

Council – 27 April 2004

Minutes of the meeting of **Council** held on **27 April 2004** when there were present:-

Cllr R A Amner (Chairman)

Cllr C I Black	Cllr C J Lumley
Cllr Mrs L A Butcher	Cllr J R F Mason
Cllr P A Capon	Cllr C R Morgan
Cllr Mrs T J Capon	Cllr R A Oatham
Cllr T G Cutmore	Cllr P K Savill
Cllr K A Gibbs	Cllr C G Seagers
Cllr Mrs H L A Glynn	Cllr S P Smith
Cllr T E Goodwin	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 Mrs M S Vince
Cllr A J Humphries	Cllr Mrs M J Webster
Cllr C A Hungate	Cllr P F A Webster
Cllr Mrs L Hungate	Cllr D A Weir
Cllr T Livings	Cllr Mrs B J Wilkins

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs R Brown, R G S Choppen, C C Langlands, Mrs J R Lumley, G A Mockford and J M Pullen

OFFICERS PRESENT

P Warren - Chief Executive
R J Honey - Corporate Director (Law, Planning & Administration)
R Crofts - Corporate Director (Finance & External Services)
S Clarkson - Head of Revenue and Housing Management
J Bourne - Leisure and Contracts Manager
J Bostock - Principal Committee Administrator

205 MINUTES

The Minutes of the meeting held on 24 February 2004 were approved as a correct record and signed by the Chairman.

206 DECLARATIONS OF INTEREST

Councillor C R Morgan declared a personal interest in the report of the Environment Overview & Scrutiny Committee on Kerbside Recycling Expansion/additional DEFRA funding by virtue of representation on the Waste Management Advisory Board and the Consortium of Waste Collection Authorities.

207 ANNOUNCEMENTS FROM THE CHAIRMAN

At this point in the meeting the Chairman was pleased to receive a Gideon's Bible, presented by Gordon Chalk, deputy Chairman of Gideon's International, South East Essex Branch.

The Chairman reported that, since the last meeting of Full Council, he had attended 28 engagements. Highlights had included the opening of a "Seedbed Centre" for commerce/industry and visiting some very active youth clubs.

The Chairman wished to extend particular thanks to all who had been involved with the Civic Dinner, an event that had been very well received.

208 COMMITTEE MINUTES AND REPORTS

Council received the minutes of Committees and considered Committee reports as follows:-

Committee	Date	Minute No.
(1) Community Overview & Scrutiny	26 February 2004	101 - 103
(2) Community Services	2 March 2004	104 – 112
(3) Environmental Services	4 March 2004	113 – 118
(4) Community Overview & Scrutiny	9 March 2004	119 - 121
(5) Policy & Finance	9 March 2004	122 - 129
(6) Finance & Procedures Overview & Scrutiny	9 March 2004	130 - 132
(7) Community Overview & Scrutiny	16 March 2004	133 - 135
(8) Environment Overview & Scrutiny	18 March 2004	136 - 139
(9) Community Overview & Scrutiny	19 March 2004	140 – 142
(10) Finance & Procedures Overview & Scrutiny	23 March 2004	143 - 145

Committee	Date	Minute No.
(11) Planning Services	25 March 2004	146 - 151
(12) Community Services	1 April 2004	152 - 156
(13) Environmental Services	6 April 2004	157 - 163
(14) Policy & Finance	7 April 2004	164 – 173

(a) Timetable of Meetings 2004/05

Council considered the report of the Policy & Finance Committee on the timetable of meetings 2004/05.

Resolved

That the Timetable of Meetings for 2004/05, as set out in the Appendix to the report, be adopted. (HAMS)

Committee	Date	Minute No.
(15) Community Overview & Scrutiny	14 April 2004	174 – 179
(16) Standards	15 April 2004	180 – 185
(17) Community Overview & Scrutiny	16 April 2004	186 – 187
(18) Appeals & Licensing (Adjourned Meeting)	16 April 2004	188 - 190
(19) Environment Overview & Scrutiny	20 April 2004	191 – 194

Note: Council considered the report of the Environment Overview & Scrutiny Committee on Kerbside Recycling Expansion/Additional DEFRA funding following the exclusion of the Public and Press (Minute 210 refers).

Committee	Date	Minute No.
(20) Appeals & Licensing (Reconvened Meeting)	21 April 2004	195
(21) Finance & Procedures Overview & Scrutiny	21 April 2004	196 – 200

Council considered the report of the Finance & Procedures Overview & Scrutiny Committee setting out proposals relating to the Council Tax Improvement Plan, the Fourth Option Authorities Lobby and the Revenue & Benefit Team – Staff Retention and Recruitment. The proposals were moved by Councillor P F A Webster and seconded by Councillor T G Cutmore.

(a) Council Tax Improvement Action Plan

Resolved

That the revised Action Plan for Council Tax Service Improvement be agreed. (HRHM)

(b) Fourth Option Authorities Lobby

Resolved

That in principle support be given to a Fourth Option Forum, operating within the umbrella of the Local Government Association rather than outside it, with a membership confined to those authorities operating the Fourth Option political arrangements in the first instance. (CE)

(c) Revenue & Benefit Team – Staff Retention and Recruitment

Resolved

- (1) That the revised structure as set out in Appendix 4 of the Exempt Report be approved.
- (2) That the grades and designations as set out in Appendix 2 of the Exempt Report be approved.
- (3) That the post referred to in the Exempt Report be deleted from the establishment.
- (4) That the post referred to in the Exempt Report be made redundant. (HRHM)

Committee	Date	Minute No.
(22) Planning Services	22 April 2004	201 - 204

209 MOTIONS ON NOTICE

- (1) From Councillors P F A Webster; T G Cutmore; P A Capon; Mrs T J Capon; R G S Choppen; K A Gibbs, J E Grey; Mrs S A Harper; A J Humphries; C A Hungate; Mrs L Hungate; G A Mockford, P K Savill; S P Smith; D G Stansby; Mrs M A Starke; M G B Starke and Mrs M J Webster**

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

“Rochford District Council believes that, if indeed the Prime Minister does finally provide a referendum on the European Constitution, this will be welcomed by the people of Rochford – and all of Britain. The British people will then have the opportunity to exercise their democratic right and decide if the European Constitution should be accepted.

Only if the people agree for ever more powers to go to an unelected European Commission, is any British Government entitled to whittle away the role of Britain’s democratically elected Parliament. It is for the people alone to decide if they wish to give away the sovereignty and independence of Britain.

For this motion, Council notes with pleasure, the support of the two Members of Parliament, Mark Francois and Sir Teddy Taylor, who represent the people of Rochford District.”

In presenting the Motion, Councillor PFA Webster wished to emphasise the element of doubt which surrounded whether there will be a referendum given that there had already been one change of approach. He also wished to emphasise the view that acceptance of a European Constitution could further whittle away the Country’s sovereignty and independence, something which governments have been doing over successive years.

During debate, it was observed that a referendum would facilitate proper understanding of the implications of a Constitution. It was also observed that this would be the first referendum since that relating to the decision to join the Common Market in 1975 and that changes in approach on matters were not necessarily the prerogative of a particular Government.

Against the Motion, reference was made to the involvement of British Cabinet Ministers with the European Council of Ministers. Many benefits could be associated with the activities of the European Parliament in areas such as parental and consumer rights, health and safety, the environment and community involvement. It was observed that there seemed to be a generally poor understanding of the implications of accepting a Constitution that would not, for example, change the role of the Queen. Reference was also made to the Motion being inappropriate as District Councillors should be concentrating on more local issues. Referendums were nationally important events that should not necessarily be clouded by local politics.

In favour of the Motion, it was observed that decisions made by the European Parliament to improve the circumstances of British Citizens were not necessarily introduced effectively and could have been made by the British Parliament. Reference was made to the level of corruption often associated with the European Parliament and to its bureaucratic/controlling nature. In a financial context, it could be observed that this country provided more financial support for Europe that it received in return and was one of a few countries subsidising many others. The Motion was an appropriate local issue given that elements of tax paid by the people of Rochford went to Europe and that the question of accepting a Constitution was fundamental for everyone.

The Motion was moved by Councillor P F A Webster and seconded by Councillor T Cutmore. On a show of hands it was:-

Resolved

That the Motion be agreed.

(2) From Councillors C R Morgan and Mrs M S Vince.

The Proper Officer reported that, pursuant to Council Procedure Rule 12, the following Motion had been received from Councillors C R Morgan and Mrs M S Vince:-

“This Council congratulates the People of our District and of Haltern on Twenty years of twinning. We also thank the two twinning associations for their hard work which has resulted in countless friendships between families and organisations. These friendships have in most cases resulted in deeper international understanding.”

In presenting the Motion, Councillor C R Morgan wished to further emphasise the nature of the many connections developed between the people of the District and Haltern and to extend congratulations to the Chairman of the Council, who had participated in a recent Haltern Radio broadcast in celebration of the twenty years.

Resolved

That the Motion be agreed. (CE)

EXCLUSION OF PUBLIC AND PRESS

Resolved

That, under Section 100(A)(2)(3) and (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 8 and 9 of Part 1 of Schedule 12A of the Act and confidential information.

210 KERBSIDE RECYCLING EXPANSION/ADDITIONAL DEFRA FUNDING

Council considered the report of the Environment Overview & Scrutiny Committee setting out recommendations relating to the expansion of kerbside recycling, together with the associated exempt appendices.

There was detailed discussion on the likely implications of proposals and agreement to an amendment relating to an aspect of grey bin policy. There was also discussion on approaching the County on the need for an additional recycling facility and on the provision of appropriate publicity/information via Rochford District Matters, the Council's newspaper. The detailed discussion is set out in the exempt appendix to these Minutes.

Resolved

- (1) That the Recycling Sub-Committee's recommendations to expand the Kerbside Recycling Scheme District-wide, as detailed in Section 3.3 of the exempt report, be agreed, subject to the wording of the eighth recommendation being amended as follows:-

In accordance with existing policy, the lids of bins should be shut.

- (2) That a letter be sent to the County Council asking that consideration be given to the opening of an additional Civic Amenity Site in the east of Rochford District.
- (3) That residents be able to request the Authority for an additional grey bin and, in the event of such requests being refused by officers, have the right to have their request considered by the Appeals & Licensing Committee. (CD(F&ES))

211 COMPREHENSIVE PERFORMANCE ASSESSMENT – UPDATE REPORT

Council considered the confidential draft Comprehensive Performance Assessment Inspection report.

Members noted aspects of the Comprehensive Performance Assessment process and made various observations on the contents of the draft report. A process for next stage communication with the Inspectorate was agreed.

Detail on the discussion and the agreed way forward are set out in the confidential appendix to these Minutes.

The meeting closed at 9.40pm.

Chairman

Date