

Council – 25 February 2014

Minutes of the meeting of **Council** held on **25 February 2014** when there were present:-

Chairman: Cllr Mrs B J Wilkins

Cllr Mrs P Aves	Cllr K H Hudson
Cllr C I Black	Cllr Mrs G A Lucas-Gill
Cllr Mrs L A Butcher	Cllr C J Lumley
Cllr P A Capon	Cllr M Maddocks
Cllr M R Carter	Cllr Mrs C M Mason
Cllr J P Cottis	Cllr J R F Mason
Cllr T G Cutmore	Cllr D Merrick
Cllr R R Dray	Cllr Mrs J A Mockford
Cllr Mrs H L A Glynn	Cllr T E Mountain
Cllr T E Goodwin	Cllr Mrs C E Roe
Cllr K J Gordon	Cllr C G Seagers
Cllr J E Grey	Cllr S P Smith
Cllr J D Griffin	Cllr D J Sperring
Cllr Mrs A V Hale	Cllr M J Steptoe
Cllr B T Hazlewood	Cllr I H Ward
Cllr Mrs D Hoy	Cllr Mrs C A Weston
Cllr M Hoy	

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs T J Capon, Mrs J R Lumley, R A Oatham, Mrs J E McPherson and Mrs M J Webster.

OFFICERS PRESENT

A Dave	– Chief Executive
Y Woodward	– Head of Finance
S Fowler	– Head of Information and Customer Services
S Scrutton	– Head of Planning and Transportation
N Khan	– Principal Solicitor
J Bostock	– Member Services Manager

ALSO PRESENT

Representing the Boundary Commission:-

Sir Tony Redmond (Lead Commissioner)
Tim Bowden (Review Manager)
Heather Fuller (Review Assistant)

22 MINUTES

The minutes of the meeting held on 17 December 2013 and the Extraordinary meetings held on 28 January and 18 February 2014 were approved as correct records and signed by the Chairman subject to:-

- (a) The following adjustments to the minutes of 28 January 2014:-
- Replacing the words 'it would be almost three years before the proposed parking charges come on stream' at the end of the third paragraph under Minute 1 with the words 'It had been almost three years since parking charges had last been raised'.
 - Identifying Cllr R R Dray as having abstained from the first vote under minute 1.
- (b) The inclusion of apologies for absence from Cllr D Merrick in the Minutes of 18 February 2014.

23 DECLARATIONS OF INTEREST

Cllrs R R Dray, C J Lumley, Mrs C E Roe, D J Sperring and I H Ward each declared a non-pecuniary interest in agenda item 11, motion on notice, by virtue of membership of Rayleigh Town Council.

Cllrs D Hoy and I H Ward each declared a non-pecuniary interest in agenda item 11, motion on notice, by virtue of membership of the Rayleigh Chamber Trade.

Cllr J P Cottis declared an other pecuniary interest in agenda item 15, adoption of the Allocations Document, by virtue of family landholdings and left the meeting for this item, taking no part in its consideration.

24 ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman was pleased to receive a Bible, presented by Mr Gareth Evans on behalf of Gideons International.

The Chairman reported on the various civic and other events attended since the last Council meeting and confirmed arrangements for the forthcoming Civic Dinner. Reference was made to District residents who had been recognised in the Queen's New Year's Honours List and to a number of entries having been received for the Council's Citizen of the Year Awards.

25 ADOPTION OF THE ALLOCATIONS DOCUMENT

Council considered the report of the Head of Planning and Transportation on adopting the Allocations Document to form part of the Development Plan for the Rochford District.

The Leader of the Liberal Democrat Group, Cllr C I Black, made reference to the Allocations Document needing to be seen in the context of the Council's objectives and values, as set out on the second page of the meeting Agenda. The Rochford Core Strategy was the overall key document. The Allocations Document did not adequately address known issues associated with subjects such as flooding in Hullbridge and the Rayleigh Sports and Social Club. Community benefit aspects were relatively light in the context of what had been achieved with previous projects such as Sweyne Park and the Cherry Orchard Jubilee Country Park. As far as Cllr Black was aware, there had been no public meetings on the Allocations Document.

The Leader of the Rochford Residents Group, Cllr J R F Mason, referred to the Council having already given approval to over one thousand houses without an Allocations Document in place. The value of the Document was questionable and it could be argued that it would be appropriate for the Council to hold a face to face public forum to enable residents to have their questions answered, particularly in respect of concerns about flooding and District infrastructure. It would be inappropriate to adopt the Document if residents had material concerns.

The Leader of the Green Group, Cllr M Hoy, observed that addressing residents' concerns should be seen as fundamental. Notwithstanding the Inspector's Report, it was felt that appropriate weighting had not been given to some of the evidence and that the document in its current form did not serve the best interests of the District.

The Leader of the Council, Cllr T G Cutmore, quoted paragraph 7.1 of the officer's report setting out the risk implications of failure to have an Allocations Document in place, which included the Council being vulnerable to planning applications for development on unsuitable sites and/or of an appropriate form. The intention was for development plans to be spread as evenly as possible throughout the District in a fair and equitable way. Public meetings had been held in many parts of the District.

On a show of hands it was:-

Resolved

That the Allocations Document, as attached to the officer report, be adopted as a Development Plan Document. (HPT)

Note: Cllrs C I Black, Mrs D Hoy, M Hoy, C J Lumley, Mrs C M Mason and J R F Mason wished to be recorded as having voted against the above decision. Cllr Mrs A V Hale wished to be recorded as having abstained.

26 HOCKLEY AREA ACTION PLAN

Council considered the report of the Head of Planning and Transportation on adopting the Hockley Area Action Plan.

The Leader of the Rochford Residents Group, Cllr J R F Mason, observed that amendments by the Inspector were about giving priority to smaller shops or the expansion of existing stores. The Leader of the Green Group, Cllr M Hoy, referred to apparent disparity between paragraph 3.5 and 3.6 of the report. Paragraph 3.5 suggested that higher levels of intervention would not retain the important element of character retention. Paragraph 3.6 suggested that medium and high intervention would have the strongest positive effects for communities and the economy. There was a concern that the plan did not reflect what resident wanted.

On a show of hands it was:-

Resolved

That the Hockley Area Action Plan, as attached to the report, be adopted.
(HPT)

27 MOTION ON NOTICE – SATURDAY AFTERNOON PARKING CHARGES

Pursuant to Council Procedure Rule 16.1, the following motion had been received from Cllrs T E Mountain; D J Sperring; Mrs C E Roe; I H Ward; R R Dray; Mrs P Aves; Mrs A V Hale and J D Griffin:-

‘That the words ‘and parking charges be introduced for the period 1.00 pm to 7.00 pm on Saturdays’ be removed from the first resolution under Minute 1 of the Extraordinary Council meeting held on 28 January 2014. The resolution should state ‘That the Council’s parking tariff be increased as set out in the MTFs report.’

The motion was moved by Cllr T E Mountain and seconded by Cllr D J Sperring.

In presenting the motion, Cllr T E Mountain referred to the Council’s responsibility to ensure its financial wellbeing now and into the future. It could be recognised that tough decisions had to be made and all options explored to safeguard finances. Car parking charges had been part of discussions at the last Member Budget Awayday, from which Cllr Mountain had been given to understand the questions of increasing parking tariffs and introducing charges for Saturday afternoons would be considered separately and not be linked propositions, as was the case by the time of their consideration at the Council meeting on 28 January 2014. Prior to the 28 January many Members had been advised that the local Chamber of Trade was broadly in agreement with increases in the parking tariff and the introduction of a charge on Saturday afternoons. More recently, correspondence from the President of the Rayleigh and District Chamber of Trade indicated that, whilst the Chambers had accepted that car parking charges were under review, the maintaining of free Saturday afternoon parking was considered important. Notwithstanding this, it was clear from the last Council meeting that a number of Members were concerned at the decision made to introduce Saturday afternoon charges. In percentage terms, 56.25% of Members did not vote in favour of

the recommendation on parking charges presented to the meeting. Had there not been a whip in place in the Conservative Administration, it could be seen as likely that the decision would not have been made. In having high representation on the Council, the Administration had a role in ensuring decisions were open and transparent and the result of a thorough examination of all options supported by the majority of Members. Parking charges were of great importance to many shoppers and shopkeepers. The Core Strategy identified Rayleigh as the principal centre in the District. In accordance with the Core Strategy the Council should be incentivising and encouraging people into the principal shopping area by offering a competitive edge rather than discouraging them. If residents began to resist car park charges and shop elsewhere, car parks would not raise the suggested sums. In a worse case scenario, if retail outlets started to close down, the Council would lose income from business rates. It would be appropriate for the Council to consider bigger picture options to bridge a significant gap, rather than short-term ones.

Observations made in support of the motion included that:-

- A number of Members had been heavily lobbied by Rayleigh residents and shopkeepers. Residents in Hockley and other areas had also expressed concern. There had been indications that residents would be more likely to consider shopping in, say, Basildon if an afternoon charge was introduced. Basildon Borough Council extolled the virtues of free car parking.
- The introduction of Saturday afternoon parking did not accord with findings associated with both the Portas and Grimsey reports, which were about bringing businesses together through constructive forums and appropriate customer incentivising.
- A spot check undertaken by one Member had indicated that, for some businesses, Saturday afternoons represented 30% of annual turnover. For others, it could be as much as 60%.
- The Governor of the Bank of England had recognised how charges of this nature could be detrimental to a gradual economic recovery.
- A charge may change shopping habits, with residents shopping outside the District. In some circumstances, any loss of trade can take a number of years to recover.
- The introduction of Saturday afternoon charges had not been a feature of the work and decisions of either the Review Committee or the Executive when they had considered the car parking tariff. During its work on car parking charges the Review Committee had established that, if account is taken of the cost of living, an increase or introduction of charging may not necessarily equate to a significant income. It had also been recognised that drivers may look to park vehicles in side roads to avoid a charge.

- Whilst the foregoing of Saturday afternoon charges may introduce a funding gap in the region of £60,000-£63,000, this could be met if the District Council looked to Essex County Council to fully fund verge cutting, rather than expecting the District to cover a shortfall of £65,000. A funding gap may also be met through the re-allocation of Innovation Fund monies.
- Businesses had suffered in recent years, particularly through loss of trade associated with significant town centre gas works.
- Whilst the Websters Way car park in Rayleigh saw high parking levels on Saturday mornings, this could be associated with users of the nearby football pitch.

Observations made against the motion included that:-

- The Council's Budget Awaydays were inclusive of all Members.
- The Council's car park charging arrangements had supported local businesses for over thirty years, with associated Council subsidy representing approximately £65,000 per annum.
- Rayleigh had a thriving nightlife. There was no charge after 7.00 pm in car parks.
- Parking usage on Saturday mornings, when there is a charge, was slightly higher than on Saturday afternoons.
- The use of trader discounts by residents through the 'Shop at my Local' Scheme can mean that residents recover the cost of car parking. Over one thousand residents had already signed up to the Scheme.
- Whilst the Authority had a balanced budget, it would be looking to bridge a drop in Government funding representing 40%.
- Residents were valued. In terms of the quality of life, Rochford District consistently made the top of County-wide surveys.
- The Portfolio Holder for Economic Development, Regeneration, Business Liaison and Tourism had lobbied the County Council over a period of time to fully fund verge cutting. No Borough/District Council within Essex had achieved full funding.
- The Innovation Fund would, in part, be about supporting businesses.
- It would create an additional funding gap of £60,000 associated with this financial year which would double to £120,000 in the next. The Council was already looking at a shortfall of £500,000 in 2015/16.
- When setting charges, the Council always looked to be as innovative as possible in the interests of residents. Whilst it could be accepted that any

increase or introduction of parking charges would have implications, the Council's charges were competitive compared to those of Southend Borough Council and were in line with those of many other Authorities.

- The Council's car parking charges were relatively small in the context of the overall costs of running a vehicle.

Pursuant to Statutory Instrument 165 of 2014, a recorded vote was taken on the motion as follows:-

For (14) Cllrs Mrs P Aves; C I Black; R R Dray; J D Griffin;
Mrs A V Hale; Mrs D Hoy; M Hoy; C J Lumley;
Mrs C M Mason; J R F Mason; T E Mountain; Mrs C E Roe;
D J Sperring; I H Ward

Against (19) Cllrs Mrs L A Butcher; P A Capon; M R Carter; J P Cottis;
T G Cutmore; Mrs H L A Glynn; T E Goodwin; K J Gordon;
J E Grey; B T Hazlewood; K H Hudson; Mrs G A Lucas-Gill;
D Merrick; Mrs J A Mockford; C G Seagers; S P Smith;
M J Steptoe; Mrs C A Weston; Mrs B J Wilkins

Abstain (0)

The motion was declared lost.

28 ELECTORAL REVIEW OF ROCHFORD DISTRICT COUNCIL – PRESENTATION

Members received a presentation from the representatives of the Local Government Boundary Commission for England on the electoral review of Rochford District Council. The presentation covered what would be taken into account by the Commission in undertaking the review and how Council representations should address electoral equality for voters, community interests and identities and convenient and effective local government. Detail was provided on the various stages of the review and associated timeframes.

Responding to questions, the representatives advised that:-

- The Council would be given every possible opportunity to contribute to the review, which related to District Wards only.
- Identity was about the coherence of community and could, potentially, include bus routes.
- The Commission sometimes found that roads formed boundaries in themselves. Also, by their nature, either side of a road may form part of a separate Ward.
- The Commission would be looking for equality across the District as a whole using a well established formula.

- Whilst the Council could choose to prompt what is known as an area boundary review if a property falling, say, within the District boundary could only be accessed via roads within the Southend-on-Sea Borough area, such a review would have to be approved by the Secretary of State who would expect the full support of the District Council, Southend-on-Sea Borough Council and Essex County Council
- Generally speaking, existing Parish/Town Council boundaries were recognised as forming important building blocks, although, in some cases, they could be difficult to sustain.

The Chairman and Members thanked the Boundary Commission representatives for attending the meeting.

29 MINUTES OF EXECUTIVE AND COMMITTEE MEETINGS

Council received the minutes of Executive and Committee meetings held between 7 December 2013 to 14 February 2014.

30 REPORT FROM THE EXECUTIVE

Council considered the report of the Executive containing a recommendation relating to a Social Media Policy.

Resolved

That the Social Media Policy and associated Member Guidance Note, as attached to the Report of the Executive, be agreed. (CE)

31 REPORT ON URGENT DECISIONS

Pursuant to Overview and Scrutiny Procedure Rule 15(f), Council noted a report on decisions that had been taken as a matter of urgency and not subject to call-in/referral.

32 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 of 2014 and I would like to welcome all to the meeting.

I am delighted to announce that:-

- According to an Essex Tracker survey, 75.4% of Rochford Residents are satisfied with the way the Council runs things – this is the highest in Essex.
- We have achieved a Bronze Award for Payroll Giving.

- We will be providing payroll services for the elections to Brentwood Borough Council.
- The Council has successfully retained its Charter status for Elected Member Training and Development.
- Two local residents have been recognised in the Queen's New Year's Honours List – Myra Weir (a Hawkwell Parish Councillor and former Rochford District Councillor) was awarded the British Empire Medal for services to the Rochford Day Centre and the communities of Rochford and Hawkwell and Lucy Hodges (the District's Sports Personality of the Year in 2010) received the award of Member of the British Empire for services to blind sailing.

We remain on course to meet the 2013/14 budget targets we have set ourselves, including delivery of the £420,000 target for cost reductions. Our services continue to deliver, despite the fact that we have got fewer grants to spend, with compliments still exceeding complaints.

Since my last Leader's report into Council, the Executive has met on one occasion. Earlier this month we considered:-

- The Key Performance Indicators on projects and management of the Council.
- The Quarter 3 Financial Management.
- The Social Media Policy, an earlier item on tonight's agenda.

My colleagues and I on the Executive have also been dealing with matters such as:-

- A Business Summit where we wish to engage even more with all businesses to understand their needs going forward.
- Engaging with the RSPB on Wallasea Island.
- Working with Essex County Council on key flooding initiatives and infrastructure projects.

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."

Responding to a question on the Essex Tracker Survey the Leader confirmed that, as the Survey had been externally facilitated, the total number of participants was not to hand.

33 SETTING THE COUNCIL TAX FOR 2014/15

Council considered the report of the Head of Finance seeking authorisation to set the Rochford District Council Tax for the year 2014/15.

The Leader of the Green Group, Cllr M Hoy, indicated that he would be voting against the report recommendations as they included the District Council's own Tax rate and he had the same concerns expressed at the budget setting meeting of Council held on 28 January 2014.

Pursuant to Statutory Instrument 165 of 2014, a recorded vote was taken on the recommendations as follows:-

For (31) Cllrs P Aves; C I Black; Mrs L A Butcher; M R Carter; J P Cottis; T G Cutmore; R R Dray; Mrs H L A Glynn; T E Goodwin; K J Gordon; J E Grey; J D Griffin; Mrs A V Hale; B T Hazlewood; K H Hudson; Mrs G A Lucas-Gill; C J Lumley; M Maddocks; Mrs C M Mason; J R F Mason; D Merrick; Mrs J A Mockford; T E Mountain; Mrs C E Roe; C G Seagers; S P Smith; D J Sperring; M J Steptoe; I H Ward; Mrs C A Weston; Mrs B J Wilkins

Against (2) Cllrs Mrs D Hoy; M Hoy

Abstain (0)

The recommendations were declared carried and it was:-

Resolved

- (1) That the Council Tax requirement for the Council's own purposes for 2014/15 (excluding Parish and Town precepts) is £6,125,852.
- (2) That the total for gross expenditure of the District together with the Parish and Town precepts be £34,308,566.
- (3) That the total of income for the District Council be £27,016,180.
- (4) That the Council Tax requirement of the District Council together with the Parish and Town Councils be £7,292,023.
- (5) That the basic amount of Council Tax (including Parish and Town Precepts) be £248.76 for the year. This being the Council Tax requirement £7,292,023 divided by the Council Tax base 29,313.2.
- (6) That the total of the sums payable into the general fund in respect of redistributed Business rates and Government grant, including New Homes Bonus and adjustments from the collection fund, be £4,278,122.

- (7) That the total of Parish and Town precepts included within the above is £1,166,171.
- (8) That the basic rate of Council Tax relating to the District Council without Parish and Town precepts is £208.98 which is a 1.89% increase.
- (9) That the total tax for both District and Parishes be as set out in the schedule which is included as Appendix B of the report. These sums are calculated 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.
- (10) That the sums given for Band D but now shown in the particular valuations bands A-H are set out in the schedule shown as Appendix C of the report.
- (11) That the precepts issued to the Council in respect of Essex County Council, Essex Fire and Rescue Authority and Essex Police Authority for each valuation band A-H are as set out in the schedule shown as Appendix D of the report.
- (12) That the total Council Tax for the area for each valuation band A-H is as set out in Appendix E of the report. These are the amounts set as Council Tax for the year 2014/15. (HF)

34 TREASURY MANAGEMENT STRATEGY STATEMENT, ANNUAL INVESTMENT STRATEGY AND MINIMUM REVENUE PROVISION POLICY STATEMENT 2014/15

Members considered the report of the Head of Finance on the Council's Treasury Management Strategy for borrowing and investment.

Resolved

- (1) That the Treasury Management Strategy Statement and Annual Investment Strategy including the investments instruments, indicators, limits and delegations contained within the report, be agreed.
- (2) That the Capital Expenditure Forecasts, as set out within the report, be agreed.
- (3) That the Minimum Revenue Provision Policy for 2014/15, as set out within the report, be agreed.
- (4) That the Authorised Limit and Operational Boundary for external debt, as laid down in the report, be agreed. (HF)

35 FORUM FOR SURFACE WATER FLOODING ISSUES

Note: Cllr T G Cutmore declared a non-pecuniary interest in this item by virtue of being an Essex County Councillor.

Council considered the report of the Head of Planning and Transportation proposing arrangements in relation to a Forum for considering surface water flooding issues.

Responding to questions, the Head of Planning and Transportation advised that there was no particular reason why the public could not be invited to attend meetings of the proposed Advisory Group and that decisions on community infrastructure levies would be a matter for the Council in due course.

The Leader of the Rochford Residents Group, Cllr J R F Mason, advised that he was supportive of arrangements on the basis that the approach of the Council would not be about subsidising landowners and responsible authorities, but looking to ensure that residents are served as well as possible by those responsible, as confirmed at the Extraordinary Council Meeting held on 28 January 2014.

It was proposed that, given the cross divisional responsibilities falling under his remit, it would be appropriate for the proposed Advisory Group to be led by the Leader of the Council, with the Deputy Leader deputising.

The Leader confirmed that consideration would be given to the views of the Town and Parish Councils and residents. There were known areas where surface water flooding needed to be addressed as soon as possible.

On a motion, moved by Cllr K H Hudson and seconded by Cllr M Maddocks, it was:-

Resolved

That a Portfolio Holder Advisory Group on surface water flooding issues be convened with the terms of reference set out in the report. The Group to be led by the Leader of the Council with the Deputy Leader deputising. (HPT)

36 DATE OF ANNUAL COUNCIL MEETING

Resolved

That the Annual Council Meeting be held on Tuesday 3 June 2014 to provide for the revised election date. (HLEMS)

The meeting closed at 9.38 pm.

Chairman

Date

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