



ORDINARY MEETING OF THE COUNCIL WEDNESDAY 10TH DECEMBER 2014

Book 4 - 2014/2015

Council Enquiries – Ann Horgan, Ext. 2413

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Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200
Fax No: 01268 882455



David Merchant LLB (Hons) BSc (Hons) CEng FICE FCMI
Chief Executive

A **MEETING OF THE COUNCIL** of the Borough of Castle Point will be held in the Council Chamber, Council Offices, Kiln Road, Thundersley, on **WEDNESDAY, 10TH DECEMBER, 2014** at **7.30 p.m.**, and all Members of the Council, listed below, are hereby summoned to attend to transact the undermentioned business.

Councillors Mrs J.E.E.Govier (The Worshipful the Mayor), A.G.Sheldon, (Deputy Mayor), A.J .Acott, J. Anderson, L.J. Barrett, A.J.Bayley, D.A. Blackwell, P.M. Burch B.Campagna, S.Cole ,D.T. Cross, W.J.C. Dick, Mrs B. Egan, E. Egan, Mrs W. Goodwin, P.C. Greig, S.Hart , N.R. Harvey, R.C. Howard, J. Hudson, R.Hurrell, G.I. Isaacs, Mrs.J.King, N.E.Ladzrie, C.W. Letchford, P.J. May, B.A.Palmer, J.A.Payne, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, T.F. Skipp, N.G. Smith, J.A. Stanley, M.J.A. Tucker, P.E.Varker, A.C.Walter, Mrs L. Wass, Mrs G. Watson N. Watson and B.S.Wood.

Chief Executive

AGENDA

PART I **(Business to be taken in public)**

Before commencing the business of the meeting, prayers will be offered by the Chaplain.

1. Apologies for absence

2. Members' Interests

3. Minutes

To receive the Minutes of the meeting of the Ordinary Council held on 24th September 2014.

4. Mayor's Announcements

The Mayor will report at the meeting.

5. **Questions from members of the public of which Notice has been received**
None have been received.
6. **Questions from Members of the Council of which Notice has been received**
A question has been received from Councillor Bayley and is attached.
7. **To deal with any business from the last Council Meeting**
At the meeting of the Council on 24.9.2014 two notices of Motion were adjourned without discussion to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied. The Cabinet meeting on the 19.11.2014 considered reports on the budget implications of the Motions. Reports are attached.
8. **Any explanations for urgent decisions taken by Cabinet**
There are none.
9. **Any References from the Scrutiny/Policy and Scrutiny or Regulatory Committees**
The Scrutiny Committee is to meet on 8.12.2014 to consider its findings on the Review of Flooding in the Borough. The Chairman of Scrutiny will report at the meeting.
10. **Consideration of recommendations from Cabinet: Local Council Tax Support Scheme 2015/16** – For approval a report is attached.
11. **Review of Polling Arrangements**
Council is asked to consider the attached report from the Acting Returning Officer.
12. **Review of Political Proportions of the Council and Appointment to Committees etc**
Council is asked to consider the attached report.
13. **Report from the Leader of the Council**
The Leader is to report at the meeting.
14. **Notices of Motion**
See attached report.
15. **Petitions submitted by Members of the Council of which Notice has been given.**



ORDINARY COUNCIL MINUTES

24TH SEPTEMBER 2014

MINUTES of the Ordinary Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley on 24th September 2014.

PRESENT:

Councillors Mrs J.E.E.Govier (The Worshipful the Mayor), A.G.Sheldon,(Deputy Mayor), A. Acott, J. Anderson, L.J.Barrett, A.J.Bayley, D.A. Blackwell, P.M. Burch B.Campagna, S.Cole , W.J.C. Dick, Mrs B. Egan, E. Egan, Mrs W. Goodwin, P.C. Greig, S.Hart, N.R. Harvey R.C.Howard, J.Hudson,R.Hurrell, G.I. Isaacs Mrs.J.King, N.E.Ladzrie, P.J.May, B.A.Palmer, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, T.F. Skipp, N.G. Smith, J.A. Stanley M.J.A. Tucker, A.C.Walter, Mrs L. Wass, Mrs G. Watson N. Watson and B.S.Wood

Apologies for absence were received from Councillors D.T. Cross and P.E.Varker.

33. MEMBERS' INTERESTS

There were none.

With the consent of the Mayor Councillor Sheldon made a public apology to Councillor Bayley for derogatory remarks about Councillor Bayley made by Councillor Sheldon in a personal email which was circulated to a wider group of recipients in error. Councillor Sheldon also apologised to the Mayor and Council for his actions.

The apology was not acceptable to Councillor Bayley who felt that the apology was for the error in sending the email.

34. MINUTES

The Minutes of the meeting of the Ordinary Council held on 23rd July 2014 were taken as read and signed by the Mayor as a correct record.

35. MAYOR'S ANNOUNCEMENTS

Under this item the Mayor presented two awards from the Benfleet Camera Club to Councillor Blackwell who had been unable to attend their recent awards evening to receive the awards from the Mayor.

36. PRESENTATION – ESSEX CRIMESTOPPERS

Ken Wickham of Essex Crime Stoppers Board gave presentation on the work of the organisation which had been operating for the past 27 years.

37. QUESTIONS FROM MEMBERS OF THE PUBLIC OF WHICH NOTICE HAD BEEN RECEIVED

There were none.

38. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING - NOTICE OF MOTION: ATHLETICS TRACK WATERSIDE FARM

At the Ordinary Council meeting the following Motion was adjourned without debate to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

“We, the Canvey Island Independent Party Councillors would propose that this Council put back into working order the running track behind Waterside Farm, for the benefit of all residents and running clubs, in Castle Point. This would enable the Council to make good its promise to put in place facilities to help residents keep fit in order to raise the health and well being in the Borough”.

The Cabinet meeting on 20.8.2014 considered a report a copy of which was attached for Council’s consideration.

The Cabinet considered data surrounding athletics provision, needs analysis and costs regarding the athletics track at Waterside Farm Leisure Centre.

Cabinet noted that work had already been carried out to ensure that the track was available for informal use by the community for training purposes and this would continue.

The data concerning athletics provision, needs analysis and costs did not support the provision of an up to date facility.

Cabinet recommended to Council

1. To note the data surrounding athletics provision, needs analysis and cost and
2. That the works already carried out on the running track are satisfactory for the needs of the Borough and that the track will continue to be monitored.

Debate took place on the Notice of Motion in the light of the recommendations from Cabinet. At the conclusion five members of the Council requested under Council Procedure Rule 16.4 that voting on the Motion be recorded .The Councillors present voted as follows:

For: Councillors Acott, Anderson, Barrett, Bayley, Blackwell, Campagna, Cole, Greig , Harvey, Mrs King , May, Palmer , Mrs. Payne , Tucker , N.Watson, Mrs. Watson.(16)

Against: Councillor Burch, Dick, Mrs Egan, E.Egan,Mrs Goodwin, Mrs. Govier , Hart, Howard , Hudson, Hurrell, Isaacs, Ladzrie, Partridge, Riley, Sharp, Sheldon, Skipp, Smith Stanley, Walter, Mrs Wass, Wood. (22)

Abstained: None.

The Motion was LOST.

**39. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING -
NOTICE OF MOTION: ABOLITION OF PARKING CHARGES OAK ROAD
CAR PARK**

At the Ordinary Council meeting the following Motion was adjourned without debate to enable Cabinet to consider whether it wishes to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

“The Canvey Independent Party calls upon this administration to help local businesses at the Furtherwick Road Shopping Centre by abolishing the Oak Road car park charges”.

The Cabinet meeting on 20.8.2014 considered a report a copy of which was attached for Council’s consideration.

Parking charges were introduced following a comprehensive review of Council operated car parks by the Policy and Scrutiny Committee (formerly the Policy Development Committee) and endorsement of the new charges and waiting restrictions by Cabinet.

To ensure that car parks were used for their intended purpose and to ensure a consistent charging regime was in place across the Borough, three hour waiting restrictions apply (no return within two hours) in all short stay town centre car parks along with a charge of 40p for up to 1 hour, 80p up to 2 hours and £1.50 for up to 3 hours parking between specified times during weekdays. Parking at weekends is free.

Free off street car parking provision remained in each of the main shopping areas, i.e. Hadleigh (Homestead), Thundersley (Hart Road), Benfleet (Richmond Avenue) and Canvey (The Paddocks).

It was agreed that £240k of reserves would be used in order to avoid any delay in starting the much needed refurbishment programme. The long standing drainage issues at Oak Road car park had been resolved and both Oak Road and Richmond Hall car park had been resurfaced, at a cost of £143K. Phase 2 of the car parks improvement programme would commence shortly.

Cabinet was mindful that the upgrading of the chargeable car parks and increased maintenance budgets were agreed on the basis that these would be funded in the longer term by the additional income secured through the introduction of the new charges.

The impact of the new charges had been closely monitored and to date there had been no significant problems as a consequence of displacement parking.

Cabinet noted that there was a charge for the car park in Canvey Town Centre operated by the Knightswick Centre.

Cabinet recommended to Council:

To note the contents of this report and that no change should be made to the charges structure for this car park.

Debate took place on the Notice of Motion in the light of the recommendations from Cabinet. Members were advised that a review of the car parking regime was to take place later in the year. At the conclusion five members of the Council requested under Council Procedure Rule 16.4 that voting on the Motion be recorded .The Councillors present voted as follows:

For: Councillors Acott, Anderson, Barrett, Bayley, Blackwell, Campagna, Cole, Greig , Harvey, Hudson, Hurrell, Mrs King , May, Palmer , Mrs. Payne , Tucker , N.Watson, Mrs. Watson.(18)

Against: Councillor Burch, Dick, Mrs Egan, E.Egan,Mrs Goodwin, Mrs. Govier , Hart, Howard , Isaacs, Ladzrie, Partridge, Riley, Sharp, Sheldon, Skipp, Smith Stanley, Walter, Mrs Wass, Wood. (20)

Abstained: None.

The Motion was LOST.

40. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

41. ANY REFERENCES FROM THE POLICY & SCRUTINY COMMITTEES /REGULATORY COMMITTEES

There were none.

42. CONSIDERATION OF RECOMMENDATIONS FROM THE CABINET

Dealt with under Minutes 38 and 39.

43. FINANCIAL RESULTS AND STATEMENT OF ACCOUNTS 2013/2014

The Council considered a report containing the financial out-turn results and audited Statement of Accounts for approval by Council.

The Statement of Accounts had been prepared in accordance with the Accounts and Audit Regulations 2011 and the Code of Practice on Local Authority Accounting in the United Kingdom 2013/14 and associated guidance.

Council's attention was drawn to a statutory change to accounting policies impacting on the 2013/14 accounts relating to the accounting and disclosure requirements for post –employment benefits which required the Council to

restate relevant amounts for 2012/13 from those published last year. Full details were set out in the Accounts. The Accounts also reflected the implementation of the new Business Rates Retention Scheme and Local Council Tax Support Scheme arrangements on 1st April 2013.

The accounts had been audited by the Council's External Auditors BDO LLP and had been available for public inspection.

In order to ensure that the accounts were subject to robust scrutiny additional guidance had been produced. This included at Annex A to the report a high level interpretation of the accounts including explanations of account variances. Annex B to the report set out the purpose of each of the key financial statements and provided an analysis of figures, changes and movements between years. The Council's Treasury Management Activity for 2013/14 had been scrutinised by the Audit Committee in June 2014 and Cabinet in July 2014.

The Head of Resources made a presentation to explain the accounts. In moving approval of the accounts Councillor Stanley Cabinet Member for Resources and Performance gave a summary of achievements resulting from the prudent approach adopted to the budget by the Council to date. These included the expansion of the Council's recycling service ,refurbishment of the Borough's play grounds, refurbishment of Community Halls, Runnymede Hall and Waterside Farm Leisure Centre ;the acquisition of new social housing with the purchase of 35 Long Road Canvey Island. Councillor Stanley noted that the Council reserves were healthy with provision being made for known risks such as the cost of dealing with planning appeals observing that these funds could be released to facilitate spending on services once the Council had a Local Plan in place. The Cabinet Member for Resources and Performance thanked the Head of Resources and her team for their work in preparing the accounts. Councillor Stanley concluded that if the Council continued to adopt a prudent approach to the budget, the Council would be well placed to deal with the budget pressures facing the Council in the future. Councillor Sharp seconded the Motion.

The Council examined the audited accounts. The Council concurred with the view that the overall financial results for 2013/14 generally indicated sound budgeting and good budgetary control.

Resolved: Following scrutiny:

1. To note the financial results for 2013/14 and explanation for budget variances.
2. To approve the audited Statement of Accounts.

The Mayor signed the Accounts.

44. REPORT OF THE LEADER OF THE COUNCIL

The Leader of the Council updated the Council on action being taken on Flooding in the Borough.192 applications for Council Tax Discount for homes affected by flooding in July had been received. The scheme was to run until the end of October. The Scrutiny Committee had commenced work on reviewing flooding in the borough. A multi agency meeting was to take place on 6.10.2014

to receive the Section 19 Flood Investigation Report from Essex County Council, as lead flood authority.

The Leader reported that he was continuing to explore all avenues to ensure should incidents occur in future that action should be taken as soon as possible to remove Travellers from unauthorised occupation of Council land in the Borough.

The Leader drew attention to the work being undertaken through the Policy & Scrutiny Committees.

The Leader reminded all Councillors that date for the new Community Forums meetings had been scheduled.

45. CHANGE OF COMMITTEE MEMBERSHIPS

The Mayor had agreed to consider this item as urgent business under Section 100B (4) (b) Local Government Act 1972 to inform Council of the changes to Committee memberships at the earliest opportunity.

The Leader of the Conservative Group and the Leader Canvey Island Independent Group had each given notice of changes to their Group allocation and memberships on Committees.

Resolved - to note the following changes:

1. Scrutiny Committee - Councillor Hart to replace Councillor Cross.
2. Audit Committee - Councillor Tucker to replace Councillor Neville Watson.

46. NOTICES OF MOTION

Councillor Blackwell had given notice of the following:

‘Castle Point Council objects strongly to the Government's plans to re look at the lower Thames crossing at Canvey Island.’

The Motion was Moved and Seconded by Councillor Neville Watson. During the Debate the following amendment was put forward

‘Castle Point Council will object strongly if the Government plans to re look at the lower Thames crossing at Canvey Island.’

The amendment was accepted by the Mover and Seconder. Debate continued at the conclusion a vote took place which was CARRIED UNANIMOUSLY and RESOLVED accordingly.

47. NOTICES OF MOTION

Councillor Blackwell had given notice of the following:

‘We call upon Castle Point Council to instruct the Monitoring Officer to hold an internal investigation into who copied and leaked the planning inspectors DVD to the newspaper.’

The Motion was Moved and Seconded by Councillor Neville Watson. Debate took place, at the conclusion five members of the Council requested under Council Procedure Rule 16.4 that voting on the Motion be recorded .The Councillors present voted as follows:

For: Councillors Acott, Anderson, Barrett, Bayley, Blackwell, Campagna, Cole, Greig , Harvey, Hudson, Hurrell, Mrs King , May, Palmer , Mrs. Payne , Tucker , N.Watson, Mrs. Watson.(18)

Against: Councillor Burch, Dick, Mrs Egan, E.Egan,Mrs Goodwin, Mrs. Govier , Hart, Howard , Isaacs, Ladzrie, Partridge, Riley, Sharp, Sheldon, Skipp, Smith Stanley, Walter, Mrs Wass, Wood. (20)

Abstained: None.

The Motion was LOST.

48. NOTICES OF MOTION

Councillor Anderson had given notice of the following:

'We call upon Castle Point Council to fund £8,000 to the refurbishment of the Canvey Island War Memorial'

The Motion was Moved, Seconded and ADJOURNED without debate to enable Cabinet to consider whether it wished to report on the matter Council Procedure Rule 13 Motions on Expenditure applied.

49. NOTICES OF MOTION

Councillor May had given notice of the following:

'We call upon Castle Point Council to do a complete independent survey on the 1066 at the paddocks and supplying an estimate to put into usable order'

The Motion was Moved, Seconded and ADJOURNED without debate to enable Cabinet to consider whether it wished to report on the matter Council Procedure Rule 13 Motions on Expenditure applied.

50. NOTICES OF MOTION

Councillor Mrs. Grace Watson had given notice of the following:

'We call upon Castle Point Council to deep clean and weed free Canvey Town Centre from Elm Road to Larup Avenue'

The Motion was MOVED and Seconded by Councillor Tucker. Debate took place during which the Cabinet Member for Environment and Leisure pointed out that the work requested had been undertaken. The Motion was withdrawn.

51. PETITIONS SUBMITTED BY MEMBERS OF THE COUNCIL OF WHICH NOTICE HAS BEEN GIVEN

The Mayor had given notice of a petition opposing the closure of Barclays Bank at Tarpots Councillor Burch presented the petition to the Council.

Councillor Dick had given notice of a petition on behalf of 113 residents who wished to see the woodland East of Downer road protected. The petition had been referred and would be considered as late representation on the draft Local Plan. The Head Petitioner had been informed.

Mayor

AGENDA ITEM NO.6

ORDINARY COUNCIL

10th December 2014

Subject: Questions from Members

1. Purpose of Report

To present to Council Notice of Questions from Members received for consideration at this meeting.

Councillor Bayley has given notice of the following question to the Deputy Mayor

'Cllr Sheldon.

At the last Council meeting, you made an apology to me, of which I did not accept, on the basis that you were only apologising for getting caught, and not for your actions. Your behaviour in colluding with Cllr Sharp to show of me a 'lack of intelligence' by way of having only 'three brain cells' was not acceptable.

If you can give me a satisfactory reason as to what prompted this action, I am prepared to accept your apology.

AGENDA ITEM NO.7a

ORDINARY COUNCIL

10th December 2014

Subject: **Any Business from the Last Council Meeting – Notice of Motion: The Paddocks 1066 Bar**

1. Purpose of Report

To present to Council the report and recommendations of the Cabinet on the Motion adjourned from the Ordinary Council meeting on 24.9.2014.

2. Links to Council's priorities and objectives

Efficient and Effective Customer Focused Services.

3. Recommendations

Council notes the information in the report to Cabinet which satisfies the Notice of Motion and no further action is required.

4. Background

At the Ordinary Council meeting the following Motion was adjourned without debate to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

“We call upon Castle Point Council to do a complete independent survey on the 1066 at the Paddocks and to supply an estimate to put it into usable order”.

The Motion was moved by Councillor May and seconded by Councillor Mrs Payne.

5. Proposals

The Cabinet meeting on 19.11.2014 considered a report.

The Cabinet noted that a survey of the Paddocks had been undertaken. The survey report estimated that £143K of expenditure would be required to bring the 1066 bar area up to a usable condition. The works would include replacement of the rotten floor areas and damaged ceiling, repair of damp walls, a complete re-wire, provision of fire and intruder alarms, replacement

boiler, refurbishment of the toilet facilities, replacement windows and doors, plus decoration of the entire facility.

Whilst Officers would continue to consider opportunities to bring the 1066 area back into use it should be noted that there is still spare capacity at the Paddocks to accommodate would be users of the facility.

Any future use of the facility would need to be compatible with the current use of the Paddocks as it is important that we retain existing users and associated income.

The Cabinet report addressed the financial implications of the Motion which are reproduced below.

Cabinet recommended to Council to note the information provided in the report.

6. Corporate Implications

(a) Financial Implications

General Financial Statement:

The Medium Term Financial Forecast presented to Council in February 2014, indicates a significant funding gap in each financial year from 2015/16 which the Council must address in order to maintain existing service levels.

The Council is already effectively committed beyond its means in future years i.e. spending funds it does not have, and will need to identify reductions to existing services.

The position with regard to Council reserves is also serious. Whilst at the current time reserves appear healthy, there are very real and significant financial risks which may or may not materialise in future years, particularly around planning appeals and associated legal costs. These risks, coupled with the projected budget gap, will result in a complete depletion of general reserves within the next four financial years.

A programme of work is currently underway which it is hoped will contribute towards closing the funding gap. However, until each financial year is balanced, the Council should not enter into new and ongoing financial commitments, nor should it take any actions resulting in a significant ongoing reduction in any income streams.

Specific Cost Implications:

The provision of community halls is a discretionary service. The Council operates five halls and the net budgeted cost of the service in 2014/15 is £289,400.00. The Council's financial position is such that it cannot afford to incur additional costs in operating community halls and it must seek to reduce its operational costs and increase hall usage and associated income

In addition to the estimated £143K capital cost of bringing the facility back into a usable condition there would be additional revenue costs associated

with the ongoing operation of the facility should it be brought back into operation. Any proposed future use of the facility would need to be supported by a robust business case which demonstrates a cost neutral position for the Council in the medium term and a solution that is sustainable in the longer term.

Whilst it may be possible to secure capital funding to offset some of the refurbishment costs, it is unlikely that funding will be available to support ongoing revenue costs.

(b) Legal Implications

The 1066 function area would need to be brought back into a usable condition and be fully compliant with all relevant legislation before it could be offered for future hire/use.

(c) Human Resources and Equality Implications

None associated with this report.

(d) IT and Asset Management Implications

The report concerns a Council asset.

7. Timescale for implementation and Risk Factors

See the financial implications addressed above

8. Background Papers

Report item 6(a) Cabinet 19.11.2014

Report Author:

Ann Horgan – Head of Governance

AGENDA ITEM NO.7b

ORDINARY COUNCIL

10th December 2014

Subject: **Any Business from the Last Council Meeting – Notice of Motion: Canvey War Memorial**

1. Purpose of Report

To present to Council the report and recommendations of the Cabinet on the Motion adjourned from the Ordinary Council meeting on 24.9.2014.

2. Links to Council's priorities and objectives

Efficient and Effective Customer Focused Services.

3. Recommendations

Cabinet recommended to Council to validate the approach taken by the Council to work together with the community to renew the War Memorial on Canvey Island and endorse the positive contribution made by the Council to enable the successful completion of the building works and the residual costs incurred by the Council in connection with the construction of the new monument.

4. Background

At the Ordinary Council meeting the following Motion was adjourned without debate to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

'We call upon Castle Point Council to fund £8,000 to the refurbishment of the Canvey Island War Memorial'

The Motion was moved by Councillor Anderson and seconded by Councillor Campagna.

5. Proposals

The Cabinet meeting on 19.11.2014 considered a report. Cabinet noted that after a long and protracted history linked to the proposal to improve and upgrade the War Memorial on Canvey Island agreement was finally reached in early 2014 between the Council as the landowner and other respective

parties, including the War Memorial Hall Committee (acting as the project sponsor), to erect a new monument in the vicinity of the Paddocks complex and a local contractor was appointed to carry out the necessary building works.

The appointed contractor completed the building phase to the satisfaction of all parties and a final inspection took place to approve the works.

The contract to carry out the works was made between the War Memorial Hall Committee and the appointed contractor and any liabilities to the contractor have now been discharged.

The Cabinet was reminded that the Council's support and contribution towards the costs of the building project was liaison with the various community stakeholders; the project implementation and initiation programme; ongoing site supervision and technical assistance as set out in the report made to the Cabinet on 16th April 2014.

A breakdown of the full costs associated with the project is attached and was appended to the Cabinet report. The Council's contribution in kind exceeds £8,000.

Cabinet recommended to Council to validate the approach taken by the Council to work together with the community to renew the War Memorial on Canvey Island and endorses the positive contribution made by the Council to enable the successful completion of the building works and the residual costs incurred by the Council in connection with the construction of the new monument.

6. Corporate Implications

(a) Financial Implications

The overall costs of the building project will exceed over £45,000. The tender price paid to the appointed contractor is £28,001 which was funded by donations and a financial contribution received from Canvey Island Town Council.

Any sizeable building project will be comprised of direct costs for labour and materials and indirect costs related to project management, professional and technical services and ancillary expenses. In this case the War Memorial Hall Committee funded the direct costs and the Borough Council was responsible for the costs of all other elements relating to the procurement and appointment of the contractor and the specification for the building works.

(b) Legal Implications

There are none arising – the building project has been completed.

(c) Human Resources and Equality Implications

There are none arising – the building project has been completed.

(d) IT and Asset Management Implications

There are none – the new War Memorial has been built and was dedicated by the Rector of Hadleigh on 9th November 2014.

7. Timescale for implementation and Risk Factors

The project was completed in accordance with the timescale agreed with the War Memorial Hall Committee and the new War Memorial was available for the Annual Service of Remembrance held on Canvey Island on Sunday 9th November 2014.

The warm and genuine collaboration which took place between the community and the Council to construct the new monument needs to be recognised and the residents now have a War Memorial at the Paddocks complex on Canvey Island which is a proper and fitting tribute to all those who have served their Country in conflict and in peace

8. Background Papers

Report item 6(b) Cabinet 19.11.2014

Report Author:

Ann Horgan – Head of Governance

Paddocks War Memorial Costs

	£	£	£
Contract Sum	28001.00	28001.00	
Liaison Meetings	943.54		943.54
Health and Safety Advice/Visits	452.60		452.60
Report writing - Council / Cabinet	435.48		435.48
Reconditioning Works	3455.00		3455.00
Stone Restorer	391.88		391.88
Land and Structural Surveys	160.00		160.00
Design and Drawings	226.30		226.30
Architectural	500.00		500.00
Structural Calculations/Selection of Materials	490.00		490.00
Planning Advice	195.00		195.00
Building Regulation Consent	195.00		195.00
JCT Minor Building Works Contract Preparation	452.60		452.60
Tendering and Procurement	565.75		565.75
Tender Evaluation	339.45		339.45
Appointment of Contractor	113.15		113.15
Project Management Costs	2036.70		2036.70
Technical Support	1959.66		1959.66
Member Services	725.80		725.80
Site Meetings/Visits	888.08		888.08
Final Inspection	476.05		476.05
Seating	999.00		999.00
Poppy Planters	1000.00		1000.00
Transport	150.00		150.00
Media Queries	725.80		725.80
General Expenses	362.90		362.90
	<u>46240.74</u>	<u>28001.00</u>	<u>18239.74</u>

AGENDA ITEM NO.10

ORDINARY COUNCIL

10th December 2014

Subject: Local Council Tax Support (LCTS) – Update and Proposed Local Scheme 2015/16

Cabinet Member: Councillor Stanley – Resources and Performance

1. Purpose of Report

To present recommendations from the Cabinet meeting held on 19.11.2014 in respect of:

- The results of consultation on proposed changes for the 2015/16 scheme.
- Recommended changes to the Local Council Tax Support scheme for 2015/16.

2. Links to Council's priorities and objectives

This report is linked to the Council's priority of Efficiency and Effective Customer Focused Services. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.

3. Recommendations from Cabinet

1. To note the summary of responses to the consultation.
2. That there are no changes to the Local Council Tax Support Scheme or allocated funding for 2015/2016.

4. Background Information

- 4.1 This report follows a report presented to Cabinet on 19.11.2014 which set out the requirement for the Council to approve future year's Local Council Tax Support schemes before January 31st each year, even if no changes are made.
- 4.2 At its meeting in July, Cabinet noted proposed arrangements for consulting with residents on a range of possible changes to the existing scheme. The

consultation has now concluded and a summary of responses is provided at Appendix A of this report.

5. Consultation responses

- 5.1 The consultation period ran from 5th September to 16th October 2014. During this period 2,000 flyers were distributed with all outgoing Council Tax Bills and Benefit Notifications, publicity material and consultation forms were prominently displayed at all four local libraries, Twitter alerts were posted, and information was prominently displayed on the Council's website and at the benefit enquiry counter to raise awareness and encourage participation in the consultation.
- 5.2 Partners via the Benefit Information Network were also advised and encouraged to take part in the consultation and raise awareness amongst their customers.
- 5.3 189 'hits' were registered on the Council's consultation information page with 84 customers proceeding to the consultation form. Of these 84, 48 proceeded to fully complete the survey form. In comparison to last year, 'hits' to the web page and survey form were generally lower (359 and 109 respectively), however the number of fully completed responses was unchanged, at 48 in both years. The decline in interest in the scheme appears to be in line with the picture seen generally across Essex.
- 5.4 The consultation questions proposed a range of changes to existing elements of the scheme which would reduce support. The consultation also asked whether certain groups should be protected from these changes.
- 5.5 In general respondents did not agree with any of the changes and supported the view that certain groups (i.e. those unable to work due to sickness or disability, or providing care to a sick/disabled relative) should be protected if such changes were adopted.
- 5.6 A summary of the consultation results is set out at Appendix A of this report.
- 5.7 ECC, Essex Police and Fire have been consulted via the Pan Essex Group and have raised no objections.

6. Proposed Changes to the Local Council Tax Support Scheme for 2015/16

- 6.1 The following aspects are incorporated into the 2014/15 scheme for Castle Point:
 - 1 The scheme is cost neutral, meaning that the cost to the Council and each pre-cepting authority does not exceed the funding notified by central Government for the year 2013/14 (see also financial implications below).
 - 2 As directed by central Government, all pensioners are protected, meaning that the financial impact of the scheme falls solely on working age households.

- 3 The scheme is means tested and contains weightings in the form of Premiums, Disregards, and Applicable Amounts to enable protection for working age vulnerable groups and households with children and/or disabilities.
- 4 The scheme incentivises work by disregarding £25 per week of earned income.
- 5 Child benefit is regarded in full as income.
- 6 The scheme does not contain any mechanism for backdating support for working age households.
- 7 The scheme, as far as possible, allows for expected growth in demand and is easy to claim and administer.
- 8 There is no entitlement to Second Adult Rebate within the scheme for working age claimants (Second Adult Rebate was benefit which could be awarded where a single Council Tax payer has an adult friend or relative who lives with them and that second adult has a low income).
- 9 The savings limit is £6,000, meaning that claimants with capital to a value exceeding £6,000 are not entitled to Local Council Tax Support.
- 10 There are no Non-Dependant deductions for working age claimants (Non Dependant deductions were made from Council Tax Benefit where the claimant had another adult, who was not their partner, living in their household).
- 11 The Council's 'Local War Pensioner' provisions have been retained, meaning incomes received in respect of War Pensions for disablement or bereavement are fully disregarded when calculating support.
- 12 Support is capped at 70% of Council Tax liability, meaning all working age households are required to pay a minimum of 30% of their weekly council tax bill.
- 13 Support is capped at Council Tax Band D, meaning all working age households living in properties banded E to H have their entitlement assessed as though they were living in a Band D property.
- 14 There is no requirement to calculate and award 'underlying entitlement' when support is overpaid.
- 15 A small sum is available to provide additional assistance in accordance with the Council's Exceptional Hardship Policy.

6.2 It is recommended that the scheme should not be changed for 2015/16.

6.3 Some illustrative case studies, demonstrating the potential impact of the recommended scheme on different household types, are shown in Appendix C of this report.

7. Corporate Implications

a. Financial Implications

Funding

7.1 The Council and its preceptors, receive funding towards the local scheme through the revenue support grant (RSG) and redistributed business rates formula. The funding is not ring-fenced, meaning that it may be applied for any general fund purpose.

7.2 The budgeted cost of the local scheme for 2013/14 was **£6.6m** of which **£1.031m** falls to this Council and is funded **£619k** from RSG and **£412k** from business rates. The final scheme cost in 2013/14 was **£5.8m**. The Borough Council's unspent element of grant was preserved in an earmarked reserve.

7.3 In 2014/15, RSG reduced by **£700k (24%)**, but it was not possible to identify how much of the remaining allocation (**£2.3m**) related to the local scheme. The Council therefore took the decision to maintain the level of funding for 2014/15 at the same level as for 2013/14, as expressed above. The majority of councils did likewise.

7.4 As Government continue to reduce the level of RSG awarded to the Council, protection of local scheme will not be sustainable indefinitely. It is therefore likely that the Council will need to annually review the amount of funding which it chooses to allocate to the scheme.

Scheme performance

7.5 The first year of the local scheme resulted in an under spent position (expenditure to grant) and the respective caseload was seen to slightly reduce, month on month, as the year progressed. The pattern of diminishing caseload has also continued through the first half of the current financial year.

Collection

7.6 On introduction, the scheme resulted in a number of residents receiving full or partial Council Tax bills for the first time and, as expected, some residents have had difficulty in making payment. The Council has seen a reduction in the overall council tax collection rate, and an increase in the number of payment arrangements which extend payment into subsequent financial years.

b. Legal Implications

7.7 The Welfare Reform Act 2012 S33(1)(e) gave effect to a policy of localising Council Tax support by abolishing Council Tax benefit from a date appointed by the Secretary of State. On the 31st October 2012 the Local Government Finance Act 2012 inserted a new section 13A and Schedule 1A into the Local Government Finance Act 1992 whereby the Council had to make a scheme specifying reductions which are to apply to amounts of Council Tax payable in respect of dwellings situated in its area by persons whom the Council

considers to be in financial need or persons in classes consisting of persons whom the Council considers to be in general financial need.

7.8 Before making a scheme the Council must:

- (a) Consult any major pre-cepting authority which has power to issue a precept to it;
- (b) Publish a draft scheme in such manner as it thinks fit and
- (c) Consult such other persons as it considers are likely to have an interest in the operation of the scheme

And having made a scheme, the Council must publish it in such manner as the Council thinks fit.

Failure to consult on the scheme or on any significant changes may put the Council at risk of legal challenge by those affected by the scheme.

7.9 Since the Council has undertaken consultation on the proposed 2015/2016 scheme a decision of the Supreme Court has been handed down in the case of R (on the application of Moseley (in substitution of Stirling Deceased)) v London Borough of Haringey (2014) which determined that Haringey's consultation exercise that it undertook in relation to its proposed Council tax Reduction Scheme for the year 2013-2014 was unlawful. The Court however declined to order Haringey Council to undertake a fresh consultation exercise because to do so would be disproportionate in the circumstances. Haringey had failed as part of the consultation process to inform consultees not just of its proposals but the reasons for the proposals and other options which would give consultees sufficient information to enable them critically to examine Haringey's thinking that led to its proposals.

7.10 The consultation process undertaken by the Council referred to above would not now conform with the decision handed down by the Court in the Haringey case as a result of which before any changes are proposed to the Council's LCTS from that contained in the 2014/2015 LCTS a further consultation process should be undertaken that complies with the above decision.

7.11 It is therefore proposed that no changes are made to the LCTS from the 2014/2015 scheme.

7.12 Adoption of a local scheme is a statutory requirement and failure to do so will lead to a default scheme being imposed by the government for which there is insufficient funding.

7.13 The Council Tax (Administration and Enforcement) Regulations 1992 (the Regulations) make provisions as to the billing, collection and enforcement of Council Tax. These Regulations were amended to take into account penalties under the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013. The Regulations enable HM Revenue & Customs to supply information to billing authorities relating to Council Tax.

7.14 The Department for Work and Pensions have plans to establish a Single Fraud Investigation Service which it is understood would investigate all benefit and tax credit fraud. This would have an impact on the Council's benefit fraud team.

c. Human resources/equality/human rights

A stage 2 Equality Impact Assessment for the current scheme was undertaken in 2012 and has been refreshed in light of the recent consultation results. A copy is attached at Appendix B of this report.

d. Timescale for implementation and risk factors

The local scheme needs to be finalised by 31st January 2015. The new scheme must be operational from 1st April 2015.

Key project milestones are as follows:

Milestone	Timeframe	Purpose
Formal Public/Stakeholder Consultation	Sept 14 – Oct 14	Pre-cepting organisations & Residents
Grant Published	Nov 14 – Dec 14	
Cabinet Report	19.11.2014	Consultation outcome
		Proposed scheme to be recommended to Council
Report to Council	10.12.2014	Final scheme approval
2015/16 Scheme in place	31.01.2015	Adoption and Implementation
2015/16 Scheme in operation	01.04.2015	Operation

Appendix A Consultation Summary Report

Appendix B Stage 2 Equality Impact Assessment

Appendix C Illustrative Case Studies

8. Background Papers:

Local Council Tax Support Scheme 2014/15 update – report to Cabinet 23rd July 2014

Local Council Tax Support Scheme 2014/15 update and proposed Local Scheme 2015 /16 – report to Cabinet 19th November 2014

Report Author:

Eddie Mosuro – Community Support Manager

Castle Point Borough Council
2015/16 Proposed Local Council Tax Support Scheme
Consultation Summary Report

General comments and observations about the data

In total there were 189 'hits' registered on the council's consultation webpage and 84 'hit's' to the actual consultation form.

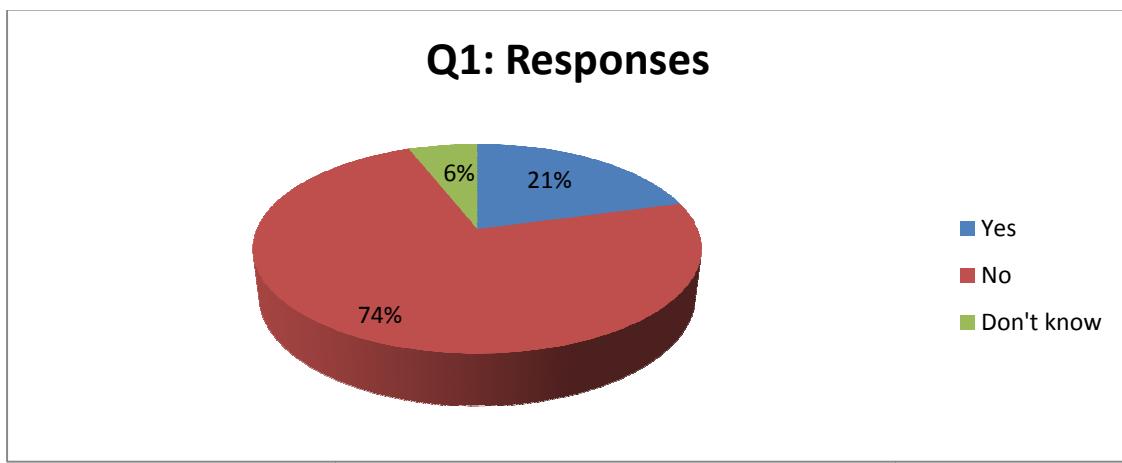
Of the 84 people who accessed the survey, 48 respondents answered all the main questions, 5 answered only Q1, and 31 skipped through all the questions without leaving any responses.

The form contained a diversity data section, however this was optional and not all respondents answered this section of the survey.

Consultation Responses

Q1: Working age Council Tax payers can currently receive support with up to 70% of their Council Tax liability. If the Council has to make changes to the scheme, should this % be reduced so that they receive less support and are required to pay more themselves?

There were 53 responses to this question. Results below indicate that most responders (74%) did not agree that the level of support should be reduced further.

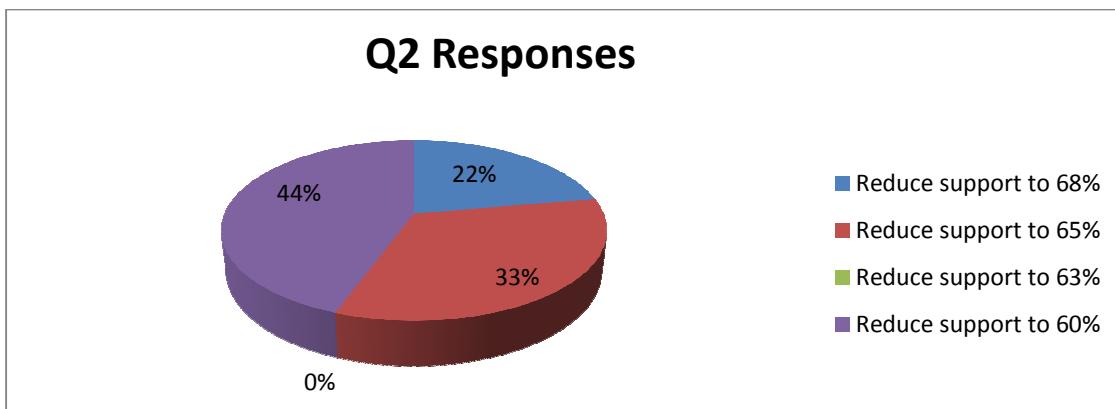


APPENDIX A

Q2: You have indicated in question 1 that the maximum amount of Local Council Tax Support which can be paid to working age Council Tax payers should be reduced from 70% of their Council Tax liability. How much should the maximum % of support be reduced to?

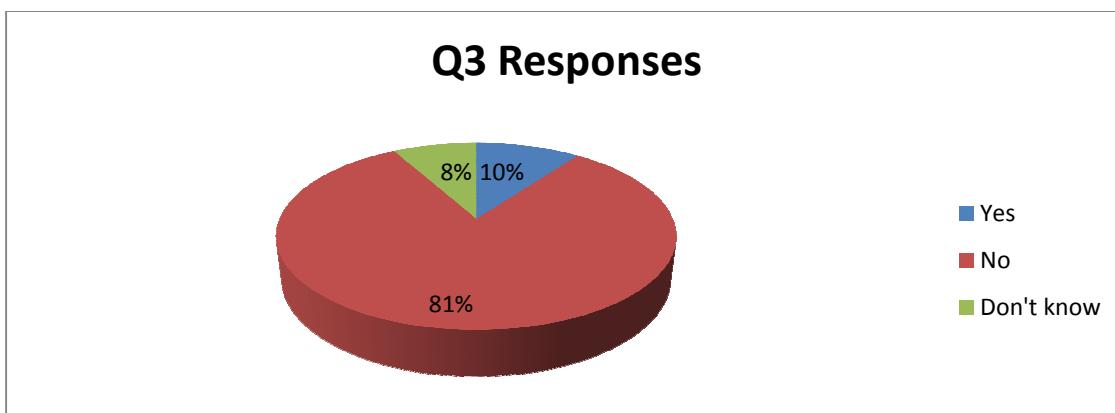
This question was only asked to responders who had answered 'Yes' to reducing the scheme in Question 1.

There were 9 responses to this question in total. The results indicate that, where people were in support of a reduction to the scheme, most people favoured a reduction to 60% (i.e. the largest reduction from 70%).



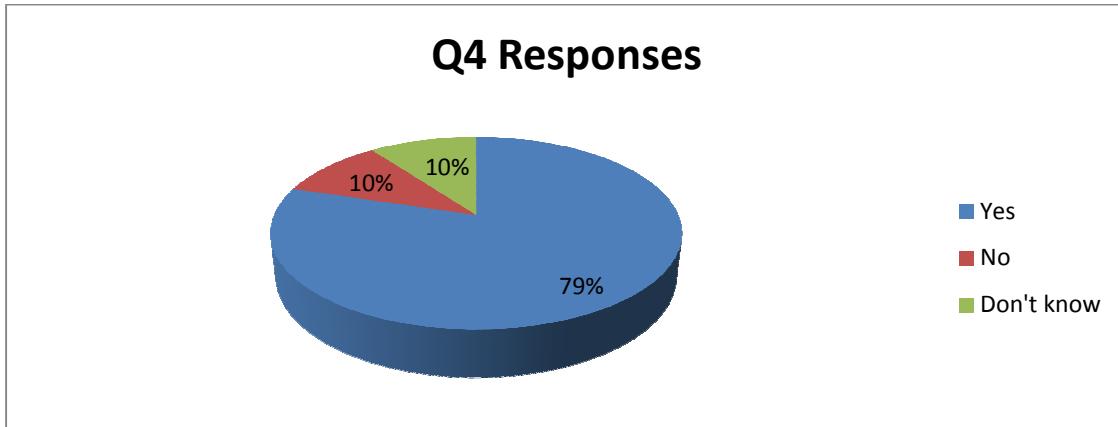
Q3: Support is currently calculated on Band D for any working age Tax Payers who live in a property in Council Tax Band E, F, G or H. If the Council has to make changes, should this be reduced so that those who live in a property Council Tax Band D, E, F, G, or H would have their support calculated on Council Tax Band C?

There were 48 responses to this question. Results below indicated that most people (81%) did not want to see support reduced by capping the calculation of awards to Council Tax Band C.



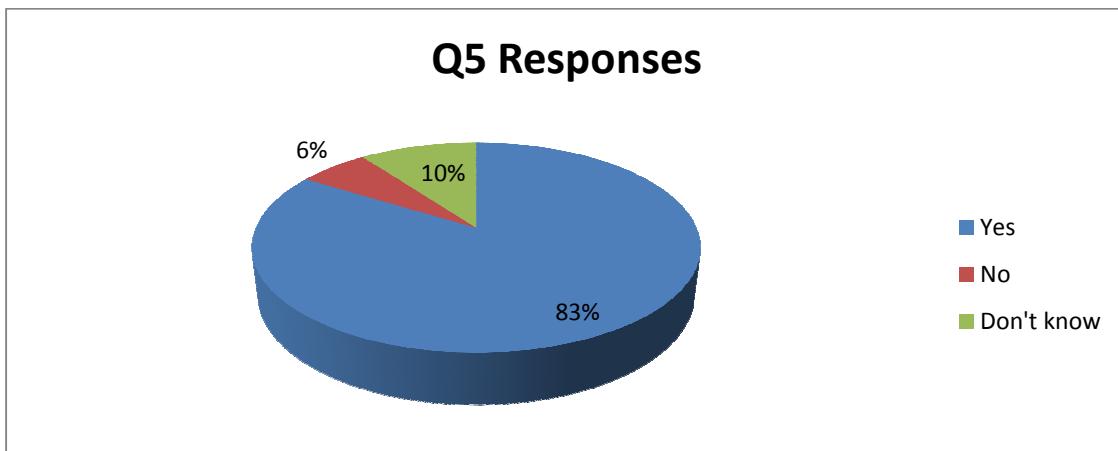
Q4: Should people who can't work due to sickness or disability be protected from all of these proposed changes to the scheme?

There were 48 responses to this question. Results below indicate that most people (79%) would like to see those who can't work due to sickness or disability being protected from all of these proposed changes to the scheme.



Q5: Should people who can't work because they provide care for a sick or disabled relative be protected from all of these proposed changes to the scheme?

There were 48 responses to this question. Results below indicate that most people would like to see those who can't work because they provide care for a sick or disabled relative being protected from all of these proposed changes to the scheme.



Summary of ‘free text’ comments collected from the survey:

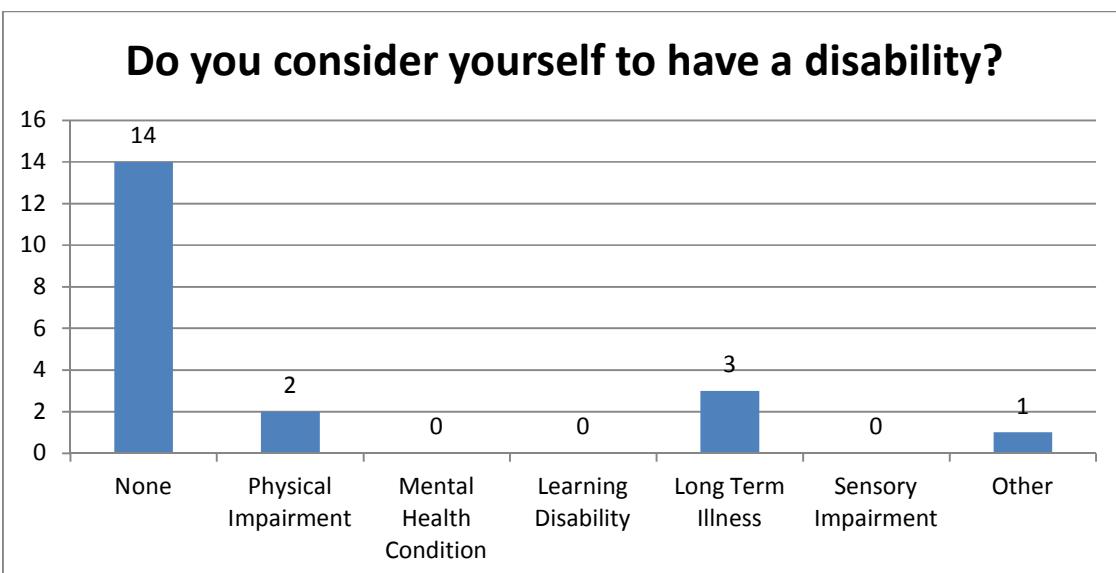
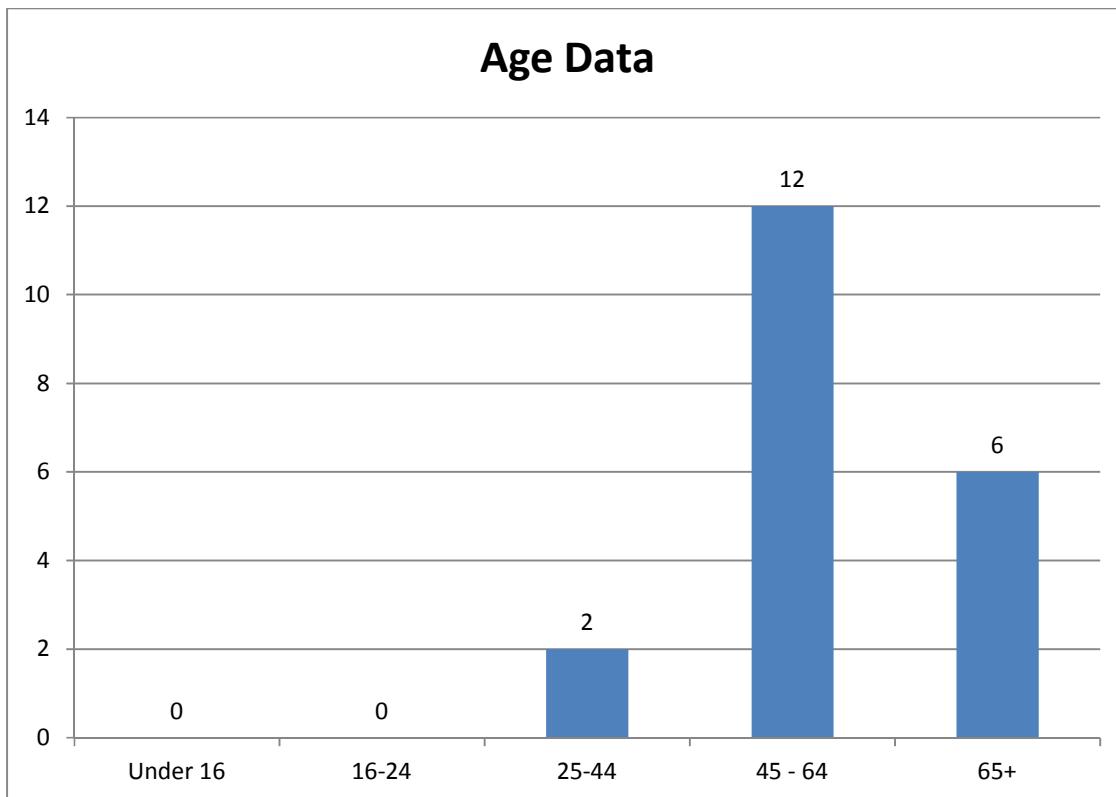
Q6 invited responders to leave any ‘free text’ comments they wished to make about the proposed changes to the scheme.

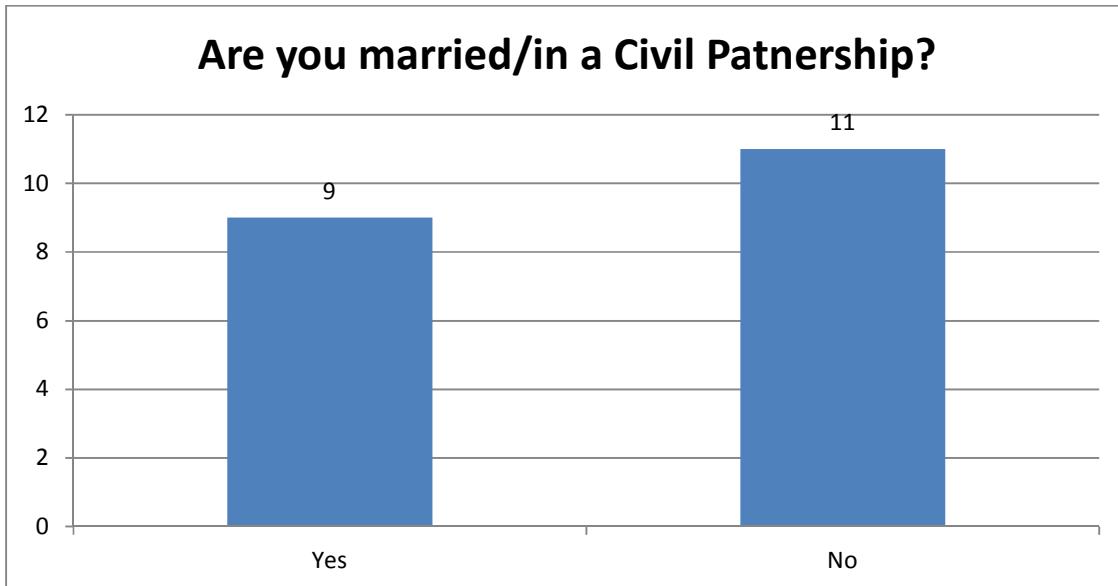
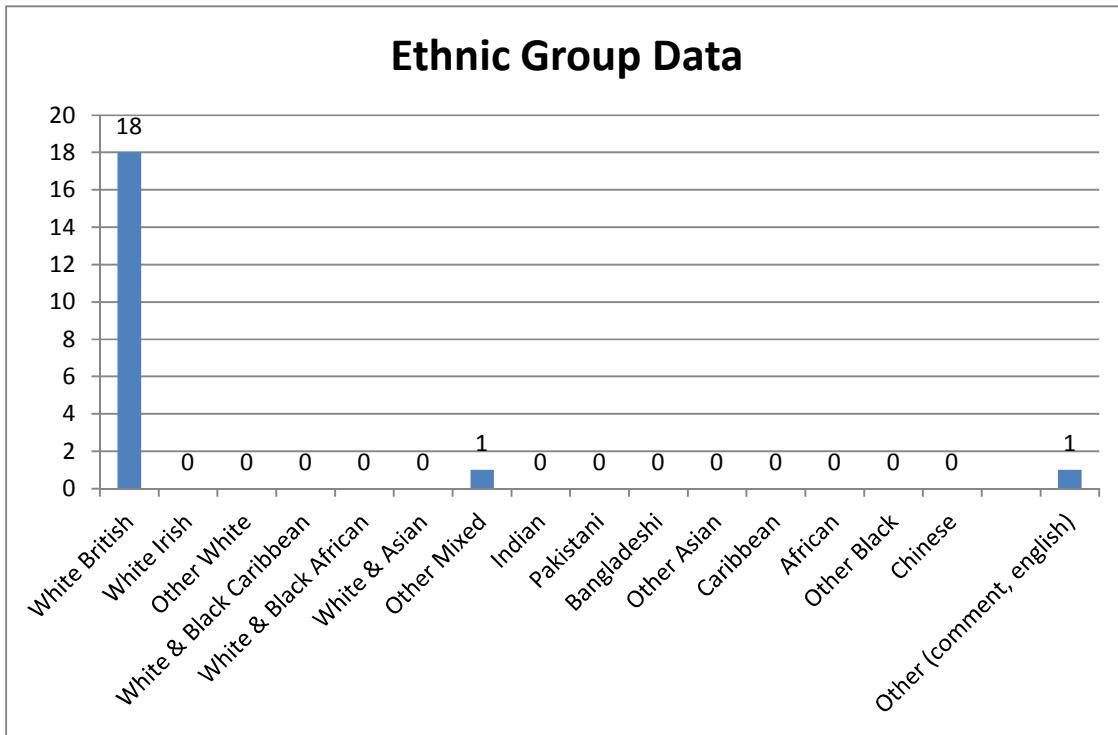
6 comments were received as follows;

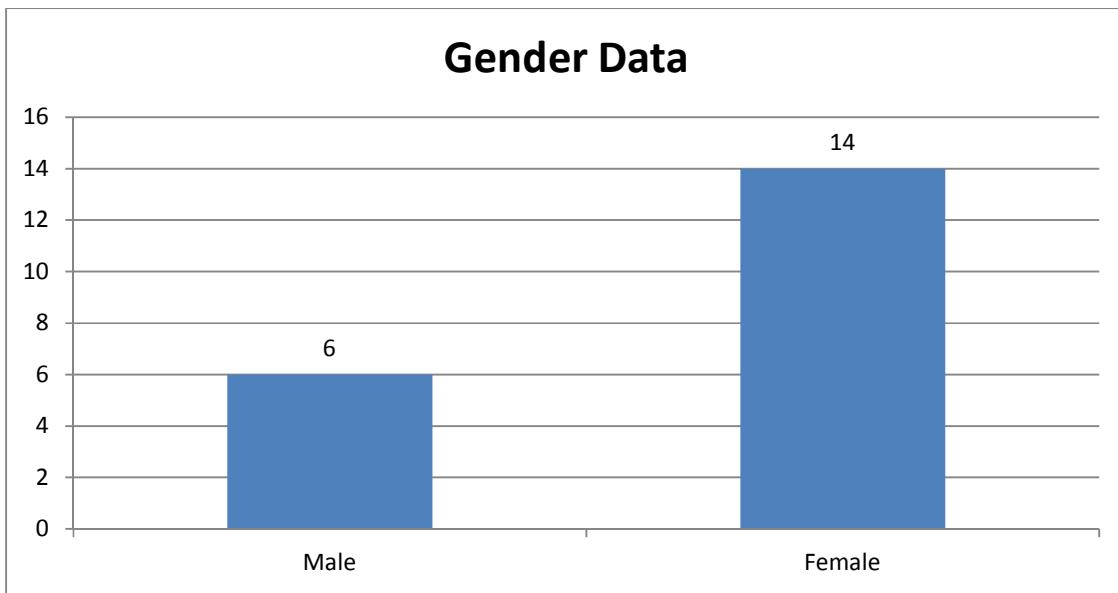
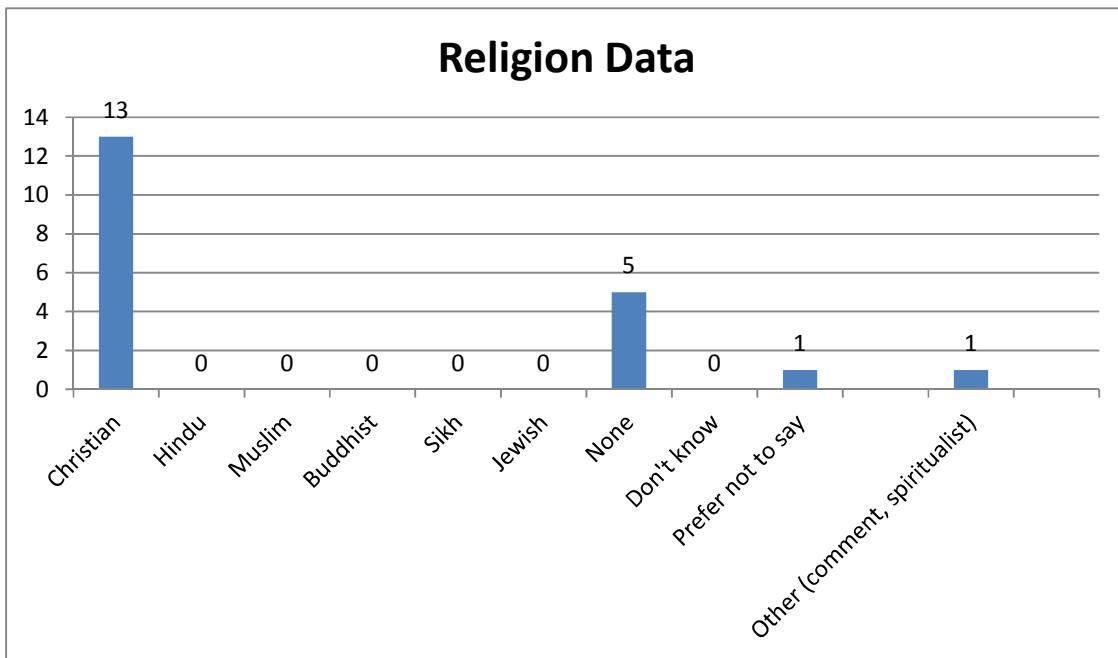
1. *“By not backdating claims Council has incentive not to staff processing. Backdating of claims should be allowed.”*
2. *“With regards to the protection of changes for sick, disabled and carers – this is a very difficult category as one has to be careful, depending on severity of condition. I.E terminal conditions, long term illness. It is a decision which requires in depth consideration perhaps according to individual conditions and ability to pay. Long term dependency on benefits should always be discouraged but a very difficult situation when applying to sick and genuinely disadvantaged. I do not think it should be available to new immigrants and I am NOT racist.”*
3. *“Q4 Depends on income etc means testing disabled is a problem.”*
4. *“You could have a disabled person or couple living in a council flat with a car for mobility (plus the dwelling has to be maintained) also caring allowances vary enormously!”*
5. *“We don’t all qualify for full benefits yet you still penalise us. If I could win the lottery then I’d willingly pay full council tax.”*
6. *“The most vulnerable in society were not responsible for the deficit situation the country finds itself in today. Neither can they be blamed for the financial crisis/banking collapse of 2007-2008. Why should they be punished for the greed and recklessness of others?”*

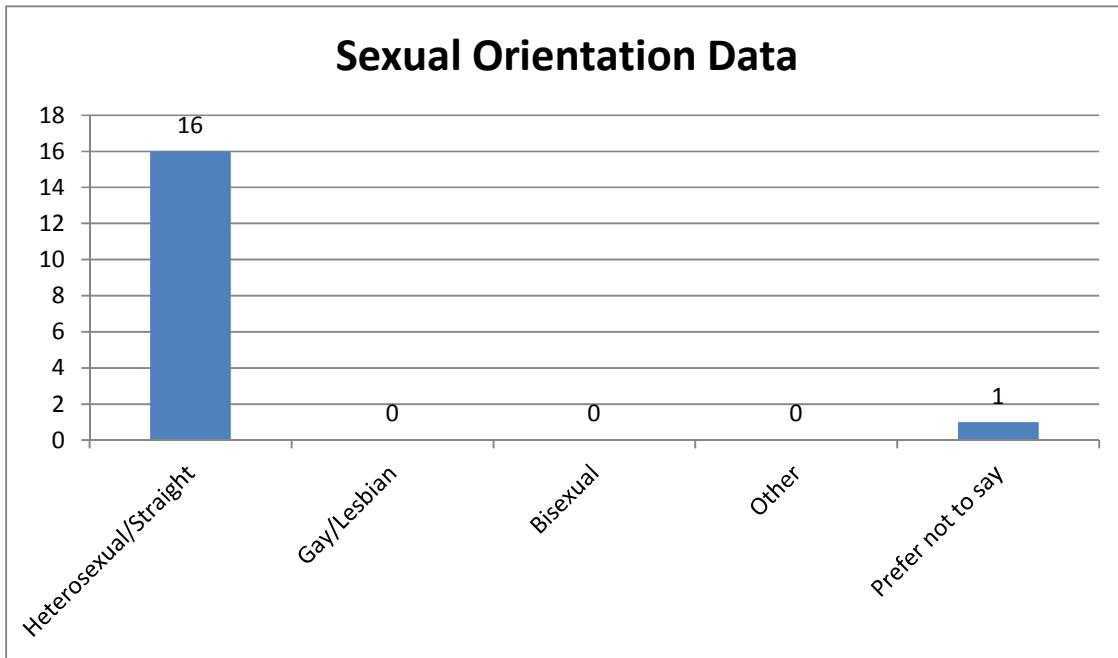
Diversity & Equality Data

Figures shown on the following tables represent the number of actual responses, not percentages. Not all responders answered all the questions so the response total varies from question to question.











Local Council Tax Support Scheme 2015-16

Equality Impact Assessment (EqIA)

Oct 2014

Strategy and Policy EqIA

All strategies and policies must be initially screened for their positive and negative equality impacts.

This initial screening will determine whether or not it is necessary to carry out a full EqIA for the strategy or policy.

This template has been designed to help you initially screen your strategy or policy and, if necessary, undertake a full EqIA .

Title of strategy or policy:	Local Council Tax Support Scheme
Person undertaking EqIA:	Eddie Mosuro
Head of Service:	Wendy Buck
Department:	Housing & Communities
Date EqIA completed:	23.10.14

Strategy and policy overview

Strategy and policy overview	
What is the strategy or policy intending to achieve?	To fulfil the Local Authorities legal obligation under the Localism Act to provide a Localised Council Tax Support Scheme with effect from 1.4.15
What are the summary aims and objectives of the strategy or policy?	To implement a scheme which is cost neutral to the Council whilst achieving the savings required under the reduced Grant provisions and implement a scheme in accordance with prescribed legislation.
Who will benefit from implementing the strategy or policy?	The scheme benefits those on low incomes by providing them with support to pay their Council Tax. In particular it provides full protection to Pensioners (as prescribed within the requirements of the Localism Act) and includes locally determined protections for vulnerable groups and incentives to encourage people into work.
What are the links to the Council's corporate priorities?	This Policy supports the Council's corporate priority for 2015-16 of 'Efficient & Effective Customer Focussed Services' by ensuring the Council is 'fit for purpose by meeting national and local requirements to agreed timescales and to optimum performance standards'.
What are the links to other Council strategies and policies?	Corporate Debt Recovery Policy Exceptional Hardship Policy Homelessness Review and Strategy Action Plan

What are the links to other community strategies and policies?	National Strategy for tackling child poverty under the Coalition Government: https://www.education.gov.uk/publications/standard/publicationDetail/Page1/CM%208061
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Equality Act 2010

The Equality Act 2010 introduces 2 specific statutory duties on public bodies such as local authorities:

- **Socio-economic duty:**

- Have due regard when making strategic decisions to the need to reduce inequalities of outcome which result from socio-economic disadvantage

- **Single (integrated) equality duty:**

- Eliminate discrimination, harassment and victimisation or any other conduct prohibited by the Act
- Advance equality of opportunity between persons who share a “protected characteristic” and those who do not
- Foster good relations between people who share a “protected characteristic” and those who do not

The Equality Act 2010 brings together all of the different equality strands and refers to them as “**protected characteristics**”:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief

- Sex
- Sexual orientation

Initial screening

This initial screening template will determine whether or not the strategy or policy requires a full EqIA

If any of the answers to the 6 screening questions is “yes”, then a full EqIA will be required.

Initial screening		
Does the strategy or policy aim to reduce inequalities of outcome which result from socio-economic disadvantage?	Yes / No	The Policy fundamentally aims to provide financial assistance in meeting Council Tax costs for those disadvantaged by socio-economic factors.
Does the strategy or policy aim to eliminate discrimination, harassment and victimisation?	Yes / No	The scheme is prescribed for pension age people, however the scheme for working age people is less prescribed. Guidance has been given on treatment of vulnerable groups and work incentives. The design of the working age scheme has sought to eliminate discrimination.
Does the strategy or policy aim to advance equality of opportunity?	Yes / No	The Policy fundamentally aims to provide support with Council Tax for those who are socio-economically disadvantaged whilst also encouraging people into work.

Appendix B

		It has been recognised that in this regard opportunities for some groups may not be equal and therefore the Policy has been designed to provide protection for those groups where advancement of equal opportunity would be restricted.
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Initial screening (continued)		
Does the strategy or policy aim to foster good community relations?	Yes / No	No evidence available – not applicable.
Does the strategy or policy have the potential to make a negative contribution to equality?	Yes / No	The scheme may fundamentally make a negative contribution to equality for certain groups – children, families, lone parents etc.
Does the strategy or policy make a positive contribution to equality?	Yes / No	Pension age people are specifically protected under Government Regulations.
Initial screening outcome	Full EqIA is required	

Full assessment

Information gathering	
What quantitative and qualitative information is there?	<p>Based on Live caseload data extracted in July 2014 we know that 6,537 people are in receipt of Local Council Tax Support (LCTS) and 2,788 of these are working age households (43%).</p>
What additional information is required?	<p>Analysis of the Working Age caseload has shown that lone parents account for the largest portion of people receiving LCTS (40%), whilst single people account for 38%, and couples with children account for 14% of the caseload.</p> <p>At a total of 54%, households with children (whether lone parents or families) therefore make up the largest portion of the caseload.</p> <p>4 potential scheme options were presented to Council in July 2014 to help inform decisions on the public consultation.</p> <p>The consultation exercise was conducted during Sept-Oct 2014. The results have now been compiled and case studies have been prepared to illustrate the impact of the proposed 2015/16 scheme on different household types, including those containing people with protected characteristics and those containing children.</p> <p>These case studies have been included in the Cabinet/Council reports on which the Final 2015/16 scheme will be decided.</p>
What are the outcomes of any internal and/or external consultation with stakeholders?	Consultation was undertaken between 5.9.14 and 16.10.14.

	<p>189 people made 'hits' to the council's consultation webpage and 84 of these went on to access the actual consultation form. Of these 84, 48 respondents answered all the questions, 5 answered only Q1, and 31 skipped through all the questions without leaving any responses. The form contained a diversity data section, however this was optional and only 16 people answered this section fully. Based on these 16 responses the mix of respondents is believed to be generally representative of the wider local community.</p> <p>Consultation questions proposed a range of changes to existing elements of the scheme which would reduce support. The consultation also asked whether certain groups should be protected from these changes.</p> <p>Generally the majority of respondents did not agree with any of the changes that would lead to a reduction in support. The majority also generally supported the view that certain groups (i.e. those unable to work due to sickness or disability, or providing care to a sick/disabled relative) should be protected if such changes were adopted.</p> <p>6 'free text' responses were recorded and generally these commented on the difficulties of determining a fair scheme for protecting certain groups.</p> <p>There is no requirement to conduct further consultation.</p> <p>Members will be required to consider the Consultation results when deciding on the final scheme for 2014/15.</p>
What examples are there of existing good practice?	Some elements of the proposed working age scheme design (i.e. Band restriction, % liability reduction, removal of Second Adult Rebate) have been agreed as part of the overarching Pan Essex scheme – other elements have been designed to meet specific needs within Castle Point.

	<p>Guidance provided by DCLG, outlining good practice with regards to treatment of vulnerable groups (http://www.communities.gov.uk/publications/localgovernment/lsctvulnerablepeople) and incentives to work (http://www.communities.gov.uk/publications/localgovernment/lsctworkincentives), has been considered in designing the scheme.</p> <p>The Local Government Finance Bill: Localizing Support for Council Tax – Updated Impact Assessment is also available here: http://www.communities.gov.uk/publications/localgovernment/lgblocalisingcounciltax</p> <p>Each Local Authority is required to adopt their 2015/16 scheme by 31.1.15.</p>
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Making a judgement	
How will the strategy or policy eliminate discrimination, harassment and victimisation?	Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions. People with disabilities will continue to receive additional premiums as part of the calculation of their award and also may receive additional financial support through the Exceptional Hardship Fund. Without these elements the policy could potentially be discriminatory to those who fall within the 'disability' characteristic group. No other impacts on protected groups have been identified.

Appendix B

How will the strategy or policy advance equality of opportunity?	<p>The Policy is compliant with prescribed Regulations that protect Pension Age people. This advances equality of opportunity for those who fall within the 'age' characteristic group (specifically those of Pension age) who would otherwise be disadvantaged by the schemes fundamental incentives to work.</p> <p>Parents will continue to receive a child allowance and family premium, and working parents will continue to receive an earnings disregard, as part of the calculation of their award. This is consistent with the Council's duty to safeguard and promote the welfare of children and advances equality of opportunity for those who fall within the 'age' characteristic group (specifically those aged 0 to 17, families and lone parents with children, and pregnant women) who would otherwise be disadvantaged.</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions. People with disabilities will continue to receive additional premiums as part of the calculation of their award and may also receive additional financial support through the Exceptional Hardship Fund. This advances equality of opportunity for those who fall within the 'disability' characteristic group who would otherwise be disadvantaged and may have less opportunity to improve their financial circumstances through work.</p> <p>No other impacts on protected groups have been identified.</p>
How will the strategy or policy foster good community relations?	No impacts on protected groups identified – not applicable

Making a judgement (continued)	
Does the strategy or policy have the potential to make a negative contribution to equality? If so, which groups with “protected characteristics” will be affected and what are the reasons?	17 year olds may be disadvantaged indirectly if their parents have to pay more as a result of this policy. People aged over 18 and of working age will be required to pay more. People with disabilities who are below pensionable age will need to pay more than those above pension age. This is due to the Prescribed Regulations which automatically protect people of Pension Age. Careful consideration has been given to the overall impact of the inclusion of Child Benefit as an income on protected groups. The restricted grant funding means it is not financially viable to completely protect all protected characteristic groups from the full effects of this scheme. The proposed design of the scheme, however, does afford these groups some level of protection and advances the equality of opportunity for those with protected characteristics.
What can be done to address any contribution to inequality	17 year olds may be disadvantaged indirectly if their

caused by the strategy or policy?	<p>parents have to pay more as a result of this policy:</p> <p>Parents will continue to receive additional allowances, which is consistent with the Council's duty to safeguard and promote the welfare of children.</p> <p>People over 18 of working age will be required to pay more:</p> <p>The Council actively supports customers with information and advice on income maximisation, financial capability, and debt management. Incentives to work have been included in the scheme design.</p> <p>People with disabilities who are below pensionable age will need to pay more:</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>A discretionary Exceptional Hardship Fund is available to provide additional financial assistance to those who are particularly vulnerable and suffering exceptional financial hardship.</p>
What can be done to assist understanding of the strategy or policy?	<p>Details of the existing (2014/15) scheme were widely publicised both before and during Annual Billing in 2014. Information on the current scheme is available online and in hard copy format (on request). This information will be refreshed again once a decision on the 2015/16 scheme is made.</p> <p>An on-line 'Calculator' is available to assist those who want to find out if they would be entitled to LCTS and First Contact</p>

Appendix B

	customer service staff are available to explain the scheme to any individuals or organisational groups who require assistance. Members of the Benefit Information Network group are notified annually of the consultation process and are briefed annually on the scheme adopted each year.
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The real value of completing an EqIA comes from the actions that will take place and the positive changes that will emerge through conducting the EqIA.

The action plan should be SMART and feed directly in to the strategy or policy itself and any associated Service Plan. In addition, it should be consistent with any corporate equality actions.

The action plan should only include the main actions likely to have the greatest impact. It need not be a comprehensive list of all the possible things that might provide positive outcomes. It is unlikely that any action plan will have less than 6 to 8 actions but an action plan that runs to several pages may not provide sufficient focus and deliverability.

Action plan					
Equality objective	Action(s)	Lead responsibility	Resources	Timescale(s)	Outcome(s)
Assist understanding of the Policy	Refresh website and hard copy information once 2015/16 Final Scheme formally adopted.	First Contact (Communities) Manager	Staff time & printing costs.	Jan – Mar 2015	All affected groups fully aware of the Policy and how it will affect them.
Assist understanding of the Policy	Engage with local advice and support groups through the	Community Support Manager	Staff time.	Jan – Mar 2015	All local advice and support groups fully aware of the policy

Appendix B

	Benefit Information Network Group.				and how it will affect their customers.
Advancing equality of opportunity.	Proactively identify suitable cases for Exceptional Hardship awards using internal knowledge of debts identified in 2014/15.	Revenues Manager	Staff time, provision of discretionary funding pot	Jan 2015 – Mar 2016	Reduce impact of the scheme on those suffering exceptional financial hardship.
Advancing equality of opportunity.	Maintain and develop a range of support services and referral arrangements to provide assistance with financial capability, budgeting, and/or debt management advice.	Revenues Manager/First Contact Manager	Staff time, funding pot for services, additional staff resource.	Jan 2015 – Mar 2016	Customers adequately supported and equipped with skills to manage financial impact.

Finally....

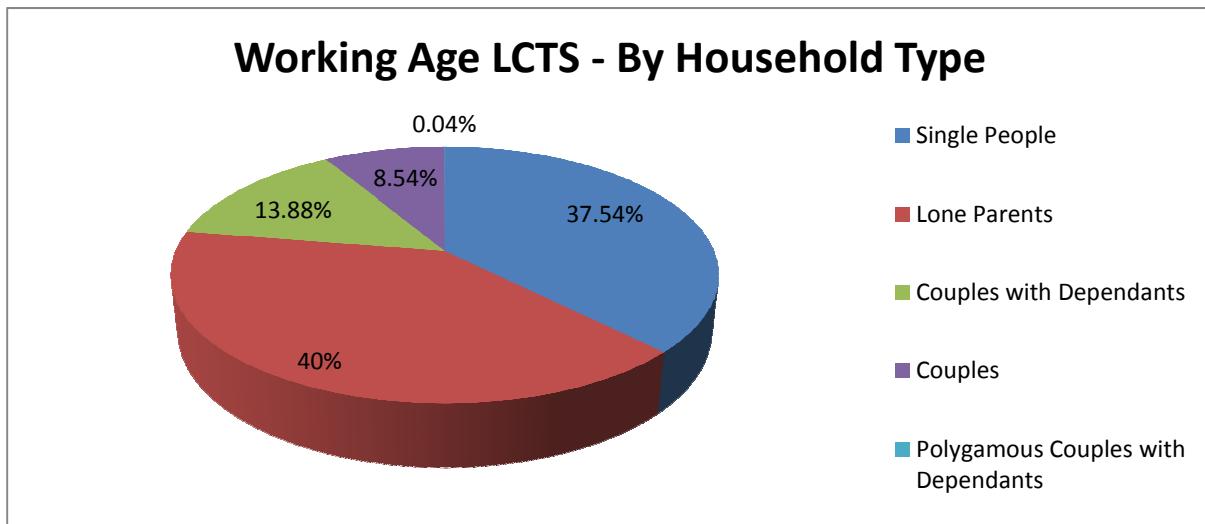
- Sign the EqIA
- Ask your Head of Service to sign the EqIA
- Save a copy of the EqIA in the “N” drive folder for strategy and policy EqIAs:
<N:\Diversity\Diversity records from September 2009\EqIAs - strategies and policies>
- Publication
 - Council website

Appendix B

- Make copies available for e-mail distribution, in hard copy format and by other means as appropriate (e.g. large print, Braille, CD, other languages, etc.)
- Internal communication to appropriate colleagues
- Agree arrangements for monitoring, exception reporting and review/refresh

WORKED CASE STUDIES

The following chart shows the current working age Local Council Tax Support caseload broken down by household type:



The following case studies illustrate the potential financial impact that the proposed Local Council Tax Support Scheme for 2015/16 (i.e. no change from 2014/15) will have on different types of households.

The case studies are based on the current scheme with an assumed 2% Council Tax increase for 2015/16.

CASE STUDY 1

A working age single person with a total assumed weekly income of £72.40 Income Support.

Case Study 1

Council Tax Band D (including 2% increase)	£1583
Council Tax Due after Single Person Discount awarded	£1187
Annual LCTS Award	£831
Council Tax to Pay for the full year	£356 (£6.85 p/w)

CASE STUDY 2

A working age couple with a total assumed weekly income of £114.00 Income Support.

Case Study 2

Council Tax Band D (including 2% increase)	£1583
Annual LCTS Award	£1108
Council Tax to Pay for the full year	£475 (£9.13p/w)

CASE STUDY 3

A working age lone parent with two children of school age and an assumed total weekly income of £372.00 (consisting of Earnings, Child Benefit, Working Tax Credit and Child Tax Credit).

Case Study 3

Council Tax Band D (including 2% increase)	£1583
Council Tax Due after Single Person Discount awarded	£1187
Annual LCTS Award	£0
Council Tax to Pay for the full year	£1187 (£22.82 p/w)

CASE STUDY 4

A pensionable age couple with a total assumed weekly income of £300.00 (consisting of State Pension for claimant and partner and a Private Pension).

Case Study 5

Council Tax Band D (including 2% increase)	£1583
Council Tax Due	£1583
Annual LCTS Award	£1031
Council Tax to Pay for the full year	£552 (£10.61pw)

AGENDA ITEM NO.11

ORDINARY COUNCIL

10th December 2014

Subject: **Review of Polling Arrangements**

Report of the **Acting Returning Officer - David Marchant**

1. Purpose of Report

To provide the Council with a report on the outcome of a statutory review of the polling districts and polling places in the Borough.

2. Links to Council's Priorities and Objectives

The review contributes to the Efficient and Effective Customer Focused Services priority.

3. Recommendations

That the proposals for changes to the future electoral arrangements for the Borough, as set out in Section 5 of this report, are approved for commencement with effect from the Borough Elections and Police and Crime Commissioner Elections in May 2016.

4. Background

4.1 Under the Representation of the People Act 1983 the Council has a duty to divide the Borough into polling districts and designate a polling place for each district. The Council also has to keep these arrangements under review.

4.2 The Electoral Administration Act 2006 and Electoral Registration and Administration Act 2013 introduced a number of changes to the 1983 Act in respect of the way reviews must be undertaken. The most important changes are that this review must be started and completed between 1 October 2013 and 31 January 2015 inclusive, and that future reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013.

4.3 The focus of this review is the polling districts and polling places for Parliamentary elections, although in practice these are used for other types of elections. The review is not concerned with the boundaries of UK parliamentary constituencies or the borders or names of local authorities or electoral areas.

4.4 In designating polling districts and polling places the Council must seek to ensure that all electors have reasonable facilities for voting as are practicable in the circumstances. This includes a particular requirement that accessibility of disabled people is considered.

5. Proposals

5.1 The review has been undertaken using the principles contained in the Electoral Commission's evaluation documents.

5.2 The Acting Returning Officer produced a proposals paper on the current and proposed electoral arrangements which was published on 1 October 2014 for consultation. The closing date for representations was 31 October.

5.3 The review process was publicised through public notices, notice boards, press releases and on the Council's website to encourage either expressions of support for the proposals or representations for alternatives to be considered.

5.4 In addition key stakeholders involved in the process were sent copies of the proposals and invited to submit comments.

5.5 No responses were received to the consultation.

5.6 A summary of the proposals is set out in the table below.

Ward	Proposal
Appleton (polling districts AA, AB, AD)	<ul style="list-style-type: none"> • No changes
Boyce (polling districts AF, AG, AH)	<ul style="list-style-type: none"> • No changes
Cedar Hall (polling districts AW, AX, AY)	<ul style="list-style-type: none"> • (AW & AX) Relocate polling station from Thundersley Junior School to Swans Green Hall with effect from May 2016.
St. George's (polling districts AZ, BA, BB)	<ul style="list-style-type: none"> • No changes
St. James' (polling districts BC, BD, BE)	<ul style="list-style-type: none"> • No changes
St. Mary's (polling districts BF, BG, BJ)	<ul style="list-style-type: none"> • No changes
St. Peter's (polling districts BK, BL)	<ul style="list-style-type: none"> • No changes
Victoria (polling districts BN, BO, BP)	<ul style="list-style-type: none"> • No changes
CI Central (polling districts AJ, AK)	<ul style="list-style-type: none"> • (AK) Ramping or warning signage to be provided at entrance to polling station
CI East (polling districts AL, AM)	<ul style="list-style-type: none"> • No changes
CI North (polling districts AN, AO)	<ul style="list-style-type: none"> • No changes
CI South (polling districts AP, AQ)	<ul style="list-style-type: none"> • No changes
CI West (polling districts AS, AT)	<ul style="list-style-type: none"> • No changes
CI Winter Gardens (polling districts AU, AV)	<ul style="list-style-type: none"> • No changes

6. Corporate Implications

(a) Financial Implications

There are no financial implications arising from the proposals in this report.

The costs of administering elections are met as appropriate through the Consolidated Fund, the Essex County Council, The Canvey Island Town Council or the Borough Council depending upon election type.

The costs of any building adaptations can be partially reclaimed from Central Government.

(b) Legal Implications

This four-yearly review is a legal requirement as described in the background section of this report.

(c) Human Resources and Equality Implications

Human Resources

The proposals present an opportunity to review the staffing requirements for Elections.

Equality Implications

This report reflects the Acting Returning Officer's proposals in response to a legislative change which has been the subject of an Impact Assessment at national level. The content of that Impact Assessment has been taken into account in the proposals and recommendations outlined.

(d) IT and Asset Management Implications

There are no asset management or IT implications arising from the proposals in this report.

7. Timescale for implementation and Risk Factors

The proposals will be implemented to be effective for the elections in May 2016.

The risks are minimal as the review is a legislative requirement carried out in accordance with detailed guidance issued by the Electoral Commission.

8. Background Papers

- Guidance on the review of polling districts and polling places (Electoral Commission)
- Checklist: Review of polling districts and polling places (Electoral Commission)
- Acting Returning Officer's Proposals – October 2014

Report Author: Acting Returning Officer, David Marchant

AGENDA ITEM NO. 12

ORDINARY COUNCIL

10TH DECEMBER 2014

Subject: **Review of Political Proportions of the Council and Appointment to Committees etc**

1. Purpose of Report

- 1.1 This report is presented for the Council to review the allocation of seats to the political groups on the Council following the By Election to fill the vacancy in the Canvey East Ward held on 30.10.2014 and receipt of a Notice of a Change to the membership of the Political Groups on the Council
- 1.2 Council is also requested to appoint the Independent Member to serve on Committees.

2. Background

- 2.1 Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the allocation of seats to the political groups on the Council as soon as possible after a request is received. (Provided one month has elapsed since the previous review. The last review took place on 4.6.2014)
- 2.2 On 30.10.2014 Councillor Colin Letchford an Independent was elected to fill the vacancy in the Canvey East Ward.
- 2.3 On 3.11.2014 notice was received that Councillor Steven Cole had resigned his membership of the Canvey Island independent Group on the Council and no longer wished to be treated as member of that Group. He had joined the Conservative Group on the Council and wished to be treated as a member of that Group.
- 2.4 As a result of these two matters the allocation of seats to the political groups on the Council has changed.

3. Review: Political Proportions

- 3.1 In reviewing the allocation of seats the Council needs to consider the political proportions of the Council. The allocation of memberships on the Committees has to be on the basis of the political proportions of the Council.
- 3.2 It should be stressed that political proportions relate to proportions based on the respective memberships of the political Groups. In law, a Group has to contain at least two Members. Consequently Councillor Letchford as the sole Independent Member on the Council is not a member of the Political Group and

it is for the Council to allocate seats and appoint him to the Council's Committees.

3.3 Throughout the calculations on proportions, the figures have therefore been based on the proportions of the Groups to the total membership of the Council i.e. 41 as shown in the following table.

Party	Seats	Proportions for allocation purposes
Conservative	21	51% (51.21%)
Canvey Island Independent	14	34% (34.14%)
UKIP	5	12% (12.1%)

4. Allocations to Committees etc

4.1 In the remainder of this item the above political proportions have been applied and the allocations rounded to ensure compliance with the political balance requirement.

4.2 The Council also has to look at the overall allocation across all Committees etc to ensure the individual Committee roundings do not distort the overall balance, and there may have to be some overall adjustment to correct any imbalance caused through the roundings.

4.3 The table below shows the total number of seats allocated to each Group and includes the allocation to the Independent Councillor who get an additional seat due to the effect of roundings:-

Party	Actual Allocation
Conservative	41
Canvey Island Independent	26
UKIP	9
Independent Member	3
Total	79

4.4 The table below shows the allocations on each Committee

Committee	Membership Total	Conservative Group	Canvey Island Independent Group	UKIP Group	Independent Councillor
Scrutiny - no change	8	4	3	1	0
Environment PSC	10	5	3 (-1)	1	1
Wellbeing PSC	10	5	3 (-1)	1	1
Place& Communities PSC	10	5	3 (-1)	1	1
Development Control	13	7 (+1)	4 (-1)	2	0
Licensing	15	8	5 (-1)	2(+1)	0
Audit - no change	5	3	2	0	0
Review	8	4	3	1	
Total	79	41	26	9	3

5. Changes since the Review at the Annual Meeting on 4.6.2014

- 5.1 There are no changes to the allocations to the Scrutiny, Audit and Review Committees.
- 5.2 The Canvey Island Independent Party loses one seat from the Environment, Wellbeing and Place and Communities Policy & Scrutiny Committees together with Development Control and Licensing Committees. However the Leader of the Group will need to appoint a member of the Group to the Review Committee as Cllr Cole is no longer a member of the CIIP Group.
- 5.3 The Conservative Group gains a seat on the Development Control Committee. The Leader of the Conservative Group has indicated that he wishes to allocate the seat to Cllr Cole.

5.4 UKIP gains a seat on the Licensing Committee.

Recommendation:

- 1. The Council is asked to note the calculation of the political proportions of the Council and confirm the allocations to the Political Groups as detailed above.**
- 2. Council is asked to allocate and appoint Cllr Letchford to a seat on each of the Policy & Scrutiny Committees - Environment, Wellbeing and Place & Communities.**
- 3. To note the allocation of the seat on the Development Control Committee to Cllr Cole.**

Resolution required.

Background Papers:

Report to Council 4.6.2014

Local Government (Committees and Political Groups) Regulations 1990 as amended

AGENDA ITEM NO.14

ORDINARY COUNCIL

10th December 2014

Subject: Notices of Motion

Purpose of Report

To present to Council Notices of Motion received for consideration at this meeting.

1. Councillor Dick has given notice of the following:

'This Council fully supports the request from the Rector of St Peter's Church in their quest to have a memorial to commemorate residents of Thundersley who gave their lives in various conflicts.'

The Motion is to be seconded by Councillor Mrs. Govier.

2. Councillor Blackwell has given notice of the following:

'Canvey Island Independent Party calls upon this Council to give a pledge to the residents of Canvey Island that it will not sell off any public open space on Canvey.'

The Motion is to be seconded by Councillor Mrs Grace Watson

3. Councillor Mrs Grace Watson has given notice of the following:

'We call upon this Council that in light of concerns raised by Simon Hart Independent Chairman of Essex Children and Adult Safeguarding Boards with regards to vulnerable children housed at Thorney Bay Caravan Park; We ask that this Council act upon those concerns and work with the Essex Children and Adult Safeguarding Boards to ensure that these children are receiving the right help and are not at risk.'

The Motion is to be seconded by Councillor Neville Watson

4. Councillor Grace Watson has given notice of the following

'We call upon this Council to make the necessary repairs to the Skateboard Park at waterside which sadly has fallen into Disrepair.'

The Motion is seconded by Councillor Neville Watson.

This Motion will be adjourned without debate to the next Council meeting to enable Cabinet to consider whether it wishes to report on the matter. Council Procedure Rule 13 Motions on Expenditure applies.

5. Councillor Neville Watson has given notice of the following

'We call upon this Council to support the beach area clean up at Thorney Bay of which has been cleaned by Canvey Bay Watch and public volunteers at no cost to the public purse.'

The Motion is seconded by Councillor Grace Watson.

6. Councillor Neville Watson has given notice of the following

We call upon this Council to inform us if any public land has been sold at Thorney Bay, Canvey Island.

The Motion is seconded by Councillor Grace Watson.

7. Councillor John Anderson has given notice of the following

'Many local residents who live near Canvey Island seafront have asked if Castle Point Borough Council will delegate a Borough Warden to patrol the seafront and to fine anybody who does not clear up their dogs fouling the seaside pathway, and the grassed areas on the seafront.'

I call upon this Borough Council to carry out their responsibilities to residents, to send a Warden to patrol the seafront, and fine those residents who do not follow the dog fouling regulations of clearing up after them.'

The Motion is seconded by Councillor Palmer

This Motion will be adjourned without debate to the next Council meeting to enable Cabinet to consider whether it wishes to report on the matter. Council Procedure Rule 13 Motions on Expenditure applies.

8. Councillor Paul Varker has given notice of the following

'In the light of Councillor Sheldon through sending a malicious email, by mistake, to all Borough Councillors and in doing so breaking 7 of the 8 points of the "Nolan Principle" 1995. Plus using Council property for improper use and bringing disgrace to the Mayor's Office by showing disrespect to an elected member of this Council.'

We propose that Cllr. Sheldon is not fit to hold such a prestigious position as Deputy Mayor and should be removed from this position with immediate effect.'

The Motion is seconded by Councillor Bayley

9. Councillor Paul Varker has given notice of the following

'We the UKIP Group would like to propose that the main Car Park signs at Hart Road Car Park along with the other Car Parks where the evening parking restrictions have been removed are physically altered to show the new rulings as the current laminated signs cable tied to posts are not fit for purpose.'

This Motion will be adjourned without debate to the next Council meeting to enable Cabinet to consider whether it wishes to report on the matter. Council Procedure Rule 13 Motions on Expenditure applies.
