

## **Council - 30 July 2002**

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Minutes of the meeting of **Council** held on **30 July 2002** when there were present:

Cllr R S Allen (Chairman)  
Cllr R A Amner (Vice-Chairman)

Cllr Mrs L Barber	Cllr Mrs E Marlow
Cllr C I Black	Cllr J R F Mason
Cllr Mrs R Brown	Cllr Mrs M D McCarthy
Cllr P A Capon	Cllr G A Mockford
Cllr Mrs T J Capon	Cllr C R Morgan
Cllr R G S Choppen	Cllr R A Oatham
Cllr T G Cutmore	Cllr J M Pullen
Cllr D F Flack	Cllr P K Savill
Cllr K A Gibbs	Cllr C G Seagers
Cllr Mrs H L A Glynn	Cllr Mrs M A Starke
Cllr T E Goodwin	Cllr M G B Starke
Cllr J E Grey	Cllr J Thomass
Cllr A J Humphries	Cllr Mrs M S Vince
Cllr C C Langlands	Cllr Mrs M J Webster
Cllr T Livings	Cllr P F A Webster
Cllr C J Lumley	Cllr Mrs M A Weir
Cllr Mrs J R Lumley	Cllr Mrs B J Wilkins

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs D F Flack, C A Hungate, Mrs L Hungate and S P Smith

### **OFFICERS PRESENT**

R J Honey	Corporate Director (Law, Planning & Administration)
R Crofts	Corporate Director (Finance & External Services)
D Deeks	Head of Financial Services
S Fowler	Head of Administrative & Member Services
J Bourne	Leisure and Contracts Manager
J Bostock	Principal Committee Administrator

### **374 MINUTES**

The Minutes of the Meeting held on 27 June 2002 were approved as a correct record and signed by the Chairman.

### **375 ANNOUNCEMENTS FROM CHAIRMAN**

The Chairman and Vice-Chairman had attended a number of events within both the District and neighbouring authorities. The recent Civic Reception and quiz night had been notably successful.

The Chairman wished to make specific reference to the efforts of ServiceTeam, the Council's waste contractor, in making arrangements for three year old Ethen Adams of Hullbridge to fulfil a wish to ride in one of the Council's dustcarts. Council concurred with the view of a Member that a letter of appreciation should be sent to ServiceTeam.

### **376 COMMITTEE MINUTES AND REPORTS**

Council received the Minutes of Committees and considered Committee Reports as follows:-

<b>Committee</b>	<b>Date</b>	<b>Minute No.</b>
(1) Planning Services	30 May 2002	202-212
(2) Community Services	5 June 2002	213-223
(3) Environmental Services	6 June 2002	224-229
(4) Policy & Finance	11 June 2002	230-238
(5) Community Overview & Scrutiny	18 June 2002	239-244
(6) Environment Overview & Scrutiny	19 June 2002	245-246
(7) Finance & Procedures Overview & Scrutiny	20 June 2002	247-253
(8) Planning Services	25 June 2002	254-263
(9) Environment & overview & Scrutiny	26 June 2002	264-272
(10) Community Services	2 July 2002	280-294
(11) Environmental Services	4 July 2002	295-306

#### **(a) Taxi Voucher Scheme Appeals (Minute 302/02)**

Pursuant to Overview & Scrutiny Procedure Rule 15(h) Council received a report on a decision taken as a matter of urgency relating to Taxi Voucher Scheme Appeals.

(12) Policy & Finance	9 July 2002	307-321
(13) Community Overview & Scrutiny	16 July 2002	322-334

#### **(b) Estimate for new footpath and land drainage – Sweyne Park (Minute 331/02)**

Council considered the report of Community Overview & Scrutiny Committee on the estimate for a new footpath and land drainage at Sweyne Park, Rayleigh.

### Resolved

- (1) That the following paths' lengths be constructed:-

Path A	110 metres
Path B	400 metres
Path C	240 metres
Path D	110 + 160 metres

- (2) That the land drainage at the Clover Leaf play space be undertaken.
- (3) That additional interest tables and additional wild flower planting should take place around the area with improved signage being provided at footpath A explaining the reasons why the area was not regularly mown. (CD(F&ES))

**(c) Memorial to former Councillor Mrs S J Lemon (Minute 332/02)**

Council considered the report of the Community Overview & Scrutiny Committee on the introduction of a permanent memorial to former Councillor Mrs S J Lemon.

### Resolved

That a tree be planted in memory of former Councillor Mrs S J Lemon either in Sweyne Park or in close proximity to the Mill Hall and the Windmill as a permanent memorial. (CEX)

**(d) Sheltered Housing Scheme Management (Minute 334/02)**

Council considered the report of the Community Overview & Scrutiny Committee on Sheltered Housing Scheme Management.

### Resolved

- (1) That interim management arrangements be considered for sheltered housing for a twelve month trial period based on wardens working a 37 hour week and supervising paired schemes.
- (2) That out of hours calls be referred to a call centre.
- (3) That Hardwick House be included within these arrangements until the outcome of the bidding process with the Housing Corporation is known.
- (4) That Francis Walk be managed as a Sheltered Housing Scheme and be included within the scheme but that the District Council's

intentions be made clear to current tenants in that the stock would no longer be managed as a Sheltered Housing Scheme but that it would be retained for tenants of a pensionable age. (HRHM)

<b>Committee</b>	<b>Date</b>	<b>Minute No.</b>
(14) Standards	17 July 2002	335-337
(15) Environment Overview & Scrutiny	18 July 2002	338-351
(16) Finance & Procedures Overview & Scrutiny	23 July 2002	355-364

### **(e) Parish Partnership Fund (Minute 358/02)**

Council considered the report of the Finance and Procedures Overview and Scrutiny Committee on the Parish Partnership Fund.

#### **Resolved**

That the remainder of the £20,000 allocation for 2001/2002 and the allocation for 2002/2003 and 2003/2004 be returned to the Capital Programme for reconsideration as part of the 2003/2004 Budget debate. (CE)

### **(f) IS/ICT and E-Government Strategies (Minute 360/02)**

Council considered the report of the Finance & Procedures Overview and Scrutiny Committee on IS/ICT and e Government strategies.

#### **Resolved**

- (1) That the proposals in the report be agreed as the basis of the Council's IS/ICT and e-government implementation plans for 2002/03.
- (2) That a further report on options for electronic communication by Members be submitted to the Finance and Procedures Overview and Scrutiny Committee in the next cycle of meetings.
- (3) That the differential pricing proposed for land charge searches received via the National Land Information Service system be approved.
- (4) That the proposals in the report be approved as the basis for the submission of the Council's Implementing Electronic Government 2 Statement. (HAMS)

**(g) Single Capital Pot - Capital Strategy and Asset Management Plan (Minute 362/02)**

Council considered the report of the Finance and Procedures Overview and Scrutiny Committee on the Single Capital Pot - Capital Strategy and Asset Management Plan.

**Resolved**

That the Capital Strategy and Asset Management Plan 2002 be approved and submitted for inclusion in the Single Capital Part – Round 2. (CD(LP&A))

**(h) Chambers of Trade - Bids for Town Centre Initiatives for 2002/03 (Minute 364/01)**

**Resolved**

- (1) That the support of all three bids, in principle, by the Finance and Procedures Overview and Scrutiny Committee be noted.
- (2) That Officers work with the Chambers to explore other funding sources that could ensure all projects proceed.
- (3) That a further report be brought to the next meeting of the Finance and Procedures Overview and Scrutiny Committee so that a final recommendation can be made. (CE)

**377 MOTIONS OF NOTICE**

**(a) From Councillors Mrs M S Vince, Mrs M A Weir, D F Flack and C R Morgan**

The Proper Officer reported that, pursuant to Council Procedure Rule 12, the following motion had been received from the above named Councillors-

**“TOILETS IN COUNCIL HOUSING**

This Council accepts that, whilst this Council still has approximately 300 high level cisterns within its housing stock, tenants efforts to keep high level cisterns clean does have Health and Safety implications, particularly amongst our less agile residents.

Addressing high level cisterns and replacing with approved low level ones would be both environmentally beneficial and address any safety issues.

Therefore replacements should become a key criteria under the Decent Homes Delivery Action Plan.

This Motion to be considered at Full Council prior to referral to the appropriate Overview and Scrutiny Committee”

In presenting the motion, Cllr Mrs Vince wished to emphasis the intention that priority be given to less agile tenants.

### **Resolved**

That the motion be referred to the Community Overview and Scrutiny Committee. (HAMS/HHHCC)

**(b) From Councillors P F A Webster, R A Amner, Mrs L Barber, T G Cutmore, P A Capon, Mrs T J Capon, R G S Choppen, K A Gibbs, T E Goodwin, J E Grey, A J Humphries, C C Langlands, Mrs M D McCarthy, G A Mockford, C G Seagers, Mrs M A Starke and M G B Starke**

The Proper Officer reported that, pursuant to Council Procedure Rule 12, the following motion had been received from the above named Councillors-

“Rochford Council condemns the arbitrary decision of Government to build some 200,000 new houses in the South East – with possibly 100,000 being built in Essex. Council believes that the effects of the Government action will mean:

- Planning decisions on where to locate these houses will be taken by unelected officials based, probably, in Cambridge.
- The residents of Rochford District will have no influence or input whatsoever into how many of these houses will be built in this District.
- By riding rough-shod over the views of local people, the Government is destroying local democracy. Residents who vote in local elections have the right to believe that their elected councillors can make a substantive input into planning decisions which impact greatly on people’s lives and homes.
- Already, this District suffers from major infrastructure problems regarding roads, schools and medical facilities. The Government’s decision will force residents to have even worse journeys, even more over crowded schools and even longer waiting lists for doctors and hospitals.

- The detrimental effects of this decision on conservation areas and the green belt of Rochford and other Districts in Essex will be profound – and green fields once concreted over never return to grass.”

The motion was moved by Cllr P F A Webster and seconded by Cllr T G Cutmore. In introducing the motion Cllr P F A Webster observed that anyone opposing its contents would need to be able to demonstrate how the residents of Rochford District would benefit from Government proposals.

The following amendment to the bullet points within the motion was moved by Cllr Mrs M A Weir and seconded by Cllr Mrs M S Vince:-

- "Planning decisions on where to locate these houses will be taken by District Councils and their representatives on Strategic Bodies.
- The residents of Rochford District will have influence and input into how many houses will be built in this District via the District Local Plan.
- Residents who vote in the local elections have the right to believe that their elected Councillors can make a substantive input into planning decisions which impact greatly on people's lives and homes.
- Already this District suffers from major infrastructure problems regarding roads, schools and medical facilities. We therefore welcome the Government's decision that infrastructure must come before development.
- We welcome the Government's statement that they will **not** concrete over the South East as speculated in the Press, but the emphasis will be on the use of Brown Field sites."

Against the amendment, reference was made to the need to be mindful of the implications of Government Regional Assembly proposals on planning decisions. Statistically, it would be highly unlikely there would be any representation from the Rochford District on a Regional Assembly and there would be no County Council. Comment was also made that it would be difficult to believe that some 200,000 new houses could be accommodated within brownfield sites alone and that Government proposals were a threat to the Council's 85% green belt position

In favour of the amendment, reference was made to building activity already initiated within the District by virtue of Serplan. The Government paperwork targets brownfield sites and Regional

Assemblies should not be seen as a forgone conclusion given that they will be dependent upon the wishes of the public. Reference was also made to there being an 'essential' rather than 'arbitrary' need to resolve housing need within the South East. Whilst it was clear the District's green belt needed protecting, experience to date indicated that the greatest threat was likely to come from the priorities of neighbouring authorities.

The amendment was lost on a show of hands.

Against the original motion, comment was made that it appeared to contain some unfounded concerns and elements of speculation. Reference was made to a brownfield site to the north of the country which had been returned to grassland. One positive outcome of proposals could be removal of the existing twin tracking mechanism for planning. From an historical perspective, it could be seen that local authorities with responsibility for infrastructure had not responded to need. The current emphasis should perhaps be on lobbying for a more influential role for the District and the development of accountabilities within the District plan. Reference was also made to the existence of large areas of brownfield site within the Thames Gateway area.

In favour of the original motion, specific reference was made to the likely removal of local democratic control from the planning process, with the District no longer being master its own destiny. It could be observed that, given members of the Thames Gateway project such as Southend-on-Sea already had development issues, pressure will be placed on neighbouring authorities with greenfield sites. Essex County Council would no longer exist under a Regional Assembly structure and some brownfield sites within industrial parts of the Thames Gateway could be contaminated. There was already signs that the Government had broad ranging development proposals, typified by expansion of Stansted Airport. A Member observed that urban growth could bring commodity driven development and that one outcome of the Government's proposals may be exacerbation of the north/south divide within the country. Reference was also made to the existence of many inconsistent/worrying aspects within specific paragraphs of the reports from the office of the Deputy Prime Minister.

On a requisition pursuant to Council procedure Rule 16.4, a recorded vote was taken on the original motion as follows:-

For(32)                      Cllrs R S Allen, R A Amner, Mrs L Barber, C I Black,  
Mrs R Brown, P A Capon, Mrs T J Capon,  
R G S Choppen, T G Cutmore, K A Gibbs,  
Mrs H L A Glynn, T E Goodwin, J E Grey, A J  
Humphries, C C Langlands, T Livings, C J Lumley,  
Mrs J R Lumley, Mrs E Marlow, J R F Mason,  
Mrs M D McCarthy, G A Mockford, R A Oatham,



J M Pullen, P K Saville, C G Seagers, Mrs M A Stark,  
M G B Stark, J Thomass, Mrs M J Webster,  
P F A Webster and Mrs B J Wilkins

Against(3) Cllrs C R Morgan, Mrs M S Vince and Mrs M A Weir

Absentions (0)

**Resolved**

That the motion be agreed. (CE).

**378 LOCAL SERVICE AGREEMENTS**

Council considered the report of the Chief Executive on a proposal from the leader of Essex County Council, Lord Hanningfield, relating to the possibility of setting up Local Service Agreements between the County Council and one or more district councils.

Members felt that exploratory talks would be appropriate on the basis that they would be non-committal. There would be particular interest in the thinking on highways.

On a motion moved by Cllr P F A Webster and seconded by Cllr T G Cutmore it was:-

**Resolved**

That exploratory talks be held with the County Council in respect of the potential for a Local Service Agreement between Essex County Council and Rochford District Council to include services for the elderly, youth services, highways and back office issues such as recruitment, training and development. (CE)

**379 ROCHFORD DISTRICT COUNCIL LOCAL CODE OF CORPORATE GOVERNANCE**

Council considered the report of the Corporate Director (Finance & External Services) on the adoption of a Local Code of Corporate Governance.

Responding to Member questions, the Corporate Director advised that the Officers assessment of how Rochford compares to guidance requirements would be submitted to the Finance and Procedures Overview and Scrutiny Committee in September.

**Resolved**

That the proposed Rochford Local Code of Corporate Governance as set out in the Appendix to the Corporate Director's report (a copy of which is attached to the signed copy of these Minutes) be adopted. (CD(F&ES))

**380 RISK MANAGEMENT STRATEGY**

Council considered the report of the Corporate Director (Finance & External Services) on a proposed Risk Management Policy Statement and Strategy for the Authority.

Responding to Member questions, the Corporate Director advised that the Risk Management Officer would be a dedicated member of staff with overall responsibility to the Corporate Management Board.

**Resolved**

That the Risk Management and Policy and Strategy Statements as appended to the Corporate Director's report (copies of which are attached to the signed copy of these Minutes) be agreed. (CD(F&ES))

**381 STATEMENT OF ACCOUNTS 2001/02**

Council considered the report of the Head of Financial Services on the approval of the Statement of Accounts prior to submission to the external auditors.

The Head of Financial Services drew attention to Financial Reporting Standard 17 and the current deficit in the pension fund indicated in the actuaries report.

Responding to Member questions, the Head of Financial Services agreed that there was a need to be mindful of recent stock market movements when looking at possible future increases in pension fund contributions.

On a motion moved by Cllr P F A Webster and seconded by Cllr C G Seagers it was:-

**Resolved**

That the Statement of Accounts 2001/02 (a copy of which is attached to the signed copy of these Minutes) be agreed for submission to the external auditors. (HFS)

### **382 WASTE ADVISORY MANAGEMENT BOARD NOMINATION**

Council considered the report of the Corporate Director (Finance & External Services) on the appointment of a Member nominee to act as the Council's representative at meetings of the Waste Management Advisory Board.

On a motion moved by Cllr P F A Webster and seconded by Cllr T G Cutmore it was:-

#### **Resolved**

That Cllr G A Mockford be nominated as this Council's representative on the Waste Management Advisory Board. (CD(F&ES))

#### **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 9 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

### **383 LEISURE CONTRACT**

Council considered the exempt report of the Corporate Director (Finance & External Services) which sought approval to Volume 3 of the Leisure Contract documentation.

During debate, Council concurred with the view of a Member that it would be appropriate to change part of the wording of proposed Special Condition 22.1.

Responding to Member questions, Officers advised that:-

- Leisure market related factors continued to be monitored.
- The contractor was concluding its review of the catering service to address problems. The intention was to introduce revised arrangements during September 2002.
- Regular meetings had been held with the contractor. Proposals for a residents' leisure card has been developed for submission to the September cycle of meetings.
- Holmes Place would be reporting on the contract to the September meeting of the Community Overview and Scrutiny Committee.

**Resolved**

That, subject to adjusting Special Condition 22.1 so that the words 'at the earliest opportunity' are replaced with 'before the end of 2005', the Form of Agreement set out at Appendix A to the report (a copy of which is attached to the signed copy of these Minutes), incorporating the provisions detailed in the report and such other terms as may be considered necessary by the Head of Legal Service for the purposes of finalising the formal contract between Rochford District Council and Holmes Place Leisure Management for the management of its leisure facilities, be approved. (CD(F&ES)).

The meeting closed at 8.56 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_