

Council – 19 April 2011

Minutes of the meeting of **Council** held on **19 April 2011** when there were present:-

Cllr S P Smith (Vice-Chairman in the Chair)

Cllr Mrs P Aves	Cllr M Maddocks
Cllr C I Black	Cllr J R F Mason
Cllr P A Capon	Cllr Mrs J E McPherson
Cllr Mrs T J Capon	Cllr D Merrick
Cllr M R Carter	Cllr Mrs J A Mockford
Cllr J P Cottis	Cllr R A Oatham
Cllr T G Cutmore	Cllr C G Seagers
Cllr K A Gibbs	Cllr M J Steptoe
Cllr Mrs H L A Glynn	Cllr Mrs M J Webster
Cllr K J Gordon	Cllr P F A Webster
Cllr J E Grey	Cllr Mrs C A Weston
Cllr K H Hudson	Cllr Mrs B J Wilkins
Cllr T Livings	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs L A Butcher, Mrs L M Cox, A J Humphries, Mrs G A Lucas-Gill, C J Lumley, Mrs J R Lumley, A C Priest, P R Robinson and J Thomass.

OFFICERS PRESENT

P Warren - Chief Executive
A Bugeja - Head of Legal, Estates and Member Services
J Bostock - Member Services Manager

At the commencement of the meeting, Members paid tribute and stood in silence in memory of the Chairman of the Council, Cllr D G Stansby, who had recently passed away. Particular reference was made to Cllr Stansby's integrity and contributions to the community.

118 MINUTES

The Minutes of the meeting held on 22 February 2011 were approved as a correct record and signed by the Chairman.

119 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS

Council received the Minutes of the all Executive and Committee meetings held between the period 12 February and 8 April 2011.

120 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

(1) Regulation of Investigative Powers Act 2000 (RIPA)

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

The Leader of the Council wished to emphasise that the Authority would not ordinarily consider utilising the investigatory powers, they being something that would only be applied in very special circumstances if deemed necessary.

Resolved

That the revised 'Covert Surveillance Policy and Procedure Manual'(RIPA Policy), attached as Appendix 1 to the Committee report, be approved. (HLEMS)

(2) Annual Report of the Review Committee

Council considered the Review Committee's Annual Report.

Resolved

That the Annual Report be received. (HLEMS)

(3) Localism – Relating to Ethical Framework and Code of Conduct

Council considered the report of the Standards Committee containing a recommendation relating to a local Code of Conduct.

Resolved

That, subject to the legislation being enacted, a Local Code of Conduct (based on the current Code), together with procedures for dealing with complaints, be developed for adoption; the Independent and Parish Members of the Standards Committee to be included in the work on development. (HLEMS)

121 REPORT ON URGENT DECISIONS

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

It was noted that the urgency associated with the decision on the Materials Recovery Facility contract related to legal timetables. It was also noted that all Members received copies of reports to be considered by the Executive and had the opportunity to discuss these and any other matters of concern/interest directly with Portfolio Holders.

122 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE

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

“Since my last report to Council on 22 February the Executive has met on three occasions – twice in March and once in April.

Activity during the first March meeting included endorsing a draft Ageing Population Strategy and Action Plan for the purposes of consultation. We also endorsed the Greater Essex Integrated County Strategy and will be receiving a further report in due course on progress towards developing an Action Plan to take forward the priority themes and investments. Later in March we met in private and confidential session and agreed that the Council should join the South Essex Parking Partnership on the basis that arrangements are closely monitored given that they need to be in the Council's best interests. We also discussed the contract for the Materials Recycling Facility.

Our meeting last week included consideration of the Performance Report on Key Projects for the last quarter. We endorsed the Cherry Orchard Country Park Management Plan that will cover the period 2011 to 2016 and considered the introduction of a more efficient heating system for the Council's offices at Rochford.

Since the last Council meeting my colleagues on the Executive have considered such matters as the pest control service, responding to Essex County Council consultation in relation to the library service and the award of grants to voluntary organisations.

As always, I will be happy to take any questions from Members in respect of the work of the Executive. I am sure my Executive colleagues will be happy to contribute where appropriate.”

Responding to a question relating to Planning Weekly List arrangements, the Portfolio Holder for Planning and Transportation, Cllr K H Hudson, advised that:-

- The interpretation of A1 planning consent can be broad, ranging from small shops to supermarkets.
- The Weekly List process is tried and tested and compares favourably to arrangements operated by other local authorities.
- Controversial planning applications are automatically referred to the Development Committee for consideration.
- Members should always be alert to the content of the list of planning applications received and approach officers if they have any questions, including on referral of an application to the Committee.

The Chairman confirmed that learning needs associated with this type of matter can help inform the Member Training and Development Programme.

123 ADJUSTMENTS TO CONSTITUTION

Council considered the report of the Head of Legal, Estates and Member Services on adjustments to the Council's Constitution to take account of recent decisions in relation to the move from Area Committees to Community Forums and the organisational restructure.

With regard to Community Forums Members concurred with the observation of the Leader that, in order to be able to respond effectively to questions the public may have, there should be a focus on maximising attendance by the representatives of as many partner agencies as possible. The fact that the County Council's South Essex Area Forum was ceasing could be a catalyst for attracting partners to the new District Forums.

In terms of numbers, it was envisaged that a representative from each of the Town/Parish Councils within the District would be amongst invitees. The objective of Forums was to provide a specific facility for residents to be able to ask questions direct of their elected representatives and representatives of partner agencies and receive immediate answers where possible.

Council agreed to some amendment to the proposed Constitution page relating to Community Forums, moved by Cllr T G Cutmore and seconded by Cllr P A Capon, and it was:-

Resolved

That the proposed adjustments to the pages in the Constitution to reflect recent decisions be endorsed, subject to:-

- The paragraph under heading 10.1 of Article 10 being revised to read 'Community Forums provide a facility for the public to ask questions direct of their elected representatives and representatives of partner agencies and receive immediate answers where possible'.
- The inclusion of a sub-heading 'Other Bodies' for the final paragraph under heading 10.2. The paragraph being revised to read 'A representative from the Parish/Town Councils, Police, Fire, Health Service and other partner agencies, together with County Councillors, will be asked to attend with a view to answering questions from the public.' (HLEMS)

Prior to the close of the meeting the Chairman, on behalf of the Council, extended thanks to those Members who were retiring at the end of the current Municipal Year for all their contributions. Best wishes were extended to Members who would be returning or who were seeking to return for a new term of office in the next Municipal Year.

The meeting closed at 8.15 pm.

Chairman

Date

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