

Council – 17 December 2019

Minutes of the meeting of **Council** held on **17 December 2019** when there were present:-

Chairman: Cllr R R Dray
Vice-Chairman: Cllr T G Cutmore

Cllr Mrs D L Belton
Cllr J C Burton
Cllr Mrs L A Butcher
Cllr C C Cannell
Cllr M R Carter
Cllr Mrs T L Carter
Cllr D S Efde
Cllr A H Eves
Cllr Mrs J R Gooding
Cllr B T Hazlewood
Cllr N J Hookway
Cllr Mrs D Hoy
Cllr M Hoy
Cllr K H Hudson
Cllr G J Ioannou
Cllr M J Lucas-Gill
Cllr Mrs J R Lumley
Cllr Mrs C M Mason

Cllr Mrs J E McPherson
Cllr D Merrick
Cllr R Milne
Cllr J E Newport
Cllr Mrs C A Pavelin
Cllr Mrs C E Roe
Cllr Mrs L Shaw
Cllr P J Shaw
Cllr S P Smith
Cllr C M Stanley
Cllr M J Steptoe
Cllr I H Ward
Cllr M J Webb
Cllr Mrs C A Weston
Cllr M G Wilkinson
Cllr A L Williams
Cllr S A Wilson
Cllr S E Wootton

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr D J Sperring.

OFFICERS PRESENT

S Scrutton	- Managing Director
A Hutchings	- Strategic Director
M Harwood-White	- Assistant Director, Assets & Commercial
M Hotten	- Assistant Director, Place & Environment
A Law	- Assistant Director, Legal & Democratic
N Lucas	- Assistant Director, Resources
L Moss	- Assistant Director, People & Communities
D Tribe	- Assistant Director, Transformation & Customer
S Worthington	- Democratic Services Officer

229 MINUTES

The Minutes of the meeting held on 22 October 2019 were approved as a correct record and signed by the Chairman, subject to the following amendment:

Page 5, third bullet point, second sentence: replace 'the centenary' with 'a thousand years'.

230 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER

The Chairman extended an invitation for all to attend the Civic Carol Service tomorrow at 7.00 pm in Holy Trinity Church, Rayleigh.

He also advised that the Chairman's Twitter account was now live and asked that colleagues follow him on the Chairman's Twitter handle @RDCCChairman.

The Leader stated the following:-

"I am in a position to announce the installation of EV charging points paid for by a grant from Department for Transport under the air quality work that we've been undertaking jointly with Basildon Council.

The project is progressing well, and the next phase is due to be carried out this week and will include 8 chargers being installed at the following locations:

Back Lane Car Park, Rochford: 1 rapid and 1 fast charger
The Approach Car Park, Rayleigh: 2 fast chargers
Market Car Park, Rayleigh: 1 rapid and 1 fast charger
Websters Way Car Park, Rayleigh: 2 fast chargers

This will increase the number of chargers from 2 to 10, a fivefold increase. In the further phase, a rapid charger will be installed in Southend Road, Hockley and 2 rapid taxi chargers at Freight House, Rochford and, subject to planning consent, Bellingham Lane, Rayleigh.

The installation of these charging points is a positive step towards encouraging the use of electric vehicles and will make it easier for our residents and visitors to the district to operate more environmentally friendly vehicles.

On another matter, Members may recall that in 2012 the Council was a signatory to the Arms Forces Covenant, which is a promise by the nation to ensure that those who serve or who have served in the armed forces, and their families, are treated fairly. I am pleased to announce that, in response to a letter from the Minister for Housing and Homelessness and the Parliamentary Under Secretary of State and Minister for Defence of People and Veterans, Cllr Lesley Butcher has agreed to fill the role of Armed Forces Covenant Champion for the Council, and I will be arranging for this to be a formal appointment at Annual Council in May. Cllr Butcher will work closely with officers to develop a series of actions and initiatives to support the principles of the Covenant.

Finally, The Association of South Essex Local Authorities (ASELA) is investigating the potential for the creation of a South Essex Investment Fund to deliver opportunities for growth in South Essex. ASELA have consultants working on proposals and arrangements are in hand for a briefing for all Members by the consultants early in the New Year.

If any member from both sides of the Chamber would like more information, please feel free to contact me after this meeting.”

231 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS HELD BETWEEN THE PERIOD 9 OCTOBER 2019 TO 3 DECEMBER 2019

Council received the Minutes of Executive and Committee meetings held during the period 9 October to 3 December 2019.

232 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

Report of the Review Committee – 2019/20 Treasury Management Mid-Year Review

Council considered the report of the Review Committee providing an update of the Council's treasury management activity for the period 1 April 2019 to 30 September 2019 in accordance with the Council's treasury management policy and good practice in treasury management.

A Member commented that the Review Committee had asked for the report of the Review Committee to be amended prior to presentation to Council; however, the original report was appended to a summary including the requested amendments as a report of the Review Committee without the Review Committee having seen it.

In response to a Member question to the Portfolio Holder for Finance relating to paragraph 1.2 on page 8.1 of the report as to who would be undertaking a review of the practice of automatically carrying forward any capital programme underspend and what criteria might be delivered, e.g., was there a specific timeframe and when a report would go to the Review Committee, the Portfolio Holder for Finance emphasised that it would have been helpful to have had advance notice of this question and that a written answer would be provided to Members.

Responding to a supplementary question as to whether it was possible to confirm whether the 95-day accounts were notice accounts and not fixed period and why the 95-day notice account is invested with the Santander 95-day notice account at a lower rate rather than the Lloyds 95-day notice account, whether the 365-day account was a notice account or fixed period and what charges would be incurred by the Council should it withdraw funds from a 365-day account before the required notice period, officers indicated that, given the complexity of the questions asked and in order to ensure full and correct answers, they would provide written responses to Members outside the meeting. Officers stated that the table on page 8.8 of the report had been updated with the information requested by the Review Committee and showed the relevant investment terms and notice periods; the 95-day and 365-day accounts, as their names implied, required that amount of notice in order to withdraw monies which was done in full view of the Council's cash

requirements, ensuring that there is adequate liquidity for the relevant investment periods.

In response to a further question relating to which bank the Money Market Deutsche account belonged to, whether the assets were kept in cash and what were the ratings, the Portfolio Holder for Finance advised that written responses would be provided to Members outside the meeting.

Officers advised, in response to a Member question as to whether the appendix to the report was the same report circulated to the Review Committee, that the original report considered by the Review Committee was the appendix to the covering report to Council which contained the supplementary information requested by the Review Committee.

A Member commented that the Review Committee asked that the bank ratings be included in the report, together with the Council's criteria for lending, ie, AAA, AA+ etc; however, this was not included in the supplementary information. Officers responded by stating that the Minutes of the Review Committee of 3 December did not specify that this information be included as part of the supplementary information; however, this information would be provided to Members outside the meeting. The ratings that the Council adheres to as part of its treasury management strategy are set out to Council and the Review Committee at the beginning of the year and are in the public domain; the report confirms that the Council has been compliant with this strategy throughout the year.

In response to a further Member question as to which bank Money Market Prime belonged to and what its ratings were, officers confirmed that this information would be provided to Members in writing outside the meeting.

The Chairman of the Review Committee expressed surprise that information relating to ratings of banks was requested to be included in the report to Council. He further stated that it was unreasonable to expect the Portfolio Holder and Section 151 Officer to answer detailed questions on the spur of the moment; he emphasised that such questions could have been raised at the meeting of Review Committee. Another Member commented that these questions were raised at the meeting and supplementary information requested, which Members of the Review Committee had not seen prior to submission to the Council meeting. In conclusion it was noted that written responses to all questions asked relating to the report would be provided to Members outside the meeting.

Resolved

That the treasury management 2019/20 mid-year report, including the additional information requested by the Committee within the report, be noted. (ADR)

233 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 third Ordinary Council meeting of the 2019/20 Municipal Year and I would like to welcome all Members.

Since the meeting on 22 October, the Executive has met once during which considerations included:

- Noting the Quarter 2 2019/20 Financial Management and Performance Report, along with the latest position on the Council’s key performance indicators.
- Appointing a cross-party Member Working Group to provide stakeholder input and feedback to support the developments of a car parking strategy and action plan for the District, together with the approval of the Car Park Review Member Working Group terms of reference and agreeing that the work of the Working Group would not commence until after the General Election held on 12 December 2019.
- Noting the contents of the Programme Management Office Dashboard and agreeing to the removal of the homelessness project from the scope of the Programme Management Office. The updated terms of reference, new workflow and new Project Initiation Document were also agreed.

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

- Adoption of the Tenancy Strategy 2019-2024 and delegating authority to the Assistant Director, People & Communities, in consultation with the Portfolio Holder for Community, to make amendments to the Strategy in response to future legislative changes, changes at Local or Regional level and/or Government Guidance.
- Adoption of an enforcement policy, for the People & Communities directorate, and matrix for determining levels of civil penalties to be issued for specified housing-related offences.
- Agreeing that a formal response to Essex County Council’s consultation on changes to the Developers’ Guide to Infrastructure Contributions be submitted within the prescribed time period.
- Noting the Authority Monitoring Report 2018-2019 which 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 as to when the cross-party Member Working Group on car parking strategy would meet, the Leader advised that a meeting was scheduled for 23 January.

Responding to a further Member question as to how that Working Group would feed into the Review Committee Working Group on carbon neutrality and whether there would be two-way feedback for these Groups, the Leader confirmed that the Portfolio Holders would consider the issue of cross-communication between the two Working Groups.

The Portfolio Holder for Community advised, in response to a Member query relating to the removal of the homelessness project from the scope of the Programme Management Office, that this was as a result of the significant reduction in families in bed and breakfast accommodation within the District and a reduction in the use of temporary accommodation. He emphasised that although the project had been removed from the Programme Management Office, homelessness would continue to be closely monitored.

The Portfolio Holder for Planning confirmed, in response to a Member question requesting a summary of the Council's formal consultation response to Essex County Council's consultation on changes to the Developers' Guide to Infrastructure Contributions, that all Members would be provided with details in writing.

In response to a Member question relating to progress on the Council's Local Plan, the Portfolio Holder for Planning advised that officers were currently looking at the Local Plan evidence base; there had been some delay in gathering evidence across the county by Essex local authorities for the Joint Strategic Plan, which would also inform the District's Local Plan.

Responding to a Member question as to what the Project Initiation Document was, the Portfolio Holder for Community confirmed that this referred to the overall documentation relating to the Programme Management Office gold projects, rather than a specific project.

234 MOTIONS ON NOTICE

Pursuant to Council Procedure Rule 13, the following motion had been received from Cllrs Mrs J R Gooding and M J Steptoe:

“To explore ways that Rochford District Council and Essex County Council can work together to improve the cycle ways by connecting the various parts of the cycle tracks in and around Rochford District and in particular using Ironwell Lane to create a cycle way through from Rochford town to Hawkwell to make a safe route for cyclists instead of Hall Road, linking the two new housing estates and the new industrial area at the Airport.

The benefits of improving cycling routes will include safer journeys, avoiding busy roads; reducing carbon emissions by not driving; fitness benefits,

including health improvements; a reduction in use of the NHS by engaging in an active lifestyle while enjoying the outdoor environment and improving well-being. In addition, utilising Ironwell Lane will also bring this ancient highway up to a suitable standard to encourage leisure use.”

The Motion was moved by Cllr Mrs J R Gooding and seconded by Cllr M J Steptoe.

The Leader made reference to a spur off Ironwell Lane which could make it possible to connect Hall Road to Hawkwell and the new industrial area with the future possibility of cycle paths in Cherry Orchard Jubilee Country Park linking through to Rayleigh. Ironwell Lane was currently a byway and there could be merit in considering downgrading it for use as a cycle path. There were parts of cycle paths in different areas, e.g., Ashingdon Road, which could all be linked up in future, with the potential for someone to cycle from Rochford to Rayleigh along safer cycle paths, without having to use the road network. The County Portfolio Holder for Infrastructure had indicated a willingness to support this project.

The Leader of the Green Group expressed his support of the Motion, but moved an amendment, seconded by Cllr M G Wilkinson, that removed specific references to Ironwell Lane and Rochford, Hawkwell and the two new housing estates and new industrial area at the airport so that the scope was more District-wide and in line with County policy of developing a cycleway from Chelmsford to Southend. He commented that the Local Highways Panel could take this proposal forward and added that Section 106 contributions from the Hullbridge housing development could also be used for the purpose of cycleway development. Another Member, speaking in support of the amendment, commended it as it encompassed the District rather than being restricted to one part of it. He expressed confusion at use of the word ‘explore’ in the original Motion, given the work already undertaken by County Highways on cycleways; work should be done building on that already undertaken by the County Council.

Speaking against the amendment to the Motion, the Leader emphasised the need to examine all the work that had already been done on cycleways. He stated that Ironwell Lane, although a byway, could be downgraded to prevent motor vehicles using it other than for access at either end of it. He also commented that the S106 monies in Hullbridge could only be used for that part of the District. Ironwell Lane was proposed as a starting point only, in response to the dangers of cycling along Hall Road at night, sections of which were unlit and had no footpath.

The amendment to the Motion was lost on a show of hands.

In debating the original Motion, the Leader of the Green Group asked whether this issue had been raised with the Local Highways Panel. The Leader indicated that although there had been discussion at the Local Highways Panel relating to cycle paths there was no specific LHP budget for cycle

paths.

Members spoke in support of the Motion, but expressing concern about restricting the scope to a specific area of the District. The Leader emphasised that this represented a first step in tackling the whole of the District.

In response to a Member question relating to the potential costs of such a project, the Leader advised that this was one of the issues that needed to be explored. Funding could come from a number of sources, including from S106 monies from development and cycling funding, all of which would be explored.

The Motion was carried on a show of hands.

Resolved

That ways be explored for Rochford District Council and Essex County Council to work together to improve the cycle ways by connecting the various parts of the cycle tracks in and around Rochford District and in particular using Ironwell Lane to create a cycle way through from Rochford town to Hawkwell to make a safe route for cyclists instead of Hall Road, linking the two new housing estates and the new industrial area at the Airport. (ADPC)

Pursuant to Council Procedure Rule 13, the following additional motion had been received from Cllrs Mrs J E McPherson and Mrs J R Gooding:

“Rochford District Council to work with Essex County Council to identify verges that are suitable for eco-friendly native wild flower areas and to also identify suitable areas for tree planting.”

Cllr Mrs J E McPherson moved the Motion, which was seconded by Cllr Mrs J R Gooding.

The Leader of the Green Group expressed support for the Motion, drawing particular attention to the need for more trees within the District with only 4% tree cover currently in place, but asked whether the native wild flowers would be native to Essex and also whether the intention was to plant wild flowers and trees or to simply leave them uncut, where appropriate. Cllr Mrs J E McPherson responded by confirming that this was only intended for suitable verges; research indicated that native Essex varieties did attract wildlife and this was what was intended by the Motion. Areas for tree planting could be anywhere, including open spaces, and would not be restricted to grass verges.

In response to concern raised by the Leader of the Rochford District Residents Group that this should be referred to the Review Committee's carbon neutral Working Group for further investigation, Cllr Mrs J E McPherson emphasised that this project was already being undertaken by other Essex local authorities and felt that it was important work to be done

rather than waiting for it to be considered as part of the overarching work on carbon neutrality currently being undertaken by the Council.

In support of the Motion a Member observed that there was already an ambitious tree planting plan underway in the county; the work was urgent as there was such limited tree cover within the District.

The Leader observed that care would need to be taken in selecting areas for tree planting, avoiding drains, etc. In addition, verges would need to be monitored to ensure that harmful plants didn't start growing there.

In response to questions from Members around whether this issue was included for consideration by the Review Committee Working Group on carbon neutrality and how this issue might be taken forward, the Leader advised that the Motion had been raised in the context of an Essex County Council Motion on tree planting; there would be merit in the District Council being part of this initiative in order for more trees than the current 400-500,000 trees to be planted within the District.

Responding to a Member question as to whether there was a deadline in respect of accessing funding for tree planting via Essex, the Leader advised that he would seek clarification on this from the County Council.

The Motion was carried on a show of hands.

Resolved

That Rochford District Council work with Essex County Council to identify verges that are suitable for eco-friendly native wild flower areas and to also identify suitable areas for tree planting. (ADPE)

235 COUNCIL REPRESENTATION ON THE RIVER CROUCH COASTAL COMMUNITY TEAM

Council considered the report of the Strategic Director relating to the appointment of members of the Council to the River Crouch Coastal Community Team Steering Group.

In response to a Member question as to why a Member of Hullbridge Parish Council had not been invited to act as a representative of the Steering Group, officers advised that representation had been sought from Hullbridge Parish Council.

Responding to a further Member query relating to Hullbridge Ward Member representation on the Steering Group, officers advised that the position of the outside body was to manage the secretariat and funding; a discussion on 20 November 2019 had agreed the membership of the Steering Group as set out on pages 12.18 and 12.19 of the officer report.

Officers advised, in response to a Member question relating to the involvement of the Environment Agency in the context of the erosion of the Crouch wall, that the Environment Agency was invited to attend Steering Group meetings, as were relevant landowners.

Resolved

That Cllrs Mrs J R Lumley and S E Wootton (with Cllr A L Williams as his substitute) be appointed to be the Council's representatives on the River Crouch Coastal Community Team Steering Group. (SD)

236 ATTENDANCE AT THE ROYAL GARDEN PARTY 2020

Council considered the report of the Assistant Director, Legal & Democratic asking Members to agree attendance at a Royal Garden Party next summer.

Resolved

- (1) That Cllrs Mrs D Hoy, M Hoy and Mrs J E McPherson and guest be nominated to attend forthcoming Royal Garden Party invitations.
- (2) That the Civic Officer submit the nominations to attend a Royal Garden Party once confirmation of the Council's allocation is received from the Palace.
- (3) That the Civic car and Civic Chauffeur be used to transport attendees representing Rochford District Council at the Royal Garden Party. (ADLD)

The meeting closed at 8.55 pm.

Chairman

Date

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