

## **Council - 21 December 2004**

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Minutes of the meeting of **Council** held on **21 December 2004** when there were present:-

Cllr P F A Webster (Vice-Chairman in the Chair)

Cllr R A Amner	Cllr Mrs J R Lumley
Cllr C I Black	Cllr D Merrick
Cllr P A Capon	Cllr G A Mockford
Cllr Mrs T J Capon	Cllr J M Pullen
Cllr T G Cutmore	Cllr P R Robinson
Cllr K A Gibbs	Cllr P K Savill
Cllr Mrs H L A Glynn	Cllr C G Seagers
Cllr K J Gordon	Cllr S P Smith
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 Mrs M S Vince
Cllr C A Hungate	Cllr Mrs M J Webster
Cllr Mrs L Hungate	Cllr Mrs C A Weston
Cllr T Livings	Cllr Mrs B J Wilkins
Cllr C J Lumley	

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs L A Butcher, Mrs R Brown, R G S Choppen, T E Goodwin, J R F Mason, R A Oatham and D G Stansby

### **OFFICERS PRESENT**

P Warren	-	Chief Executive
R J Honey	-	Corporate Director (Law, Planning & Administration)
R Crofts	-	Corporate Director (Finance & External Services)
G Woolhouse	-	Head of Housing, Health and Community Care
J Bostock	-	Principal Committee Administrator

### **ALSO PRESENT**

Chief Superintendent J Mauger, Essex Police

### **552 MINUTES**

The minutes of the Meeting held on 28 October 2004 and Extraordinary Meeting held on 30 November 2004 were approved as a correct record and signed by the Chairman.

### 553 DECLARATIONS OF INTEREST

Councillor P F A Webster declared a personal interest in the draft Animal Welfare Charter.

### 554 PROGRESS IN ADDRESSING ANTI-SOCIAL BEHAVIOUR ISSUES IN ROCHFORD DISTRICT

Council received a presentation from Chief Superintendent John Mauger, Commander of the Castle Point and Rochford Police Division, on progress in addressing anti-social behaviour issues in Rochford District.

During the presentation, the Chief Superintendent advised that the majority of crime in the Rochford District area could be associated with anti-social behaviour. Notwithstanding the latest national policies, the Castle Point and Rochford Division had set challenging targets to address youth nuisance two years ago. More recently a specific team of officers had been established to tackle anti-social behaviour and criminal damage. These link with other agencies, such as the Crown Prosecution Service. Since their existence there had been nearly forty arrests and a number of anti-social behaviour contracts had now been issued. Crime levels were reducing each month and the number of reported incidents within the District had reduced from eighty to ninety per week to thirty to forty. There were also new dedicated teams for areas such as problem solving, prisoner processing and school relations. Effective partnership working was key to tackling problems.

The Chief Superintendent wish to emphasise that issues of perception and tolerance levels could be associated with the subject of anti-social behaviour. Whilst various tools were available for tackling problems (including dispersal powers), it was often the case that a conversation with a perpetrator was sufficient.

Responding to questions, the Chief Superintendent advised that:-

- Anti-social behaviour contracts can only be introduced if there is real evidence. The data associated with contracts is publicly available within the partnership.
- Fear of crime is much greater than the reality, particularly for serious crimes. The New Year would see a focus on media strategy, which would include providing information to the public through articles in District, Parish and Town Council papers.
- There had been a recent concentration on tackling vehicle crimes.
- If a Member experiences problems associated with anti-social behaviour within their Ward, this should be drawn to the attention of the local Police Inspector.

- Against the national picture, drugs were not a particular problem within the District. Alcohol, however, was a feature.
- The public can communicate with the Police service via email.
- Statistically, 90-95% of young persons involved in youth nuisance within the District will be related to residents of the District.
- Police Community Support Officers (PCSO's) and Special Constables undergo separate training. PCSO's have certain designated powers that are not as extensive as those of Special Constables. There is currently a national debate about the use of PCSO's who are not allowed out on duty alone. By the middle of next year there should be 14 PCSOs within the Division, which will be of great assistance in engaging with the public.
- In his opinion dispersal orders should be in place for a two-cycle period where possible.
- The Division would welcome the initiative of any Parish/Town Councils that wished the Police Authority to consider match-funding monies for the introduction of PCSO's.
- The use of Rayleigh Police Station by another Division for custody purposes had not burdened Rayleigh Police Officers or distorted the Division's crime figures.
- Response times were being met across the Division.
- The Division was comfortable with the current establishment level.
- The Division was working through a nationally agreed policy relating to issues at public conveniences.

It was noted that the Police had already indicated that the Council would be consulted on any proposals to review existing dispersal orders. A Member wished to extend thanks to the Police for the successful policing during the Halloween period.

The Chairman thanked the Chief Superintendent for such a comprehensive and detailed presentation.

### 555 COMMITTEE MINUTES AND REPORTS

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

Committee	Date	Minute No.
(1) Appeals and Licensing	2 November 2004	462-464

Committee	Date	Minute No.
(2) Community Services	2 November 2004	465-471
(3) Environmental Services	9 November 2004	472-476
(4) Policy & Finance	11 November 2004	477-485

### **(a) Revision of Contract Procedure Rules**

Council considered the report of the Policy & Finance Committee on the revision of Contract Procedure Rules.

On a motion, moved by Councillor T G Cutmore and seconded by Councillor P A Capon, it was:-

### **Resolved**

That the proposals for revision to the Council's Contract Procedure Rules be deferred to the Finance & Procedures Overview and Scrutiny Committee for detailed review. (CD(F&ES))

Committee	Date	Minute No.
(5) Standards	16 November 2004	486-491
(6) Finance & Procedures Overview and Scrutiny	18 November 2004	492-494
(7) Environmental Overview & Scrutiny	23 November 2004	495
(8) Planning Services	25 November 2004	496-499
(9) Community Services	1 December 2004	501-507
(10) Appeals & Licensing	2 December 2004	508-511

### **(a) Consultation on Draft Statement of Licensing Policy**

Council considered the report of the Appeals & Licensing Committee on the statement of licensing policy.

### **Resolved**

- (1) That the Statement of Licensing Policy, as revised and attached at Appendix 2 of the report, be approved.

- (2) That the Head of Housing, Health and Community Care be authorised to incorporate any inconsequential changes on an ongoing basis.  
(HHHCC)

**(b) Licensing Act 2003 - Changes required to the Council's Constitution**

Council considered the report of the Appeals and Licensing Committee on facilitating the discharge of the Council's functions under the Licensing Act 2003.

**Resolved**

- (1) That the current Appeals and Licensing Committee be replaced with two Committees - a Licensing Committee and an Appeals Committee. The terms of reference of these Committees to be included in the Constitution on the basis set out at Appendix 1 of the report and membership for the remainder of the Municipal Year to be as follows:-

**Appeals Committee**

Chairman:  
Councillor Mrs B J Wilkins

Vice-Chairman:  
Councillor G A Mockford

Councillors:  
K A Gibbs, K H Hudson, T Livings,  
R A Oatham

**Licensing Committee**

Chairman:  
Councillor Mrs B J Wilkins

Vice-Chairman:  
Councillor G A Mockford

Councillors:  
Mrs R Brown, T G Cutmore,  
K A Gibbs, Mrs H L A Glynn,  
Mrs S A Harper, K H Hudson,  
A J Humphries, T Livings,  
C J Lumley, R A Oatham,  
D G Stansby, Mrs M A Starke,  
M G B Starke

- (2) That the words 'and an Appeals and Licensing Committee' in the final line of the third paragraph on page 1.2 of the Constitution be replaced with 'a Licensing Committee and an Appeals Committee' and the words 'Licensing Policy Statement' be included in item (g) on page 3.1 of the Constitution.
- (3) That the timetable of meetings for the period March to April 2005 be adjusted to include provision for daytime licensing hearings on Tuesdays (am and pm). The draft timetable for the 2005/06 Municipal Year to also include such provision.
- (4) That authority be delegated to the Head of Administrative and Member Services, in consultation with the Chairman of the Licensing

Committee, to appoint three Members to serve on a Licensing Sub-Committee and a Reserve Member. (HAMS)

Committee	Date	Minute No.
(11) Environmental Services	2 December 2004	512-519
(12) Policy & Finance	7 December 2004	520-529

### **(a) Members Allowances**

Council considered the report of the Policy and Finance Committee on the contents of the Members' Allowance Scheme.

### **Resolved**

That the Members' Allowance Scheme comprise:-

- A Basic Allowance of £3,000.
- The existing cascade system and percentage allocations of Special Responsibility Allowances.
- The maintenance of a co-optees' allowance at £300 per annum.
- The payment of travel and subsistence at the same rate as for officers as at 1 April 2005, subject to a maximum of 40p per mile and a passenger allowance of 5p per passenger per mile being introduced. In addition, new allowances of 24p per mile for a motorcycle and 20p per mile for a bicycle.
- That Allowances should not be pensionable.
- That Index-Linking should not be applicable.

### **(b) London Southend Airport Consultative Committee - Membership**

Council considered the report of the Policy and Finance Committee on increasing the membership of the London Southend Airport Consultative Committee.

### **Resolved**

That membership of the London Southend Airport Consultative Committee be increased from one to three Members, the additional two appointees to be Councillors K H Hudson and D G Stansby for the remainder of this Municipal Year. (HAMS)

Committee	Date	Minute No.
(13) Community Overview & Scrutiny	8 December 2004	530-534

**(a) Draft Animal Welfare Charter**

(Note: It was noted that Cllr Mrs M J Webster had declared various personal interests on this subject at each meeting of the Animal Welfare Charter Sub-Committee.)

Council considered the report of the Community Overview and Scrutiny Committee on the Draft Animal Welfare Charter.

Reference was made to the detailed background work that had been undertaken in developing the proposed policy and to the lead that the Council would be taking by its introduction.

Council agreed an amendment, moved by Councillor P A Capon and seconded by Councillor J E Grey, relating to deferral of the decision on the policy for pets in sheltered housing schemes to allow time for the identification of suitable specific accommodation. Council also sought confirmation that in connection with recommendation (5), existing sources of literature would be used wherever possible and appropriate.

It was observed that the Francis Walk Sheltered Housing Scheme already allowed pets. It was also observed that the Council would need to be mindful of the potential impact of the stock option appraisal process. There was some comment on the value of more work in the area of home boarding and of the need to be mindful of the potential problems should individuals in sheltered schemes find that they are no longer able to look after a pet.

Responding to questions, officers advised that:-

- Further review of the Charter could be undertaken as appropriate once it has been introduced.
- The Council's legal officers had been involved in the formulation of reports to the Animal Welfare Charter Sub-Committee.
- It was understood that the key recommendations associated with angling were based on the Medway report. The possibility of re-ordering and re-phrasing recommendations 2 and 3 in the draft Charter would be looked at in that context.
- The Charter should not be seen as a piece of legislation, but as the Council's view as to how animals should be treated. A number of the expressions used in the document were also used by national bodies, including the Royal Society of Protection of Cruelty to Animals.

A motion that introduction of the Charter be deferred pending the outcome of the Government's Animal Welfare Bill, moved by Councillor M G B Starke and seconded by Councillor Mrs M A Starke, was lost on a show of hands.

### **Resolved**

- (1) That, subject to the re-ordering and re-wording of recommendations 2 and 3 under the 'Angling' section of the Charter, where appropriate, and any amendments associated with resolution (2) below, the draft Animal Welfare Charter be approved.
- (2) That the alteration of Council policy on the keeping of pets in sheltered housing schemes be deferred for a period of no more than six months to allow officers to identify specific suitable accommodation and report back to the Community Overview and Scrutiny Committee.
- (3) That a letter be sent to the County Council requesting that emergency planning arrangements should include farm livestock at risk from flooding and that contingency arrangements in rest centre planning take account of domestic pets.
- (4) That a letter be sent to the local branch of the National Farmers' Union urging them to identify measures that could be taken to avoid animals drowning in the event of flooding, so as to avoid health risks from carcasses.
- (5) That literature be made available on the safety of animals in emergency situations.
- (6) That Members of Parliament be lobbied on the following:
  - The range of animals listed on the schedule of the Dangerous Wild Animals Act 1976 should not be reduced.
  - Large snakes over eight feet long should also be licensed.
  - The potential hazards to wildlife from the development of wind farms needs to be properly taken into account in the evaluation of proposals.
  - The development of alternative methods of research not involving animals.
  - That animal cruelty and wildlife crime be made recordable for Police forces because of strong linkages with other crime and the Home Office lobbied on this.
  - That stronger controls be introduced on the tethering of horses.

- (7) That an article appear in Rochford District Matters advising residents that:-
- Work is identified within the Local Plan on wildlife and conservation issues, together with guidance relating to the sensitive treatment of tree felling associated with planning applications.
  - The felling of trees, hedges and ditch clearance and associated works should be discouraged during bird nesting times.
- (8) That other Local Authorities be advised of the value of appointing an ecologist, both in terms of arboricultural, as well as planning issues and particularly where the introduction of an animal welfare charter was under consideration.
- (9) That consideration be given to the possibility of extending the Cherry Orchard Jubilee Country Park and of developing wildlife walks at Foulness with observation posts in order to encourage greater appreciation of wildlife, particularly given aspirations to develop Rochford as a centre of leisure and tourism within the Thames Gateway South Essex.
- (10) That the Minutes of all Animal Welfare Charter Sub-Committee meetings be attached to all distributed copies of the Animal Welfare Charter, to include all those organisations that gave evidence to the Sub-Committee and to all other animal welfare agencies, MPs, Essex County Council, Essex Police Authority, libraries, primary schools and veterinary surgeries.
- (11) That the Animal Welfare Charter be reviewed in 12 months' time.

Committee	Date	Minute No.
(14) Finance & Procedures Overview & Scrutiny	9 December 2004	545-539
(15) Environment Overview & Scrutiny	14 December 2004	540-543

### **(a) Highways Local Service Agreement**

Council considered the report of the Environment Overview and Scrutiny Committee on the Highways Local Service Agreement.

On a motion, moved by Councillor T G Cutmore and seconded by Councillor Mrs H L A Glynn, it was:-

### Resolved

- (1) That Rochford District Council sign up to the Highways Local Service Agreement for a period of 12 months.
- (2) That the Area Manager, County Highways should provide the Environment Overview and Scrutiny Committee with reviews on the Highways Local Service Agreement every three months. (HPS)

Committee	Date	Minute No.
(16) Finance & Procedures Overview & Scrutiny	15 December 2004	544-549
(17) Planning Services	16 December 2004	550-551

### 556 SETTING THE COUNCIL TAX BASE 2005/2006

Council considered the report on the Corporate Director (Finance & External Services) on determining the tax base for each individual Parish and Town Council area within the District.

Responding to a question, the Corporate Director confirmed that future reports could identify the percentage increases/decreases that could be associated with the figures.

### Resolved

- (1) That the method of calculation of the Council's Tax Base for the year 2005/2006 be agreed.
- (2) That pursuant to this report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 the amount calculated by the Rochford District Council as its Council Tax Base for the year 2005/2006 shall be in the following parts:-

ASHINGDON	1204.17
BARLING MAGNA	628.22
CANEWDON	546.40
FOULNESS ISLAND	66.89
GREAT WAKERING	1956.06
HAWKWELL	4510.57
HOCKLEY	3794.27
HULLBRIDGE	2336.09
PAGLESHAM	104.63
RAWRETH	425.87
RAYLEIGH	11953.37

## Council - 21 December 2004

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ROCHFORD	2779.53
STAMBRIDGE	232.48
SUTTON	53.27
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	<b>30591.82</b>

At the close of the meeting the Chairman extended best wishes to all present for a happy and healthy Christmas and New Year.

The meeting closed at 9.19pm.

Chairman .....

Date .....