

Council – 31 October 2006

Minutes of the meeting of **Council** held on **31 October 2006** when there were present:-

Chairman: Cllr Mrs M J Webster

| | |
|----------------------|-----------------------|
| Cllr R A Amner | Cllr J R F Mason |
| Cllr Mrs P Aves | Cllr D Merrick |
| Cllr C I Black | Cllr Mrs J A Mockford |
| Cllr Mrs R Brown | Cllr R A Oatham |
| Cllr Mrs L A Butcher | Cllr J M Pullen |
| Cllr J P Cottis | Cllr P K Savill |
| Cllr T G Cutmore | Cllr C G Seagers |
| Cllr T E Goodwin | Cllr S P Smith |
| Cllr K J Gordon | Cllr D G Stansby |
| Cllr J E Grey | Cllr Mrs M A Starke |
| Cllr Mrs S A Harper | Cllr M G B Starke |
| Cllr K H Hudson | Cllr J Thomass |
| Cllr A J Humphries | Cllr P F A Webster |
| Cllr C J Lumley | Cllr Mrs C A Weston |
| Cllr Mrs J R Lumley | Cllr Mrs B J Wilkins |

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs P A Capon, Mrs T J Capon, K A Gibbs, Mrs H L A Glynn and T Livings.

OFFICERS PRESENT

| | |
|-------------|---|
| P Warren | - Chief Executive |
| R J Honey | - Corporate Director (Internal Services) |
| G Woolhouse | - Corporate Director (External Services) |
| Y Woodward | - Head of Finance, Audit and Performance Management |
| H Collins | - Civic and Public Relations Officer |
| J O'Brien | - Committee Administrator |
| J Bostock | - Principal Committee Administrator |

ST ANDREWS CHURCH, ROCHFORD

The Reverend Chris Cousins of St Andrews Church, Rochford was in attendance to officiate for prayers and provide information on his Church.

Rather than provide specific detail on the history and activity of St Andrews, Reverend Cousins felt that this was an appropriate moment to thank the Council on behalf of the Church and community for all that it does. It could be observed that, compared with some other countries, local government received low levels of public recognition. It could also be observed that councils and churches share common callings in terms of objectives associated with the building of communities and the bringing of order to people's lives. In this regard it was appropriate for there to be

dialogue between the church and local government and the seeking of opportunities for liaison and shared working.

370 MINUTES

The Minutes of the meeting held on 25 July 2006 and the Extraordinary Meeting held on 28 September 2006 were approved as correct records and signed by the Chairman.

371 ANNOUNCEMENTS FROM CHAIRMAN AND HEAD OF PAID SERVICE

Quality Council Status Award to Hockley Parish Council

The Chairman was pleased to present the Quality Council Status Award to representatives from Hockley Parish Council. In conjunction with the presentation Joy Shepherd, County Secretary of the Essex Association of Local Councils, outlined the nature of the Quality Council Scheme and the work undertaken by Hockley Parish Council and its Clerk to achieve the award.

Rochford District Council Design, Heritage and Conservation Awards 2006

The Chairman was pleased to present the District Council's Design, Heritage and Conservation Awards. The awards had been established to enable the Council to recognise developments and schemes of high quality that made a positive contribution to the appearance and character of the District.

The awards were made as follows:-

| Scheme/Development | Award |
|---|------------------|
| Rayleigh Windmill | Winner |
| Gazelle Adult Special Learning Needs Centre, Rochford | Highly Commended |
| Magnolia Nature Reserve | Highly Commended |
| Maison Renouf Hotel, Rochford | Highly Commended |
| 24 East St, Rochford | Highly Commended |
| Former Anchor Hotel, Fambridge | Highly Commended |
| Coachman Court, Ashingdon Road | Highly Commended |
| Riverside Industrial Estate | Highly Commended |
| Rochford Primary School | Highly Commended |

| Scheme/Development | Award |
|------------------------------------|------------------|
| Santa Lucia Restaurant, Rayleigh | Highly Commended |
| King George V Pavilion, Rayleigh | Highly Commended |
| Websters Way Car Park | Highly Commended |
| Rayleigh Leisure Centre | Commended |
| Plumberow Mount | Commended |
| Silver Birch Lodge, Ashingdon Road | Commended |
| Station Approach Flats, Hockley | Commended |
| Holy Trinity Church | Commended |

Extraordinary Meeting – 2 November 2006

The Chief Executive confirmed that the meeting of Extraordinary Council scheduled for 2 November 2006 to receive an Environment Agency presentation on the preparation of a strategic flood risk assessment had been cancelled. Alternative arrangements would be made.

Holmes Place – Merger

The Chief Executive advised that the merger between Virgin Leisure and Holmes Place would be in place from 12 midnight.

372 MEMBER QUESTIONS ON NOTICE

(1) To the Chairman of the Development Control Committee

Pursuant to Council Procedure Rule 11.2, the following question of the Chairman of the Development Control Committee had been received from Councillor C I Black:-

"Which households in Castle Drive, Rayleigh received consultation letters from the District Council regarding application 06/00650 ('Treetops', Hillview Road, Rayleigh)?"

Responding to the question, the Chairman of the Development Control Committee, Cllr S P Smith, indicated that the Council's policy for notifying neighbours of planning applications is set out in paragraph 7.1 of the submission draft of the Statement of Community Involvement. Occupiers of properties most likely to be affected by a proposal are notified individually by letter that an application has been received. As a general rule, the adjoining occupiers to a proposal are notified. In practice, this means properties bordering an application site will receive an individual notification of that

application. Applying the policy to this application meant that no properties in Castle Drive were sent neighbour consultation letters.

By way of supplementary question Councillor C I Black asked how Councillors living in Castle Drive, Rayleigh could have a pecuniary interest in this planning application if the Council's application notification policy meant that no properties in Castle Drive were sent neighbour consultation letters.

By way of reply Councillor S P Smith advised of his understanding that it was for individual Councillors to decide whether they needed to declare an interest in an item, albeit that they may seek officer advice.

(2) To the Chairman of the Community Services Committee

Pursuant to Council Procedure Rule 11.2, the following question of the Chairman of the Community Services Committee had been received from Councillor C I Black:-

“According to the Association of Public Health Observatories, life expectancy in Barling and Sutton Ward is significantly lower than the average for England - the only Ward in our District for which this is true. What are the likely explanations for this?”

Responding to the question, the Chairman of the Community Services Committee, Councillor R A Amner, indicated that South East Essex Primary Care Trust has provided the following information:-

In 2005/6 there were 30 deaths recorded for residents of Barling Ward, fourteen of which were residents of a care home. Mortality in these cases was primarily due to age related causes and the residents in question had all reached an advanced age, ranging from 81 to 105.

Of the 16 other deaths that were recorded to other residents the majority were also to older people over the age of 70 (including a number over 90 years old). The causes of death were unexceptional and indicate that quality of life is good in this Ward and risk factors low in terms of major chronic diseases.

According to 2001 census results 17.3% people in the ward were classified as having a limiting long term illness – although this is above the Rochford DC average of 15.8% the effect of having a nursing home located in the Ward should be borne in mind. This proportion is still below the national average of 17.9%.

In terms of life expectancy it should also be noted that Barling Ward is classified as being in the top fifth of wards in England that have the highest proportion of people aged 65 or over who were resident in medical and care establishments at the time of the 2001 census. No other ward in Rochford has been classified as being in this quintile and clearly this has an affect on the overall life expectancy outcomes.

(3) To the Chairman of the Leisure, Tourism and Heritage Committee

Pursuant to Council Procedure Rule 11.2, the following question of the Chairman of the Leisure, Tourism and Heritage Committee had been received from Councillor C I Black:-

"What areas of land, under the District Council's ownership or management, were intended for use as public open space, sports pitches etc but are not currently open to the public or fit for purpose?"

Responding to the question on behalf of the Committee Chairman, the Leader of the Council, Councillor T G Cutmore, indicated that the Council provides many areas of open space which are extensively used by residents and visitors and which are managed to a high standard.

There are two areas which may meet the description set out in the question.

Following completion of the new Rayleigh Leisure Centre, land to the rear of the Centre is being integrated into Sweyne Park public open space, with the intention that it is laid out for mini football pitches. George Wimpey Ltd. will be carrying out some grading works on the land next spring and, subject to funds being made available through the 2007/8 budget process, further ground preparation works will be undertaken next year. It is envisaged that the pitches will become operational from the 2009 season, once the surface has become properly established.

A second area of open space, off Hambro Hill, Rayleigh, includes a former domestic refuse landfill site. Some groundwork and tree planting was carried out several years ago to enhance the area. It has limited public access because of highway and railway constraints and is, therefore, only available for informal light recreational use. There are no plans to develop public access or use further.

373 COMMITTEE MINUTES AND REPORTS

The Council received the Minutes and considered the reports of Committees/ referrals as follows:-

| Committee | Date | Minute No. |
|--|-------------------|-------------------|
| (1) Leisure, Tourism and Heritage | 27 July 2006 | 262-263 |
| (2) Development Control | 24 August 2006 | 264-266 |
| (3) Community Services | 5 September 2006 | 267-273 |
| (4) Environmental Services | 7 September 2006 | 274-280 |
| (5) Planning Policy and Transportation | 12 September 2006 | 281-287 |

(a) Rochford District Replacement Local Plan

Council considered the report of the Planning Policy and Transportation Committee on ratifying the decision to adopt the Rochford District Replacement Local Plan.

Resolved

That the decision to adopt the Rochford District Replacement Local Plan be ratified. (HPT)

| Committee | Date | Minute No. |
|---|-------------------|-------------------|
| (6) Appeals | 18 September 2006 | 288-290 |
| (7) Policy, Finance and Strategic Performance | 19 September 2006 | 291-305 |
| (8) Appeals | 26 September 2006 | 306-308 |
| (9) Review | 26 September 2006 | 309-311 |
| (10) Appeals | 27 September 2006 | 312-313 |
| (11) Audit | 27 September 2006 | 314-322 |

(a) Closure of Accounts 2005/06

Council considered the report of the Audit Committee on budget amendments.

Resolved

That the amendments identified in the officer's report be agreed. (HFAPM)

| Committee | Date | Minute No. |
|---|-------------------|-------------------|
| (12) Development Control | 28 September 2006 | 324-326 |
| (13) Leisure, Tourism and Heritage | 3 October 2006 | 327-333 |
| (14) Appeals | 9 October 2006 | 334-336 |
| (15) Planning Policy and Transportation | 10 October 2006 | 337-342 |

(a) Unauthorised Gypsy and Travellers Sites

In view of the need for discussion on the exempt report, this item was considered following the exclusion of the public and press (Minute 375 refers).

| Committee | Date | Minute No. |
|--|-----------------|------------|
| (16) Policy, Finance and Strategic Performance | 17 October 2006 | 343-355 |
| (17) Standards | 19 October 2006 | 356-360 |
| (18) Review | 24 October 2006 | 361-365 |
| (19) Environmental Services | 26 October 2006 | 366 |
| (20) Development Control | 26 October 2006 | 367-369 |

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 Paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

374 REPORT OF THE WASTE MANAGEMENT AND RECYCLING SUB-COMMITTEE

Council considered the exempt report of the Waste Management and Recycling Sub-Committee from its meeting on 22 September 2006.

During discussion Council agreed a motion, moved by Councillor K J Gordon and seconded by Councillor T G Cutmore, that the work with Southend-on-Sea Borough Council on an aligned procurement process for new refuse collection and recycling contracts should include the possibility of the Sutton Road Civic Amenity and Recycling Site being free of charge to Rochford District residents. It was observed that, whilst there has been discussion with Essex County Council on the possibilities of a second tip within the District, the Sutton Road site could fit well with procurement process considerations. It was recognised that the site had been the subject of discussion at previous times and that each Council had opinions about the current position.

Council also agreed a motion, moved by Councillor M G B Starke and seconded by Councillor P K Savill, that a waste composition analysis be undertaken. A recent presentation to the Environmental Services Committee on the process required to conduct a waste composition analysis and the benefits derived from the information gathered pointed to the merits of such an analysis. The cost of £20,000 could be funded from the Waste Management and Performance Grant.

Resolved

- (1) That the content of the officer's exempt report be noted and that waste and recycling information for the other Thames Gateway Authorities be used to help inform the Council's own procurement process.
- (2) That officers continue to work with officers from Southend-on-Sea Borough Council on an aligned procurement process for the new refuse collection and recycling contracts, including the possibility of the Sutton Road Civic Amenity and Recycling Site being free of charge to Rochford District residents.
- (3) That a representative of the Review Committee be invited to attend the contract tendering sessions for refuse collection and recycling with bidding companies.
- (4) That a Waste Composition Analysis be undertaken, to be funded from the Waste Management and Performance Grant. (CD(ES))

375 UNAUTHORISED GYPSY AND TRAVELLER SITES

Council considered the report of the Policy, Finance and Strategic Performance Committee on progressing recommendations outlined in an exempt report on unauthorised gypsy and traveller sites and the provision of quarterly update reports.

During debate Council agreed a motion, moved by Councillor K J Gordon and seconded by Councillor T G Cutmore, that the term "cautiously" in paragraph 6.10 of the officer's exempt report was inappropriate and that action should be progressed as expeditiously as possible.

Responding to concerns about the Essex Wide Study (Looking Back, Moving Forward) officers advised that the Study had been undertaken by an academic body on behalf of planning officers across the County. Whilst the Study had identified that there was a need for provision in the County there were, as yet, no District specific proposals. Work around identifying sites on a District by District basis was now being taken up by the East of England Regional Assembly. There would be opportunities for District Council views and questions (including on how need can be justified) on this work to be fed into the Assembly through the normal channels.

Resolved

- (1) That the progress on each site be noted and that the action detailed in the officer's exempt report be progressed as expeditiously as possible.
- (2) That quarterly updates on the latest position for the sites listed in paragraph 6.9 of the officer's exempt report be reported to the Planning Policy and Transportation Committee. (HPT)

The meeting closed at 8.31 pm.

Chairman

Date