

Council – 20 February 2024

Minutes of the meeting of **Council** held on **24 February 2024** when there were present:-

Chairman: Cllr J L Lawmon
Vice-Chairman: Cllr Mrs S J Page

Cllr Mrs D L Belton
Cllr N J Booth
Cllr E L Brewer
Cllr M R Carter
Cllr R P Constable
Cllr J E Cripps
Cllr A G Cross
Cllr D S Efde
Cllr A H Eves
Cllr I A Foster
Cllr Mrs E P Gadsdon
Cllr J N Gooding
Cllr Mrs J R Gooding
Cllr M Hoy
Cllr Ms T D Knight
Cllr R Lambourne
Cllr R C D Linden
Cllr Mrs C M Mason

Cllr J R F Mason
Cllr Mrs J E McPherson
Cllr G W Myers
Cllr J E Newport
Cllr L J Newport
Cllr D W Sharp
Cllr Mrs L Shaw
Cllr D J Sperring
Cllr Mrs D P Squires-Coleman
Cllr C M Stanley
Cllr M J Steptoe
Cllr I H Ward
Cllr S A Wilson
Cllr Mrs V A Wilson
Cllr S E Wootton

Please note that the full livestream of this meeting can be viewed at:
<https://www.youtube.com/watch?v=y4qP2BBZFWY&t=1299s>

84 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs L A Butcher, E O K Mason, R Milne and A L Williams.

85 OFFICERS PRESENT

J Stephenson	- Chief Executive Officer
E Yule	- Strategic Director
M Hotten	- Director, Place
N Mann	- Acting Joint Director, People & Governance
T Willis	- Interim Director, Resources
C Cox	- Corporate Manager, Finance & Accounting
P Shepherd	- Corporate Manager, Revenues & Benefits
M Stickley	- Interim Democratic Services Manager
W Szyszka	- Democratic Services Officer

86 ANNOUNCEMENTS FROM THE CHAIRMAN, LEADER OR HEAD OF PAID SERVICE

The Chairman made an announcement during which he invited Members to his Civic Dinner in the latter part of March as well as his Quiz Night at the end of February.

87 PUBLIC QUESTIONS

Pursuant to Council Procedure Rule 10, the following questions had been asked:-

(1) From Mr Phil Shaw

To the Lead Member for Resources, Climate Change & Economy, Cllr M Hoy:-

"I have noted from the Fees and Charges report, item seven on the Council agenda for 20th February, showing that costs have generally increased well above the current level of inflation of 4.2%, e.g., most notably car parking fees across the District. Hockley Woods shows an increase of 33.3% for up to one hour.

Can the Lead Member for Resources, Climate Change & Economy please tell me what revenue is forecasted to be achieved across all areas as a direct result of these increases in comparison to 2023/24?"

The Executive Lead Member for Resources, Climate Change & Economy responded as follows:-

"Thank you, Chairman and thank you for the question, Mr Shaw.

With regards to the 33.3% increase Mr Shaw highlights, this represents a 10 pence per hour increase in the current charges of 30 pence. This has been arrived at by rounding up to the nearest 10 pence.

As specified in the Budget MTFS Report, paragraph 7.5, the yield from fees and charges increases, including increases for statutory charges for planning amount to £325k. This additional income is essential to enable a balanced budget. I would also like to point out that we have still managed to reduce some charges, as outlined in the Budget presentation. The current level of inflation is lower than the general rate used to increase fees and charges, but the Council adopts a policy of applying the rate of inflation applicable when the fees and charges are being formulated, which is 6.7%. This has followed a period when inflation was running at above 10% and I would argue that the proposed increases are reasonable, especially as evidence suggests that Rochford's charges in general, are lower comparable to other local authorities' charges."

(2) From Ms Angelina Marriott

To the Leader of the Council, Cllr J R F Mason:-

"Having listened to the answer to Cllr Efde's question at last week's Full Council, can the Leader explain why it will take until after the election to come forward with options for Rochford, despite the ADP which includes Rochford assets, originally being discussed by the new administration back in September. Is it because as per subsequent reports, the Freight House is deemed cost prohibited and therefore will remain mothballed for the foreseeable future with no real plans to open this venue for the community?"

The Leader responded as follows:-

"Thank you for your question.

Shortly before the 7 September Full Council, legal advice recommended that the report and decisions were placed into exempt because of the issues of commercial sensitivity. This places an obligation on Members and officers to comply with that when answering questions, seeking information and assurances, even to respond to public speculation.

The matters of commercial sensitivity are taking longer to resolve than anticipated, but nevertheless, officers have been undertaking work on potential options of business cases on all assets including the Freight House.

In order to bring these forward into a public consultation with residents and stakeholders, further detailed work needs to be undertaken to satisfy due diligence and this will not be complete before the Council enters into the coming Local Election period."

(3) From Mr Simon Smith

To the Leader of the Council, Cllr J R F Mason:-

"A recent FOI request revealed that apart from officer attendance of actual meetings, the Council had no idea how much time had been spent of the conversion from a Portfolio administration to a Committee administration. How can this be squared with openness and transparency, with the public being given such scant information about what is going on and what work has been held back and what has not done as a result of this process?"

The Lead Member for Governance & Communications responded as follows:-

"Thank you for your question, Mr Smith.

Officers have kindly forwarded me the response to your request for information. The response did, in fact, not say that this Council has "no idea" of the time spent on this project. The response stated that because officers do not time record, "no definitive answer can be offered to your question." You were advised, however, of the time spent on attending meetings of the Constitution Working Group which is recorded information.

It's the word 'definitive' that is really important here. I am sure we would all agree that to prove a 'guess' or an 'estimate' of the time, thereby providing

unevidenced information, is less preferable than providing the honest response that no time records are available.

To address the part of your question that asks what work has been held back or not done as a result of this process, the answer is none.”

(4) From Mr Chris Taylor

To the Lead Member for Resources, Climate Change & Economy, Cllr M Hoy:-

“Given that the Council has just announced spending £25k of the additional £114k Government final settlement on consultation with the public on regeneration of Rochford, and that the Local Plan employment assessment showed risk to jobs and services in Hockley, most notably at the Foundry Business Park, will the Council commit to spending some of that final settlement on a similar regeneration consultation in Hockley?”

The Executive Lead Member for Resources, Climate Change & Economy responded as follows:-

“Thank you, Chairman and thank you for the question, Mr Taylor.

The £25k for consultation on the redevelopment or regeneration of Rochford has been based on the fact that the Council offices were based in South Street and continue to still be based there. Given that any changes would impact Rochford, we felt it was appropriate, taking into account the demand from other Councils in the area to the east of the District, that it was looked at.

At the moment, there is a Hockley area reaction plan, which does protect aspects of Hockley, and in particular, the Foundry Business Park as you mentioned is designated as a business area and should not be developed for housing.

I cannot commit any spending on consultations at this point in time for Hockley, because of the Budget currently being balanced and any changes to it would affect something else. However, I would suggest that this may be something that could be championed through Hockley Parish Council which I am aware you are a Member of.

Thank you.”

88 PETITIONS

There were none.

89 MEMBER QUESTIONS ON NOTICE

Pursuant to Council Procedure Rule 12, the following question on notice was received:-

(1) From Cllr Mrs E P Gadsdon

To the Executive Lead Member for Leisure, Tourism & Wellbeing:-

“Clements Hall Leisure Centre

With popular group classes being fully booked by members a week in advance and with waiting lists to attend these classes of up to 50% (this does not include non-members, who are not included on the waiting list). With capacity down from 3,099 in 2019 to 1,768 in 2024, membership increased over the same period from 3,097 to 3,233 and increased charges across the board. Does the Lead Member for Leisure agree that it is time to give value for money and increase the number of popular classes available instead of justifying the waiting list by offsetting the % of availability on a few unpopular classes against the % on the waiting lists on the popular classes to show capacity and not members requirements?”

The Lead Member for Leisure, Tourism & Wellbeing responded as follows:-

“Thank you, Chairman and thank you Cllr Mrs Gadsdon for your question.

Yes, I do agree to both offering residents value for money and that we should look to increase the number of popular classes available where there is identified demand and it is financially viable – as has been discussed by the Council with Fusion Lifestyle.

Additional classes are planned to be added to the group exercise programme at Clements Hall from April. The booking system has also been reviewed and is due to be upgraded.

Engagement with stakeholders and the community took place in October and November last year, to support the work being carried out to procure a new leisure centre from April 2025 when the current contract ends. This provided the Council with insight into the current service and to draw out aspirations for the future service.

On that note, I would like to thank officers and the Leisure Working Group for their work and commitment to ensuring that we meet our timelines.

As we continue the procurement process, the group exercise programme at both, Clements Hall Leisure Centre and Rayleigh Leisure Centre will be kept under review.

Thank you, Chairman.”

90 2024/2025 FEES AND CHARGES

Council considered the report of the Interim Director, Resources setting out the Fees and Charges for Council's approval.

Cllr M Hoy moved a Motion, seconded by Cllr J E Newport that the recommendation as set out on page 7.1 of the report be approved.

Resolved

To agree the proposed fees and charges for 2024/25 as shown in the attached appendix.

(23 Members voted in favour, 11 Members voted against and 1 Member abstained.)

91 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

(1) Report of the Executive – 2024/2025 Budget and Medium-Term Financial Strategy

Council considered the report of the Executive referring to Council the 2024/25 Budget and Medium-Term Financial Strategy (MTFS) for approval.

Cllr M Hoy moved a Motion, seconded by Cllr J R F Mason those recommendations 1, 2 and 3 as set out on page 8.1.1 of the report be approved.

Resolved

- (1) That the 2024/25 Budget and 2024-29 Medium Term Financial Strategy for both Revenue and Capital approved.

(22 Members voted in favour and 13 Members voted against.)

- (2) That the Section 151 Officer be authorised to adjust capital project budgets in 2024/25 after the 2023/24 accounts are closed and the amounts of slippage and budget carry forward required are confirmed.

(34 Members voted in favour and 1 Member abstained.)

- (3) That the increase in Rochford District Tax of £7.55 for a Band D property (2.99%) for 2024/25 be approved by a recorded vote.

On a requisition to Council Procedure Rule 17.4 a recorded vote was taken as follows:-

For (23)

Cllrs N J Booth; Mrs E L Brewer; J E Cripps; A G Cross; A H Eves; J N Gooding; Mrs J R Gooding; M Hoy; T D Knight; R Lambourne; J L Lawmon; R C D Linden; Mrs C M Mason; J R F Mason; Mrs J E McPherson; J E Newport; L J Newport; Mrs S J Page; D W Sharp; Mrs D P Squires-Coleman; C M Stanley; S A Wilson and Mrs V A Wilson.

Abstained (12) Cllrs Mrs D L Belton; M R Carter; R P Constable; D S Efde; I A Foster; Mrs E P Gadsdon; G W Myers; Mrs L Shaw; D J Sperring; M J Steptoe; I H Ward and S E Wootton.

- (4) That the proposed Council Tax requirement for the Council's own purposes (excluding Parish & Town Council's Precepts) for 2024/25 is £8.583m is noted.
- (5) That the statement on the robustness of the estimates and reserves at Section 14 is noted.
- (6) To approve the Pay Policy Statement in Appendix 3.

(This was unanimously agreed.)

(2) Report of the Overview & Scrutiny Committee – Capital and Treasury Management Strategy 2024/25

Council considered the report referred to Council by the Overview & Scrutiny Committee setting out the framework for the forthcoming financial year for the Capital and Treasury activities for Council's approval.

Resolved

That the Capital Treasury Management Strategy 2024/25 be approved.

(This was unanimously agreed.)

92 SETTING THE COUNCIL TAX 2024/25

Council considered the report of the Interim Director, Resources seeking Council's authorisation to set the Council Tax for the year 2024/25.

Cllr M Hoy moved a Motion, seconded by Cllr J R F Mason that the recommendations as set out on page 9.4 through to page 9.5 of the report be approved.

A question was raised in relation to the meaning of figure 'T' as per paragraph 2.1 on page 9.1 of the report.

Officers responded that figure "T" was the Council Tax Base, i.e., 33,010 and was used in the calculation of Council Tax whereby the total Council Tax requirement, known as "R" in the calculation, of £8.583m was divided by "T" to arrive at RDC's Band D Council Tax of £260.00.

Resolved

- a. £32,498,960 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all the precepts issued to it by Parish/Town Councils.
- b. £21,414,444 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.
- c. £10,688,435 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31 A (4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act)
- d. £328.80 being the amount at (c) above (Item R), divided by Item T (paragraph 3.1), calculated by the Council, in accordance with Section 31 B of the Act, as the basic amount of its Council Tax for the year. (including Parish precepts)
- e. £2,105,892 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
- f. £260.00 being the amount at (d) above less the result given by dividing the amount at (e) above by item T (paragraph 2.2), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- g. The amounts set out at Appendix B being the amounts given by adding to the amount at (f) above to the amounts of the special item or items relating to dwellings in those parts of the Council's area as set out in Appendix B divided in each case by Item T (paragraph 3.1), calculated by the Council, in accordance with Section 34(2) of the Act, 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.
- h. The amounts set out at Appendix C being the amounts given by multiplying the amounts at (g) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in the proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
- i. That it be noted that for the year 2024/25 Essex County Council ,Essex Police, Fire and Crime Commissioner and Essex County Fire and Rescue have stated the amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings set out at Appendix D.

- j. That the Council, in accordance with sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in Appendix E as the amount of Council Tax for 2024/25 for each part of its area and for each of the categories and dwellings.

(This was unanimously agreed.)

93 APPOINTMENT OF STATUTORY OFFICERS

Council considered the report of the Chief Executive seeking Council's approval for the appointment of the Council's Monitoring Officer.

Cllr J L Lawmon moved a Motion, seconded by Cllr J E Newport that the recommendation as set out on page 10.1 of the report be approved.

Resolved

That Steve Summers be appointed as the Council's Monitoring Officer from 1 April 2024.

(This was unanimously agreed.)

94 MOTIONS ON NOTICE

Pursuant to Council Procedure Rule 13, the following Motion on notice was received:-

(1) From Cllr Mrs D L Belton and seconded by Cllr R P Constable:-

"As of December 2023, the following numbers were accurate in relation to empty properties in the Rochford District:-

- 518 unoccupied and substantially unfurnished properties
- 69 furnished properties which are no one's main home (second homes)
- 475 unoccupied properties which are exempt by statute from Council Tax e.g., properties where owner died and probate yet to be granted/within 6 months of probate

Rochford do not currently have or use the services of an Empty Homes Officer, meaning little is being done to actively bring these homes back into use. Given the number of residents on the housing waiting list as well as a demand for new private homes resulting in constant development, I am asking this Council to commit to procuring the services of a neighbouring authority to start working towards bringing these properties into use at pace. Whilst the 518 homes generate the Council an income, I believe the properties being occupied are more important than the enhanced Council Tax amount. Of the 47 properties that are not currently generating any Council Tax, these could not only provide vital homes for local people but could also generate Council Tax in the region of £750k per annum, and although a large proportion of this goes to Essex County Council, PFCC and Town/Parish, RDC keep a fair share and regardless all

precepts help our residents one way or another. We can as part of the work reach out to ECC to contribute to the cost of the officer time.

Typically, 5 or 6 properties come back into use every year but I suspect others join the list. However, if we use Southend City Council as an example of an authority that employ a FT Empty Homes Officer, they have brought over 50 back into use this year.

This is a motion therefore proposing that RDC commit to procuring the services of an Empty Homes Officer in 2024 and, subject to the results achieved, consider creating a specific post in the future to ensure we are doing what we can to minimise empty homes across the District.”

Members spoke against the Motion, noting that officers employed by the Council had undertaken responsibilities that would fall within the remit of an Empty Homes Officer; however, possessed different titles and were responsible for other commitments that fell within their retrospective roles. Members further noted that this did not prove to be time or cost effective in terms of the results achieved.

Members continued to speak against the Motion stating that most local authorities across Essex did not employ a dedicated Empty Homes Officer. Furthermore, the Council was not in a position to legally enforce occupancy and was limited to keeping property owners informed of any opportunities only.

The Motion was declared lost on a show of hands.

(11 Members voted in favour, 23 Members voted against and 1 Member abstained.)

95 REPORT ON URGENT DECISIONS

There was none.

96 REPORT OF THE LEADER ON THE WORK OF THE EXECUTIVE

Council received the following verbal report from the Leader, Cllr J R F Mason:-

“I gave a detailed report at Full Council a week ago which will be reproduced in the Minutes.

I need to add the following reports which will be going to the Executive on 19 March from Lead Members:-

- Statement of Common Ground with ECC on the New Local Plan
- Grants from Sports England
- Swayne Park Bridle Way Lighting
- Recommendations from the Overview & Scrutiny Committee and the Climate Emergency Committee.”

The meeting closed at 21.49pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 318111.

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