

## Council – 16 July 2019

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Minutes of the meeting of **Council** held on **16 July 2019** when there were present:-

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

|                        |                      |
|------------------------|----------------------|
| Cllr J C Burton        | Cllr J E Newport     |
| Cllr Mrs L A Butcher   | Cllr Mrs C A Pavelin |
| Cllr C C Cannell       | Cllr Mrs C E Roe     |
| Cllr M R Carter        | Cllr Mrs L Shaw      |
| Cllr Mrs T L Carter    | Cllr P J Shaw        |
| Cllr D S Efde          | Cllr S P Smith       |
| Cllr A H Eves          | 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 M J Lucas-Gill    | Cllr M J Webb        |
| Cllr Mrs J R Lumley    | Cllr M G Wilkinson   |
| Cllr Mrs J E McPherson | Cllr A L Williams    |
| Cllr D Merrick         | Cllr S A Wilson      |
| Cllr R Milne           | Cllr S E Wootton     |

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs K H Hudson, G J Ioannou and Mrs C M Mason.

### **OFFICERS PRESENT**

|                 |  |
|-----------------|--|
| M 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         | - Section 151 Officer                      |
| L Moss          | - Assistant Director, People & Communities |
| S Worthington   | - Democratic Services Officer              |

### **143 MINUTES**

The Minutes of the Annual Meeting held on 14 May 2019 were approved as a correct record and signed by the Chairman.

### **144 DECLARATIONS OF INTEREST**

Cllrs Mrs D Hoy and M Hoy declared a non-pecuniary interest in item 13 of the Agenda relating to the River Crouch Coastal Community Team by virtue of attendance at the meetings of that forum as members of the public.

### 145 ANNOUNCEMENTS FROM THE CHAIRMAN

It was noted that the Chairman's Charities for 2019/20 were Alzheimer's Society and the Royal National Lifeboat Institution.

### 146 MINUTES OF THE EXECUTIVE AND COMMITTEE MEETINGS HELD BETWEEN THE PERIOD 20 APRIL 2019 TO 5 JULY 2019

Council received the Minutes of the Executive and Committee meetings held during the period 20 April to 5 July 2019.

### 147 REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

#### 143 Report of the Review Committee: Review of the Constitution

Council considered the report of the Review Committee on the review of the Constitution.

#### **Resolved**

That the proposed changes to the Constitution, as detailed in the appendix and addendums 1 and 2 to the report, be adopted. (ADL&D)

#### (2) Report of the Review Committee: Treasury Management Annual Review 2018/19

Council considered the report of the Review Committee on the Treasury Management Annual Review 2018/19.

#### **Resolved**

That the contents of the Treasury Management Annual Review 2018/19 be noted. (S151O)

### 148 REPORT ON URGENT DECISIONS

Pursuant to Overview and Scrutiny procedure Rule 15(g), Council received and noted a report on decisions that had been taken as a matter of urgency and not subject to call in.

### 149 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 2019/20 Municipal Year and I would like to welcome all Members.

Since the meeting on 30 April, the Executive has met twice during which considerations included:

- Awarding a new five-year contract to Capita Business Services for 'One Revenues and Benefits Cloud Service' (encompassing the provision of Academy Software), which is required to carry out the Council's core Revenues and Benefits services, with an immediate start date.
- Awarding a new five-year contract for Rochford District Council's banking services to Lloyds Bank from 1 August 2019.
- The provisional outturn position against the 2018/19 revenue budget.
- Spending of the allocated 2019/20 capital budget for play space improvements and delegating authority to the Assistant Director, Place & Environment to award contracts for the delivery of the Play Spaces Improvement Programme and to seek and secure appropriate match-funding to assist in the delivery of the Play Spaces Improvement Programme.
- Designating the Beagle Event as a SILVER project, approve the drawdown of £25,000 from earmarked reserves to provide a working capital budget and agreeing that the draft Event Management Plan and associated Equality Impact Assessments be reported back to the Executive before being submitted to the Safety Advisory Group.
- Approving the Leisure & Cultural Strategy 2019-2024.
- Noting the latest version of the Projects Programme Management Office (PMO) Dashboard to the Executive.

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

- Approving the Environmental Health Service Plan for 2019/20.
- Signing of a Statement of Common Ground with Basildon Borough Council in relation to the Basildon Borough Local Plan 2014-2034.

Finally, I would like to take this opportunity to refer to a Motion on Notice that was raised at Full Council on 11 December in which we pledged to work alongside Essex County Council and the local community in both shaping and delivering future library provision throughout the District and supporting the retention of a library service in all the current five existing areas of the District. I am delighted that, following public consultation on the future of library services, the County Council announced on 9 July that no libraries would close over the next five years. I look forward to working with Members and

Essex County Council in exploring methods of bringing our Library Service into the 21<sup>st</sup> century for the benefit of our residents.

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 concern relating to solutions to the provision of play equipment often involved skate parks, which tended to be gender-biased towards boys, it was noted that officers would be mindful of the issue of gender balance in respect of the future provision of play equipment.

In response to questions raised in respect of future provision of libraries within the District, the Leader advised that this was a County Council matter; however, he was willing to work with any Members in this area. He further advised that he had been discussing the Great Wakering library with a local community group that had expressed an interest in running that library in the future.

Responding to a question relating to Discover 2020 and the Beagle Project he stated that a grant of £10,000 had been obtained in order to produce a tapestry commemorating the Battle of Assundun.

### 150 MOTIONS ON NOTICE

Pursuant to Council Procedure Rule 13, the following motion had been received from Cllrs M Hoy, C M Stanley, J E Newport, Mrs C M Mason, Mrs D Hoy, S A Wilson, A H Eves, T E Mountain, M G Wilkinson and Mrs T L Carter:-

““Motion to commit to action to achieve Carbon Neutrality

Humans have caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO<sub>2</sub> levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity. In order to reduce the chance of runaway global warming and limit the effects of climate breakdown, it is imperative that we as a species reduce our CO<sub>2</sub> equivalent (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible. The latest information gives us 11 years to take emergency action in order to prevent global warming greater than 1.5°C.

The Intergovernmental Panel on Climate Change (IPCC) recently released a report focussing on the impact that 1.5°C would have on the planet compared to 2°C. Above 1.5°C, the risks to humanity of floods, droughts, extreme heat and poverty become much greater. At current levels, the world is on course for 3°C of warming.

In addition to the IPCC report, the World Wide Fund for Nature (WWF) has called for government leadership to make the changes necessary to reduce carbon emissions. According to the WWF Living Planet Report 2018, “*Earth is losing biodiversity at a rate seen only during mass extinctions*”. The losses in vertebrate species - mammals, fish, birds, amphibians and reptiles - averaged 60% between 1970 and 2014.

Rochford District Council, and other local and regional authorities, have a role in contributing towards achievement of national, legally binding, carbon emissions reduction targets, as agreed at the 3rd Conference of the Parties to the United Nations Framework Convention on Climate Change.

In the Rochford District the consequences of no action include:

- Increased risk of flash flooding and the resulting damages to buildings, roads and other infrastructure as a result of more extreme rainfall events.
- Health problems due to increased heat stress, particularly for vulnerable adults and children.
- Higher energy costs.

There are significant economic, social and environmental benefits to be secured from these changes. Both the Government and the Committee on Climate Change believe the shift to a very low carbon energy future represents the best course for the country’s economic development while lowering the risk of fuel poverty and reducing air pollution.

The Council acknowledges:

1. That individuals cannot be expected to make carbon emissions reductions on their own. Society needs to change its laws, taxation and infrastructure to make low carbon living easier and the new norm.
2. That greenhouse gas emissions result from both production and consumption.
3. That the consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity’s number one priority.
4. That the time for business as usual is over, as acknowledged by the recent action of The House of Commons recently declaring a Climate Emergency.
5. Bold climate action can deliver local social and economic benefits in terms of new jobs, economic savings and sustainable livelihood opportunities, as well as improved wellbeing.

The Council resolves:

To pledge to do everything within the Council's power to make Rochford District carbon neutral by 2030.

That initial funding of £200,000 from the Hard/Soft Infrastructure Fund, (currently standing at £2.8M) is ring-fenced to support scoping and delivery of the Rochford District Carbon Neutral 2030 Commitment. These funds will support action:

1. To set out a Plan of Action, including clear targets and transparent reporting, to develop District wide Locally Determined Contributions to complement National Determined Contributions in line with the Paris Agreement to limit global warming to 1.5C.
2. To include planning and support in the District for adaptation to the climate change that is already happening.
3. To develop a strategy for Rochford District Council to play a leadership role in promoting community, public and business partnerships for this Carbon Neutral 2030 Commitment throughout the District, County and region.
4. To work with partner bodies across the county to ensure that the climate emergency is adequately reflected in the development and implementation of all county wide strategies and plans.
5. To investigate all possible sources of external funding and match funding to support this commitment.
6. To work with key partner organisations within the County and region to secure external funding.
7. To report back on an annual basis to Council on progress made.
8. To call on Central Government to provide additional powers and resources to support local and national action towards the 2030 target."

The Motion was moved by Cllr M Hoy and seconded by Cllr C M Stanley.

In support of the Motion, the Leader of the Green Group emphasised that a number of Councils around the country had passed similar Motions. The Motion would commit this Council to its best endeavours at becoming carbon neutral by 2030. The intention was for the Council to take a holistic approach to carbon neutrality and to develop a policy and put in place funding to take this important issue forward.

Speaking against the Motion a Member observed that although Members all supported the Motion's stated goal of carbon neutrality the Motion proposed was a generic template that had been used by a number of other local authorities; the Council's best endeavours should, however, include a strategy that was bespoke to this District. A more tailored, bespoke strategy should ensure that carbon neutrality was achieved more quickly. Another Member emphasised that the Motion was aligned to a Local Government Association template that it had suggested local authorities might use. The Leader had already given a public commitment in respect of the Council becoming carbon neutral by 2030. Although the concept put forward by the Leader of the Green Group was highly commendable, a more consistent, focused and structured approach should be taken; the Motion was weak in terms of detail, outcomes and in terms of how to achieve the goal of carbon neutrality.

In response to these concerns, another Member stressed the importance of stating the Council's commitment to carbon neutrality to its residents. He suggested that the Council should consider setting up a working party to work on this issue.

Another Member referred to recent Council publicity relating to upcoming electric vehicle charging points for the District.

The Leader of the Liberal Democrat Group stressed the need for using natural energy and doing more in this area.

The Leader of the Green Group, in response to concerns that had been raised, said that the Motion set out guidelines as to how the Council might move forward in attaining carbon neutrality and that the price for residents if the Council did nothing was climate breakdown. If nothing was done there was a danger that parts of the District, e.g., Great Wakering, would end up under water. He stated that he had indicated to the Leader before the meeting that he would be willing to withdraw the Motion in favour of something else that might be put forward, provided that the issues of carbon neutrality being achieved by 2030 and the sum of £200,000 being ring-fenced for this were retained.

The Chairman of the Review Committee drew Members' attention to the fact that this particular subject was due to be considered by the Review Committee later in the year.

Cllr A H Eves moved an amendment to the Motion that a cross Party Working Party be set up to explore ways of achieving the aims of this report, and this was seconded by Cllr N J Hookway. The amendment to the Motion was lost on a show of hands.

On a requisition pursuant to Council Procedure Rule 17.4 a recorded vote was taken on the original motion, as follows:-

|              |  |
|--------------|--|
| For (9)      | Cllrs C C Cannell, Mrs T L Carter, A H Eves, Mrs D Hoy, M Hoy, J E Newport, C M Stanley, M G Wilkinson and S A Wilson.   |
| Against (22) | Cllrs J C Burton, Mrs L A Butcher, M R Carter, T G Cutmore, R R Dray, D S Efde, M J Lucas-Gill, Mrs J R Lumley, Mrs J E McPherson, D Merrick, R Milne, Mrs C A Pavelin, Mrs C E Roe, Mrs L Shaw; P J Shaw, S P Smith, D J Sperring, M J Steptoe, I H Ward, M J Webb, A L Williams and S E Wootton. |
| Abstain (1)  | Cllr N J Hookway   |

The Motion was declared lost.

The Portfolio Holder for the Environment stated that although he applauded the concept of the original Motion he was nevertheless concerned about the Council's ability to deliver this without further consultation.

Cllr A L Williams moved a Motion, seconded by Cllr M J Steptoe:-

That the Review Committee be asked to set up a cross party working group to understand the implications and recommend a policy to this Council on how it can reduce its carbon footprint and become carbon neutral by 2030 at the latest.

- To consider and understand the costs and to investigate external funding sources.
- To consider how this council can encourage developers to design carbon neutral homes and industrial estates through the planning process.
- To recommend a policy for this council to consider by April 2020 and to regularly update the Portfolio Holder for the Environment on its work.

That this Council also calls upon Her Majesty's Government to explore supporting domestic implementation of Sustainable Development Goals through funded partnerships roles within local authorities.

That this Council encourages the parishes to work with it to achieve carbon neutrality.

Cllr M Hoy moved a Motion, seconded by Cllr C M Stanley, that the meeting be adjourned to allow time for Members to be provided with a copy of the Motion. The Motion was lost on a show of hands.

In seconding the Motion, the Leader of the Council emphasised the importance of doing something bespoke to Rochford District Council to address the issue of carbon neutrality. It was important to understand what



specific actions should be taken by this Council, including, for example, simple ones such as using wooden rather than plastic, one-use pens, and bigger issues around where electricity should be sourced for running future Council electric vehicles. The Council's carbon footprint also should be examined, as well as how this might be offset. He made reference to the vast number of trees planted by this Council and areas of woodland within the District, which was another area to be taken into account. He emphasised the importance of this issue being looked at in detail by a Working Party of the Review Committee with a detailed report coming back to Council for an all-encompassing strategy.

The Chairman confirmed, in response to a Member question relating to the Motion, that the Council was debating a new Motion that related directly to the original Motion on Notice.

A Member observed that the Motion appeared similar to the original Motion on Notice and that he would like clarification around how this Motion differed from the original Motion. Other Members stated that the Motion sounded similar to the amendment proposed earlier in the debate relating to the setting up of a Working Party, but did not feel able to vote on the Motion, as presented, as they had not had an opportunity to see the Motion in print.

On a requisition pursuant to Council Procedure Rule 17.4 a recorded vote was taken on the Motion, as follows:-

For (21) Cllrs Mrs L A Butcher, M R Carter, T G Cutmore, R R Dray, D S Efde, M J Lucas-Gill, Mrs J R Lumley, Mrs J E McPherson, D Merrick, R Milne, Mrs C A Pavelin, Mrs C E Roe, Mrs L Shaw; P J Shaw, S P Smith, D J Sperring, M J Steptoe, I H Ward, M J Webb, A L Williams and S E Wootton.

Against (0)

Abstain (11) Cllrs J C Burton, C C Cannell, Mrs T L Carter, A H Eves, N J Hookway, Mrs D Hoy, M Hoy, J E Newport, C M Stanley, M G Wilkinson and S A Wilson.

### **Resolved**

- (1) That the Review Committee be asked to set up a cross party working group to understand the implications and recommend a policy to this Council on how it can reduce its carbon footprint and become carbon neutral by 2030 at the latest.
  - To consider and understand the costs and to investigate external funding sources.

- To consider how this Council can encourage developers to design carbon neutral homes and industrial estates through the planning process.
  - To recommend a policy for this Council to consider by April 2020 and to regularly update the Portfolio Holder for the Environment on its work.
- (2) That this Council also call upon Her Majesty's Government to explore supporting domestic implementation of Sustainable Development Goals through funded partnership roles within local authorities.
- (3) That this Council encourages the parishes to work with the District Council to achieve carbon neutrality. (ADA&C/ADP&C/ADP&E)

### 151 PURCHASE OF MECHANICAL SWEEPER

Council considered the report of the Assistant Director, Place & Environment requesting the drawdown of £85,000 from earmarked reserves to purchase a mechanical sweeper suitable for cleaning pavements.

In response to a Member question as to why leasing the vehicle was not put forward as an option officers confirmed that procurement was not restricted to purchasing, but would also include the option of leasing. It was likely that the final vehicle selected would probably dictate whether this was purchased or leased. Members agreed to a suggestion by the Leader of the Green Group that the first two recommendations in the officer's report be re-worded replacing 'purchase' with 'procure'.

Officers confirmed, in response to a Member question relating to the vehicle, that the carbon footprint of the vehicle would be obtained.

#### Resolved

- (1) That an addition to the 2019/20 capital programme of £85,000 be approved for the procurement of a mechanical sweeper.
- (2) That the drawdown of £85,000 from earmarked reserves be approved to finance the procurement.
- (3) That authority be delegated to the Assistant Director, Place & Environment, in consultation with the Portfolio Holder for Environment, to procure a suitable mechanical sweeper. (ADP&E)

### 152 RIVER CROUCH COASTAL COMMUNITY TEAM

Council considered the report of the Strategic Director seeking approval for Rochford District Council to assume the secretariat role for the River Crouch Coastal Community Team and the Accountable Body role for the Coastal

Community Fund.

In response to concern raised by a Member relating to the Council's representation on the Team, the County Member for Rayleigh South advised that the Chairman of the current Team had emailed attendees on 4 June advising that there was an opportunity to review the Team membership at an extraordinary general meeting; new roles and responsibilities and terms of reference for the group would be agreed. Officers emphasised that only the Team could determine its membership; however, any change would be likely to reflect the role of this Council as accountable body.

Officers confirmed, in response to a question relating to Maldon District Council, that Maldon DC had resigned from its accountable body role following an internal reorganisation at the Council. Responding to a further question as to what would happen to the Team if this Council did not take on the accountable body role, officers advised that the Team would then be dissolved and responsibility would be assigned to the Maldon and Blackwater Estuary Coastal Community Team.

In response to a Member question relating to finance, officers confirmed that there were no financial implications for the Council; approximately £1500 remained from the previous fund for which expenditure the Council would have oversight and responsibility and there would be future rounds of MHCLG community grant funding; the last round was the 'Path to Prosperity', which was awarded to Essex County Council. The Council would be a stakeholder, ensuring that part of that funding was allocated to the coastal path within the Rochford District. However, without the Coastal Community Team the Council would cease to have that voice.

### **Resolved**

That Rochford District Council assume the secretariat role for the River Crouch Coastal Community Team and be the Accountable Body for the Coastal Community Team Fund. (SD)

(Note: Cllr M Hoy abstained from voting on the above decision.)

### **153 ESSEX COUNTYWIDE TRAVELLER UNIT – GOVERNANCE AGREEMENT**

Council considered the report of the Assistant Director, Place & Environment seeking approval of the arrangements for the Joint Committee that manages the Essex Countywide Traveller Unit.

Responding to a Member question as to whether the Parish Councils could receive a signed copy of the agreement upon request, the Portfolio Holder for Community advised that he would verify outside the meeting that this was the case and would go back to Members to confirm.

In response to a further Member question about whether this would assist the

Council in any legal cases relating to unauthorised gypsy and traveller development in the context of the Council not currently having an authorised gypsy and traveller site within the District unauthorised gypsy and traveller sites, officers advised that the Unit dealt with a variety of Traveller-related issues, including, for example, education and health and safety on gypsy and traveller sites and unauthorised encampments. Unauthorised development was, however, a separate issue and not within the remit of the Unit. ECTU's remit related to unauthorised encampments; it worked closely on providing education, help and advice in respect of authorised developments and, where appropriate, would provide advice to travellers on unauthorised developments. Decisions relating to planning aspects in respect of unauthorised developments were for the local planning authority to deal with.

**Resolved**

That the management arrangements for the Essex Countywide Traveller Unit be accepted and the Essex Countywide Traveller Committee Agreement 2019, which will run for three years be signed. (ADP&E)

The meeting closed at 8.59 pm.

Chairman .....

Date .....

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