

Minutes of the meeting of **Council** held on **30 October 2018** when there were present:-

Chairman: Cllr D Merrick  
Vice-Chairman: Cllr R R Dray

Cllr J C Burton	Cllr R Milne
Cllr Mrs L A Butcher	Cllr T E Mountain
Cllr M R Carter	Cllr R A Oatham
Cllr T G Cutmore	Cllr Mrs C A Pavelin
Cllr D S Efde	Cllr Mrs C E Roe
Cllr A H Eves	Cllr Mrs L Shaw
Cllr Mrs J R Gooding	Cllr P J Shaw
Cllr J D Griffin	Cllr S P Smith
Cllr B T Hazlewood	Cllr D J Sperring
Cllr N J Hookway	Cllr C M Stanley
Cllr Mrs D Hoy	Cllr M J Steptoe
Cllr M Hoy	Cllr I H Ward
Cllr K H Hudson	Cllr M J Webb
Cllr G J Ioannou	Cllr Mrs C A Weston
Cllr Mrs C M Mason	Cllr A L Williams
Cllr J R F Mason	Cllr S A Wilson
Cllr Mrs J E McPherson	

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs C C Cannell, N L Cooper, M J Lucas-Gill and Mrs J R Lumley.

### **OFFICERS PRESENT**

S Scrutton	- Managing Director
A Hutchings	- Strategic Director
J Bostock	- Assistant Director, Democratic Services
M Hotten	- Assistant Director, Environmental Services
A Law	- Assistant Director, Legal Services
S Worthington	- Democratic Services Officer

### **197 MINUTES**

The Minutes of the meeting held on 17 July 2018 were approved as a correct record and signed by the Chairman.

### **198 DECLARATIONS OF INTEREST**

Cllr Mrs C A Weston declared a non-pecuniary interest in item 13 relating to animal welfare licensing by virtue of her daughter being a horse owner and Cllr Mrs J E McPherson declared a non-pecuniary interest in the same item by virtue of her employment.

**199 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER OF THE COUNCIL**

The Chairman had enjoyed attending a number of engagements on behalf of the Council and looked forward to continuing to serve as Chairman over the next few months.

The Leader of the Council advised that Rochford had recently been named the tenth happiest place in the country in a recent Daily Mail article relating to a new survey of life satisfaction in Britain, which was worthy of note.

**200 MINUTES OF THE EXECUTIVE AND COMMITTEE MEETINGS HELD BETWEEN THE PERIOD 9 JULY TO 19 OCTOBER 2018**

Council received the Minutes of the Executive and Committee meetings held between the period 9 July to 19 October 2018.

**201 REPORTS FROM THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES TO COUNCIL**

**Report of the Planning Policy Sub-Committee**

**(1) Statement of Community Involvement 2016: Addendum**

Council considered the report of the Planning Policy Sub-Committee on the Statement of Community Involvement 2016: Addendum.

In response to a Member concern raised relating to the resource implications and lack of detail around the costs associated with the consultation process, the Leader of the Council emphasised that paragraph 5.1 of the report clearly stated that costs could be met from existing budget provision.

**Resolved**

That the draft addendums to the adopted Statement of Community Involvement, at appendices A, B and C to the officer's report, be consulted on for 4 weeks. (ADP&RS)

(Note: Cllrs M Hoy and A H Eves wished it be recorded that they abstained from voting on the above decision.)

**(2) Consideration of Plan-Making Priorities**

Council considered the report of the Planning Policy Sub-Committee on consideration of plan-making priorities.

The Leader of the Council made particular reference to the innovative partnership work being undertaken in South Essex on the Joint Strategic Plan (JSP) with the aim of asking Government that the necessary infrastructure –

roads, schools, health care, etc – be delivered for the benefit of residents. The Government had released £800k for this joint work and thus clearly perceived the JSP to be worthy of such investment.

The Leader of the Rochford District Residents and Green Group emphasised the need to ask for some of this funding to be released to this Council in order to meet some of the associated consultation costs.

In response to a question relating to the A127 economic corridor the Leader of the Council advised that a task force was being assembled with a geographical focus encompassing the rivers Thames and Crouch, from Gallow's Corner to Cuckoo Corner working with all local authorities within that area. It was anticipated that this would be launched at the beginning of December, but the Leader would advise of the finalised launch date, once this was finalised.

### **Resolved**

That option 3, as detailed in paragraph 4.1 of the officer report, be adopted to progress local plan-making in the short to medium term, subject to sufficient resources being made available to facilitate this. (ADP&RS)

## **202 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE**

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

"This is the second Ordinary Council meeting of the 2018/19 Municipal Year and I would like to welcome all Members.

Since the meeting on 17 July, the Executive has met to:-

- Endorse the facilitation of a Tourism Forum with a view to co-creation of a Discover 2020 Festival and a Tourism Strategy for Rochford District; noting the Tourism Forum event on 11 October 2018.
- Agree the Asset Disposal Framework and an amendment to the lease policy.

Other matters that my Executive colleagues and I have dealt with include:-

- Approving the Environmental Health Service Plan for 2018/19.
- Adopting the Corporate Inclusion and Equality Policy and Equality Objectives 2018-21 as well as the Housing Allocation Policy 2018 and Housing Allocation Policy short guide.
- Confirming the Article 4(1) Direction made by the Council on 19 April 2018.

- Submitting a formal response to Castle Point Borough Council's 2018 Local Plan consultation.
- Noting that the Authority Monitoring Report 2016-18 will be published as part of the Council's evidence base for planning.

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

In response to a Member question relating to the recent tourism event launch at the Freight House, the Leader stated that this had been a useful event attended by the Parishes at which a variety of information about the District, including fascinating historical and archaeological information, emerged during discussions; this emphasised the importance of celebrating the rich history of the District. The Strategic Director also emphasised that lots of different ideas had come out of the event, in addition to volunteers coming forward. A committee would be organised to take forward some of these ideas with a meeting to be scheduled later in the year. The slides of the RSPB presentation at the event would be circulated in due course.

### **203 CHANGES TO THE ARRANGEMENTS TO THE APPEALS COMMITTEE AND LICENSING COMMITTEE**

Council considered the report of the Assistant Director, Legal Services seeking to amend arrangements for homelessness application appeals and to amalgamate the Appeals Committee and the Licensing Committee into one Committee.

It was emphasised that the Homelessness Reduction Act 2017 introduced new measures that allowed for a right to review homelessness appeals at every new stage, which would be impractical to administer under the Council's current procedure of a discretionary step of appeal. It was noted that to date there had been no community right to bid reviews and only two appeals hearings convened for taxi licensing during the current municipal year, the second of which was scheduled next week. It was thus recommended that the new structure should come into effect after this on 7 November. Approval was also being sought for the terms of reference for the proposed new Committee to include the current terms of reference for the Appeals Committee, with the addition of reference to community right to bid and animal welfare licensing, as well as the current terms of reference for the Licensing Committee.

In response to Member questions relating to the timing of amalgamation of the two Committees and training, officers advised that it was proposed that the new Committee would come into effect on 7 November 2018, following a scheduled meeting of the current Appeals Committee on 6 November. The proposed new Committee would comprise of 15 Members and training,

particularly around animal welfare licensing, would be provided. It was not anticipated that there would be any animal welfare licensing appeals just yet. The current priority was to fulfil the requirements of the homelessness reduction legislation, as the Council's current procedures did not align with the new legislation.

Officers confirmed, in response to a Member query as to whether it would be legal to constitute a new Committee that was not included in the Council's Constitution, that if Council was to resolve to amalgamate the two Committees, the Constitution would be adjusted to reflect that Council decision.

Cllr Mrs C A Weston moved a Motion, seconded by Cllr S P Smith, that the amalgamation of the two Committees be approved, to come into effect in May 2019 to allow time for appropriate training to be organised. Cllr Mrs C M Mason proposed an amendment to the Motion, seconded by Cllr T E Mountain, that the proposed amalgamation be agreed in principle to take place with effect from the next Council meeting in December to allow time for appropriate training to be organised and for proposed changes to the Constitution to be considered by Council. The amendment to the Motion was lost on a show of hands. A vote was taken on the original Motion, which was won on a show of hands.

### **Resolved**

- (1) That the policy of providing an intermediary appeal route to the Appeals Committee be discontinued.
- (2) That the Licensing Committee absorbs the functions of the Appeals Committee and be renamed the Licensing and Appeals Committee with effect from the Annual Council meeting in May 2019, and be comprised of fifteen Members. (ADLS)

(Note: Cllrs A H Eves, N J Hookway, Mrs D Hoy, M Hoy, Mrs C M Mason, J R F Mason, T E Mountain, R A Oatham, C M Stanley and S A Wilson wished it to be recorded that they voted against the above decision.)

## **204 ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018 – ADOPTION OF LICENSING FEES AND OFFICERS' DELEGATIONS**

Council considered the report of the Assistant Director, Legal Services requesting Council to adopt animal welfare licensing fees and to approve the delegation of authority for granting, refusing, renewing, varying, suspending or revoking licences in accordance with the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

In response to a Member enquiry relating to the renewal of animal welfare licences, officers confirmed that licences would be renewable annually and that the renewal fees would be the same as initial licence application fees

each year.

Responding to a Member query relating to procedures for inspecting premises to ensure they complied with regulations, officers confirmed that officers would conduct initial inspections and that regular inspections would take place thereafter. Officers advised, in response to a supplementary question relating to costs incurred by the Council for associated inspections, that the proposed fees, payable annually, would cover such costs.

In response to a Member question in respect of animal wardens employed by Southend Borough Council, officers advised that they weren't aware of the duties of such wardens, but that officers of this Council were trained to carry out any necessary inspections.

### **Resolved**

- (1) That authority to approve any amendments to the policy in relation to the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 be delegated to the Licensing Committee.
- (2) That authority be delegated for granting, refusing, renewing, varying, suspending or revoking licences under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 on the basis set out under paragraph 3.1 of the officer's report.
- (3) That the licensing fees schedule appended to the officer's report be adopted. (ADLS)

### **205 CHERRY ORCHARD JUBILEE COUNTRY PARK – CAR PARK AND ACCESS ROAD WORKS**

Council considered the report of the Assistant Director, Environmental Services seeking approval for the appointment of Southend Borough Council to undertake an improvement scheme to the car park and access at Cherry Orchard Jubilee Country Park.

Responding to questions around the costs of the works and the potential to reduce these by reducing the number of car parking spaces, officers advised that reducing the number of parking spaces would not result in a significant reduction in costs. The increased costs detailed in paragraph 3.3 of the report related to the proposed height barrier and fencing around the edge of the car park. Southend Borough Council would only be charging this Council the same costs charged to them by their contractor. The 12 week delay referred to in paragraph 4.1 of the report related to the time it would take this Council to run a competitive tender process rather than award the contract to Southend Borough Council.

It was emphasised that costs were initially estimated based on approximate plans; the final costs were, however, reasonable and competitive. It was further stressed that S106 funds were the result of agreed development contributions during the planning application process; officers were not able to

control such developer contributions.

In concluding the debate, the Leader emphasised that virtually all the costs of these works were funded by developer S106 contributions and that additional barrier/fencing works were being proposed that would improve the facility.

A Motion was moved by Cllr A L Williams and seconded by Cllr G J Ioannou that a contract for car park expansion and new access route at Cherry Orchard Jubilee Country Park be awarded to Southend Borough Council and that the balance required for the works detailed in the report be drawn down from the hard/soft infrastructure reserve.

**Resolved**

- (1) That the £184,000 contract for car park expansion and new access route at Cherry Orchard Jubilee Country Park be awarded to Southend Borough Council.
- (2) That £9,000 be drawn down from the hard/soft infrastructure reserve to make up the balance required for the above works. (ADES)

The meeting closed at 8.40 pm.

Chairman .....

Date .....

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