

Council – 2 November 2021

Minutes of the meeting of **Council** held on **2 November 2021** when there were present:-

Chairman: Cllr Mrs J R Gooding
Vice-Chairman: Cllr M J Steptoe

Cllr Mrs L A Butcher	Cllr D Merrick
Cllr C C Cannell	Cllr R Milne
Cllr M R Carter	Cllr G W Myers
Cllr Mrs T L Carter	Cllr Mrs C A Pavelin
Cllr R P Constable	Cllr Mrs C E Roe
Cllr R R Dray	Cllr Mrs L Shaw
Cllr D S Efde	Cllr P J Shaw
Cllr I A Foster	Cllr S P Smith
Cllr Mrs E P Gadsdon	Cllr D S Sperring
Cllr J N Gooding	Cllr C M Stanley
Cllr B T Hazlewood	Cllr I H Ward
Cllr M Hoy	Cllr Mrs C A Weston
Cllr Ms T D Knight	Cllr M G Wilkinson
Cllr J L Lawmon	Cllr A L Williams
Cllr Mrs C M Mason	Cllr S E Wootton
Cllr J E McPherson	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs A H Eves, J R Lumley, J E Newport, L J Newport, M J Webb and S A Wilson.

OFFICERS PRESENT

A Hutchings	- Strategic Director
M Harwood-White	- Assistant Director, Assets and Commercial
M Hotten	- Assistant Director, Place and Environment
A Law	- Assistant Director, Legal and Democratic
L Moss	- Assistant Director, People and Communities
D Tribe	- Assistant Director, Customer and Transformation
S Worthington	- Principal Democratic and Corporate Services Officer
W Szyszka	- Democratic Services Officer
K Hines	- Democratic Services Officer

ALSO PRESENT

M Cook	- Anthony Collins Solicitors
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183 MINUTES

The Minutes of the meeting held on 20 July 2021 were agreed as a correct record and signed by the Chairman.

184 DECLARATIONS OF INTEREST

Cllr Mrs J R Gooding moved a Motion without Notice, seconded by Cllr M J Steptoe, to change the order of the agenda in line with Council Procedure Rule 14(C) such that Item 12 be taken before any other business.

Resolved

That Item 12 be taken before any other business.

(24 Members voted for the Motion, 1 against and 7 abstained. Note: Cllr Mrs C A Weston asked that her vote for the Motion be recorded.)

185 ASSET DELIVERY PROGRAMME

The Council considered the report of the Assistant Director, Assets and Commercial providing Members with an update on the progress of the Asset Delivery Programme (ADP).

The following public questions were received:-

(1) From Mr J Cripps to the Leader:

“Can you please explain why a covertly produced, pre-COVID ‘output specification’ is being retained – despite a clear 9:1 ‘against’ public feedback response (with backing from our MP), in a post-COVID climate of austerity measures?”

The Leader responded as follows:-

“The Council’s requirements for its assets are rooted in its Asset Strategy, this strategy was developed via a Member Working Group process and approved at a public meeting of Council in July 2018. This strategy articulates the Council’s aims for its assets, these being to:

- a) Regenerate and improve the local area and facilities for local residents
- b) Provide high quality and sustainable community and civic buildings
- c) Reduce future costs

The Member Working Party continued to guide the programme, a number of site visits, workshops and meetings were held with guidance provided by the Council’s external technical experts and officers. The Council developed and approved the Outline Business case for the programme in January 2019,

setting out the financial benefits of the programme, it is a public document and is available on our website.

The Output Specification was developed through a further series of meetings and workshops with Members, officers and technical advisors. It was approved by Council in September 2019. The Output Specification sets out the ambition the Council has for its new operational buildings and the vision of how the Council will work going forward, that is, an emphasis of mobile and flexible working and the flexible use for staff, Members and the community. It also highlights the Council's requirements for environmentally and financially sustainable, low maintenance energy efficient buildings.

The Council carried out a comprehensive engagement process and, in the summer, published the responses received on its Voyage website. The Council is now listening to that feedback as it said it would and reflecting how that feedback can be reflected in the proposals."

(2) From Mrs J Waight to the Leader:

"Will the Leader commit to the Mill Arts & Events Centre being removed from the Asset Delivery Programme, removed from the Fusion leisure contract, renovated and aligned to Freight House BREEM levels, and put out to tender for experienced Events Company to manage and protect Rayleigh's Theatre venue?"

The Leader responded as follows:-

"The Mill Arts & Events Centre is managed by our leisure contractor, Fusion Lifestyle. The facility has been managed under this contract, by a number of different partners since the contract was first let.

Our current contractor and previous operators of the facilities have investigated various strategies to drive up usage and revenue at the sites. However, the facility remains financially unsustainable.

This Council acted proactively to identify the issue, explore options and create a plan for high quality, environmentally and financially sustainable community facilities as set out in the output specification and business case approved by the Council.

The site is the subject of this evening's report and will be debated."

(3) From Ms S Reed to the Leader:

"The Mill Hall was refurbished in 2003. Since then, both Fusion and the Council have failed to maintain this leisure asset, allowing it to become 'dire' and 'not fit for purpose' or as one Councillor commented 'very expensive toilets.'

Was this deliberate neglect or systemic failure to maintain this Council asset by Officers/The Executive Councillors to sell off our community asset for development?”

The Leader responded as follows:-

“The Mill Arts & Events Centre has been managed under contract by our leisure partner since the contract was let approximately 20 years ago. During that time, the building has benefitted from various capital works. However, the building does not meet our ambitions for low maintenance and high energy efficiency, coupled with low operational costs.

During the life of the building, much has changed in the leisure sector; however, the Council has remained committed to working in partnership with its leisure contractor to ensure they invest and maintain the facility for the benefit of the local community.

It is a fact, however, that the leisure market and use of the buildings has changed and the facility has now become financially unsustainable to operate and does not support the ambition this Council has to become Carbon Neutral by 2030.”

(4) From Mr J Payton to the Leader:

“Regarding the proposed redevelopment of the Rayleigh Civic Suite and gardens site into commercial units and flat blocks – can the Council address why there has been no change in proposals despite overwhelming public objection to the proposals? The Council appears to be outright ignoring objections if they plan to proceed with the Civic Suite plans. In the Council’s own engagement survey for the Civic Suite, 86% opposed the principle of redevelopment. 89% opposed the current proposals. The site is listed in the Council’s Spatial Options document for potential redevelopment. Essex County Council Place Services has advised through the Spatial Options Heritage Assessment: ‘development on this site will cause substantial harm to a heritage asset’ and ‘proposals causing this level of harm to the significance of a heritage asset should be avoided’.

Rayleigh Town Council has also stated in its response to the Spatial Options consultation that ‘sites within the existing Rayleigh Conservation Area should no be considered’ for development.

In a recent BBC article, The Royal Institute of Chartered Surveyors stated that due to the issue of ‘Embodied Carbon’, it is now promoting a ‘refurbish first’ policy to the government (a campaign backed by 14 Stirling prize winners) and the Royal Academy of Engineering is in agreement. The Chartered Institution of Building Services Engineers say: “we have to avoid demolition and new-build.” The Civic Suite proposals mean Rayleigh will lose car parking space and green space. Rayleigh is the only Tier 1 Settlement in the District and must have a

civic presence. This was agreed when Rayleigh Urban Council joined with Rochford Rural to become Rochford District Council.

The Council should refurbish the Civic Suite for continued Civic use. Is it not the time this Council abandons plans for the Civic Suite on behalf of Rayleigh residents by acting on advice from ECC and Rayleigh Town Council and commit to protecting the designated Conservation Area?”

The Leader responded as follows:-

“The Council carried out an extensive engagement process, published the feedback received and has been reflecting on that feedback. With our partners, we continue to consider how this feedback could be reflecting in the proposals.

It is important to note that the proposals the Council shared during the engagement process included remodelling the Council Chamber section of the Civic Suite building to create a modern high quality office space that could then support a local business to grow or relocate and therefore support the local economy.

We take the feedback of statutory consultees very seriously; as such this feedback will be fully debated as part of any future planning application. The scheme remains a proposal at this stage.”

(5) From Mr R Lambourne to the Leader:

“Can the Leader please comment as to why the Planning and Legal departments haven’t the resources or experience to manage such a project more proactively saving considerable external costs?

As a background, when the Council first proposed the ADP, it had a budget of £3.4 million, but of that £0.6 million was for professional fees. This is a massive 18% of the initial budget. Should a council of Rochford District’s size be able to manage such projects in-house, thus saving the Council Tax payer considerable amounts of money especially in a project where all the land is owned by the Council.”

The Leader responded as follows:-

“Rochford District Council is a small authority with limited resources and has not historically undertaken projects of this magnitude. As such, it would not be cost effective, or even possible to recruit and retain, the senior professional staff required across a range of disciplines such as project management, legal and finance, with the required specialist knowledge, to support a programme of this complexity. It is common for local authorities to buy in this kind of professional support for major projects, for this reason. It would not provide value for money if the required expertise was not bought in, as the financial

risks of the programme failing or not achieving the required outcomes over the longer term, outweigh these one-off project costs.”

The following Member questions on notice were received:-

(1) From Cllr A H Eves to the Leader:-

“Please explain, following the widely publicised leaflet at the election earlier this year circulated by the Conservative Party, whether the Asset Delivery Programme was officially ‘paused’ in any part, as the leaflet declared and if so, when and under whose authority?”

The Leader responded as follows:-

“Firstly, on a point of accuracy, and may I add not for the first time once again, Cllr Eves, your question is factually incorrect. Where does it say on the leaflet ‘Asset Delivery Programme’? From someone, Cllr Eves, who on record claims to hate politics and has a strong belief in what is right, I find this question pretty rich coming from someone who has called on two occasions for the Asset Delivery Programme to be paused – and I refer to the minutes of 8 September, page 5, where Cllr Eves moved a motion seconded by Cllr Hookway that the project be paused, and you can read for yourselves, Members, the detail of that minute.

By asking the question, there is an inference that despite considerable public feedback, you would have carried on regardless. Against the background of considerable concern, a promise was made in that leaflet to listen, review and reflect on feedback from the engagement process, and that was confirmed in a Council press release on 22 September issued in my name. There has been a pause and as an administration we have listened and are taking action accordingly. Tonight, is a stage in the process; if that is a crime then I am guilty as charged.”

(2) From Cllr M G Wilkinson to the Leader:-

“Item 12 on tonight’s agenda is to update the position on the Asset Delivery Programme in light of public feedback earlier this year.

With the exception of the officer’s report and the terms of reference for the Partnership Panel – the documents which accompany the report and those with the details of what the options are – are marked as ‘commercially sensitive’ and not to be shared with the public.

Please can the Leader of the Council explain to this Council and more importantly to the members of the public who are present, precisely why the public will be excluded from hearing the amended plans the Council has come up with, which the Council will be expecting Members to vote on tonight without being able to seek any feedback from their ward residents beforehand.”

The Leader responded as follows:-

“The Council is under a contract with GBP. Exempt Appendix 1 is a revised scheme proposed by GBP further to feedback from the public engagement exercise, and it is their obligation under the contract to meet the requirements of the Council’s Output specification. The information in the Appendix is commercially sensitive and is exempt under the 1972 Act because it is information relating to the business affairs of GB Partnerships. If agreed, a formal planning application would be submitted, and it will be subject to formal statutory consultation under the planning process.

Appendices 2 and 4 are exempt because to release the information would compromise the Council’s ability to negotiate effectively and protect the Council’s commercial position under contract.”

Cllr M G Wilkinson observed that GB Partnerships were the only external partners involved and no other organisation would have access to the exempt information; thus it was not logical for the appendices to be exempt and classified as commercially sensitive.

(3) From Cllr M G Wilkinson to the Leader:-

“In relation to Item 12 on tonight’s agenda – we will be discussing the Asset Delivery Programme. Can the Leader of the Council assure Members of this Council and members of the public that he has not tied this Council into any contract with either GB Partnerships or any other organisation for that matter that in the event that if we, as a Council, decide to abandon the project as a whole or any part of the project resulting from public opinion, there will not be any penalties to us either financial or otherwise. Can he give us his assurance that we can vote this evening with confidence that we will not be penalised by GB Partnerships in the event that we decide to vote for Option 2?”

The Leader responded as follows:-

“Appendix 4 sets out the legal implications and the high level risk of pursuing the options are in the public report. As with any commercial contract, there are express provisions to allow one party to terminate the contract without the other being left out of pocket or financially disadvantaged.

If we choose to ‘abandon the project’ as per Cllr Wilkinson’s words, there would be abortive costs payable. This is not deemed to be a penalty per se as there is no breach of contract.

The Contract was approved by Council on 8 September 2020 and attached to the report.”

Cllr M G Wilkinson asked a supplementary question as to why Members have been told that there are likely to be financial implications if the Council does not

proceed with the project, despite being assured throughout the process that the contract was non-binding on the Council. The legal advice within the contract between Rochford District Council and GB Partnerships allows an expectation for GB Partnerships that they will be developing the sites in question. Cllr Wilkinson asked the Leader whether Members voting for Option 2 of the Report will not result in the Council wasting a significant amount of public money on compensating GB Partnerships.

The Leader stated that the Council pledged to consider the 1,133 responses that the Council had received to the public engagement process.

(4) From Cllr M Hoy to the Leader:-

“As part of a Heritage at Risk Review, Historic England to complete and update as appropriate a survey of its Conservation Areas, highlighting condition, threats and trends.

- a) The surveys identify conservation areas that are deteriorating or are in very bad or poor condition and are not expected to change significantly in the next three years, as being defined at risk.
- b) RDC received this request on 18 May 2021. Rochford District Council did not respond to the survey as their resources have been focused this Summer on work towards preparing a new Local Plan.
- c) The last surveys of the District’s conservation areas were carried out in 2007.
- d) Rayleigh Conservation Area survey states:
 - i. Rayleigh Castle is a scheduled ancient monument protected under the 1979 Ancient Monuments Act.
 - ii. Rayleigh Castle is important as a historic monument, the only significant public open space and amenity in the conservation area, and as a wildlife haven.
 - iii. The outer bailey of Rayleigh Castle is today occupied by the Mill Hall, the Windmill and associated car parking.
 - iv. The Mill Hall is a large functional rectangular community building incorporating a theatre and a cafeteria.
- e) Will the Leader explain why the Council did not implement Rayleigh Conservation Management Proposals?
 - i. The entrance by the Mill Hall needs to be given greater emphasis and presence and needs to be advertised by a better positioned notice board.
 - ii. The idea canvassed in the Conservation Plan to re-create the Barbican entrance is an exciting one.

- iii. The space in front of the Mill Hall on Bellingham Lane is a prominent one at the edge of this group of public buildings and the monument. It is laid out with sculpture and planting and has the potential to be a piazza.
- f) And, will the Council commit to completing a new comprehensive survey of all Conservation Areas?
- g) And, will the Council accept their own Conservation survey states the Mill Arts & Events Centre is classed as a theatre?"

The leader responded as follows:-

"The Rayleigh Conservation Area Appraisal and Management Plan document was commissioned to serve as part of the evidence base for the Local Development Framework as it stood at that time. The proposals themselves do not represent Council policy, but are aspirational, and the level of detail set out in the proposals was not adopted into the Planning Policy documents, nor would it be usual to do so.

With regard to point f), the need to review the evidence base for the Conservation Area will be considered as part of the current Local Plan review. It is too early to conclude whether new surveys of the Conservation Areas will be required.

Regarding point g), I refer to page 36 paragraph 10.64 of 2007 Rayleigh Conservation Area Plan. The documentation states the: 'Mill Hall is a large functional community building incorporating a theatre and a cafeteria.' This statement does not suggest that the building should be classed as a Theatre, any more than it suggests it should be classed as a Cafeteria, rather it is merely an observation of functions being served within the setting of a community building."

Cllr M Hoy asked a supplementary question around the classification as a theatre and why the Mill Arts & Events Centre was reclassified from D2 to F2 following the abolition of D2 as a result of changes in Planning classifications in 2020.

The Leader advised that an appropriate answer would be provided outside the meeting, which would also be shared on the website and with all Members.

(5) From Cllr C M Stanley to the Leader:-

"Regarding the proposed re-development of the Rayleigh Civic Suite and gardens site into commercial units and flat blocks, can the Leader address why there has been no change in proposals despite overwhelming public objection to the proposals?"

The Leader responded as follows:-

“I welcome the opportunity to have this debate and answer questions on the matter.

At the outset of this process, as Leader of Rochford District Council, I made a promise that we would listen to all representations made regarding the proposals and I do want to emphasise the point that they were proposals. I also want to make the point that people at the time said that we would railroad this through. We are not. We are listening. As I said earlier, 1,133 responses predominantly on the Rayleigh side deserve to be listened to, and that is exactly what we are doing.

The Council said it would carry out an engagement process and this is what it did.

The Council also said it would publish the feedback received, it also met that commitment.

The Council also committed to reflecting on that feedback and this is what we are doing. With our partners we continue to consider how this feedback could be reflected in the proposals as they evolve.”

Cllr C M Stanley asked a supplementary question as to when an announcement would be made outlining the next steps taken by the Council in the light of public confusion.

In response, the Leader advised that a process was in train that depended on how tonight’s debate evolved, and Item 12 would determine the Council’s direction of travel. The feedback received by the Council was considered and welcomed. The Council must look at its assets to ensure that they are cost effective, and offer an exciting programme.

Pursuant to Council Procedure Rule 13, the following Motion on Notice had been received from Cllr A H Eves and was moved by Cllr Mrs C M Mason and seconded by Cllr M Hoy:-

“Following the Leader’s announcement regarding the future of the Mill Hall, that this Council agrees to there being a cross party involvement in discussion and formation or cessation of plans and proposals for the Mill Hall Site going forward.”

The Leader responded as follows:-

“The Report provides two options for the Mill Arts Events Centre site.

If Option 2 is agreed, it is proposed that the Partnership Panel will play a significant part in the development of the separate Outline Business Case for the Mill Arts & Events Centre site working with officers and advisers to

formulate the options analysis. Section 5 of the Report at Item 12, page 12.5 sets this out very clearly and specifically.

It is proposed that the Partnership Panel will therefore meet not only to continue their work on the programme but specifically to participate in this new community centre workstream.

The Partnership Panel is cross party and will be supported by senior Council officers and external advisers as necessary.

Effective cross-party arrangements are already in place in the form of the Partnership Panel and the Council with their own terms of reference and governance mechanisms, and I will not therefore be supporting this Motion, simply because those mechanisms are already in place."

In response to the Leader's response to the Motion, a Member endorsed the Partnership Panel which will continue to be chaired by an elected Member and will continue to remain cross party.

Another Member questioned how Cllr Eves perceived the Motion working effectively with the existing Partnership Panel.

In support of the Motion, a Member expressed the view that the Independents did not have a seat on the Panel, despite representing the Wheatley Ward in which the main asset sits; this would therefore indicate that the Panel was not cross party.

Another Member stated that the current Partnership Board? does not have a Member representative that makes decisions, thus it was purely officer based. The view was further expressed that there should be a Working Group feeding into the Partnership Panel.

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

For (1)

Cllr Mrs L A Butcher

The meeting was suspended at 8.31 pm and reconvened on 2 December 2021.

Council – 2 November 2021

Minutes of the reconvened meeting of **Council** held on **2 December 2021** when there were present:-

Chairman: Cllr Mrs J R Gooding
Vice-Chairman: Cllr M J Steptoe

Cllr Mrs L A Butcher	Cllr Mrs C E Roe
Cllr R P Constable	Cllr Mrs L Shaw
Cllr R R Dray	Cllr P J Shaw
Cllr D S Efde	Cllr S P Smith
Cllr A H Eves	Cllr D S Sperring
Cllr I A Foster	Cllr C M Stanley
Cllr Mrs E P Gadsdon	Cllr I H Ward
Cllr J N Gooding	Cllr M J Webb
Cllr J L Lawmon	Cllr M G Wilkinson
Cllr R Milne	Cllr A L Williams
Cllr G W Myers	Cllr S A Wilson
Cllr J W Newport	Cllr S E Wootton
Cllr L J Newport	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs M R Carter, Mrs T L Carter, M Hoy, T D Knight, Mrs J R Lumley, Mrs C M Mason, Mrs J E McPherson, D Merrick and Mrs C A Weston.

OFFICERS PRESENT

J Stephenson	- Chief Executive
A Hutchings	- Strategic Director
M Harwood-White	- Assistant Director, Assets and Commercial
A Law	- Assistant Director, Legal and Democratic
N Lucas	- Assistant Director, Resources
L Moss	- Assistant Director, People and Communities
D Tribe	- Assistant Director, Customer and Transformation
S Worthington	- Principal Democratic and Corporate Services Officer
W Szyszka	- Democratic Services Officer

ALSO PRESENT

M Cook	- Anthony Collins Solicitors
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186 DECLARATIONS OF INTEREST

The Chairman advised that Cllr A H Eves had withdrawn his Motion on Item 12, the Asset Delivery Programme in advance of tonight's meeting. The Chairman invited Cllr A H Eves to address Council:-

“Members, the association of my Motion on Notice with the death of our friend and colleague, Cllr Craig Cannell, cannot be denied. Therefore, I feel that at this point in time it is not conducive or respectful to his memory to continue with my Motion on Notice and therefore ask that it be withdrawn.”

The Leader, Cllr S E Wootton commended Cllr A H Eves for his dignity and respect in withdrawing his Motion.

187 ASSET DELIVERY PROGRAMME

Council considered the Report of the Assistant Director, Assets and Commercial providing Members with an update on the progress of the Asset Delivery Programme (ADP).

The Leader stated that the Council was visionary and forward thinking in leading the ADP and would provide the District and its residents with modern and financially sustainable facilities of an exceptionally high standard. The dialogue regarding the importance of the Mill Arts & Events Centre as well as concerns over residential development would be continued going forward. The report provided an update on the progress on the ADP following public feedback, alongside the recommendations. The Leader moved a Motion, seconded by Cllr R R Dray, that Recommendation 2 set out in page 12.9 of the report be approved.

A Member expressed disappointment at omission of the Civic Suite as it was subject to public feedback within the same Ward as the Mill Arts & Events Centre. The dominant view that came out of the public feedback was one of opposition to housing development; however, this was not referenced in Option 2.

Cllr M G Wilkinson moved an amendment to the Motion, seconded by Cllr J L Lawmon, to amend Recommendation 2 of the Report to add ‘and the Civic Suite’ at any point that the Mill Arts & Events Centre is mentioned.

A Member endorsed the proposed amendment and stated that the options presented to Council highlighted a lack of consideration of public feedback.

Another Member commented that this was originally approved in 2019. As a Council, we should be looking at the wider environmental impact in demolishing a building rather than reusing it, particularly in line with the Council’s Carbon Neutral Policies.

On a requisition pursuant to Council Procedure Rule 17.4 a recorded vote was taken on the proposed amendment to the Motion to add ‘and Civic Suite’ to all references to the Mill Hall Arts & Events Centre in Recommendation 2, as follows:-

- For (7) Cllrs A H Eves; J L Lawmon; J E Newport; Mrs L J Newport; C M Stanley; M G Wilkinson; S A Wilson
- Against (20) Cllrs Mrs L A Butcher; R P Constable; R R Dray; D S Efde; I A Foster; Mrs E P Gadsdon; J N Gooding; Mrs J R Gooding; R Milne; G W Myers; Mrs C E Roe; Mrs L Shaw; P J Shaw; S P Smith; D J Sperring; M J Steptoe; I H Ward; M J Webb; A L Williams; S E Wootton
- Abstain (0)

The amendment to the Motion was declared lost.

In debating the original Motion moved by the Leader of the Council to approve Option 2 as set out on page 12.9 of the Report, a Member stated that each Member should have some input into the structure of the ADP. A further comment was made requesting that the Leader consult with other parties within the Council regarding the next steps taken within the ADP.

Members in favour of the Motion commented that the Motion put forward by the Leader was a positive way forward in progressing the project, given the time that had been taken in order to consider public feedback.

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

- For (20) Cllrs Mrs L A Butcher; R P Constable; R R Dray; D S Efde; I A Foster; Mrs E P Gadsdon; J N Gooding; Mrs J R Gooding; R Milne; G W Myers; Mrs C E Roe; Mrs L Shaw; P J Shaw; S P Smith; D J Sperring; M J Steptoe; I H Ward; M J Webb; A L Williams; S E Wootton
- Against (3) Cllrs J E Newport; Mrs L J Newport; C M Stanley
- Abstain (4) Cllrs A H Eves; J L Lawmon; M G Wilkinson; S A Wilson

The Motion was declared carried and it was:

Resolved

- (2) To revisit the Council's requirements for the Mill Arts & Events Centre site and agree that a separate Outline Business Case to include a full options analysis be undertaken and the results brought to Council for approval.
- 2A. That the Outline Business Case Addendum (Exempt Appendix 2) be noted.
- 2D. That the draft terms of reference for the Partnership Panel Community Centre Workstream be noted.

2B. That authority be delegated to the Assistant Director, Assets and Commercial and the Assistant Director, Resources, in consultation with the Leader of the Council and the Portfolio Holder for Financial Strategy, to agree any terms to vary the contractual arrangements with GBP as is necessary to give effect to Recommendation 2.

(20 Members voted in favour, 0 against and 7 abstained). (ADAC/ADR)

2C. That the drawdown from the Hard/Soft Infrastructure Reserve of £147,600 to fund the activities as set out in Table 2 in section 9.3 be approved.

(20 Members voted in favour, 2 against and 4 abstained.) (ADAC/ADR)

188 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE

The Chairman updated Members on her recent Civic and charity engagements:-

"Members, I was honoured to attend a memorial service held in remembrance of Sir David Amess MP in Southend on 22 November.

I have visited many voluntary organisations and businesses to lend my support and raise awareness of the wonderful facilities available in our District.

One of those included Memory Lane Café, which is a voluntary group for Carers and their loved ones living with Dementia. This is held at Hockley Day Centre where I visited the clients who were enjoying an afternoon of entertainment, socialising and afternoon tea.

At the opposite end of the age spectrum, I was pleasantly impressed to see in excess of 50 young people in attendance at Kaos Phab Youth Club, Stambridge. To see youngsters playing football, cooking, learning skills and socialising in a safe environment was encouraging. I have learnt that their membership has since increased to 75 members.

I was also privileged to attend the official opening of the Rochford District Heritage Tapestry at the Rayleigh Town Museum. This is the most unique community project consisting of 10 panels of hand-crafted tapestry depicting significant events and local history of the District over the past 1,000 years put together by over 200 participants (children and adults) which was exhibited at Rayleigh Museum.

This has subsequently moved to Rochford Parish Council offices where it is available for viewing.

189 PUBLIC QUESTIONS AND MEMBER QUESTIONS ON NOTICE

Note: The Questions from Cllrs T D Knight and Mrs T L Carter were deferred to the next meeting of Council.

The Proper Officer reports that, pursuant to Council Procedure Rule 12.2, the following Member question had been received:

From Cllr M G Wilkinson to the Leader of the Council:-

“Rochford District Council has reached out to the residents for their views on the current sites being considered as part of the New Local Plan. In a letter to the RT Hon Robert Jenrick MP dated 9 November 2020, the Leader of the Council, together with the Portfolio Holder for Planning and the Chair of the Planning Policy Sub-Committee, urged the government to rethink the way in which housing targets are set for the future and also states that there is already a huge strain on local infrastructure. I am sure that all Members will agree with this sentiment. We already see our road network at a standstill. GP surgeries unable to cope and patients unable to obtain a simple doctor’s appointment. Schools at capacity and in some cases in excess of their capacity. Does the Leader of the Council agree with me that before any more housing is delivered within our district, the infrastructure needs to be addressed? To that end,

- 1) Can he also explain to this Council what his administration is doing to ensure that proper and improved infrastructure measures are incorporated within the New Local Plan so that Rochford District has the infrastructure to enable us to deliver the housing we are being asked for;
- 2) What is the Council doing to engage with Essex County Highways Department to ensure suitable road improvements are made to enable us to deliver the housing needs of the District?”

The Leader responded as follows:-

“The plan of making process requires that all plans promote sustainable patterns of development that meet the needs of the area, aligning growth with the need for new infrastructure, improvements to the environment and mitigation against climate change.

The strategic policies in our New Local Plan will set out an overall strategy for the pattern and scale of development areas in the District and make sufficient provision for infrastructure for transport and community facilities such as health and education.

The New Local Plan will set out the contributions expected from development. The Planning authority will engage with developers on those major schemes at pre-application stage to discuss the appropriate infrastructure required as a result of the new developments.

It must be accepted that it is the supply of the larger number of new homes that best achieve the infrastructural improvements, specifically in relation to our road network – it is not only road improvements and junction upgrades that are the solution – these should be complimented by the infrastructure that supports a genuine choice of transport modes.

In addition, experienced pressure on our local doctors' surgeries has prompted a response from the Mid Essex CCG, who recently met with our officers and requested that they now be consulted on all applications of 10 or more dwellings from now on, as opposed to the current threshold of 50 dwellings, recognising the demands even small-scale developments are having on our existing surgeries and the CCG's need to respond to this demand.

With regard to your second question, transport issues will be considered as part of the New Local Plan process, so that any potential impacts from the development on the transport network can be addressed. Part of the plan making process requires engagement between the Planning authority, the communities and infrastructure providers, joint working with strategic policy-making authorities is integral to determining where additional infrastructure is necessary.

But if I come back to your first point, like you, I do agree with the sentiment of your points and that is why over the past year I have written three letters; one to Mr Jenrick when he was Minister of State, but more recently to the RT Hon Michael Gove. I sent that letter on 1st November, just yesterday I received a response to that letter from the RT Hon Christopher Pincher MP, and I have asked for both my letter and that reply to be posted on Members' Drop tomorrow, so that all Members can see those letters because they are addressing infrastructure, the numbers allocation issue and the fact that decision making should stay with local authorities rather than be dealt with centrally.

When we do talk about infrastructure, I just want to come back to points that I have made regularly, and that is – please do not tell me on the development that by connecting a 12-inch sewage pipe to a 6-inch sewage pipe that is really infrastructure. It is not. What we want to see is genuine infrastructure and that really relates to digital connections, fibre broadband, water services, sewage services and certainly through the NHS, community facilities, but it comes through different agreements, Section 106 and larger scale developments.

I do want also to point you to the roundabout at Rawreth Lane and Hullbridge Road. For me, that is a genuine piece of infrastructure which has gone in, which has genuinely alleviated traffic congestion in an area quite remote from the development and the developers are actually part paid for it, and that is a good example. Before we talk ourselves down, whilst I totally do not want to take anything away from the points that you are making, I do want to acknowledge that infrastructure does go in and sometimes it goes in and we just take it a bit

for granted, but I do share your concern and I will continue to press through this administration for exactly the point that you are making.

190 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS HELD BETWEEN THE PERIOD 7 JULY TO 5 OCTOBER 2021

Council received the Minutes if Executive and Committee meetings held between the period 7 July to 5 October 2021..

191 REPORT ON URGENT DECISIONS

Council received the report on Urgent Decisions.

192 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE

Council received the following report from the Leader on the work of the Executive, who stated that in future this report would be circulated with the agenda:-

'Members, I am happy to provide an update, for information purposes, on business dealt with by the Executive since the last Full Council meeting on 20 July 2021.

At its meeting on 22 July, the Executive:

- Noted the updates regarding the Association of South Essex Local Authorities (ASELA) and the formalisation of a Joint Committee and agreed that the Council should become a member of the Joint Committee. The governance arrangements of the Joint Committee were also approved. The Leader of the Council was appointed as the representative, with the Deputy Leader being appointed as the Substitute Member.
- Noted the comments and summary of the public consultation relating to the Parks for Nature initiative and agreed that the initiative should be rolled out, with changes to the grounds maintenance regime, as reflected in the proposal. It was also approved that grounds maintenance would be delivered in-house commencing in December 2021.
- Noted the contents of the Residual Waste Arrangements report and agreed that a budget of £5,000 be allocated as part of the Council's share in jointly appointing external legal services to finalise the contract documents, in partnership with Basildon and Castle Point Borough Councils. The proposed procurement route of Open Procedure with a tender evaluation based on 90% price, 10% scoring criteria was noted.
- Noted the quarterly position on Section 106 contributions held at July 2021.
- Noted the updates on the council's three projects: the Connect Programme, the Asset Delivery Programme and the Beagle Event.
- Agreed write off sums in respect of Business Rates and Council Tax.

At its meeting on 9 September the Executive:

- Noted the updates on the Council’s three projects: the Connect Programme, the Asset Delivery Programme and the Beagle Event.
- Noted the Quarter 1 2021/22 revenue budget and capital position set out in the Financial Management Report.
- Noted the pipeline of Connect Programme Invest To Save projects being brought forward, following the business analysis work undertaken by the Key Change Champions Group and approved the GovService Customer Experience Platform business case and drawdown from the Connect Transformation Reserve.

At its meeting on 7 October the Executive:

- Approved two Connect Programme – Invest to Save Business Cases: the SharePoint & OneDrive Migration and the Committee Management Information System (CMIS) Upgrade, together with the appropriate drawdowns from the Connect Transformation Reserve.
- Agreed the award of the Residual Waste Transfer Contract from 1 November 2021.

Portfolio Holder decisions have been taken that have:

- Leased a section of the Council owned asset known as Ashingdon Pavilion to Ashingdon Pre-School for use as a nursery for a period of 7 years at an annual rent of £5,900.
- Entered into a licence with Café 206 Ltd for a section of the Council owned land at Oxford Parade, adjacent to 206-208 Ashingdon Road, Rochford for a period of 1 year (renewable annually).
- Agreed to produce an annual transparency statement in accordance with the Modern Slavery Act 2015.

193 MOTIONS ON NOTICE

The Motions on Notice received from Cllrs Mrs C M Mason, J E Newport and L J Newport were deferred to the next meeting of Council.

The meeting closed at 8.42 pm.

Chairman

Date

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