

Council 25 July 2000

Minutes of the meeting of **Council** held on **25 July 2000** when there were present:

Cllr Mrs W M Stevenson – Chairman

Cllr R Adams
Cllr R S Allen
Cllr R A Amner
Cllr Mrs R Brown
Cllr P A Capon
Cllr T G Cutmore
Cllr D F Flack
Cllr D M Ford
Cllr Mrs J E Ford
Cllr G Fox
Cllr Mrs J M Giles
Cllr J E Grey
Cllr Mrs H L A Glynn
Cllr Mrs J Hall
Cllr D R Helson
Cllr Mrs J Helson

Cllr A Hosking
Cllr C C Langlands
Cllr V H Leach
Cllr Mrs S J Lemon
Cllr T Livings
Cllr J R F Mason
Cllr G A Mockford
Cllr C R Morgan
Cllr P J Morgan
Cllr Mrs L I V Phillips
Cllr M G B Starke
Cllr P D Stebbing
Cllr R E Vingoe
Cllr Mrs M J Webster
Cllr P F A Webster
Cllr D A Weir
Cllr Mrs M A Weir

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C I Black, K A Gibbs, Mrs L Hungate, R A Pearson and S P Smith.

OFFICERS PRESENT

P Warren	-	Chief Executive
R J Honey	-	Corporate Director (Law, Planning & Administration)
D Deeks	-	Head of Financial Services
A Smith	-	Head of Administrative and Member Services
J Bostock	-	Principal Committee Administrator

248 DECLARATIONS OF INTEREST

Councillors D M Ford and Mrs J E Ford each declared a pecuniary interest in the item on Noise from Shoebury Ranges by virtue of Councillor D M Ford's employment and left the Meeting during consideration thereof.

Councillor Mrs R Brown declared an interest in Appointment to Outside Bodies by virtue of membership of the Citizens Advice Bureau.

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Councillor C C Langlands declared a non-pecuniary interest in Item 14 by virtue of family within the District being affected.

249 MINUTES

The Minutes of the following Meetings were approved as correct records and signed by the Chairman:-

18 April 2000
26 April 2000 (Extraordinary)
18 May 2000 (Annual)
28 June 2000 (Extraordinary)

250 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported on attendance at events including:-

- The Bookstart Launch
- The Lions Club Millennium Strawberry Tea, Hullbridge
- Rochford Almshouses Open Gardens
- Teddy Bears Picnic, Hockley Woods with pre-school children
- Essex Youth Games, Colchester
- Greensward College – various events

Referring to her main Charity beneficiary (Macmillan Cancer Relief), the Chairman wished to thank Members and Officers for the generous support given at the Chairman's Reception and extend special thanks to Councillor D M Ford for recent sponsorship activity.

251 MINUTES

Resolved

- (1) That, subject to any amendments below, the Minutes of Committees be received and the recommendations contained therein adopted.
- (2) That the common seal of the Council be affixed to any document necessary to give effect to decisions taken or approved by the Council in these Minutes.

Committee	Date	Minute No.
PLANNING SERVICES	27 April 2000	150 – 157
TRANSPORTATION AND ENVIRONMENTAL SERVICES (SPECIAL MEETING)	25 May 2000	165 – 167

PLANNING SERVICES	1 June 2000	168 – 174
TRANSPORTATION & ENVIRONMENTAL SERVICES	22 June 2000	175 - 191

Minute 184 – Dealing with Abandoned Vehicles – The Way Forward

Council considered an update report from the Corporate Director (Finance & External Services) outlining progress in dealing with abandoned vehicles on a Countywide basis.

During debate, Members commented that it could be appropriate to introduce a vehicle amnesty for the whole District. The Chairman of the Transportation & Environmental Services Committee suggested a report on the latest position be submitted to the next Meeting of the Committee.

Responding to Member questions, the Head of Financial Services indicated that the cost of abandoned vehicle proposals would fall to the District until agreements with the County Council were in place. Officers would pursue the reclamation of monies expended to that date.

Resolved

- (1) that a position report be submitted to the next meeting of the Transportation and Environmental Sources Committee
- (2) That officers approach the County Council with a view to achieving recovery of monies expended by the District during 2000/01.CD(F&ES)

COMMUNITY SERVICES	27 June 2000	192 – 208
PLANNING SERVICES	29 June 2000	215 – 222
AUDIT SERVICES	6 July 2000	223 – 226
FINANCE & GENERAL PURPOSES	13 July 2000	227 –247

Minute 232(5) Relating to Structural & Procedural Review Working Group Minute 55 – The Modernising Agenda – An Update on the Local Government Bill – Implications for the District Council.

The Chief Executive referred to progress of the Local Government Bill through Parliament and advised that an amendment made at the House of Lords the previous evening provided that Authorities with populations of fewer than 85,000 could apply to make alternative arrangements that do not need a separate executive (a fourth option). There would, however,

remain a requirement to introduce overview and scrutiny and undertake full consultation with the electorate and others. Any alternative arrangement would need to be justified in terms of securing continuous improvement to the economy, efficiency and effectiveness of the Authority. On current indications, the Bill could well be legislation by the end of the week.

Responding to Member questions, the Chief Executive confirmed that he would make arrangements for all Members of the Council to have appropriate extracts from Hansard and that Officers had been in liaison with the Local Government Association.

Members welcomed the possibility of a fourth, potentially more democratic, model. Council concurred with the suggestions of the Chief Executive on the way forward and, on a Motion moved by Councillor G Fox and seconded by Councillor D F Flack, it was:-

Resolved

- (1) That Meetings of the Structural & Procedural Review Working Group be convened as appropriate to address the detail of changes to the Local Government Bill as they emerge, with Meetings of Full Council being convened as appropriate.
- (2) That the Chief Executive consult other Authorities within Essex with a view to a collaborative approach in preparing an acceptable 'fourth option' involving an enhanced Committee system.
- (3) That the Chief Executive prepare a possible public consultation document seeking the views of the public on the Council's current system of decision making and the four alternatives proposed in the Local Government Bill.
- (4) That authority be delegated to the Chief Executive to establish an independent Panel to review Members remuneration once further guidance is available. (CE)

Minute 233 – Electoral Review Working Group

In addressing Minute 233, the Head of Administrative and Member Services reported that the Partnership Sub-Committee was recommending that the Chief Executive or a senior responsible Officer from the Local Government Commission be invited to attend a Meeting to discuss proposals. Council concurred with this recommendation.

Resolved

- (1) That the following form the basis of the Council's response to the Local Government Commissions' draft recommendations for the future electoral arrangements in Rochford: -

- (a) That this Council concurs with the recommendation that Rochford District Council should be represented by 40 Councillors in 20 Wards and that elections should take place by thirds.
- (b) That whilst this Council is broadly happy with the boundaries which have been set for the Rayleigh wards, with the exception of the area surrounding Deepdene Avenue, it is extremely concerned that in other areas the recommendations have been based on a desire to achieve electoral quality alone and unlike the District Council's proposals had not given adequate account to the other statutory criteria of community identity, and effective and convenient local government.
- (2) That it be re-iterated to the Commission that the consequential changes in the Parish Council election arrangements should not take effect until the date of the first next ordinary date of election after 2002. (HAMS)
- (3) That a letter be sent to the Chairman and Clerk of every Parish/Town Council offering to give assistance in drafting a letter of response to the Local Government Commission. (HAMS)
- (4) That the local press be invited to give publicity to the Local Government' Commissions recommendations. (HCPI)
- (5) That the Chief Executive or a Senior responsible Officer from the Local Government Commission be invited to attend a future Meeting with District and Parish Members to discuss electoral review proposals. (HAMS)

252 NOTICES OF MOTION

(1) From Councillors Mrs J Helson and V H Leach

The Proper Officer reported that the following Notice of Motion had been received from Councillors Mrs J Helson and V H Leach:-

- “(1) That the Transportation Sub-Committee undertakes a review of the car parking charging policy and reports to Transportation and Environmental Services Committee in order that its views can be considered as part of the 2001/2002 budget making process.
- (2) That the Officers present a detailed feasibility study on the possibility of implementing “Pay on Exit” in Websters Way car park. This feasibility study to include site layout and financial, operational and staffing implications. The report to be submitted

to Transportation Sub-Committee within a timescale which will enable it to be considered as part of the 2001/2002 Budget Process.”

Pursuant to Standing Order 9(11), it was agreed that the motion be considered.

In addressing the motion, Councillor Mrs J Helson wished to emphasise the value of including charging policy within the budget process and comment that, given earlier debates, it would be appropriate to reach final conclusions on the possibilities for Websters Way car park.

Those Members in favour of the motion commented on the value of linking decisions on car parking to a logical procedure/framework in line with budget considerations. Given that circumstances change at short notice, it could also be correct to undertake further review.

Those Members not in favour of the motion felt that car parking matters had been given a full airing at recent meetings, and that further review could be costly.

The motion was moved by Councillor Mrs J Helson and seconded by Councillors Mrs H L A Glynn and it was :-

Resolved

That the motion, as set out above, be agreed (HRHM)

(2) From Councillors R Adams, T G Cutmore, G A Mockford and P F A Webster

The Proper Officer reported that the following Notice of Motion had been received from the above Members:-

“Rochford District Council supports Tesco’s decision to return to pounds and ounces. Council fully accepts Tesco’s survey of 1,000 people of all ages, which found that 90% of shoppers think in pounds and ounces.

Rochford Council strongly believes that the vast majority of Rochford residents want to keep the lb. – and the £.”

Pursuant to Standing Order 9(11), it was agreed that the motion be considered.

In addressing the motion, Councillor T G Cutmore wished to comment on the importance of shops taking notice of the public and the value of giving support to shops.

Those Members in favour of the motion commented that it reflected the outcome of media surveys and that the question of children being taught metric was a separate subject.

Those Members not in favour of the motion as it stood felt that importance should be placed on the education system given that many children taught in metric are now adults. It was also felt the motion was regressive. Reference was made to the statutory requirement that 'loose goods' had to be weighed in metric. Some Members felt it was inappropriate for the Council to be concerning itself with a matter, which was not core business for this Authority.

Council agreed an amendment moved by Councillor G Fox and seconded by D Flack and it was:-

Resolved

That Rochford District Council notes Tesco's decision to return to pounds and ounces. Council also notes the outcome of Tesco's survey of 1,000 people of all ages which found that 90% of current shoppers think in pounds and ounces.

However, as all school children have been taught exclusively in metric measurements for over twenty years it follows that as they become responsible for food shopping it will be necessary for food outlets to sell items weighed metrically. This Council therefore urges Tesco, where possible, to sell in both metric and imperial weights and at the very least to advertise in both metric and imperial in order to accommodate the upcoming as well as existing customers.

Rochford Council accepts that the majority of Rochford residents currently probably want to keep the lb and the £.

In respect of the £ this Council believes that if it becomes the best interest for our Country (and therefore the residents of Rochford) to join the 'Euro' or change to another currency that it would be foolish to ignore the fact.

253 STATEMENT OF ACCOUNTS 1999/2000

Council considered the report of the Head of Financial Services on the statement of accounts. The Accounts and Audit Regulations 1996 required the Council to approve the statement prior to 30 September.

Resolved

That the statement of accounts 1999/2000 be approved. (HFS)

254 STRUCTURAL AND PROCEDURAL REVIEW WORKING GROUP

Council considered the Minutes of the Meeting of the Structural and Procedural Review Working Group held on 18 July 2000.

Minute 58 – Protocol for Working Groups

In considering the recommendations under Minute 58 Council agreed a proposal moved by Cllr Mrs J Helson and seconded by Cllr Mrs S J Lemon that it would be appropriate to reform the Rayleigh Town Centre Monitoring Panel for a specified period given that the Contract Monitoring business of that Group was not finished.

Resolved

- (1) That the proposed protocol for Working Groups, as amended, be adopted.
- (2) That the Membership of the Electoral Review Working Group be amended by changing the status of the Chief Executive, Corporate Director (Law, Planning and Administration) and the Head of Administrative and Member Services to “non-voting advisors” and the consequential reduction in the total size of the Working Group from 8 voting members to 5.
- (3) That Council re-affirms that Working Groups sit outside the formal Committee structure.
- (4) That, in order to avoid confusion the following bodies, which actually function as Sub-Committees, be renamed as Sub-Committees:-

Street Trading Panel

Appointments Panel

Contracts Panel

Leaders Panel

Member Budget Monitoring Working Group

Structural and Procedural Review Working Group (HAMS)

- (5) (a) That the Rayleigh Town Centre Monitoring Panel be re-established to conclude overseeing the works to improve Rayleigh High Street, the Group to comprise four District Council Members, four Town Council Members and advisor representatives from Rayleigh Chamber of Trade.

- (b) That the Chief Executive be authorised to appoint the District Council Members of the Working Group based on names to be submitted by the appropriate Group Leaders, the Rayleigh Town Council representatives to be as nominated by that Council.
- (c) That notwithstanding the provisions of the protocol for working groups agreed at (1) above, the representatives of Rayleigh Town Council be accorded full voting rights.
- (d) That the Group be required to report to the Transportation and Environmental Services Committee on its activities.
- (e) That the Group be wound up at 31 December 2000.
(HAMS)

Minute 59 – Petitions

In considering the recommendations under Minute 59 Council agreed an amendment moved by Cllr D R Helson and seconded by Cllr P F A Webster to proposed clause (6) and it was:-

Resolved

that Standing Order 11 be amended as follows in order to clarify the arrangements for handling petitions received by the Council:-

Add new clause 1 to read:-

“In the event of the Council receiving a petition where the petitioner asks that it be submitted to a meeting of the Full Council, the provisions of clauses (2), (3) and (4) below should apply. The same Clauses will apply where it is necessary for a petition to be submitted to a Committee of the Council.”

Amend the numbering of existing clauses (1), (2) and (3) to (2), (3) and (4) respectively.

At new clause (2), line one after the words “At a Meeting of the Council.....”, add “or a Meeting of the Committee”.

Add new clause (5) to read:-

“In the event of a petitioner not being able to present their petition at a meeting of the Council or at a Committee in person, the petition may be presented on their behalf by any Member of the Council. Unless a petition is formally presented at the meeting, it will not be further considered.”

Add new clause (6) to read:-

“Once a petition has been formally presented to the Council, it will be referred without debate to the appropriate Committee of the Council for consideration and, where it is within the terms of reference of that Committee, decision. In the case of a petition submitted direct to a Committee, the Committee may where the subject raised is within the terms of reference of that Committee, determine the matter at the meeting to which it is submitted providing there is sufficient time for production of a report to the Committee. Should there be insufficient time the matter will be referred to Full Council with a report.”

Amend the numbering of existing clauses (4) to (7) as (7) to (10) respectively. The words “ at Full Council” also to be deleted from the heading of the Standing Order.

Minute 60 – Arrangements for Dealing with Urgent Business

Resolved

- (1) That authority be delegated to the Chief Executive and/or the Corporate Directors to take decisions in cases of urgency after consultation with the Chairman or Vice Chairman of the appropriate Committee of the Council and with Group Leaders. This provision to include the requirement for all decisions taken in this manner to be reported to the first next Meeting of the Council or the appropriate Committee.
- (2) That consequential on (1) above, the scheme of delegated powers to Committees and Sub-Committees be amended for the Leaders' Panel by the deletion of the words "To exercise the powers of the Council where urgency exists". (HAMS)

255 CORPORATE CONSULTATION STRATEGY

Council considered the report of the Chief Executive which set out a proposed corporate consultation strategy.

Responding to Member questions on proposals for purchase of a mobile exhibition unit, the Chief Executive indicated that:-

- Costs would, wherever possible, be recovered on a project by project basis.
- Whilst the District Council would have priority usage, the unit could be loaned out to other organisations/partners.
- It should be possible to take delivery of an exhibition unit within three months of order although, given the need to obtain tenders, it would be appropriate to report into the Member Budget Monitoring Working Group should costs exceed budget provision.

Resolved

- (1) That the Corporate Consultation Strategy document as set out in the report of the Chief Executive be agreed.
- (2) That the purchase of a mobile exhibition unit be agreed in principle at a cost not exceeding £18,000. Officers to endeavour to acquire the vehicle within a three-month period with the outcome of the tendering process reported to the Member Budget Monitoring Working Group if the possible cost exceeds the budget provision. (CE)

256 NOISE FROM SHOEBURY RANGES – LETTER FROM TENDRING DISTRICT COUNCIL

Council considered the report of the Head of Corporate Policy & Initiatives on a request from Tendring District Council seeking this Council's support for the cessation of destructive explosions on the Shoebury Ranges.

Resolved

That Tendring District Council be informed that this Council is not persuaded to support their action to seek the immediate cessation of destructive explosions on the Shoebury Ranges on the basis set out in the report. (HCPI)

257 NATIONAL NON-DOMESTIC RATING DISCRETIONARY RATE RELIEF

The Finance & General Purposes Committee had referred the application for Discretionary Rate Relief from Rochford Hundred Rugby Football Club to Full Council to enable provision of full accounts. Council considered the report of the Head of Revenue and Housing Management providing additional detail on the Rugby Club Accounts.

During debate, some Members felt that the application should be refused given that the Rugby Club had obtained planning permission to enlarge its premises which would lead to a higher rate bill and that, given financial resources, it had not been possible to grant support a number of worthy organisations. Other Members referred to the contribution which the club had made to the community and to the lives of young people.

Responding to Member questions, the Head of Financial services advised that the Officer recommendation for approval was based on accounts and the Council's current policy.

A Motion moved by Councillor Mrs J M Giles and seconded by Councillor Mrs J Helson that the application be refused was lost on a show of hands. On a Motion moved by Councillor P F A Webster and seconded by Councillor G Fox, it was:-

Resolved

That a decision on the Rochford Hundred Rugby Club application be held in abeyance pending a review of Rate Relief policy by the Council's Corporate Resources Sub-Committee in the next Cycle of Meetings. (HRHM)

258 UK YOUTH PARLIAMENT

The Finance and General Purposes Committee had referred the possibility of supporting the formation of a Youth Parliament to Full Council to enable the provision of further information on the financial aspects. Council considered the report of the Head of Administrative and Member Services providing additional information on Youth Parliament proposals and a recent letter from the Project Development Manager.

Responding to Member questions, the Head of Administrative and Member Services advised that proposed Youth Parliament constituencies would match local Education Authority boundaries and it was likely that more than one place would be available for larger authorities such as Essex.

The Chief Executive advised that, in terms of district initiatives aimed at supporting democracy, Officers were investigating the possibility of introducing regular citizenship debates along the lines of that organised by the Council last year. It would be possible for young people to be asked at a future gathering to nominate a candidate who might be put forward for election to the new Youth Parliament. Any sponsorship funding offered by this Council for a member of the Youth Parliament could then be conditional on the Rochford nominee securing election.

On a Motion moved by Councillor D R Helson and seconded by Councillor G Fox it was:-

Resolved

That a grant of up to £150 be made towards the appointment of a delegate to the UK Youth Parliament, subject to the delegate being from one of the local senior schools which had contributed to the Council's citizenship debate. (HAMS)

259 APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

The Finance and General Purposes Committee had referred the appointment of representatives to outstanding Outside Bodies to Full Council to enable submission of nominations from all the Group Leaders. Council considered the report of the Head of Administrative and Member Services which detailed the nominations received and possible terms of office.

Notwithstanding that the appointments made at Extraordinary Council on 28 June 2000 would attract both attendance and travel allowance, Members felt that it would be more appropriate for future appointments to be on the basis of appointees being able to claim travel and subsistence allowance only.

Resolved

- (1) That appointments to the remaining Outside Bodies be as set out in the appendix to these Minutes.
- (2) That the appointments be for the Municipal Years 2000/2001 and 2001/2002.
- (3) That attendance at Outside Bodies attract travel and subsistence allowance, but not attendance allowance.
- (4) That authority be delegated to the Chief Executive to nominate to the Association of Essex Council's Health Forum at the appropriate time, in consultation with Group Leaders. (HAMS)

260 ALBERT JONES COURT, RAYLEIGH

Note: The Chairman admitted this item of business as urgent in view of information just received from the County Council indicating that, contrary to earlier advice, the closure of Albert Jones Court elderly persons accommodation was imminent.

The Chief Executive referred Members to correspondence dated 25 July 2000 from the Director of Essex Social Services which indicated that, after completing enquiries into a bid which had been received from Strathmore Care for the running of Albert Jones Court, the County had decided to commence consultation on a proposal to close the home in view of the pressing need to address premises deficits against the Essex Residential Homes Policy requirements.

In expressing their concern that closure was now imminent, Members made the following observations:-

- There is specific concern about the potential plight of current residents, many of whom do not have the support of an extended family.
- Albert Jones Court appeared to have been subjected to years of resourcing neglect.
- Closure would leave only one Local Authority elderly persons home within the whole of the District.
- It might be appropriate to urge the County Council to consider some form of partnership approach with another Authority or elderly persons home.
- The County Council should be asked to provide written confirmation that Swayne Court, Rayleigh, will remain open for the foreseeable future.
- It was understood that the Albert Jones site was covenanted for elderly persons accommodation.
- This case highlighted the value of the District investigating potential long term relationships with the County beyond a consultative role in line with that in place for highway matters.
- If Albert Jones Court was likely to become an empty building it should perhaps be allowed to run down naturally. As one of a number of County assets within the District it needs to be properly managed.
- The closure process appears to be much quicker than that indicated by consultation.

On a motion moved by Cllr D M Ford and seconded by Cllr G Fox it was:-

Resolved

That, in view of the District's serious concerns about this matter, a meeting of Extraordinary Council be convened to which the appropriate senior Officers from the County Council and County Council Members (including the appropriate portfolio holders and Social Services Committee Members) be invited. (CE)

261 INVITE TO MEETINGS AT COUNTY COUNCIL

Note: The Chairman admitted this item of business as urgent in view of the short timescales involved for determining appointments.

The Chief Executive reported that invitations had now been received from the County Council for attendees at:-

- a meeting of the County's Environmental Select Committee on 3 August dealing with the future of revenue support for bus services and community transport.
- a meeting on 7 September the subject of which was to determine steps which the County Council could take as the Waste Disposal Authority to make Essex a safer place.

Resolved

- (1) That the Chairman and Vice Chairman of the Transportation and Environmental Services Committee together with an appropriate Officer attend the meeting on 3 August.
- (2) That Cllrs R Adams, R S Allen, G Fox, A Hosking, V H Leach and G A Mockford be nominated to attend the meeting on 7 September as Member representatives on behalf of the District Council. (CE)

The Meeting closed at 10.44pm

Chairman

Date