

## Council – 17 July 2018

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Minutes of the meeting of **Council** held on **17 July 2018** when there were present:-

Chairman: Cllr D Merrick

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

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C C Cannell, R R Dray, G J Ioannou, Mrs J R Lumley, T E Mountain and R A Oatham.

### OFFICERS PRESENT

S Scrutton	- Managing Director
A Hutchings	- Strategic Director
N Lucas	- Section 151 Officer
J Bostock	- Assistant Director, Democratic Services
A Law	- Assistant Director, Legal Services
L Moss	- Assistant Director, Community and Housing Services
M Hotten	- Assistant Director, Environmental Services
M Power	- Democratic Services Officer

The Chairman welcomed the recently appointed Chaplain, Team Rector David Oxtoby of Holy Trinity Church, Rayleigh, to this his first meeting of Full Council.

### 149 MINUTES

The Minutes of the Annual Meeting held on 15 May 2018 were agreed as a correct record and signed by the Chairman.

### 150 DECLARATIONS OF INTEREST

Cllr J C Burton declared an Other Pecuniary Interest in Item 13 of the Agenda, Lease of House in Multiple Occupation Property in Rochford: Kings Head, 11

West Street, Rochford, by virtue of his employer being responsible for the Kings Head insurance portfolio, and left the meeting during its consideration.

### **151 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER**

The Chairman announced that his chosen charity for the year was the Stroke Unit at Southend University Hospital. He had been given a tour of the Unit and had been impressed with the work they were doing and plans being made.

The Leader wished to record his thanks to the residents who had put flags up around the District in support for the England football team during the World Cup.

### **152 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS HELD BETWEEN THE PERIOD 16 APRIL TO 6 JULY 2018**

Council received the Minutes of Executive and Committee meetings held between the period 16 April 2018 to 6 July 2018.

### **153 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL**

#### **(1) Reports of the Review Committee: Review of the Constitution**

Council considered the reports of the Review Committee on its review of the Constitution in tandem.

During discussion, the following amendments were suggested:-

- Report page no. 8(1).6, Paragraph 14.03 (a). The wording amended to read: “**Approval**. Subject to hereinafter mentioned, changes to the Constitution will only be approved by the Full Council after consideration of the proposal by the Monitoring Officer. Such other changes of a factual nature as may seem appropriate to make the Constitution internally consistent and up to date may be made by the Monitoring Officer in consultation with the Standards Committee.”
- Report page no. 8(1).8, Paragraph 4.5.  
amend (i) to read “to take the place of the ordinary member for whom they are the designated substitute” and  
Delete (iii) the paragraph requiring Members of a Committee or Sub-Committee to notify who will be their nominated substitute at least 24 hours before the date of the meeting.

The paragraph, once amended, will read:-

“Substitute Members may attend in that capacity only to take the place of the ordinary Member for whom they are the designated substitute.

In the event of the ordinary Member of the Committee or Sub-Committee being present at the start of the meeting, the ordinary Member may advise, prior to the start of the meeting, that the substitution shall not take place.”

- Report page no. 8(1).10, Paragraph 10.3 **Notice of Questions**. The wording amended to read: “no later than midday three working days before the day of the meeting.”

In response to a Member query, it was confirmed that the wording in relation to Chairmanship of the Review Committee on page 8(1).13 of the report was to remain as: ‘**Who Chairs Review Committee Meetings?** The Chairman of the Review Committee will be drawn from among the opposition Councillors sitting on the Committee and, subject to this requirement, the Council may appoint such a person as it considers appropriate as Chairman’.

On a motion, moved by Cllr T G Cutmore and seconded by Cllr M J Steptoe, it was:-

### **Resolved**

That the proposed changes to the Constitution be adopted, subject to inclusion of the amendments detailed above. (ADLS)

### **(2) Report of the Review Committee: Invitation to Health Representatives to attend Full Council.**

Council considered the report of the Review Committee with a recommendation to invite health representatives to attend Full Council.

### **Resolved**

That representatives of the Mid and South Essex Sustainability and Transformation Partnership and the Clinical Commissioning Group Joint Committee be invited to a meeting of Full Council to outline the changes they had decided on following the public consultation. (ADCHS)

### **(4) Report of the Review Committee: Treasury Management Annual Review 2017/18**

Council considered the report of the Review Committee on the Treasury Management annual review..

### **Resolved**

That the contents of the Treasury Management Annual Review be noted.

### **(5) Report of the Planning Policy Sub-Committee on the Local Development Scheme 2018-21**

Council considered the report of the Planning Policy Sub-Committee on the Local Development Scheme 2018-21.

The Chairman of the Sub-Committee advised that, in light of the volume of paperwork going to meetings, going forward, meetings of the Sub-Committee would be scheduled to take place on a monthly basis.

### **Resolved**

That the draft Local Development Scheme 2018 – 2021 be adopted. (ADPRS)

### **(6) Report of the Investment Board: Refurbishment/Construction of New Public Conveniences**

Council considered the report of the Investment Board on proposals in relation to toilets at Hockley.

### **Resolved**

That, on completion of the lease negotiations with Hockley Parish Council, authority be delegated to the Assistant Director, Environmental Services, in consultation with the Portfolio Holder for Environment, to undertake installation or the refurbishment/ replacement of public conveniences with an allocated capital budget of up to £88,000, as set out in the officer report to the Investment Board. (ADES)

### **(7) Report of the Executive: Advice Services Contract**

Council considered the report of the Executive on the Advice Services Contract.

In response to a Member question, the Portfolio Holder for Community advised that the licence for use of Council owned accommodation at the Civic Suite, Rayleigh and Back Lane, Rochford had an estimated value of £6,000. This amount was not included in the contract wording.

In response to a Member request it was confirmed that, from the 2019/20 Budget Book onwards, the cost of the Advice Services Contract would be separate from the main Voluntary Grants Fund budget.

### **Resolved**

That the Advice Services contract be retendered for a further two year period, with the option for the Council to extend the contract for a further one year, and that the value of the contract continue to be £70,000. (ADCHS)

## **154 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 first Ordinary Council meeting of the 2018/19 Municipal Year and I would like to welcome all Members.

Since the meeting on 24 April the Executive has met twice, during which considerations included:-

- The provisional outturn position against the 2017/18 revenue budget.
- The retendering of the Advice Services Contract 2019-22, with the option for the Council to extend the contract for a further one year.
- The Implementation Plan for the Economic Growth Strategy and associated key performance indicators
- The process and outcomes of contract monitoring for the Council's most significant contracts in terms of contract value and risk.
- The latest version of the Projects Programme Management Office Dashboard.

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

- Approving the Air Quality Action Plan for Rayleigh for submission to the Department for Environment, Food and Rural Affairs.
- Agreeing that the card payment facility is not updated, and is disabled for a trial period of six months, from all of the car park ticket machines within the Rochford District when the current Chip & Pin hardware becomes obsolete at the end of June 2018.

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 on the card payment facility in Rochford District car parks, the Assistant Director, Environmental Services advised that, in the small number of instances where residents were charged the additional 20p transaction fee, in error, for using the pay by phone facility and where they approached the Council's transportation office, the charge had been waived. However, it was not possible to go back through the payment system retrospectively, as this was managed by a third-party.

### **155 ASSOCIATION OF SOUTH ESSEX LOCAL AUTHORITIES JOINT STRATEGIC PLAN – STATEMENT OF COMMON GROUND**

Council considered the report of the Managing Director seeking agreement to a Statement of Common Ground prepared by the Association of South Essex Local Authorities (ASELA) to support the preparation of a Joint Strategic Plan for South Essex.

Responding to Member questions, the Leader of the Council advised that:-

- There would be synergies between the individual authorities' Local Plans and the proposed overarching Joint Strategic Plan for South Essex. The Council had a duty to cooperate with other Councils and, under the proposed joint working, would try to effect as much local investment as

possible to enable growth. Housing developments in the District would benefit from having effective and appropriate infrastructure.

- The ASELA Joint Strategic Plan would follow the same process as the current Rochford Local Plan and would be subject to extensive public consultation as part of the plan preparation process.
- Individual planning authorities would make decisions during preparation of the Joint Strategic Plan based on advice from ASELA. The Council had a 'duty to co-operate' with other Councils and that conversation would include the option of amending or rejecting any proposed development in its local area.

Although housing allocations would be determined through the JSP, there would be opportunity for individual local authorities within the ASELA to veto a decision but remain as a member of the Association.

The Managing Director would provide a response to a Member question on whether the District Council could claim back any of the funding provided in relation to the previously prepared Strategic Housing Market Assessment.

On a motion that the report recommendation be agreed, moved by Cllr T G Cutmore and seconded by Cllr M J Steptoe, it was:-

### **Resolved**

That the Statement of Common Ground prepared by the Association of South Essex Local Authorities to guide the preparation of a Joint Strategic Plan for South Essex be approved. (MD)

### **156 LEASE OF HOUSE IN MULTIPLE OCCUPATION: KINGS HEAD, 11 WEST STREET, ROCHFORD**

Council considered the report of the Assistant Director, Community and Housing Services seeking authority to enter into a ten year lease agreement of a house in multiple occupation, the Kings Head, 11 West Street, Rochford to provide emergency temporary accommodation to homeless households.

In response to Member questions, the following was noted:-

- The planning application for the property had been determined solely on planning issues and the end users of the lease were not part of the decision. The date when the Council's Development Committee had been aware that the Council had been offered use of this property would be provided. The Council had been asked by the developer if it had a continuing housing need but this had not formed any part of the decision of

the Development Committee.

- There was no financial allowance within the rent for the cost of any renovation works following the recent fire suffered by the building. The insurers were still discussing the claim.
- The provision of a communal space in the Kings Head accommodation would be considered. This could provide an opportunity for mutual support and for residents in a similar situation to be able to socialise.
- The development had 11 units in total, all of which were single occupancy.

### **Resolved**

- (1) That a 10 year lease be entered into for the Kings Head, 11 West Street, Rochford.
- (2) That authority to agree the final lease be delegated to the Assistant Director, Community and Housing Services, in consultation with the Assistant Director, Legal Services and the Portfolio Holder for Community. (ADCHS)

## **157 ALLOCATION OF SEATS ON COMMITTEES**

Council considered the report of the Assistant Director, Democratic Services regarding the allocation of seats to Committees following a change in political composition. A revised appendix showing Committee seat allocations had been tabled at the meeting. The Leader of the Conservative Group advised that Cllr D S Efde would be his Group's appointee to the Investment Board and the Standards Committee. The Leader of the Green and Rochford District Residents Group felt that his Group should not lose any Committee seats following the change in political composition as it had the same number of Members now as it had at Annual Council.

A motion that the report recommendation be agreed was moved by Cllr T C Cutmore and seconded by Cllr M J Steptoe and it was:-

### **Resolved**

That Committee seat allocations be as shown in the revised appendix to the officer report. (ADDS)

(Note: Cllrs M Hoy, Mrs C M Mason and J R F Mason wished it to be recorded that they had voted against the above decision)

The meeting closed at 8.47 pm.

Chairman .....

Date .....

CONFIRMED

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