

## **Council – 30 July 2013**

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Minutes of the meeting of **Council** held on **30 July 2013** when there were present:-

Chairman: Cllr Mrs B J Wilkins  
Vice-Chairman: Cllr Mrs J R Lumley

Cllr Mrs P Aves	Cllr Mrs G A Lucas-Gill
Cllr C I Black	Cllr C J Lumley
Cllr Mrs L A Butcher	Cllr M Maddocks
Cllr P A Capon	Cllr Mrs C M Mason
Cllr Mrs T J Capon	Cllr J R F Mason
Cllr J P Cottis	Cllr Mrs J E McPherson
Cllr T G Cutmore	Cllr D Merrick
Cllr R R Dray	Cllr Mrs J A Mockford
Cllr Mrs H L A Glynn	Cllr T E Mountain
Cllr K J Gordon	Cllr R A Oatham
Cllr J E Grey	Cllr Mrs C E Roe
Cllr J D Griffin	Cllr C G Seagers
Cllr Mrs A V Hale	Cllr S P Smith
Cllr B T Hazlewood	Cllr D J Sperring
Cllr Mrs D Hoy	Cllr M J Steptoe
Cllr M Hoy	Cllr I H Ward
Cllr K H Hudson	Cllr Mrs M J Webster

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs M R Carter, T E Goodwin and Mrs C A Weston.

### **OFFICERS PRESENT**

P Warren – Chief Executive  
A Bugeja – Head of Legal, Estates and Member Services  
Y Woodward – Head of Finance  
J Bostock – Member Services Manager

### **145 MINUTES**

The Minutes of the Annual Meeting held on 21 May 2013 and the Extraordinary Meetings held on 4 June and 27 June 2013 were approved as correct records and signed by the Chairman.

### **146 ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman was honoured to have been able to attend approximately forty events on behalf of the Council. Some events had provided an opportunity for liaison with partner organisations and the sharing of, for example, information on possible sources of funding for voluntary organisations. There had been specific fund raising events for the Chairman's chosen charities. The

Chairman extended thanks to Members for their contributions to what had been a successful civic reception garden party.

### 147 MEMBER QUESTIONS ON NOTICE

Pursuant to Council Procedure Rule 12.2, questions had been received from Cllr M Hoy as follows:-

**(a) Of the Portfolio Holder for Council Tax Collection, Benefits and Strategic Housing Functions:-**

“The Council’s Homelessness Strategy 2011-14 states on page 16:-

‘The majority of households accepted as homeless by the Council are people with dependent children.’

Would the Portfolio Holder advise me:-

- a) How many children are currently housed in temporary B&B, Hostel or similar accommodation provided by this Council?
- b) Of those children, how many are housed in temporary B&B, Hostel or similar accommodation outside of the District?
- c) What is the average time children will spend in temporary B&B, Hostel or similar accommodation before permanent accommodation is found?”

The Portfolio Holder, Cllr M Maddocks, responded as follows:-

- “a) As at 24 July 2013 the Council was housing 24 children in temporary B&B, hostel or similar accommodation. There were no homeless young people in the 16 to 18 age group within the District.
- b) Of the 24 children mentioned in the first answer, 22 of these, from 13 families, are placed outside of the District.
- c) In response to this question, officers have analysed the figures from January to June of 2013. During this time there were 25 families that left temporary B&B, hostel or similar accommodation and between these families there were 43 children. The average time that these families stayed in the accommodation was 9.5 weeks.”

**(b) Of the Portfolio Holder for the Environment, Leisure, Arts and Culture:-**

Would the Portfolio Holder please confirm the cost to this Council, in terms of Officers’ time and actual spend, to recover information such as, but not limited to, users of Council facilities and income received

from those users held by Fountains but not made available to this Council at the time the contract ceased and since that time?

The Portfolio Holder, Cllr K J Gordon, responded as follows:-

“Fountains went into administration on 23 January 2012 and had responsibility for the booking of football pitches and pavilions. Income they collected for such purposes was retained by them as part of the contractual arrangements and the Council, therefore, had no interest in whether income had been received for activities prior to this date.

It is correct that information regarding future bookings for football pitches and pavilions was withheld and that Council Officers did spend some time gathering this information. No payments were made for this purpose - it was obtained by direct contact with the football clubs or other organisations concerned.

The football clubs were traced through the Essex County Football Association and each club received either a letter, email or telephone call. Evidence was requested as to whether early payments had been made. It was found that many clubs had paid early due to incentives offered by Fountains and it was, therefore, not possible to recover this directly. However, this income could be more than offset by the contract payments that were withheld by the Council from Fountains for January until the contract was terminated. The Council currently holds £79,000 as a contingent liability and would seek to recover lost income should any demand for payment be received.

The Officer time involved in securing information on football bookings is estimated at five working days and equates to around £700, including on-costs.

In addition to this, there were unquantifiable costs in terms of officer time in acquiring further information about operational aspects of the contract, such as information about the routes used for grass cutting, detailed scheduling and likely resource demands. Whilst officers did have access to Fountain’s premises after the administrators were called in, none of this information was available in recorded form. However, these costs have been contained within the agreed budget and available contingency for securing the new grounds maintenance contractor.”

### **148 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS**

Council received the minutes of Executive and Committee meetings held between the period 22 May to 19 July 2013.

### 149 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.

It was noted that:-

- The nature of the Council's close partnership working with the police meant that any issues requiring investigation by either party would be picked up quickly. The anticipation/addressing of possible criminal damage to property would be a matter for the police.
- The inclusion of a street scene officer as an investigating officer covered potential issues such as unlawful tipping.

#### Resolved

- (1) That the proposed changes to the Council's 'Covert Surveillance Policy and Procedure Manual' (RIPA Policy), be approved.
- (2) That investigating officers and managers be appointed to make applications for judicial approval in accordance with section 223(1) of the Local Government Act 1972, subject to their inclusion in Annex 2 of the policy by the RIPA Monitoring Officer.
- (3) That the RIPA Monitoring Officer be authorised to appoint as many investigating officers and managers to make applications for judicial approval as he thinks fit, subject to their inclusion in Annex 2 of the policy and any additions or deletions from that list must be notified to the Review Committee as part of the regular reporting protocols.  
(HLEMS)

### 150 REPORT ON URGENT DECISIONS

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

### 151 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE

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

"In many ways it's been a strange couple of months. With the Chief Executive announcing his retirement we have been progressing the recruitment of his successor. Earlier tonight you saw the Sub-Committee's recommended choice. We will now be back on Thursday when, as Chairman of that Sub-Committee, I will present our recommendation so that Council can formally take a decision.

Early in July I was at the Local Government Association conference for a few days. Eric Pickles was there, as Secretary of State for Communities and Local Government, along with Brandon Lewis, as Junior Minister. It was good to listen to best practice and innovation from elsewhere and to find out about other authorities problems and issues. The message from Government was of continuing funding decreases and the tension remains between initiatives which encourage localism and those that require central government decision making and control.

July is a time when the Chief Executive and I do our annual talks with all staff. As always, we reflect back on the financial year past and outline the key priorities and challenges for this year. It never ceases to amaze me how much we do and are involved in. That said, it remains challenging times for all Councils and we are no different. July also saw the Staff awards which the Chairman and I attended and, as a double act, presented the awards to staff. There were special awards this year donated by the legal team who wished to recognise the acting talents of those staff who had appeared in our training film on Standards. The Chief Executive was disappointed not to win the staff baking competition despite a valiant effort, the winner being Sam Hollingworth. There must be something with planners and baking!!

On a more serious note, since the last Full Council meeting we've had the pre meeting presided over by the Inspector concerning both the Allocations Plan and the Hockley Action Area Plan. The Inquiry covering both will start on 3 September. Recently, there has been much press coverage given to public concern over our proposals for West Rayleigh. Over a number of years, the Council has used a number of mechanisms including the local newspapers; local radio; Rochford District Matters; the Council website; public meetings; parish meetings and special interest meetings to disseminate information about the Core Strategy and the Council's plans for the future of the District. I know Members themselves have done much to get information out through literature, websites, blogs etc and, in many areas, there have been fights between us politically at election time and in the run up to elections over the relative merits of what development should take place and where. There does appear to be a lot of misinformation being circulated. I am aware of the efforts being made by several Members to correct this, as is the Council as a whole, and I am grateful for that. However, I think it important that we continue to try and get the facts out there, as opposed to a number of unsubstantiated statements being paraded as facts, no matter how difficult that appears to be. Perhaps the press can help us further in that quest.

The Chief Executive has just advised me that we have now been contacted by the Local Government Boundary Commission who plan to conduct an electoral review of the District in 2014-2015. The Commission will address the issue of Council size, the number of elected Members and the number and boundaries of electoral wards. The exact detail and programming of this work will be the subject of discussion with the Commission in due course before it embarks on the review. Final recommendations will need to be approved by way of an order laid before Parliament and will be implemented in whole

Council elections in May 2016. This is similar to the last review which resulted in whole Council elections in 2002. A copy of the Technical Guidance produced by the Boundary Commission has been placed in the Members' Library and is accessible via the Commission's website.

Since the last meeting of Full Council in May, the Executive has met on two occasions. The June meeting looked at our performance in the previous quarter, customer feedback and also examined our Freedom of Information statistics. It was pleasing to see that compliments continue to outnumber complaints. The Executive looked at changes to our management of Pavilions and sports pitches and also considered a private and confidential item relating to the sale of recyclable materials. A couple of weeks ago the Executive met and agreed the policy on Memorials in Parks and Open Spaces. We also discussed again the performance around Disabled Facilities Grants. Key items on the agenda were an update on the Medium Term Financial Strategy and our policy and practices in connection with ICT security. We also decided to proceed with the disposal of Acacia House.

Since May my colleagues on the Executive have signed off such matters as the Health and Safety Service Plan, Petrol Vapour Recovery Inspections, the ICT strategy, a revised Discretionary Housing Repayment Policy and informal consultation in respect of the Rayleigh Action Area Plan.

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

### **152 ANNUAL REPORT 2012-13**

Council considered the report of the Head of Finance on the draft Annual Report 2012-13.

Members concurred with the observation of the Leader that the Head of Finance and officer colleagues should be thanked and congratulated for their work in helping address the significant savings challenges faced by the Council over the last two years.

#### **Resolved**

- (1) That the draft Annual Report 2012/13 be agreed for publication.
- (2) That the audited Financial Statements for 2012/13 be presented to the meeting of the Audit Committee scheduled for September for approval with the external auditors report. (HF)

### **153 CAPITAL PROGRAMME 2013/14**

Council considered the report of the Head of Finance on the Capital Programme for 2013/14.

**Resolved**

That the revised Capital Programme for 2013/14, as set out in the report, be agreed. (HF)

**154 TREASURY MANAGEMENT ANNUAL REVIEW 2012/13**

Council considered the Annual Report of the Head of Finance on Treasury Management activity for the 2012/13 financial year.

**Resolved**

That the Treasury Management Annual Review Report for 2012/13 be agreed. (HF)

The meeting closed at 8.36pm.

Chairman .....

Date .....

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