

Council – 18 April 2000

Minutes of the meeting of **Council** held on **18 April 2000** when there were present:

Cllr D R Helson – Chairman

Cllr R Adams	Cllr Mrs E M Hart
Cllr G C Angus	Cllr Mrs J Helson
Cllr D E Barnes	Cllr Mrs A R Hutchings
Cllr P A Beckers	Cllr V D Hutchings
Cllr C I Black	Cllr C C Langlands
Cllr T G Cutmore	Cllr V H Leach
Cllr J M Dickson	Cllr Mrs S J Lemon
Cllr D F Flack	Cllr T Livings
Cllr D M Ford	Cllr G A Mockford
Cllr Mrs J E Ford	Cllr C R Morgan
Cllr G Fox	Cllr P D Stebbing
Cllr K A Gibbs	Cllr Mrs W M Stevenson
Cllr Mrs J M Giles	Cllr Mrs M S Vince
Cllr J E Grey	Cllr Mrs M J Webster
Mrs H L A Glynn	Cllr P F A Webster
Mrs J Hall	Cllr D A Weir
N Harris	Cllr Mrs M A Weir

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs R S Allen, B R Ayling, A Hosking, R A Pearson and R E Vingoe.

OFFICERS PRESENT

P Warren	-	Chief Executive
R J Honey	-	Corporate Director (Law, Planning & Administration)
R Crofts	-	Corporate Director (Finance & External Services)
A Smith	-	Head of Administrative & Member Services
J Bostock	-	Principal Committee Administrator

133 DECLARATIONS OF INTEREST

Councillors G C Angus, D F Flack, G Fox, Mrs E M Hart, C R Morgan, Mrs W M Stevenson, Mrs M S Vince and Mrs M A Weir each declared an interest in the Notice of Motion relating to economic immigrants in Southend by virtue of either personal experience of economic immigration or the experiences of family members.

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Councillors D M Ford and Mrs J E Ford each declared a non-pecuniary interest in any references to Foulness Island.

Councillor Mrs H L A Glynn declared a non-pecuniary interest in the item relating to car park ticket issuing machines and a pecuniary interest in the item on refurbishment of public conveniences (tender returns and scheme costs), leaving the meeting during consideration thereof.

Councillor Mrs A R Hutchings declared a non-pecuniary interest in the item on car park ticket issuing machines as it related to consultation with the Hockley Chamber of Trade.

Councillor Mrs M S Vince declared a non-pecuniary interest in any reference to Doggetts Close, Rochford by virtue of residency.

Councillor V H Leach declared a non-pecuniary but substantive interest in the item on Doggetts Close Playspace by virtue of his daughter having submitted a petition on the subject.

134 MINUTES

The Minutes of the meeting of 22 February 2000 and Extraordinary meetings of 24 February and 15 March 2000 were approved as correct records and signed by the Chairman, subject to the inclusion of Councillors R Adams and G C Angus as present at the meeting of 22 February.

135 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported on the success of the Civic Banquet and extended his thanks to all Members who had been in attendance. He also reported on attendance at the recent Queens Scout Awards Ceremony, at which three scouts from the Crouch 5th Scout Group had received awards.

At the conclusion of announcements, the Chairman was pleased to present a cheque for £5,000 to Mr R Kennedy, Chairman of the Leukaemia Unit Appeal (the Chairman's chosen charity for his year of office). Including more recent pledges, a sum of over £6,000 had been raised for the charity. In receiving the cheque, Mr Kennedy commented on its valuable contribution to the work of the Unit.

136 PETITIONS

(1) Aerial slide at Doggetts Close Play Space, Rochford

Whilst notice had been received of a petition in support of retaining the aerial slide, the item fell in the absence of a presenter.

(2) Car Park Charges

Note: Councillor Mrs W M Stevenson declared an interest in this item by virtue of Chamber of Trade Membership.

Pursuant to Standing Order 11, Council received a petition from Mr E Byford, Chairman of the Rayleigh and District Chamber of Trade. The petition, signed by the Rayleigh Business Community and Car Park users, called on the Council not to lose the 30 minute car parking band and to support parking proposals put forward by the Rayleigh and District Chamber of Trade.

By way of supporting remarks, Mr Byford wished to emphasise that:-

- The Chamber had been unhappy about the car parking charges consultation process.
- Investigations had established that the Trader Refund Token Scheme was well used within Rayleigh, particularly at the Somerfield Store.
- Retailers had a vital community role (service provision and employment) and would expect support from the District Council.

On the invitation of the Chairman, Mr M Street was also allowed to address the petition. Mr Street wished to emphasise that Chamber proposals would represent an increase in income to the Council of approximately 10% and that the overriding concern of petitioners was removal of the half hour charging band.

The Chairman confirmed that the petition would be referred for consideration to the Council's Transportation and Environmental Services Committee.

(3) Re-establishment of Sub-Post Office Facilities

Pursuant to Standing Order 11, Council received a petition from Hockley Parish Councillor Mrs M Guyett, initiated by the Hockley Residents' Association and signed by Hockley residents. The petition called on the Council to work with Hockley Parish Council and the Post Office Ltd to re-establish sub Post Office facilities in the East Ward of Hockley and to secure the long-term provision of Post Office services throughout the community.

By way of support remarks Mrs Guyett advised that the petition had been produced following closure of the Apex Post Office in Hockley and consultation with Post Office Managers.

The Chairman confirmed that the petition would be referred for consideration to the Council's Community Services Committee.

137 PUBLIC QUESTIONS

Pursuant to Standing Order 10(2), the following questions had been received from Mr K Wickham of 316 Plumberow Avenue, Hockley:-

- "1. Has Rochford District Council or its predecessors ever had control, sold or given the control, ownership by title deed or default the areas within and around the section known as Beckney Wood and its access roads Etheldore Avenue, Wood Avenue and Beckney Avenue and frontages to the west to Plumberow Avenue, Hockley. Generally within H M Land Registry Title No: EX513745, Ordnance Survey Plan reference TQ8493 TQ8494. If so to whom and at what date?
2. What useable undeveloped land stocks does the Council hold which can be grouped in any form suitable for housing development similar to that at Etheldore Avenue within the District Boundaries at this time and where are they located?"

The following oral reply was given by the Corporate Director (Law, Planning & Administration):-

"Question 1

This Council came into being in 1974 when land in the possession of its predecessor Councils was transferred by statute to the newly created Rochford District Council. Although unlikely, our predecessor Councils may have had dealings in land that we are unaware of.

Our records show that the only land this Council has owned or controlled within the area now comprising H.M. Land Registry Title No. EX513745 is a parcel of land of approximately 1330 sq. yards situated within Beckney Woods to the North East of the terminus of Etheldore Avenue.

Being deemed surplus to requirements, the land was sold on 11 July 1991 following advertisement and Public Tender. The highest bidder and purchaser was Mr J R Steward.

Within the immediate vicinity, the Council currently owns 8 plots to the north of the Etheldore/Wood Avenue development site. This land has an estimated area of approximately 1 hectare and is registered at H.M. Land Registry under Title No. EX416361. Because of its Metropolitan Green Belt notation this land is not suitable for development.

I can also advise you that on 18 January 2000 the Council sold land amounting in total to approximately 1.44 hectares within the Etheldore/Wood Avenue development area, although outside the

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Registered Title you have referred to. Again this sale followed advertisement and Public Tender. The highest bidder and purchaser was Countryside Residential (North Thames) Ltd.

Question 2.

The Council has no useable undeveloped land stocks capable of assimilation into a housing development similar to that at Etheldore Avenue at this time."

138 COMMITTEE MINUTES

Resolved

- (1) That, subject to any amendments below, the Minutes of Committees be received and the recommendations contained therein adopted.
- (2) That the Common Seal of the Council be affixed to any document necessary to give effect to decisions taken or approved by the Council in these Minutes.

Committee	Date	Minute No
1. PLANNING SERVICES	10 February 2000	60 – 64
2. COMMUNITY SERVICES	1 March 2000	72 – 85
3. PLANNING SERVICES	9 March 2000	86 – 91
4. TRANSPORTATION & ENVIRONMENTAL SERVICES	21 March 2000	95 - 107

(a) Minute 98(i) – Relating to Rectory Garth, Rayleigh – Proposed Extension to Waiting Restrictions

Pursuant to Standing Order 18(6), a requisition had been received in the names of Councillors Mrs M J Webster, C C Langlands and P F A Webster requiring that this Minute be referred to Full Council for decision.

Council noted that Members of the Transportation & Environmental Services Committee had not appreciated that a decision to change waiting restrictions would only apply to part of the Rectory Garth location and that it was likely the proposed changes would cause confusion.

Resolved

That this item be referred to the next Meeting of the Transportation & Environmental Services Committee for further consideration. (Area Manager – ECC Highways).

(b) Minute 98(i) – Relating to Car Park Ticket Issuing Machines

The Transportation & Environmental Services Committee had referred this item to Full Council for decision.

The Corporate Director (Finance & External Services) advised on recent communication from Rayleigh Town Council and Rayleigh & District Chamber of Trade in favour of maintaining the trader refund token system. Representation on the detrimental effects of losing the token scheme had been received from Somerfield Supermarket, Rayleigh.

It was noted that the costs associated with maintaining a refund system would be in the region of £7,000 and that there would be some reduction in the life expectancy of machines. Responding to Member questions, the Corporate Director reported on current income levels from penalty tickets, the financial implications of holding a decision in abeyance and the Car Parking Order procedure.

During debate, Members recognised the importance of the trader refund scheme. Reference was made to the likelihood that a number of existing ticket machines would soon be due for replacement. In discussing the importance of this subject to the Authority's finances and the local economy, Council concurred with the view of a Member that it would be appropriate to defer decision-making to the next Municipal Year when a new Council could consider all aspects of car parking.

On a Motion moved by Councillor D E Barnes and seconded by Councillor V H Leach it was:-

Resolved

That a decision on this matter be referred to a Meeting of Extraordinary Council in the new Municipal Year when consideration can be given to all aspects of car parking. (CD(F&ES))

(c) Minute 100 – White Hart Lane Traffic Calming

Pursuant to Standing Order 18(6), a requisition had been received in the names of Councillors P F A Webster, Mrs M J Webster and C C Langlands requiring that Minute 100 be referred to Full Council for decision.

During debate, Members discussed the statistical significance of the County Council's consultation exercise and the need for the County to ensure supporting maps contained all significant road features. In noting that the development was at an early stage, it was felt that the decision of the Transportation & Environmental Services Committee should be supported.

Resolved

That no further action be taken regarding traffic calming in White Hart Lane at the present time, but that the situation be reviewed in twelve months (Area Manager – ECC Highways).

(d) Minute 106 – 1100 litre Paper Recycling Bank Collection

In view of its confidential nature, Council considered this item after exclusion of the public and press.

Committee	Date	Minute No
5. AUDIT SERVICES	4 April 2000	108-110
6. PLANNING SERVICES	6 April 2000	111-113
7. FINANCE AND GENERAL PURPOSES	11 April 2000	114-132

(a) Minute 117 – Relating to petition from residents regarding youth problems at Doggetts Playspace, Rochford

In approving funding for removal and resiting of the Doggetts Playspace aerial runway, the Finance and General Purposes Committee had referred the question of suitable locations to this meeting.

During a presentation the Corporate Director (Finance and External Services) advised on National Playing Fields Association guidelines which indicated that the type of aerial runway located at Doggetts was suited to 6-11 year olds and should, ideally, be located with other types of play equipment to provide a challenge for children. The Corporate Director outlined the results of the officer review of potential locations at Warwick Drive, Ashingdon Playing Fields and the Doggett Close site (involving resiting of the equipment and the introduction of appropriate fencing).

During debate, Members restated the importance of full consultation with residents, users and Ward Members when formulating proposals

for the location of new play facilities, particularly in cases where the public felt sufficiently concerned to consider petitioning the Council. The Chief Executive advised the matter had been examined internally to ensure that formal consultation procedures were in place for play facility proposals to include liaison with Ward Members and that the Council's petition process was to be considered by the Structural and Procedural Review Working Group.

Council endorsed the view of a Member that, in accepting the runway would be best located within the vicinity of the Stambridge Road Recreation Area, further consultation on precise positioning would be appropriate. On a motion moved by Councillor D M Ford and seconded by Councillor T G Cutmore, it was:-

Resolved

- (1) That extensive consultation be undertaken on the possibilities for resiting the aerial runway within the vicinity of the Stambridge Road Recreation Area, consultees to include local residents, equipment users, Parish and Ward Councillors and the Chairman of the Community Services Committee.
- (2) That the outcome of consultation be reported to the Council's Community Services Committee for decision. (CD(F&ES))

(b) Minute 126 – Committee Timetable

Council endorsed the view of the Chief Executive that it would be appropriate for the Member training session on Finance to now be held on Wednesday, 17 May 2000.

Resolved

That the timetable of meetings for 2000/2001 be adopted. (HAMS)

(c) Minute 130 – Increased costs for Clements Hall Swimming Pool Roof

Pursuant to Standing Order 18(6), a requisition had been received in the names of Councillors N Harris, P A Beckers and Mrs J Hall requiring that recommendation (3) of Minute 130 be referred to Full Council for decision.

Council agreed that it would be inappropriate to charge costs associated with this item to Revenue. On a Motion, moved by Councillor D E Barnes and seconded by Councillor Mrs J M Giles, it was:-

Resolved

That resolution (3) of Minute 130 be deleted. (CD(F&ES))

139 NOTICES OF MOTION

(1) From Councillor Mrs H L A Glynn

The Proper Officer reported that the following Notice of Motion had been received from Councillor Mrs H L A Glynn:-

"This Council seeks to lease a parcel of land in front of 1, 2 and 3, Golden Cross Parade, Ashingdon Road, Rochford from the owners of the site (Rymex Ltd, 129 Stamford Hill, London N16 5TW) as an additional car parking facility for the Golden Cross Parade.

Resolved

That the Motion stands referred to the Transportation and Environmental Services Committee.

(2) From Councillors R E Vingoe, Mrs A R Hutchings and V D Hutchings.

The Proper Officer reported that the following Notice of Motion had been received from the above Members:-

"That a Working Party/Panel be set up by the District Council to include County Officers where necessary and representation from the Hockley Parish Council and the Hockley Chamber of Trade and Commerce to formulate proposals for the improvement of Hockley Town Centre".

Resolved

That the Motion stands referred to the Transportation and Environmental Services Committee.

(3) From Councillor P F A Webster.

Note: Councillors G Fox, C R Morgan, P D Stebbing, Mrs W M Stevenson, Mrs M S Vince and Mrs M A Weir left the meeting during consideration of this item.

The Proper Officer reported that the following Notice of Motion had been received from Councillor P F A Webster:-

"Rochford District Council records its sympathy with the residents of Southend concerning the financial and social burden being imposed on them though the deluge of economic immigrants now in their town.

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Rochford District Council instructs its Officers not to provide any Council housing or other financial or social assistance to such persons unless required to do so by law, in which case all Councillors are to be informed as a matter of urgency".

Pursuant to Standing Order 9(11), it was agreed that the Motion be considered.

In addressing the Motion, Councillor P F A Webster wished to emphasise that the term 'economic immigrants' could easily be replaced with the term 'bogus asylum seekers' and that the concern was one of economics given that, countrywide, £1.5 billion of taxpayers money had been applied to asylum seekers over the last 3 years. There needed to be a clear distinction between genuine deserving asylum seekers and those who are bogus. There was also a case for commenting that the country could be too easily financially exploited.

Those Members against the Motion felt that the term 'economic immigrant' appeared too narrow and targeted at particular groups within the community. The motion could also prove unworkable. There had always been economic immigrants and terms such as 'deluge' could give inaccurate impressions, particularly when made with no statistical support. From the perspective of definition, it could be argued that all persons are some form of economic immigrant. By virtue of their role, it was important that Councillors should be particularly sensitive to the needs of all citizens.

Those in favour of the Motion felt that the economic pressures on local authorities needed recognition and referred to the experiences of Kent County Council and the observations of the Local Government Association in this regard. The Motion could also be seen as lending support to an adjoining Borough Council.

On a requisition pursuant to Standing Order 24(2), a recorded vote was taken on the motion as follows:-

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| For (9) | Councillors R Adams, T G Cutmore, K A Gibbs, J E Grey, Mrs E M Hart, C C Langlands, G A Mockford, Mrs M J Webster and P F A Webster. |
| Against (17) | Councillors G C Angus, D E Barnes, P A Beckers, C I Black, J M Dickson, D F Flack, D M Ford, Mrs J E Ford, Mrs J M Giles, Mrs J Hall, N Harris, D R Helson, Mrs J Helson, Mrs A R Hutchings, V D Hutchings, V H Leach and Mrs S J Lemon |
| Abstentions (2) | Councillors Mrs H L A Glynn and T Livings |

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The Motion was declared lost. On a Motion moved by Councillor D E Barnes and seconded by Councillor V H Leach it was:-

Resolved

That the next meeting of the Community Services Committee receive a detailed report from officers plus a presentation from the Regional Co-Ordinator on Economic Immigrants in order that this Council can consider its policies. (HHHCC)

(4) From Councillors R Adams and G A Mockford.

The Proper Officer reported that the following Notice of Motion had been received from the above Members:-

"Rochford District Council regrets that Essex County Council Highways Department erected bicycle stands on the pavement outside the parade of Shops no's 99 to 113 in London Road, Rayleigh. This work was carried out without the agreement of the majority of the shopkeepers".

Councillor R Adams was pleased to report that the Motion could now been withdrawn, the County Council having indicated that consideration was being given to relocation of the bicycle stands.

(5) From Councillor V H Leach.

The Proper Officer reported that the following Notice of Motion had been received from Councillor V H Leach:-

"Given the increase in companies employing "pollsters" to secure appointments with a specific aim of securing sales of double glazing, kitchens and other products and services to our residents, could Officers bring a report to the appropriate Committee determining the best way to regulate this activity which could be seen as street trading".

Resolved

That the Motion stands referred to the Community Services Committee.

(6) From Councillors Mrs M J Webster and R E Vingoe.

The Proper Officer reported on a Notice of Motion received from the above Councillors.

Pursuant to Standing Order 9(11), it was agreed that the motion be considered

The Motion was moved by Councillor Mrs P F A Webster, seconded by Councillor Mrs H L A Hutchings and it was:-

Resolved

That amendments or variations to plans which have been approved by the Planning Services Committee shall only be agreed by the Corporate Director (Law, Planning and Administration) pursuant to the scheme of delegations after consultation with the Chairman of Planning Services Committee and the respective Ward Members in whose area the development is located. (CD(LPA))

(7) From Councillors Mrs M J Webster and Mrs M S Vince supported by Councillor D E Barnes

The Proper Officer reported on a Notice of Motion received from the above Councillors.

Pursuant to Standing Order 9(11), it was agreed that the Motion be considered.

The Motion was moved by Councillor Mrs P F A Webster, seconded by Councillor Mrs M S Vince and it was:-

Resolved

That Rochford District Council welcomes the action of Mr David Amess MP, supported by Members of Parliament from the Conservative, Labour and Liberal Parties, in bringing in a Bill to amend the Zoo Licensing Act 1981 so as to make it unlawful to operate a circus except with the authority of a licence.

140 THE THAMES GATEWAY

Council considered the report of the Head of Corporate Policy and Initiatives proposing that the Council work in partnership with neighbouring authorities to develop and implement a co-ordinated mechanism for delivering the objectives of the Thames Gateway.

Discussing possible environmental implications to Gateway proposals, Members recognised that there could be both positive and negative aspects to regeneration. Council agreed a Motion moved by Councillor D F Flack and seconded by Councillor Mrs M J Webster that the District Council's opposition to the outer Southend bypass be reaffirmed.

Resolved

- (1) That this Council works in partnership with the Essex Thames Gateway Authorities and that a formal South Essex Thames Gateway Partnership Mechanism, co-ordinated by the Essex Economic Partnership, be developed.
- (2) That this Council's opposition to the outer Southend bypass be re-affirmed. (HCPI)

141 MILL HALL, RAYLEIGH: FRONTAGE DETAIL

Council considered the report of the Corporate Director (Finance & External) Services on design options for treatment of the Mill Hall frontage. The Planning Services Committee had approved the planning application associated with demolition of the former Rayleigh Sports and Social Club building and laying out of the area for car parking purposes subject to a condition requiring revised frontage design.

Resolved

That option A as set out in the Corporate Director's report be the design option for the Mill Hall frontage, subject to the use of similar materials to the High Street. (CD(F&ES))

Exclusion of the Public

Resolved

That, under Section 100(A)(4) of the Local Government Act 1972, the public 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 9 and 1 of Part 1 of Schedule 12A of the Act.

142 MINUTE 106 OF TRANSPORTATION AND ENVIRONMENTAL SERVICES COMMITTEE – 1100 LITRE PAPER RECYCLING BANK COLLECTION

Pursuant to Standing Order 18(6), a requisition had been received in the names of Councillors P F A Webster, Mrs M J Webster and C C Langlands requiring that Minute 106 be referred to Full Council for decision.

The Corporate Director (Finance and External) Services provided details of current tonnage and recycling credit figures. Responding to Member questions, the Corporate Director advised on the mechanism by which recycling bins were maintained and the recycling process.

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The Chief Executive advised that there were indicators within Best Value that related to recycling.

Resolved

That the contract for emptying the 1100 litre paper banks for the period 1 April 2000 to 31 October 2004 be awarded to Cory Environmental Municipal Services Ltd at a total cost of £43,443.00. (HHHCC)

143 REFURBISHMENT/REMODELLING OF PUBLIC CONVENIENCES – TENDER RETURNS AND SCHEME COSTS

Council considered the confidential report of the Head of Leisure and Client Services which provided the results of the tender exercise and the relative costs of the two options (refurbishment or remodelling).

In terms of finish, the Corporate Director (Finance and External) Services advised that there was an option of either stainless steel or ceramic.

Responding to Member questions, the Corporate Director confirmed that there would be some savings should the ceramic option be chosen.

Following debate of the various possibilities, it was:-

Resolved

That the Council's public conveniences at Crown Hill, Rayleigh and Back Lane, Rochford be remodelled using stainless steel and that the tender submitted by Ramoss Contractors Ltd in the sum of £125,101.00, being the lowest received, be accepted. (CD(F&ES))

144 ITEM OF URGENT BUSINESS - STAFFING ISSUE

The Chief Executive tabled a report dealing with an issue raised with the Council concerning a former member of staff. As a decision on the matter was required before 24 April 2000 and there was no other meeting of the Council scheduled before that date, the Chairman agreed that the matter be discussed at this meeting as an item of urgent business.

A copy of the report and the views of the Council are contained at the exempt appendix to the signed copy of these minutes.

The meeting closed at 11.15 pm.

Chairman _____

Date _____