auditors

Council considered the report of the Audit Committee containing a recommendation relating to new arrangements for appointing the Council's external auditors, as required by the Local Audit and Accountability Act 2014.

Resolved

That the Council opts into the proposed central arrangements for appointing external auditors. (S151O/ADDS)

231 REPORT ON URGENT DECISIONS

Pursuant to Overview and Scrutiny procedure 15(f), Council received and noted reports on decisions that had been taken as a matter of urgency and not subject to call in.

232 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE

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

“This is the third ordinary Council meeting for the 2016/17 Municipal Year since Annual Council and I would like to welcome all Members.

Since the meeting on 19 July, the Executive has met on two occasions, during which:-

- Consideration was given to the Quarter 1 2016/17 Financial Management Report.
- Consideration was given to the Government’s 4 year settlement offer.
- The arrangements for public consultation on setting the Local Council Tax Support Scheme 2017/18 were considered and the proposed consultation document approved.

Other matters that my colleagues and I on the Executive have been dealing with include:-

- Approving and implementing the Safeguarding Policy, complemented by an action plan.
- Approving the Environmental Health Service Plan for 2016/17.
- Entering into a Service Level Agreement with Rayleigh Town Council and providing £5,000 contribution towards the installation of new play equipment at Fairview, John Fisher Playing Field and Grove. A Service Level Agreement has also been entered into with Hullbridge Parish Council and £10,000 provided as a contribution towards the installation of new play equipment at Hullbridge open space.
- Agreeing the Public Realm Grant Agreement with Essex County Council.

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.”

233 ROCHFORD DISTRICT LOCAL DEVELOPMENT SCHEME 2016 (VERSION 2)

Council considered the report of the Managing Director seeking approval to adopt the revised Local Development Scheme.

In response to a Member question relating to page 12.9 of the officer’s report in respect of public consultation, officers confirmed that public consultation responses would be reported to Full Council prior to submission of the Council’s draft Local Plan to the Inspector.

Resolved

That the revised draft Local Development Scheme, as attached at Appendix A to the officer's report, be adopted, subject to responses to public consultation being reported to Full Council. (MD)

234 SOUTH ESSEX PARKING PARTNERSHIP

Council considered the report of the Managing Director, seeking approval for extension of the operational period of the South Essex Parking Partnership (SEPP) by four years to 31 March 2022.

Officers advised, in response to a Member question relating to the Schools Initiative Project detailed on page 13.6 of the officer's report that the nominated school was located in Chelmsford, which aligned with the operation of SEPP by Chelmsford City Council. Details had not yet been finalised for the roll-out of the Project, but Members would be provided with further information when this was available.

The Deputy Leader advised, in response to Member concern relating to the quality of the service/enforcement in less urban areas, and in particular Great Wakering, that in the period from April 2016 to the current time 293 parking enforcement visits had been made to Great Wakering High Street, with 6 penalty notices issued during this period. Responding to a supplementary Member question relating to the average length of parking enforcement visits in Great Wakering High Street, the Deputy Leader confirmed that parking enforcement operatives in many cases observed vehicles and waited for drivers to return to their vehicles, hence enforcement notices were often not issued; the average length of these visits was around 7 minutes and 55 seconds.

Cllr N J Hookway moved a Motion, seconded by Cllr J R F Mason that the operational period of the SEPP be extended by two years, subject to a review of the service and subject to exploring options for alternatives to the service.

In support of the Motion, particular reference was made to problems relating to parking enforcement in more urban areas of the district, and in particular, in the vicinity of schools. Further examples were given of a lack of enforcement in more rural parts of the district, including Great Wakering and Hullbridge, with complaints about parking problems being received by Ward Councillors from residents, as well as emphasising the inadequacy of the number of parking enforcement operatives within the district. In conclusion it was stressed that there would still be ample time to review arrangements and identify alternative providers of the service.

Members speaking against the Motion, emphasised the need for closer working with SEPP, and cited an example of a primary school within Rayleigh resolving parking issues by working closely with SEPP, who had been proactive in dealing with the problem. It was also emphasised that SEPP did

not solely deal with parking enforcement issues relating to double yellow lines, but also played an active role in respect of new schemes, including, e.g., residents' parking schemes. Particular reference was also made of the fact that if the Council was to withdraw from SEPP earlier, the functions would still be delivered within the district by SEPP, but without the Council being part of the Joint Committee. It was further emphasised that a joint review focused on exploring opportunities for further improvements to the scheme was already planned by the Partner Authorities, as detailed on page 13.16 of the officer's report.

A vote was taken on the Motion, which was lost on a show of hands. Cllr T G Cutmore moved a Motion, seconded by Cllr M J Steptoe that the operational period of the Partnership be extended by four years to 31 March 2022.

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

For (20): Cllrs J C Burton; M R Carter; T G Cutmore; R R Dray; J D Griffin; B T Hazlewood; G J Ioannou; M J Lucas-Gill; Mrs J R Lumley; D Merrick; R Milne; Mrs C E Roe; Mrs L Shaw; S P Smith; D J Sperring; M J Steptoe; I H Ward; M J Webb; Mrs C A Weston and A L Williams.

Against (14): Cllrs C I Black; Mrs I Cassar; N L Cooper; D S Efte; N J Hookway; Mrs D Hoy; M Hoy; Mrs T R Hughes; Mrs C M Mason; J R F Mason; J E Newport; R A Oatham; C M Stanley and S A Wilson.

Abstain (0)

The Motion was declared carried.

Resolved

That extension of the operational period of the South Essex Parking Partnership by four years to 31 March 2022 be agreed. (MD)

235 APPOINTMENT OF REPRESENTATIVES TO SANCTUARY IN ROCHFORD COMMITTEE 2016/17

Council considered the report of the Assistant Director, Community & Housing Services seeking the appointment of representatives to serve on the Sanctuary Housing Association in Rochford Committee for the remainder of the 2016/17 Municipal Year.

The observation was made that it was inappropriate to include named Members in the officer's report, although the need for continuity for the short remainder of the current Municipal Year was understood.

Members thanked former District Councillor C J Lumley for serving as a representative on the Rochford Housing Association Board.

A Motion moved by Cllr N J Hookway and seconded by Cllr J R F Mason that Cllr N L Cooper be appointed to one of the three seats on the Sanctuary in Rochford Committee for the remainder of the current Municipal Year was lost on a show of hands.

A Motion was moved by Cllr T G Cutmore and seconded by Cllr S P Smith that Cllrs G J Ioannou, Mrs J R Lumley and I H Ward be appointed to the three seats on the Sanctuary in Rochford Committee for the remainder of the Municipal Year and this was carried on a show of hands.

Resolved

That the appointment of Cllrs G J Ioannou, Mrs J R Lumley and I H Ward to the three seats on the Sanctuary in Rochford Committee for the remainder of the 2016/17 Municipal Year be endorsed. (ADCHS)

(**Note:** Cllrs M Hoy and R A Oatham wished it to be recorded that they had abstained from voting)

EXCLUSION OF THE PRESS AND PUBLIC

Resolved

That the press and public be excluded from the meeting for the remaining business on the grounds that exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

236 GREEN GATEWAY TRADING LTD – GOVERNANCE AND SCRUTINY MEASURES

Council considered the exempt report of the Assistant Director, Legal Services seeking approval of delegation of shareholder responsibilities for Green Gateway Trading Ltd to the Investment Board, amendment of the terms of reference of the Council's Investment Board and the Shareholders' Reserved Matters schedule.

Members concurred that item 27 on page 16.6 of the report should include: (following advice of S. 151 Officer) under the Full Investment Board column.

Officers confirmed that details of legal costs to date associated with the setting up of the trading company, together with any further anticipated spend on legal matters, would be provided outside the meeting to Members. It was, however, emphasised that a sum of up to £50,000 had previously been authorised by Council in respect of setting up costs, and that this had not been exceeded.

Resolved

- (1) To delegate its shareholder responsibilities of Green Gateway Trading Ltd and Green Gateway Trading (GM) Ltd to the Investment Board.
- (2) To include within the terms of reference for the Investment Board the following – “To act as the shareholder representatives for Green Gateway Trading Ltd and Green Gateway Trading (GM) Ltd.”
- (3) To approve the Reserved Matters Schedule appended to this report, subject to including the text: (following advice of S. 151 Officer) at no. 27 under the Full Investment Board column. (ADLS)

The meeting closed at 8.45 pm.

Chairman

Date

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