

Council - 24 February 2004

Minutes of the meeting of **Council** held on **24 February 2004** when there were present:-

Cllr R A Amner (Chairman)
Cllr Mrs R Brown (Vice-Chairman)

Cllr C I Black	Cllr C J Lumley
Cllr Mrs L A Butcher	Cllr Mrs J R Lumley
Cllr P A Capon	Cllr C R Morgan
Cllr Mrs T J Capon	Cllr R A Oatham
Cllr R G S Choppen	Cllr J M Pullen
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 C C Langlands	Cllr Mrs B J Wilkins
Cllr T Livings	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J R F Mason, Mrs M D McCarthy, G A Mockford.

OFFICERS PRESENT

P Warren - Chief Executive
R J Honey - Corporate Director (Law, Planning & Administration)
R Crofts - Corporate Director (Finance & External Services)
D Deeks - Head of Financial Services
J Bostock - Principal Committee Administrator

93 MINUTES

The Minutes of the meeting held on 27 January 2004 were approved as a correct record and signed by the Chairman, subject to the inclusion of apologies from Councillor Mrs J R Lumley.

94 DECLARATIONS OF INTEREST

Councillor M G B Starke declared a personal interest in the report from the Housing Best Value Sub-Committee by virtue of being the Council's representative on the Supporting People Commissioning Body.

Councillor T G Cutmore declared a personal interest in the item on Treasury Management Strategy Statement/Prudential Framework by virtue of employment with the HSBC Bank. The bank had no direct involvement.

95 ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman reported that he and the Vice-Chairman had attended various events. These included:-

- The birthday celebrations of two residents who had reached 100.
- The Annual Dinner of the Rayleigh Unit Air Training Corp.
- Overseeing the annual Students Citizenship Debate.
- The completion of the Guidewoods Activity Centre, Hockley.

Specific reference was made to the recent service of dedication and thanksgiving in memory of the life of Carol Russell, who had been the Council's Payment and Income Manager. Councillor Mrs H L A Glynn, who had known Carol for many years, led Members in paying tribute to her life and work. During this tribute, Mrs Glynn highlighted Carol's extensive contributions to charity and her lovely personality. All agreed that Carol would be sadly missed.

96 COMMITTEE MINUTES AND REPORTS

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

Committee	Date	Minute No.
(1) Environment Overview and Scrutiny	17 December 2003	594-596
(2) Appeals and Licensing	7 January 2004	1-3
(3) Community Services	8 January 2004	4-13
(4) Environmental Services	13 January 2004	14-16
(5) Policy and Finance	14 January 2004	17-24
(6) Community Overview and Scrutiny	15 January 2004	25-29

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	Committee	Date	Minute No.
(7)	Finance and Procedures Overview and Scrutiny	20 January 2004	30-34
(8)	Environment Overview and Scrutiny	21 January 2004	35-40
(9)	Planning Services	22 January 2004	41-44
(10)	Community Overview and Scrutiny	28 January 2004	47-49
(11)	Community Services	3 February 2004	50-55
(12)	Environmental Services	4 February 2004	56-60
(13)	Policy and Finance	5 February 2004	61-66

(a) Questions by the Public - Time Limitation

Council considered the report of the Policy and Finance Committee relating to the introduction of a time limitation for the length of questions asked by the public.

It was agreed that the introduction of any time limitation should not be seen as a message that questions are not welcomed. The Council would welcome an increase in the number of questions received from the public.

Resolved

That the procedure rule relating to questions by the public be changed to provide for a time limit of up to three minutes for each question and one minute for each supplemental question, the following wording to be added to Council Procedure Rule 10.1:-

"The maximum time limit for asking each question is 3 minutes. The maximum time limit for a supplemental question is 1 minute".

	Committee	Date	Minute No.
(14)	Community Overview and Scrutiny	10 February 2004	67-70

(a) Development of Council Owned Land at Bardfield Way, Rayleigh and Tendring Avenue, Rayleigh

Council considered the report of the Housing Best Value Sub-Committee on its recommendations relating to proposed housing schemes at the above sites.

It was noted that Members of the Sub-Committee had been unanimous in agreeing the recommendations. Responding to questions, the Chief Executive confirmed that a key factor associated with progressing the schemes had been the availability of funding via the supporting people mechanism. It was envisaged that the Swan Housing Group could make good progress in developing these projects over the coming year.

Resolved

- (1) That, subject to additional provisos emanating from public consultation and set out below, development now proceed on the proposed housing schemes at Bardfield Way, Rayleigh and Tendring Avenue, Rayleigh:-

Scheme	Additional Proviso
Bardfield Way, Rayleigh	The commissioning of a specialist independent study concerning slow worms. Consideration being given to the introduction of an additional car parking space.
Tendring Avenue, Rayleigh	Consideration being given to the introduction of an additional car parking space. The addressing of any surface water drainage issues.

- (2) That the land designated in respect of the two sites in (1) above be transferred to the Swan Housing Group at nil cost, subject to planning permission and on the conditions that:-
- This Council shall not be responsible for any future revenue costs.
 - The Group provides that it will not consider any future changes to accommodation use without consultation with local residents.

on such terms and conditions as the Head of Legal Services considers appropriate in accordance with the general consent and to secure the provision of the approved housing schemes.

- (3) That a press release be issued on 25 February 2004 setting out the Council's final decisions, including reference to any adjustments which have emanated from the public consultation process. (HHHCC/HLS).

Committee	Date	Minute No.
(15) Environment Overview and Scrutiny	11 February 2004	71-75
(16) Finance and Procedures Overview and Scrutiny	12 February 2004	76-81
(17) Community Overview and Scrutiny	16 February 2004	82-84
(18) Planning Services	19 February 2004	85-92

97 SETTING THE COUNCIL TAX 2004/05

Council considered the report of the Head of Financial Services which sought agreement to the level of Council Tax for 2004/05.

The Leader of the Council made the following statement:-

“Chairman, members of the public,

Last year, when I presented the first budget of the new Conservative administration, I said that we believe residents would much rather spend their own money instead of the Council spending it for them.

Unfortunately, then we had to set a council tax increase of 9%, over 50% of which was a direct result of Government requirements.

This year, I am sorry to say, is no different. Again, we require an increase of 9%, and again over 50% of that increase in council tax is down to this Labour Government.

Although the Government will argue that it is increasing the level of support to this Council by 5.1%, it is withholding £232,000 to pay to other councils to ensure they do not suffer a grant reduction. The same happened last year, which means that, for last year and this year, Rochford taxpayers have had to pay over £450,000 to help other District Councils.

If we had had our rightful grant from Government this year, our council tax increase would have been less than 4% - even after us having to pay for new Government directives, which I will mention later.

Before I leave the issue of grant, I have to say that a system which produces the result it does for Rochford cannot be explained logically.

We receive by far the lowest settlement in Essex at £44.05 per head of population. If I look around Essex, I would say that the most comparable Councils are Castle Point and Brentwood.

Castle Point receives a poor settlement and, like us, has grant withheld. They do, however, receive £6.55 per head of population more than us. If we received grant at that level, it would amount to an extra £519,000. At that level of grant, rather than a 9% increase in council tax, we could have decreased it by 3%.

The grant received by Brentwood is even more unexplainable. They receive £19.70 more than us per head of population. This would give Rochford District Council a staggering additional £1.56million in a year. At that level of grant funding we could reduce our council tax by around £39, a reduction of 27%. Now, both Rochford and Castle Point residents are having to contribute towards the funding of Brentwood.

In November the Peer Review team concluded that the Council was at the "crossroads". I for one, and I am sure all Councillors would agree with me, would challenge that view. Looking to the future, I believe the Council is clear on the route that we wish to take. Any uncertainties rest with the challenges before us in terms of Central Government guidance and legislation, grant funding and resourcing.

We see ourselves as the Green Part of the Thames Gateway. Our future rests with our environment and our heritage. We see ourselves as an area for leisure, recreation and tourism. We have stressed our long term vision within the Thames Gateway South Essex strategy. The emerging Local Plan - which will shortly be placed on deposit - will help to take us on that journey.

We have moved to a 5 year budget strategy and the Community Strategy will shortly be approved by the Local Strategic Partnership. These will also help us. All these clearly waymark the route we wish to take.

I would remind Members that when we became the administration in May 2002, I said to the Chief Executive that the Conservative Group had three particular priorities – the Cherry Orchard Jubilee Country Park, the provision of the new sports centre on the Former Park Schools Site and the refurbishment of our elderly persons accommodation. We have made good progress on all three.

As I mentioned earlier, in working out our budget we have had to take into account Government initiatives. These are:-

- We are having to take over from the Magistrates Courts all of their liquor licensing functions

- There are substantial duties being placed upon us as a result of the Freedom of Information act
- We now have to pay over to the Government 75% of any money received from the sale of our Council houses
- Funding is required in order to meet the new statutory targets in respect of avoiding homeless families being placed in bed and breakfast accommodation from April this year.
- The Government Comprehensive Performance Assessment scheme takes up many hours of senior officer time, which, to date, amounts to over 600 hours. This is a significant commitment in time and money when our budget is so constrained. In addition, we have to pay for the inspection being carried out by the Audit Commission and extra work required by our external auditors. I very much doubt if the benefit we receive from this exercise will outweigh the costs - likely to be around £150,000, equivalent to a council tax increase of 3½%.

So what have we been doing to ensure that our residents receive value for money? Firstly, I feel it is important to emphasise that this Council spends less per head of population than any other District Council in Essex. It is also the 19th lowest of the 238 English Districts. It is only because our grant is significantly lower than any other Council in Essex that our council tax increase will be 9%.

Secondly, during this year, our leisure contractor, Holmes Place, was able to pay back a profit share from the new leisure contract, which means that, for this year, our leisure centres have been run at virtually nil cost to the Council.

We have made contributions of £5,000 a year in the past two years towards the cost of Thames Gateway South East. In return we received £50,000 grant in one year and £61,000 in the second year for the construction of our new Cherry Orchard Jubilee Country Park. Not a bad return, £111,000 for a £10,000 investment!

I now turn to areas where we are increasing our budget spending for next year. The sums are modest, but I believe will have a major impact on the quality of life of our residents.

Every decision for spending money in the budget has had to be taken in the context of "was this more important than keeping the council tax down to its lowest possible level?"

I therefore intend to mention both those items we have put into the budget, and also those demands we have not included so we can keep the council tax down.

We are increasing our expenditure on bus passes as the number of people eligible for them is rising. We are now issuing around 900 per year. This will benefit our elderly and disabled residents and meets with our corporate

objectives of improving the quality of life for our residents and a safer and caring community.

We are expanding the Handyman Service in partnership with Essex County Council and also introducing a gardening service. Both of these again benefit out elderly residents as it gives peace of mind and deters crime. This again complies with the corporate objectives of quality of life and safer communities.

We will be providing additional dog fouling bins around the District and also increasing our level of work on ditch clearing. These two initiatives will contribute to the corporate objective of a green and sustainable environment.

We will be carrying out work to identify opportunities to lever in money from other organisations to promote more tourism in the District. This will be important as it will enhance our role as the "Green Part of the Thames Gateway". It should also, in the longer term, benefit our local economy.

Issues which we have discussed, but agreed are of a lower priority and therefore not included in this year's budget are:-

- The employment of a Parish Liaison Officer
- Additional car parking for Rayleigh
- An emergency call-out service
- An out-of-hours environmental nuisance service.

Our capital programme is severely constrained, but we must carry out urgent works to our Council offices in Rochford and Rayleigh in order to comply with the Disability Discrimination Act.

We will be starting work on the building of the new Park Sports Centre in partnership with Holmes Place next year.

We will also be completing our upgrade of public conveniences this year and continue replacing playspace equipment.

We will continue to develop further the Cherry Orchard Jubilee Country Park.

For our Council houses, we will continue to ensure that all of our homes meet the Government's Decent Homes Criteria over the next few years.

In improving our sheltered accommodation, we completed the upgrade of The Lavers in Hockley Road. With regard to our other two schemes earmarked for improvement, namely Britton Court and Spa Court, we have had to place these on hold. However, these two schemes remain a Conservative priority and will be progressed at the earliest opportunity.

I now turn to rents from Council housing - the Housing Revenue Account. Rents to Council tenants will increase - as directed by Government requirements by 4.4%. Once again, this Government rise is way above the increase in pensions. Even worse, in my view, is the fact that we are being

forced to undertake a Housing Option Appraisal exercise which will cost in excess of £300,000, even though our tenants have clearly stated that they are happy to have Rochford Council as their landlord.

The Housing Revenue Account is ring fenced. This means that the money for the housing option appraisal is having to be diverted from much more important needs such as the maintenance and repair of Council housing.

Chairman, this is the budget of this Conservative administration. I do think, however, that this year we have demonstrated, more than any other previous administration, a willingness to listen to opposition views. We have had a budget awayday to which every Member was invited. We actually agreed to put into the budget two initiatives put forward by the opposition.

I thank the Members that attended that awayday and for the positive way the budget was agreed at the Council meeting on 27 January.

In proposing a council tax increase of 9% I acknowledge that this Government has sent out letters to authorities who are proposing increases in excess of 5%, threatening them with capping.

We cannot ignore that threat, but our increase on a Band D property amounts to £12.87 for a whole year – less than 25p per week. If they capped us at 5%, it would reduce the council tax by less than £6 for the year. It would reduce the overall tax bill by around ½%.

This level of tax has not been set lightly. We have set it in the context of a five-year strategy, knowing that we are the lowest spending authority in Essex and the worst funded.

Our council tax for a Band D property will be £155.16.

In conclusion, the council tax for a Band D property will be:-

Essex County Council - £891.54 – an increase of 4.7%
Essex Police Authority - £99.27 – an increase of 6.8%
Essex Fire Authority - £56.43 – an increase of 24.9%
Rochford District Council - £155.16 – an increase of 9% (5% due solely to Government dictats).

I am sure all Members will agree that this year, in particular, because of the burden of work caused by the Comprehensive Performance Assessment, we are especially grateful to officers for producing a detailed budget in plain English and equally their willingness to answer any question from any Councillor.

I thank all officers for their work and assistance to Councillors.”

During debate a Member observed that, over the years, different administrations had experienced the issue of Government funding being applied elsewhere at the expense of the Rochford District. Involvement with the Town and Country Financial Issues Group typified the ongoing nature of this type of issue. A key aspect on which there is all party agreement was that the current grants system is unfair because Rochford did not attract grant monies which should be available. Another Member observed that the approach of endeavouring to ensure that councils in some parts of the country did not suffer grant reduction was a policy that was previously supported by this Council.

It could be recognised that the Council had been positive and innovative in maintaining high levels of service to residents despite financial difficulty. The costs associated with Audit Commission requirements and the requirement to undertake the option appraisal exercise were noticeably high. At this stage, the vision associated with the Thames Gateway project looked promising.

Reference was made to the value of the Member budget away day in facilitating cross party work on the budget strategy aspect of Council Tax setting.

Resolved

- (1) That the total for economic development is estimated at £89,200.
- (2) That the total for gross expenditure of the District together with the Parish precepts be £23,454,867.
- (3) That the total of income for the District Council be £14,422,400.
- (4) That the total net expenditure of the District Council together with the Parishes be £9,032,467.
- (5) That the total of the sums payable into the general fund in respect of redistributed non domestic rates, revenue support grant, together with adjustments from the collection fund be £3,499,979.
- (6) That the budget requirement for the year of £9,032,467 less the net income receivable of £3,499,979 which, divided by the tax base of 30,520.56 is equal to £181.27, which is the basic amount of its Council Tax for the year.
- (7) That the total of Parish precepts included within the above is £796,867.
- (8) That the Council Tax relating to the District Council without Parish precepts is £155.16.

- (9) That the total tax for both District and Parishes be as set out in the schedule which is attached as Appendix 1 to these minutes. These sums are calculated as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.
- (10) That the sums given above for Band D but now shown in the particular valuations bands A-H be as set out in the schedule which is attached as Appendix 2 to these minutes.
- (11) That the precepts issued to the Council in respect of Essex County Council, Essex Fire Authority and Essex Police Authority for each valuation band A-H be as set out in the schedule which is attached as Appendix 3 to these minutes.
- (12) That the total Council Tax for the area for each valuation band A-H be as set out in Appendix 4 to these minutes. These are the amounts set as Council Tax for the year 2004/05. (HFS)

98 KEY POLICIES AND ACTIONS FOR 2004/05

Council considered the report of the Chief Executive on:-

- Main areas of policy development.
- Main projects to be progressed/implemented
- Main areas of service development/change
- Areas that it might be appropriate for Overview & Scrutiny Committees to consider.
- An outline timetable for establishing the 2005/06 budget.

It was observed that the report was a good indicator of the high level of Council activity across the District. The close allying of budget monitoring/preparation with key policies/actions was welcomed. It was pleasing that many of the Council's projects were of a visual nature and would facilitate services for all age groups. The Overview & Scrutiny function was a valuable mechanism for review, refinement and challenge for the betterment of the District as a whole.

Specific reference was made to the Rayleigh Windmill project. To date the District had received little in the way of Heritage Lottery funding and it was hoped that funding would be made available for this project. Whilst further work to improve the web site was welcome, it was recognised that the standard of the existing site was high when compared with that of a neighbouring authority.

Responding to questions, the Chief Executive advised that:-

- The Park Leisure Centre Project Team was in place. The next stage was dependent upon the exchange of contracts by Essex County Council.
- The determination of areas of priority and non-priority was part of the budget process. The forthcoming Corporate Plan would enable further elaboration on this issue.
- Effective partnership working with neighbouring authorities and others was important and needed to be continually reviewed.
- Leisure and tourism needed to be reviewed in the Thames Gateway - South Essex context. With a budget allocation for tourism now agreed, Members would in due course need to approve a project brief for the tourism study.
- A continued effective working relationship with Vivista was key to the further advancement of IT.
- Given that the County Council wished to pursue the introduction of local service agreements for highways and that the Community Plan had highlighted residents interest in highway matters, there would be merit in reviewing the frequency at which County reported into Overview & Scrutiny on highways issues. The value of having more detail in reports on the performance of highways would be raised with the County.

Resolved

- (1) That the work programme for 2004/2005 as set out in Appendices A, B and C of the report, together with the associated public consultation, be agreed.
- (2) That the areas of work to be considered by the Overview and Scrutiny process be as outlined in Appendix D of the report.
- (3) That the programme for the monitoring of the 2004/2005 agreed budget and the development of the 2005/2006 budget framework, as outlined in Appendix E of the report, be noted. (CE)

99 TREASURY MANAGEMENT STRATEGY STATEMENT/PRUDENTIAL FRAMEWORK

Council considered the report of the Head of Financial Services on the setting of Prudential Indicators and the Treasury Management Strategy for 2004/05.

Responding to questions on the treasury portfolio position, the Head of Financial Services advised that:-

- The Authority had not borrowed for a number of years. The average percentage fixed interest rates shown in the report table were the prevailing rates at the time the loans were taken out. The Public Works Loan Board would invoke a penalty for early settlement.
- The Council's Treasury Management Consultants offered regular advice on the portfolio position. Investments were currently on a short term basis so that advantage could be taken of any base rate change. Comparisons are made with the performance of other authorities. Over the last year, the Council's investment income had been fractionally better than that associated with London bank rates.

Resolved

- (1) That the Treasury Management Strategy for 2004/05 and associated limits, as set out in the report, be agreed.
- (2) That the Authorised Limit and Operational Boundary for external debt, as laid down in the report, be agreed and that authority be delegated to the Head of Financial Services, within the total limit for any individual year, to effect movement between the separately agreed limits for borrowing and other long term liabilities.
- (3) That the Prudential Indicators be noted. (HFS)

100 ROYAL GARDEN PARTY

Council considered the report of the Chief Executive on the appointment of representatives to attend one of this year's Royal Garden Parties.

Members agreed that it would be appropriate to identify a first reserve attendee in case there are unavoidable reasons why those nominated cannot attend.

Resolved

- (1) That Councillors K A Gibbs and T G Cutmore, plus one guest each, be nominated to attend one of the Royal Garden Parties to be held in July, using the Civic car and driver.
- (2) That Councillor G E Mockford, plus one guest, be nominated as first reserve. (CE)

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The meeting closed at 8.51pm.

Chairman

Date