

The Executive – 22 July 2021

Minutes of the meeting of **The Executive** held on **22 July 2021** when there were present:-

Chairman: Cllr S E Wootton
Vice Chairman: Cllr Mrs C E Roe

Cllr D S Efde
Cllr D J Sperring

Cllr I H Ward
Cllr A L Williams

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs S P Smith and M J Webb.

NON-MEMBERS ATTENDING

Cllrs A H Eves, I A Foster, Mrs E P Gadsdon, J N Gooding, Mrs J R Gooding and Mrs L Shaw

OFFICERS PRESENT

A Hutchings	- Acting Managing Director
M Hotten	- Assistant Director, Place & Environment
A Law	- Assistant Director, Legal & Democratic
N Lucas	- Assistant Director, Resources
L Moss	- Assistant Director, People & Communities
S Worthington	- Principal Democratic & Corporate Services Officer
W Szyszka	- Democratic Services Officer

118 MINUTES

The Minutes of the meeting held on 10 June 2021 were approved as a correct record and signed by the Chairman.

119 THE ASSOCIATION OF SOUTH ESSEX LOCAL AUTHORITIES (ASELA) AND FORMALISATION OF A JOINT COMMITTEE

Executive considered the report of the Acting Managing Director and Assistant Director, Legal & Democratic providing details of future governance arrangements for the Association of South Essex Local Authorities and seeking agreement to move to a statutory Joint Committee for oversight and delivery of the South Essex 2050 growth aspirations.

The Leader advised that just over a year ago ASELA was an organisation that was at an evolutionary stage; transparency needed to be improved, including communicating what the organisation was trying to achieve to Members, MPs and members of the public. ASELA was formed under a memorandum of understanding in January 2018 and is a collaboration of South Essex authorities including Basildon, Castle Point, Essex County, Rochford, Southend and Thurrock Councils and the Federated Board of the Local Enterprise

Partnership aimed at improving the quality of lives of residents within South Essex by realising the economic potential of South Essex. Last year there was a perception that meetings were held secretly, which was not the case; however, communication had not been effective in cascading down information after meetings in terms of what ASELA was aiming to achieve. On 31 July 2020 a Growth Bid and prospectus was submitted to Government. This happened at the same time that there was discussion around local government reform, which led to some confusion around the ASELA agenda. Local government reform has subsequently been postponed. The proposal for a Joint Committee for ASELA, ie, a more formal means of governance, was developed as it was recognised that in order for ASELA to move forward and have a funding stream it needed to have a more formal approach with published agendas, minutes, website, etc. The report set out five strategic, high level objectives and the future emphasis was very much about delivery. However, it was not possible to deliver without having in place a formal system of governance, hence the proposal for a Joint Committee. The Leader highlighted that, given that the date referred to in the report of 1 April 2021 for the setting up of the Joint Committee having passed, this date would be rearranged and was likely to be in early autumn 2021.

In response to a Member question as to whether scrutiny of ASELA would be undertaken by the Council's Review Committee, the acting Managing Director confirmed that overview of the programme would be undertaken by the Joint Committee; however, scrutiny of the performance of the Joint Committee would be subject to the overview and scrutiny arrangements of each of the relevant local authorities.

In response to a further Member question about substitute arrangements for the Joint Committee, the Leader affirmed that in the event of the Leader or Deputy Leader not being able to attend future meetings of the Joint Committee, the Council would not be represented; however, meetings would be arranged a year in advance which should minimise the likelihood of this happening.

Resolved

- (1) That the Executive notes the updates provided in the report.
- (2) That it be formally agreed that the Council becomes a Member of the Association of South Essex Local Authorities (ASELA) Joint Committee in accordance with Section 101 of the Local Government Act 1972 to oversee ASELA and provide enhanced transparency and accountability in the new delivery stage of its work programmes.
- (3) That the governance arrangements of the Joint Committee be approved, in accordance with the governing documents set out in Appendix 2.
- (4) That the Leader of the Council be appointed as the representative on the Joint Committee, and to appoint the Deputy Leader as the Substitute Member, as set out in the governing documents. (A/MD/ADLD)

(This was unanimously agreed.)

120 'PARKS FOR NATURE' INITIATIVE AND DELIVERY OF GROUNDS MAINTENANCE

The Executive considered the report of the Assistant Director, Place & Environment providing a summary of the public consultation on the Parks for Nature initiative and which sought approval for delivery of grounds maintenance in house with effect from December 2021.

The Portfolio Holder for Environment & Place stated that the Council's contract for the provision of a grounds maintenance service was due to expire at the end of November 2021; alternative arrangements would therefore need to be put in place for 1 December onwards. This needed to be addressed now, including arrangements in respect of staffing and heavy equipment needed to carry out grounds maintenance across the district. In addition, the Parks for Nature initiative was closely aligned with the Council's policy of becoming carbon neutral by 2030. A consultation had taken place, which had received over 300 responses, with around 92% in favour of the proposals outlined in the consultation document.

It should be noted that the demand for organised sporting events within the district had reduced in recent years. Although it was noted that there was a need for increased flat land for recreational activities, there was nevertheless scope to introduce more meadowland and trees. Officers, together with the Portfolio Holder for Environment & Place, had visited each ward and outlined proposals to Ward Councillors. The Portfolio Holder emphasised that if issues arose at any stage, changes could be made; nothing was set in stone. Noticeboards would also be erected outlining what was being done, with benches and bins due to be replaced and re-sited. This would take around 12-18 months to roll out with adjustments made along the way, as necessary.

Thanks were extended by the Assistant Director to all those Members who had met with officers and the Portfolio Holder within their wards to discuss specific site plans; he also thanked the Portfolio Holder for his commitment and support in attending all site visits within the period of around one calendar month.

The Portfolio Holder commented that it was inevitable that some criticism would be received, in response to a Member question as to what might happen if residents expressed discontent with any of the site plans. He reiterated that of those residents who had responded to the consultation, 92% had supported the proposals. It was recognised nationally that something must be done to improve our carbon footprint. However, if it was perceived that adjustments might be needed to plans, this would be done; it would be an ongoing learning curve and it was clear that the initiative would ultimately benefit most residents.

The Leader stressed that there was a commitment to community need when there might be conflict; when community and leisure needs conflicted with the project then the Council would be flexible to ensure that compromise is found

to ensure that such needs are also accommodated. The Portfolio Holder confirmed this to be the case and added that the grounds maintenance service being delivered in house from December 2021 would give the Council more flexibility.

Resolved

- (1) That the comments and summary of the public consultation relating to the Parks for Nature initiative be noted.
- (2) That the Parks for Nature initiative be rolled out, with changes to the grounds maintenance regime, as reflected in the proposal set out in Appendix 1.
- (3) That it be approved that grounds maintenance be delivered in-house, commencing in December 2021 (Option 1). (ADPE)

(This was unanimously agreed.)

121 RESIDUAL WASTE ARRANGEMENTS

The Executive considered the report of the Assistant Director, Place & Environment providing details of the current waste tipping arrangements for the Rochford District and setting out the joint procurement arrangements that is to be undertaken alongside neighbouring authorities for the transfer of residual waste during the 2021/22 financial year.

The Portfolio Holder advised that the Council had a duty to collect the refuse and was a waste collection authority, while Essex County Council (ECC) had a duty to dispose of the waste and was the waste disposal authority. As waste disposal authority, ECC can instruct this Council where to dispose of its district's waste. Currently this Council was instructed to deposit waste at Basildon. From 1 October 2021 ECC has instructed the Council to deposit its waste at a landfill site near Colchester. ECC would provide compensation to this Council for the journeys, via tipping away payments, of just over £23 per tonne, which was non-negotiable. However, this would not be economically or logistically feasible with vehicles travelling to and from Colchester twice per day along the A12. Usually, in such circumstances, a waste transfer station would instead be used for waste to be dropped off more locally and then hauled to Colchester in bulk in large lorries. The payments made by ECC would cover the costs of the waste transfer facilities and the Council thus sought to undertake a joint procurement exercise with Basildon and Castle Point Councils to secure waste transfer facilities; there was no viable alternative.

In response to a Member question as to whether this proposal would allow the Council to maintain an efficient waste collection service, the Assistant Director confirmed that this would be the case, as it would provide more certainty around local waste transfer arrangements than had been the case over the past 6-12 months when there had been a number of changes in where waste could be dropped off; this arrangement would provide a more consistent approach.

Responding to a Member question relating to waste for energy, the Assistant Director advised that Essex was looking at waste for energy in the longer term, rather than landfill; however, they were still contractually obliged to use the MBT plant in Basildon at present.

Resolved

- (1) That the contents of the report be noted.
- (2) That a budget of £5,000 be allocated, as part of the Council's share in jointly appointing external legal services to finalise contract documents, in partnership with Basildon and Castle Point Borough Councils, to deliver operationally suitable residual waste arrangements from 1 October 2021.

(This was unanimously agreed).
- (3) That the proposed procurement route of Open Procedure with a tender evaluation based on 90% price, 10% quality scoring criteria be noted.
- (4) That it be noted that the recommendation for award of tender will be presented to the Executive in September. (ADPE)

122 SECTION 106 QUARTERLY BRIEFING: JULY 2021

The Executive considered the report of the Assistant Director, Place & Environment summarising the Council's position on Section 106 contributions as at 1 July 2021.

The Portfolio Holder advised that the Council was looking to audit the s106 monies collected and this report contained a summary of monies collected which were financial contributions to the Council and also those due to the NHS. He drew attention to a particular item included on page 10.2 of the report relating to Saxon Business Park. The Assistant Director confirmed that at a recent meeting with Southend-on-Sea Borough Council plans had been drawn up for a project to extend cycle paths across Cherry Orchard Way, which would cost more than the s106 contribution of £100,000 from the Saxon Business Park development. However, Southend Council had confirmed that it would contribute the additional costs of the project above the sum of £100,000 to ensure that the s106 contribution was not lost. It was anticipated that an update on this would be provided to the Portfolio Holder for Strategic Planning and Ward Members the following week.

In conclusion the Leader stressed that this was the first of regularly quarterly reports that would be considered by the Executive in the future on progress in respect of S106 contributions. He further emphasised the importance in future of Members being kept informed of negotiations, following the grant of planning permission for major applications to ensure that s106 monies were spent within the District for the benefit of our residents.

Resolved

That the quarterly position on Section 106 contributions held at July 2021 be noted. (ADPE)

123 COUNCIL PROJECTS PROGRAMME MANAGEMENT OFFICE

The Executive considered the report of the Acting Managing Director updating Members on the Connect Programme, Asset Delivery Programme and the Beagle Event Project.

Resolved

That updates be noted on the Council's three projects – the Connect Programme and the Asset Delivery Programme (both GOLD projects) and the Beagle Event project (a SILVER project). (AMD)

124 BUSINESS RATES WRITE OFF

The Executive considered the report of the Assistant Director, Resources seeking approval to write off a sum in respect of business rates owned by Bounce Village Limited.

Resolved

That the sum of £26,838.50 in respect of Business Rates owed by Bounce Village Limited in respect of 12A Purdeys Way, Rochford is written off. (ADR)

(This was unanimously agreed.)

125 BUSINESS RATES WRITE OFF

The Executive considered the report of the Assistant Director, Resources seeking approval to write off a sum in respect of outstanding business rates for K/S Rochford.

Resolved

That the sum of £139,866.11 in outstanding Business Rates is written off in respect of the ratepayer known as K/S Rochford. (ADR)

(This was unanimously agreed.)

EXCLUSION OF PRESS AND PUBLIC

Resolved

That the press and public be excluded from the meeting for the remaining item of business on the grounds that exempt information as defined in paragraph 1

of Part 2 of Schedule 12A of the Local Government Act 1972 would be disclosed.

126 BUSINESS RATES AND COUNCIL TAX WRITE OFF

The Executive considered the exempt report of the Assistant Director, Resources seeking approval to write off a sum in respect of business rates and Council Tax.

Officers confirmed, in response to a Member question as to what might happen if the sum was not written off, that this would stay on the Council's balance sheet as a debt. It was, however, reasonable to write this off given all the steps that had been taken to recover the funds and the long period of time that had elapsed.

Resolved

That the sum of £47,612.77 in respect of Business Rates and the sum of £13,849.33 in respect of Council Tax are written off. (ADR)

(This was unanimously agreed.)

The meeting closed at 8.25 pm.

Chairman

Date

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