

Council – 21 July 2011

Minutes of the meeting of **Council** held on **21 July 2011** when there were present:-

Chairman: Cllr S P Smith
Vice-Chairman: Cllr Mrs J A Mockford

Cllr C I Black	Cllr M Maddocks
Cllr M R Carter	Cllr Mrs C M Mason
Cllr J P Cottis	Cllr J R F Mason
Cllr T G Cutmore	Cllr Mrs J E McPherson
Cllr K A Gibbs	Cllr T E Mountain
Cllr Mrs H L A Glynn	Cllr R A Oatham
Cllr K J Gordon	Cllr R D Pointer
Cllr J E Grey	Cllr C G Seagers
Cllr Mrs A V Hale	Cllr M J Steptoe
Cllr Mrs D Hoy	Cllr I H Ward
Cllr M Hoy	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 C J Lumley	Cllr Mrs B J Wilkins

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs P Aves, P A Capon, Mrs T J Capon, T E Goodwin, A J Humphries, Mrs J R Lumley, D Merrick, A C Priest and J Thomass.

OFFICERS PRESENT

P Warren	–	Chief Executive
A Bugeja	–	Head of Legal, Estates and Member Services
Y Woodward	–	Head of Finance
S Hollingsworth	–	Team Leader (Planning Policy)
J Bostock	–	Member Services Manager

181 MINUTES

The minutes of the Annual meeting held on 17 May 2011 and the Extraordinary meeting held on 7 June 2011 were approved as correct records and signed by the Chairman.

182 ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman was pleased to present the past Chairman's badge to Doris Stansby, the wife of the former Chairman.

The Chairman welcomed Canon John Brown, Vice-President of the Essex Association of Local Councils and Chairman of the County Accreditation Panel for Quality Status, who was in attendance for the award to Great Wakering Parish Council for achieving re-accreditation of Quality Parish

Status. The award was received by Cllr Tony Porter, Chairman of Great Wakering Parish Council.

Council congratulated the Chairman on the announcement of his engagement to Patricia Young.

It was noted that the Chairman had attended a variety of events on behalf of the Council since the last meeting.

183 MEMBER QUESTIONS ON NOTICE

Pursuant to Council Procedure Rule 12.2, questions had been received as follows:-

From Cllr C I Black:-

(a) Of the Portfolio Holder for Young Persons, Adult Services, Community Care and Wellbeing, Health and Community Safety

“In response to a public question at the Full Council Meeting on July 27th last year, your predecessor stated "The Council will continue to be pro-active in this period of transformation to ensure that the Rochford District has an appropriate level of health service provision in the new structure.”

What has the District Council actually achieved in the past year on this?”

The Portfolio Holder, Cllr Mrs J E McPherson, responded as follows:-

“The current local health service structure is that NHS South East Essex (NHS SEE) is responsible for delivering health services to Rochford, Southend and Castle Point - a population of approximately 360,000. Of this figure the population of the Rochford District is just over 80,000. Across these three areas there will inevitably be differing types and levels of need and NHS SEE will have to profile its resources accordingly in order to meet the specific requirements of the area. Various surveys and analysis and, in particular, the Joint Strategic Needs Assessment (JSNA) have been undertaken into the relative ‘health’ of the area and shows that Rochford compares favourably and indeed has a higher average life expectancy age than either Southend or Castle Point.

Rochford place survey has identified health services as ‘important’ but as an area for ‘maintaining strength’ rather than needing improvement and, as such, NHS SEE will be looking to maintain the current provision. For the future, the clinical commissioning group – Enterprise are taking over the commissioning of services and are, by their nature, comprised of local clinicians and locally focused.

There are regular channels of communication between the Council and the NHS and indeed the NHS has representation on the Joint Castle Point and Rochford Local Strategic Partnership. The NHS is also a key member of the

thematic partnerships which underpin the LSP, including the Community Safety Partnership, the Children's Commissioning and Delivery Board, the Health and Wellbeing Board and the Community Development Group.

Developments in Health's services over the past year

1. A pilot project commenced in January with the implementation of a Community Response Team across Castle Point and Rochford. The team provides a swift multi-disciplinary community response for people who would otherwise have been taken into hospital. The team are able to offer support based on individual need which may include nursing, therapy or social care.
2. An admission avoidance car manned by an emergency care practitioner (ECP) now operates across south East Essex and will attend 999 calls. The ECP has a range of specialist skills and is able to undertake a comprehensive assessment of the patient, provide treatment and access other services such as social care to prevent unnecessary admissions to hospital. Providing an improved quality of care to patients.
3. A pilot project has been running to improve the pathway for people in the end stages of their lives. The pilot has been running in Leigh and Benfleet and the outcomes have been very positive with more patients being supported to be cared for and die in their preferred place of care. It is the intention to roll out the pathway across the whole of South East Essex during the year.
4. There will be commissioning of additional respite for carers across SEE with an investment of £25,000.

For 2011/12 a range of Enhanced Services, including ones that will meet local need, have been commissioned from GP practices across SEE, including Rochford. There are over 20 of these services. They include 24 hour Blood Pressure Monitoring, Extended Hours Access, Minor Surgery and Influenza and Pneumococcal Vaccination."

By way of supplementary question, Cllr C I Black asked about the frequency of attendance at 999 calls by an Emergency Care Practitioner utilising the admission avoidance car. Cllr Mrs J E McPherson advised that the detailed figure would be provided.

(b) Of the Portfolio Holder for Planning and Transportation

"Can you please advise me of the approximate number of ongoing planning enforcement cases today, the number of officers in the planning enforcement team, and whether they are full or part time?"

The Portfolio Holder, Cllr K H Hudson responded as follows:-

“At present there are 507 enforcement cases on the books: 10 are category A (the most serious cases); 22 are category B; and 475 are category C. The enforcement team comprises two full time officers”.

By way of supplementary question Cllr C I Black, referring to the figure of 466 enforcement cases reported to the Council meeting in October 2010, asked when the figure should start to reduce. Cllr K H Hudson indicated that the figure fluctuated, it being a snapshot of a particular moment in time. Unless an additional enforcement officer was employed, with the associated financial implications, the situation would stay the same.

(c) Of the Portfolio Holder for the Environment

“In response to a question at Full Council on October 26th 2010 you were asked "Do you believe that the Members of the Executive had adequate oversight of the tendering arrangements for the New Materials Recovery Facility contract?" and you replied "Yes". Do you still believe that?”

The Portfolio Holder, Cllr M J Steptoe, responded as follows:-

“Yes, this question was answered in a separate communication dated 9 December 2010 and I have very little to add on this occasion.

The Contract Procedure Rules have recently been amended following a review by the Executive. This now ensures that all Members of the Council will be provided with the estimated values together with a brief description of the proposed contracts. No additional involvement of Members of the Executive was recommended.”

(d) Of the Portfolio Holder for Planning and Transportation

“Do you agree with me that the current arrangements for District Councillors to liaise with County Highways are not adequate?”

The Portfolio Holder, Cllr K H Hudson, responded as follows:-

“Members can report emergencies or problems through the County Council's website or by phoning the South Area Highways Office. Other matters can be reported to the Highways Liaison Officer, though it is preferable for reports to be channelled through the office of the Head of Planning and Transportation.

Arrangements are in place for the Portfolio Holder for Planning and Transportation to meet with highways officers every quarter and Members are encouraged to pass on views or concerns about issues to the Head of Planning and Transportation for discussion at these meetings.”

By way of supplementary question Cllr C I Black, referring to the delays a Member can experience in receiving feedback from County Highways, asked if

the situation whereby complaints covering two Council areas go through one Highways Officer could be a problem. Cllr K H Hudson referred to indications that a high number of enquiries related to on-street parking, something that fell to the Civil Enforcement Parking Partnership South. The Partnership could be contacted through the office of the Head of Planning and Transportation.

From Cllr Mrs D Hoy:-

Of the Leader of the Council

“Can you confirm the following with regard to Rochford District Matters?

- (1) How many copies are printed and paid for in each run.
- (2) How much does each print run cost.
- (3) To how many households is it delivered.
- (4) How many people read it.
- (5) Does the Council have the distribution and readership figures audited”

The Leader, Cllr T G Cutmore, responded as follows:-

- “(1) 37,000 copies.
- (2) Print costs are £3,663 per edition. This includes associated costs such as endorse folding and distributor preparation. It’s worth noting that overall, in 2010/11, total RDM costs were £27,906 which was offset by income of £26,400, a net cost of £1,506, compared to the budgeted net cost of £8,400.
 - (3) 35,242 copies are supplied to our distributors to deliver across the District, a further 651 are distributed via the Council's Support Services, the rest are distributed through partnership arrangements such as libraries and reception areas in Rochford and Rayleigh. Copies are also distributed at promotional events (e.g. Wild Woods Day, Rayleigh Arts Festival, recycling face-to-face events).
 - (4) Each edition generates a number of telephone calls and other queries across the Council from residents asking for more details on stories and there is a noticeable increase in requests for space in editions from partners and community groups in the District.

Members may also be interested in to know that the LGA has recently issued new guidance regarding Local Authority publications with an update to its Reputation campaign. The guidance indicates that:-

‘Every Council has a duty to inform residents about its plans and how to access services and benefits. Our research shows most residents

prefer to get their information from the Council newspaper or magazine.

There is also a proven link between informed ratings and resident satisfaction and people who read a Council magazine or newspaper are likely to be more informed and more satisfied with the Council.'

- (5) Distribution data is gathered after each delivery round through a variety of channels such as the 'Have Your Say' Group, Staff feedback, and residents' comments. Residents tend not to be backward in telling us when they have not received their copy."

184 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS

Council received the minutes of Executive and Committee meetings held between the period 18 May and 12 July 2011.

185 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

(1) Draft Corporate Plan 2011-16

Council considered the report of the Executive containing a recommendation relating to approval of the revised Corporate Plan.

It was noted that the housing expenditure totals in the box on page 8 of the Plan would be replicated in the pie chart on page 9.

Resolved

That the revised Corporate Plan for 2011-16 be adopted. (CE)

(2) Rochford Core Strategy – Way Forward

Council considered the report of the Portfolio Holder for Planning and Transportation containing a recommendation relating to requesting the Inspector that the examination into the Core Strategy be suspended until December 2011.

The Team Leader (Planning Policy) provided a brief overview of the background to the current position and the options available.

Responding to questions, officers advised that:-

- The proposals before Council related to the submission of a formal request to the Inspector. It would be up to the Inspector to take a view on that request. The situation the Council was in was not unique, the approach being suggested reflecting that taken by Inspectors in some other parts of the country.
- The Inspector could choose to issue a report on the soundness of the Core Strategy in its current form. Whilst an option could be for the

Council to seek to withdraw the Strategy, such an approach would introduce issues in terms of the demonstrable five year supply of housing land.

- The Government's proposed increase of 20% on housing figures, the subject of a leak associated with the National Planning Statement, would relate to a 20% leeway over the five year supply of housing land.
- There are no known court cases in the process of being determined that might affect the Council's position. It was anticipated that the Localism Bill would address known ambiguities.

During discussion reference was made to the possibility that suspension of Core Strategy activity could reduce the likelihood of planning applications involving high numbers of new build housing being submitted and remove any possibility that new build figures could be revised to match a Government growth agenda. However, reference was also made to the positive weighting that had been given to the existence of a Core Strategy by Planning Inspectors during two recent planning appeals. If the Council indicated that it did not operate a Core Strategy this could be seen as a window of opportunity by some developers.

There was some discussion on the relationship between housing needs assessments and the number of dwellings identified within the Core Strategy.

On a motion, moved by Cllr K H Hudson and seconded by Cllr T G Cutmore, it was:-

Resolved

That a formal request be made to the Inspector that the examination into the Core Strategy be suspended until December 2011 and that, in the meantime, work is undertaken to identify and consult on the amendments required to ensure the Core Strategy has regard to the likely adoption date of 2012 (Option A). (HPT)

Note: Cllr J R F Mason wished it to be recorded that he had voted against the above decision.

(3) The Localism Bill and Development of a Replacement Standard Framework

Council considered the report of the Standards Committee containing a recommendation relating to participation in a partnership project to develop a model standard framework following the abolition of the current statutory Standards Regime.

Resolved

That the Council participate in the partnership project to develop a model standards framework, following the abolition of the current statutory Standards

Regime, for consideration and consultation with other stakeholders including Parish and Town Councils. (HLEMS)

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

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

Resolved

That the Officers of Surveillance Commissioner's inspection report and the quarterly authorisation statistics be noted and that future reports on RIPA authorisations be considered by the Review Committee on an annual basis when the annual review of the policy takes place. (HLEMS)

186 REPORT ON URGENT DECISIONS

Pursuant to Overview and Scrutiny Procedure Rule 15(f), Council received and noted a report on decisions that had been taken as a matter of urgency and not subject to call-in/referral.

187 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 the last Council meeting before the summer recess and a time, perhaps, to reflect on Council business to date. It is interesting to look back to my speech last July when I remarked that the agenda that night very much had a planning flavour. Twelve months on and again, on tonight's agenda, planning is playing a prominent role. Some things never change!

On Monday of this week, I was at London Southend Airport where the Minister for the Thames Gateway, Bob Neill MP, officially opened the new Control Tower. I had the delight of climbing all the way to the top of the Tower using the stairs, so I got a very real sense of how high it is. It is certainly a major improvement on the old Tower with its limited visibility, not to mention the fact that the view of the District from the Tower is quite splendid.

We also had a tour of the new Terminal Building which is scheduled to open in the Autumn, and visited the new Station. I am pleased to report that, from this week, not only do the trains stop at the new Station but they are now opening their doors. In fact, while we were there, some passengers got on. After years of much uncertainty and debate over the future of the Airport, it is really very uplifting to see the strides that have now been made which, on my part, symbolise well what can be achieved through good partnership working between the public and private sectors. Whilst I was at the Airport I managed to talk to a number of employees who had recently been recruited and it was pleasing to see that a number of these lived in the Rochford District.

Our maximising kerbside recycling initiative continues to go from strength to strength. We have completed the roll out of the scheme to our mobile home sites and there are now only approximately 900 flats remaining, which are being addressed. In May we achieved an incredible 71% recycling rate, which must be close to a record, although I understand from Cllr Steptoe, the Environment Portfolio Holder, that contamination of our dry recycling is beginning to become a bit of an issue, which we are attempting to resolve.

At about this time last year the LetsRecycle website announced that we were one of the highest performing authorities in terms of recycling. I'm led to believe that they should issue their assessment of the 2010/11 figures next week and it will be interesting to see where we now rank nationally.

Since the start of this municipal year in May, the Executive has met on three occasions, twice last month, and again last week. At the June meetings we discussed progress on the potential joint ICT contract with Braintree, Colchester and Castle Point. The tenders are due in shortly and will then be assessed over the summer period. The outcome of that assessment will be reported into the Executive in October when a decision will need to be made on the way forward.

The 22nd June Committee considered the Corporate Plan, which is on tonight's agenda, and looked at our performance statistics and customer feedback. We also discussed progress and the way forward in relation to the Great Wakering Sports Centre and, under private and confidential matters, considered the Chief Executive's appraisal and the MRF contract on which there has been a question this evening.

Last week's Executive looked at our updated Asset Management Plan and considered our Medium Term Financial Strategy. We also agreed the timetable around this year's budget process and the consultation that will be undertaken as part of that process. We looked at our Open Spaces and Play Area programmes and agreed the way forward in relation to the electrical contract covering part of the Rochford Office complex, as well as taking a decision in connection with our Local Strategic Partnership posts.

Since the last Council, my colleagues on the Executive have considered reports in relation to such matters as the Animal Welfare Charter, internal audit services and various Government consultations. As always, I'll 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."

Responding to a question on the proposed joint ICT contract, the Leader advised that it was too early to be able to clarify the precise nature of the decision that would need to be made on the way forward. That would only become apparent once there had been an assessment of the tenders.

188 MOTIONS ON NOTICE

Pursuant to Council Procedure Rule 13, the following motion had been received from Cllrs M Hoy and Mrs D Hoy:-

‘Further to the consultation on the Allocations DPD Discussion and Consultation Document, which closed on 30 April 2010, the 891 responses received from Hullbridge residents, of which 4 were in favour, 20 were comments and 867 were objections, and with regard to responses from the District as a whole, this Council recognises that over 90% of the respondents to the Allocations DPD Discussion and Consultation Document object to that document and that the Council agree that they should not be pursuing a policy so overwhelmingly rejected by the population in all parts of the District.’

The motion was moved by Cllr M Hoy and seconded by Cllr Mrs D Hoy.

In favour of the motion it was observed that, in the context of customer satisfaction surveys, the overall response rate of two and a half percent to the discussion and consultation document was good. The document was something that residents chose to respond to. Reference was made to a possibility that the Government agenda in relation to housing growth could have implications for the Council’s current position.

Against the motion reference was made for the fact that responses received related to a consultation document, not something that was Council policy. The results of the consultation would be reported for consideration to the Local Development Framework Sub-Committee in due course. It can be the case that persons in favour of a proposed approach do not necessarily take the time to respond to a consultation document. Reference was also made to the importance associated with ensuring that the Core Strategy was in place.

It was noted that any Member could attend forthcoming meetings of the Local Development Framework Sub-Committee as a visiting Member.

The motion was declared lost.

189 ANNUAL REPORT 2010/11

Council considered the report of the Head of Finance on the Annual Report 2010/11.

Resolved

- (1) That, subject to any changes resulting from the audit of the accounts, the Annual Report be agreed for publication.
- (2) That the audited Financial Statements for 2010/11 be presented to the September meeting of the Audit Committee for approval with the External Auditor’s report. (HF)

190 CAPITAL PROGRAMME 2011/12

Council considered the report of the Head of Finance on the Capital Programme for 2011/12 following closure of the Accounts for 2010/11.

Resolved

That the revised Capital Programme for 2011/12, as set out in the report, be agreed. (HF)

191 TREASURY MANAGEMENT ANNUAL REVIEW REPORT 2010/11

Council considered the annual report of the Head of Finance on treasury management for the 2010/11 financial year.

Resolved

That the contents of the Annual Report be noted. (HF)

192 HOMELESSNESS REVIEWS

Council considered the report of the Head of Community Services on amending the Council's policy to enable homelessness reviews to be dealt with at officer level without referral to the Appeals Committee.

Resolved

That a decision on this matter be deferred pending detailed review of the existing policy by the Portfolio Holder for Council Tax Collection, Benefits and Strategic Housing Functions, the Chairman of the Appeals Committee and the Deputy Leader of the Council, in consultation with officers. (HCS)

The meeting closed at 9.11 pm.

Chairman

Date

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