

## **Council – 25 May 2004**

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Minutes of the meeting of **Council** held on **25 May 2004** when there were present:-

Cllr R A Amner (Chairman)

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

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs R Brown, K H Hudson and J Thomass

### **OFFICERS PRESENT**

P Warren - Chief Executive  
R J Honey - Corporate Director (Law, Planning & Administration)  
J Bourne - Leisure and Contracts Manager  
J Bostock - Principal Committee Administrator

### **250 MINUTES**

The Minutes of the Meeting held on 27 April 2004 were approved as a correct record and signed by the Chairman.

### **251 ANNOUNCEMENTS FROM THE CHAIRMAN**

Council joined with the Chairman in extending best wishes to the Vice-Chairman during her current period of illness. Best wishes were also extended to all Councillors that would be leaving the Authority at the end of this Municipal Year.

Council wished to pay particular tribute to Councillors C R Morgan and D A Weir, who would be leaving office after 31 and 20 years service respectively. Both Councillors had proved a credit to their communities. Their personalities, wealth of experience and effective contributions would be missed. It was observed that Rochford was a rare Authority in being able to debate political issues without elements of vitriol. Councillors Morgan and Weir had both been key to the maintenance of this feature.

### 252 MEMBER QUESTION ON NOTICE

The Proper Officer reported that, pursuant to Council procedure 11.2, the following question of the Leader of the Council had been received from Councillor R A Oatham:-

"Following the recent purchase by a developer of the former Park School site and the commencement of demolition can you please inform Members of the last possible start date for the building of the new sports centre in order to ensure completion to meet this Council's promise to have the centre open by the end of 2005 and what can be done to bring this forward?"

The Leader of the Council, Councillor P F A Webster, responded to the question as follows:-

In answer to Councillor Oatham's question, I suggest that we await the report back from Holmes Place and their Project Management Team on the final detailing of the scheme, its costings and implementation programme. That will be with us prior to the summer recess.

Clearly with Wimpeys now having acquired the site and committed to its development, the detailed siting and programming negotiations have begun but they are not yet complete. To my mind, it would be wrong to speculate at this stage, either to falsely raise or similarly falsely lower expectations.

I can assure Councillor Oatham that we, the Conservative Group, remain committed to the scheme. It is a priority for the Council and whilst we have certainly not been helped by the protracted negotiations around the disposal of the site, I am confident that our officers, Holmes Place and their Project Management Team will do all in their power to ensure we deliver the project in line with the timeframe stated in the Council's Corporate Plan.

By way of supplementary question, Councillor Oatham asked for clarification on what is likely to be built first at the site – the Sports Centre or another aspect such as the housing.

On the invitation of the Leader, the Chief Executive advised that the District's focus was on the Leisure Centre and that officers were working with Wimpeys with a view to establishing a detailed implementation plan that would meet everyone's requirements. It was hoped that the Leisure Centre would be established in parallel with other site development. As indicated, costs and

the implementation programme should be with the Authority prior to the summer recess. Wimpey had outline planning permission and currently intended submitting a master plan into the Planning Services Committee before recess. Understandably, much would depend on the timing associated with the planning application process. From a project management perspective, the key elements to move the project forward were now in place.

### 253 PUBLIC QUESTION ON NOTICE

The Proper Officer reported that, pursuant to Council procedure Rule 10.6, the following question of the Leader of the Council had been received from Mr Brian Efde, 1 High Street, Great Wakering, Essex:-

“Insurance companies require a 75 year defence status. As the Council are aware of the 5 year and 200 year defence status in Rochford, why are the Council permitting the 200 year status to be used as the stated level of protection against the law of physics for safety when all Councillors are aware that lives and property were lost in previous floods in Wakering (copy of operational information attached) and what are the present emergency plans for flooding in Rochford?”

The Leader of the Council, Councillor P F A Webster, responded to the question as follows:-

“Mr. Efde has already had detailed correspondence with the Environment Agency on the subject of flooding, and flood defence and it appears that the Agency has provided him with full and detailed responses to the issues he has raised with the Agency, notably around the status of the flood defences.

The Council is aware that Insurance Companies have taken a view with regard to insuring properties that are in areas identified as flood plains. The Environment Agency publishes details of flood plains, and it is understood that Insurance Companies are tending to look at each property on its merits rather than applying a blanket approach to insurance. The Council has no jurisdiction over the Insurance business, or the Environment Agency, which has the statutory role in flood defence.

The question refers to the Council "permitting the 200 year status to be used....." The Council is not in a position to "permit" what another, and appropriate, Authority or Agency, does in the pursuit of its statutory responsibilities.

The question alludes to the 1953 floods, which very regrettably did take some lives. However weather prediction, flood warning, and communications, have improved much since those times.

The District Council's existing emergency plan provides a response to a number of types of incidents across the whole District, one of which is flooding. It must be understood that each property owner is responsible for the

defence of that property. Nevertheless, the Council's response would be to provide sandbags to the old and the vulnerable, that is, those less able to fend for themselves, and in specific circumstances to prepare for and help in the evacuation from certain areas”.

By way of supplementary question, Mr Efde stated that the plan attached to his question showed the extent of flooding based on a 1: 200 year tidal flooding event and is the plan that the Authority would currently use. Information from the Environment Agency was clear that there is a 1: 5 year and 1:10 year level and it is queried whether 200 year status is a sensible way to respond.

On the invitation of the Leader, the Chief Executive confirmed that it would be appropriate to restate the original response. He also advised that the Civil Contingencies Bill was likely to introduce a responsibility on District Councils to work with Agencies, including the Environment Agency, on determining the risk associated with particular types of emergency.

### 254 COMMITTEE MINUTES AND REPORTS

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

<b>Committee</b>	<b>Date</b>	<b>Minute No.</b>
(1) Appeals and Licensing	28 April 2004	212 -214
(2) Community Services	4 May 2004	215 - 219
(3) Environmental Services	5 May 2004	220 - 222
(4) Community Overview & Scrutiny	6 May 2004	223 - 225

#### **(a) Review of Policies and Services for Young People within the District**

Council considered the report of the Community Overview & Scrutiny Committee on its recommendations relating to the review of youth provision in the District.

A Member commented that the review seemed to have taken place over a long period. It was observed that the time taken accorded with the thorough and in depth nature of the review.

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

### Resolved

That the actions detailed at Section 8 of the attachment to the report of the Community Overview & Scrutiny Committee be agreed. (CD(F&ES))

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| (5) | Policy & Finance              | 6 May 2004  | 226 - 230 |
| (6) | Community Overview & Scrutiny | 11 May 2004 | 231 - 237 |

### (a) Tourism Study – A Suggested Way Forward

Council considered the report of the Community Overview & Scrutiny Committee on the funding of a tourism study.

A Member observed that both items of historical interest within the District and famous people associated with the District could be of value in attracting tourists. It was agreed that Members should forward any thoughts they may have on aspects of the District that could facilitate tourism for consideration by the consultant.

### Resolved

That the tourism study, as outlined in the report, be funded from the 2004/2005 budget allocation. (CE)

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| (7) | Environment Overview & Scrutiny | 12 May 2004 | 238 - 240 |
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### (a) Future of the Rochford District Local Plan

Council considered the report of the Environment Overview & Scrutiny Committee on the way forward with regard to the Rochford District Replacement Local Plan and the Rochford Local Development Framework.

During debate, Council concurred with the observation of a Member that there would be merit in progressing the Replacement Local Plan to adoption. It was observed that a Replacement Plan would assist the Authority in progressing proposals such as those for the Cherry Orchard Jubilee Country Park. Council agreed a motion, moved by Councillor P K Savill and seconded by Councillor T G Cutmore, on continuing with the Replacement Local Plan.

### Resolved

- (1) That work on the preparation of the Rochford District Replacement Local Plan continues on through the Second

Deposit stage to a Public Local Inquiry and subsequent adoption.

- (2) That work on the preparation of the Rochford Local Development Framework commences in accordance with the agreed LDS timetable.
  - (3) That a detailed statement on the transition arrangements be prepared and reported to the next Meeting of the Environment Overview & Scrutiny Committee. (HPS)
- (8) Finance & Procedures Overview & Scrutiny                      13 May 2004                      241 - 245

**(a) Anti-Social Behaviour Co-ordinator**

Council considered the report of the Finance & Procedures Overview & Scrutiny Committee recommending the employment of an Anti-Social Behaviour Co-ordinator.

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

**Resolved**

That the District Council employs an Anti-Social Behaviour Co-ordinator for two years at 22.5 hours per week using the Home Office funding granted for the financial years 2004/05 and 2005/06. (CE)

- (9) Planning Services                      20 May 2004                      246 - 249

A Member observed that the pre-amble to Schedule Item 2 (Minute 249) should have included provision for the Head of Planning Services to liaise with the developer in conjunction with Ward Councillors.

It was confirmed that this would be included under the approval of the minutes part of the next Planning Services Committee Agenda.

### 255 MOTIONS ON NOTICE

The Proper Officer reported that, pursuant to Council procedure Rule 12, the following motion had been received from Councillors P F A Webster and T G Cutmore:-

“Rochford District Council expresses its support for the actions of the County’s representatives on the Regional Assembly who are continuing

to press for a more realistic allocation of housing numbers for Essex in the period up to 2021.

The actions of the Regional Assembly to date will result in a substantial increase in the number of houses to be built in Essex until 2021 – against the wishes of this District Council, the County Council and the other Essex Authorities. Latest feedback suggests that Essex is looking at a figure in excess of 20,000 additional houses over and above what the Essex Authorities think is appropriate to meet the County's long term housing needs.

In proposing this Motion, the Conservative Group believe that the people of Rochford District will want the minimum number of houses to meet local needs. They will not want to see Rochford become a developers' playground and the housing centre for all and sundry.

We are therefore seeking Council support to continue the campaign to ensure that the housing allocation that eventually falls to Essex and this District Council is the absolute minimum to meet the requirements of Rochford residents."

In presenting the motion, Councillor P F A Webster commented that this was an issue for which cross party support and the support of the vast majority of residents could be expected. Key concerns included the lack of infrastructure available for such large housing numbers, the fact that green areas/trees do not return once lost to development and that such housing was in excess of that required to meet local needs. It was being provided to meet other pressures.

During debate it was observed that:-

- Whilst it would be reasonable to expect some increase in housing allocation, the levels proposed by the Assembly were inappropriate.
- The situation would be worse but for the District being recognised as a focus for tourism and culture within the Thames Gateway. This was typified by the high allocations relating to Epping Forest District Council.
- In terms of housing allocation within the Structure Plan, Rochford was on target. Forthcoming development in both Rochford Town and at the former Park School site would assist in addressing housing need.
- Councillors frequently came across local first time buyers and families that could not afford the typical house prices set by developers. The types of houses within developments were often unsuited to the needs of the local market.

- The Assembly seemed to take the view that the Essex/Herts. area was relatively insignificant. This seemed particularly inappropriate in the context of factors such as the areas' contribution to gross domestic product. Whilst there had been some indication of commitment to infrastructure requirements for a three year period, this was of little consequence in the context of over 240,000 new properties in the Eastern region up to 2021. There was particular concern over not knowing what may happen in terms of Stansted Airport and the M11 Corridor and the possibility that the eventual housing figures could be even higher than currently set out in the emerging RPG14.
- The situation pointed to the need for Rochford to remain active in its representations. It also pointed to the type of problems that could be associated with the development of regional government and to the need to be alert to the position taken by neighbouring authorities with a view to maintaining the integrity of the District.
- It seemed wrong that an elected body such as the Assembly could dictate allocations to a District.

An amendment that the following words be added to the final paragraph of the Motion, moved by Councillor C I Black and seconded by Councillor C R Morgan, was lost on a show of hands:-

"and campaign further for powers to ensure that appropriate infrastructure and facilities are provided as developments take place and not lag years behind."

On a requisition pursuant to Council procedure Rule 16.4, a recorded vote was taken on the Motion as follows:-

For (32)                      Councillors C I Black, Mrs L A Butcher, P A Capon, Mrs T J Capon, R G S Choppen, T G Cutmore, K A Gibbs, Mrs H L A Glynn, T E Goodwin, J E Grey, Mrs S A Harper, A J Humphries, C A Hungate, Mrs L Hungate, T Livings, C J Lumley, Mrs J R Lumley, J R F Mason, G A Mockford, R A Oatham, J M Pullen, P K Savill, C G Seagers, S P Smith, D G Stansby, Mrs M A Starke, M G B Starke, Mrs M S Vince, Mrs M J Webster, P F A Webster, D A Weir, Mrs B J Wilkins

Against (0)

Abstentions (2)            Councillors R A Amner and C R Morgan



**Resolved**

That the Motion be agreed.

**EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved**

That under Section 100A(2)(3) of the Local Government Act 1972, the Public and Press be excluded from the meeting for the following item of business on the grounds that that it involves the likely disclosure of confidential information.

**256 COMPREHENSIVE PERFORMANCE ASSESSMENT - UPDATE REPORT**

Council considered the revised confidential draft Comprehensive Performance Assessment inspection report.

Members noted aspects of the inspection process, including associated timing, and agreed the next stage of communication with the Audit Commission.

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

The meeting closed at 9.16 pm.

Chairman .....

Date .....