



ORDINARY MEETING OF THE COUNCIL WEDNESDAY 26TH MARCH 2014

Book 7 - 2013/2014

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David Marchant 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, 26TH MARCH, 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 A.M. Iles,(The Worshipful the Mayor), Mrs J.E.E.Govier,(Deputy Mayor), J. Anderson, L.J. Barrett, Ms G.Barton, D.A. Blackwell, C.N. Brunt, P.M. Burch B.Campagna, Mrs P.A. Challis, A.R. Cole, S.Cole ,D.T. Cross, W.J.C. Dick, Mrs B. Egan, E. Egan, Mrs P.D. Freeman, Mrs W. Goodwin, P.C. Greig, S.Hart , N.R. Harvey, R.C. Howard, G.I. Isaacs, Mrs.J.King, N.E.Ladzrie, Mrs J. Liddiard, P.J. May,J.A.Payne, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, A.G.Sheldon,T.F. Skipp, N.G. Smith, J.A. Stanley, M.J.A. Tucker, A.C.Walter, Mrs L. Wass, Mrs G. Watson and N. Watson.

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 15th January 2014 and the Special Council held on 26th February 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. Presentation:** Simon Hart Independent Chairman of the Essex Children & Adult Safeguarding Boards is to make a presentation to the Council.
- 7. Any explanations for urgent decisions taken by Cabinet There are none.
- 8. Any references from the Policy and Scrutiny Committees/Regulatory Committees

There are none.

9. Consideration of recommendations from Cabinet There are none.

10. Report from the Leader of the Council

The Leader is to report at the meeting.

11. Notices of Motion

Councillor Sheldon has given notice of the following:

We move that the Task and Finish Group appointed to review the response to consultation on the draft Local Plan also reviews the capacity for improving the deliverability of the North West Thundersley Urban Extension in order to further evaluate its suitability for inclusion into the New Local Plan.

That the Task and Finish Group also reviews and evaluates any new sites identified through the consultation process.

That the Task and Finish Group has authority to request the appointment of expert advice to provide further support and evidence in relation to any particular site subject to specific approval by the Cabinet Member for Corporate Policy, Resources and Performance and in accordance with Financial Regulations (namely the Council's Financial Procedure Rules published in May 2013).'

In order to comply with the Council's Procedure Rule 14.1 – an amendment of a Council decision taken within the past six months .The Notice of Motion has been signed by ten Members of the Council: Councillors Sheldon, Dick, Mrs Govier, Mrs Freeman, Ladzrie, E.Egan, Partridge, Skipp, Smith, and Stanley.

12. Petitions submitted by Members of the Council of which Notice has been given

There are none.





ORDINARY COUNCIL MINUTES

15TH JANUARY 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 15th January 2014.

PRESENT:

Councillors Mrs A.M. Iles (The Worshipful the Mayor), Mrs J.E.E.Govier, (Deputy Mayor), J. Anderson, L.J. Barrett, D.A. Blackwell, P.M. Burch, Mrs P.A. Challis, S.Cole, B.Campagna, D.T. Cross, , Mrs B. Egan, E. Egan, Mrs P.D. Freeman, Mrs W. Goodwin, P.C. Greig, S.Hart, R.C. Howard, G.I. Isaacs, Mrs.J.King N.E.Ladzrie, J.A.Payne, Mrs.J.Payne, A. Partridge, C.G. Riley, A.G.Sheldon, T.F. Skipp, J.A. Stanley, N.G. Smith M.J.A. Tucker, A.C.Walter, Mrs L. Wass, Mrs G. Watson and N. Watson.

Apologies for absence were received from Councillors, Ms G.Barton, C.N. Brunt, A.R. Cole, W.J.C. Dick N.R. Harvey, Mrs J. Liddiard P.J. May and W.K.Sharp.

37. FORMER CHAIRMAN OF THE COUNCIL COUNCILLOR JOHN HACKLING
At the beginning of the meeting the Council stood in silence in tribute to the former Chairman of the Council and Councillor John Hackling who had died.

38. FORMER CHIEF EXECUTIVE BARRY ROLLINSON

At the beginning of the meeting the Council stood in silence in tribute to the former Chief Executive Barry Rollinson who had died recently.

39. MEMBERS' INTERESTS

Councillor Campagna declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 43 Recommendations from the Cabinet- Local Tax Support Scheme 2014/15.

Councillor Barrett declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Mrs King declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as she undertook equestrian activities including stabling and grazing of horses on a housing site in the Draft Local Plan.

Councillor Mrs. Wass declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for

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Consultation as her home address was adjacent to a housing site in the Draft Local Plan.

Councillor Hart declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Riley declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Howard declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan and a member of his family owned land forming part of a housing site in the Draft Local Plan.

40. MINUTES

The Minutes of the meeting of the Ordinary Council held on 25th September 2013 and the Special Council meeting on 20th November 2013 were taken as read and signed as a correct record. The Mayor signed the Minutes.

41. MAYOR'S ANNOUNCEMENTS

The Mayor made a short report on events, activities and visits undertaken since the last Council meeting. The Mayor took the opportunity to thank all those involved in arranging the Firework Spectacular; the working visit of the High Sheriff Julia Abel Smith to see work being undertaken on community safety in the Borough; those who contributed to the Mayor's Christmas Parcel Appeal in particular the school children for their Christmas cards and those who delivered the parcels. Finally the Mayor thanked her Chaplain for organising the community carols event to raise funds for Cancer Relief.

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

There were none.

41. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET There were none.

42. ANY REFERENCES FROM THE POLICY AND SCRUTINY COMMITTEES/REGULATORY COMMITTEES

There were none.

43. CONSIDERATION OF RECOMMENDATIONS FROM THE CABINET: LOCAL TAX SUPPORT SCHEME 2014/15

The Council considered a report which had been presented to the Cabinet which set out the results of the public consultation on proposed changes to the Council

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Tax Support Scheme and presented the un-prescribed elements of the Local Council Tax Scheme for approval by Council.

Resolved:

- 1. To note the summary of responses to the consultation.
- That the Council approves the existing un–prescribed elements of the Local Council Tax Support Scheme for working age claimants to continue unchanged from 1.4.2014 onwards.

Councillor Campagna having declared a Discloseable Pecuniary Interest under the Council's Code of Conduct left the Chamber during consideration of this item and took no part in the discussion or vote.

44. NEW LOCAL PLAN - DRAFT FOR CONSULTATION

The Council was asked to approve the draft Local Plan for consultation only. In introducing the comprehensive report before the Council the Chief Executive reminded the Council that the draft plan must be based on sound evidence. The Chief Executive drew attention to the corporate implications set out at Section 26 pages 37 to 40 of the report before the Council and highlighted the serious issues and risks to be faced by the community and the Council should the Council fail to progress the Local Plan.

The Head of Regeneration and Neighbourhoods presented the report to the Council emphasising that in approving the plan for consultation this gave every one the opportunity to see and comment on the extensive evidence summarised in the report used to support the Local Plan.

Councillors would continue to be fully engaged in the local plan process with the creation of a Task and Finish group to evaluate the response to consultation and thereafter in master planning of the sites.

The report before the Council took forward two key decisions of the Council the agreed target of 200 new homes a year and the nine sites identified for the first five years housing land supply.

The draft plan had been prepared to comply with requirement of the National Planning Policy framework and was based on objectively assessed evidence summarised in the report.

The Council was reminded that the draft local plan not only addressed housing but also identified provision for new jobs, employment, improvements to infrastructure and the provision and protection of open space . Finally the new local plan would provide the Council with the opportunity to introduce the community infrastructure levy which would ensure that new developments would make proper contribution to improve the infrastructure.

Debate took place at the conclusion a vote was taken.

Resolved:

- 1. To note the position and implications on the draft Local Plan with regard to land at Glebelands as set out at paragraphs 13.47 to 13.49 of the report.
- 2.
- a) To publish for consultation the draft New Local Plan, as attached at appendix 1 of the report, for a period of no less than 6 weeks from the end of January 2014.
- b) Alongside the draft New Local Plan, publish for consultation the Preliminary Draft Community Infrastructure Levy Charging Schedule for a period of no less than 6 weeks from the end of January 2014.
- c) Alongside the draft New Local Plan, publish for consultation the draft Reviewed Developer Contributions Guidance SPD for a period of no less than 6 weeks from the end of January 2014.
- d) Alongside the draft New Local Plan, publish for consultation the draft Reviewed Statement of Community Involvement for a period of no less than 6 weeks from the end of January 2014.
- e) Make available for public examination the evidence base and supporting documents prepared to inform and accompany the draft New Local Plan and associated documents.
- f) Officers should undertake further additional work as necessary, in consultation with the Leader of the Council, to fulfil the Duty to Co-operate.
- g) Officers to report back the results of consultation alongside a revised and finalised New Local Plan to the meeting of the Council in June/July 2014.
- 3. To agree a revised Local Development Scheme setting out the programme for preparing the New Local Plan and associated planning policy documents.
- 4. To appoint a Task and Finish Group to review the response to consultation on the draft Local Plan. Membership to reflect the political balance of the Council and to be chaired by the Cabinet Member for Economic Development and Business Liaison.
- 5. To request Counsel to review the consultation on the draft New Local Plan and advise on the final Local Plan.
- 6. To appoint a Master Plan Working Group for each site identified for master planning or planning briefs to work with

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officers, other service providers and developers to prepare a master plan or planning brief for report and formal agreement by the Cabinet. Membership to comprise the Chairman the Cabinet Member for Economic Development and Business Liaison together with Ward Councillors for each site.

Note Planning approval would still be required from the Development Control Committee to progress development in respect of each of the Master Plan sites)

Councillors Anderson and Mrs Watson requested that it be recorded in the Minutes that they had voted against the recommendations.

Councillors Barrett, Mrs King, Mrs Wass, Hart, Riley and Howard each having declared a Discloseable Pecuniary Interest under the Council's Code of Conduct left the Chamber during consideration of this item and took no part in the discussion or vote.

45. REPORT OF THE LEADER OF THE COUNCIL

Given the volume of business to be dealt with at the meeting no report was made to the meeting.

46. NOTICES OF MOTION

There were none.

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

There were none.

Mayor





SPECIAL COUNCIL MINUTES

26TH FEBRUARY 2014

MINUTES of the Special Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley on 26th February 2014.

PRESENT:

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

Apologies for absence were received from Councillors Ms G.Barton, C.N.Brunt A. Partridge A.C.Walter, Mrs L Wass and N Watson.

48. MAYOR'S ANNOUNCEMENTS

The Mayor announced that the Schools Adjudicator's had made his decision yesterday that the Deanes School was to remain open. Members joined with the Mayor in congratulating all those who fought so hard to keep the school open.

The Mayor and Members wished the school continued good fortune and every success for the future.

49. PETITIONS

The Mayor gave permission to Councillor Riley to present a petition to the Chief Executive from residents opposing the current draft proposals under consideration in respect of John H Burrows Park.

50. MEMBERS' INTERESTS

There were none.

51. POLICY FRAMEWORK AND BUDGET SETTING FOR 2014/2015

This Special Meeting of the Council had been scheduled to determine the budget requirement and the level of Council Tax for 2014/2015.

At the Cabinet meeting held earlier that evening, the Cabinet considered the report on the Policy Framework and Budget Setting for 2014/15.

The Council was required to make certain statutory calculations in relation to the budget requirement and these were set out in full in the report submitted to the Cabinet.

The Council was asked to consider and resolve the recommendations 1 to 20 as set out in the report to Council.

In moving the recommendations the Cabinet Member for Corporate Policy, Resources and Performance drew attention to the key features of this balanced budget highlighting that the Council had continued to maintain a balanced budget notwithstanding the reductions the Council had suffered in its grant settlement in recent years.

The Cabinet Member for Corporate Policy, Resources and Performance warned of the continuing budget pressures to be faced by the Council and the actions planned to mitigate the effects. This included among other matters increased income from recycling income; savings on contracts and savings arising from different working practices. In summary there was to be no reduction in frontline services but efforts continued to be made on smarter more effective working.

The Cabinet Member for Corporate Policy, Resources and Performance referred to the Councils' spending plans which continued to include discretionary spending and ongoing financial support for Crossroads, Cavs and the CAB.

The Leader of the Council seconded the recommendations.

Discussion took place on the recommendations during which the Cabinet Member was questioned concerning details within the budget. Members welcomed the balanced budget to maintain Council services but recognised the challenge to be faced by the Council given the continuing economic pressures.

Members acknowledged and thanked the hard work and dedication of the officers mentioning specifically the Head of Resources, the Council's Section 151 Officer and her colleagues for their work in preparing the budget.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which had come into effect on 24 February 2014, a recorded vote was taken on the recommendations of the Cabinet meeting held earlier in the evening and the Members present voted as follows:

For:

Councillors: Burch, Mrs. Challis, A. Cole, Dick, Mrs B.Egan, E.Egan, Mrs. Freeman, Mrs. Goodwin, Mrs. Govier, Hart, Howard, Mrs Iles, Isaacs, Ladzrie, May, Riley, Sharp, Sheldon, Skipp, Smith, Stanley. (21)

Against:

Councillors: Anderson, Barrett, Campagna, Greig, Harvey, Mrs. King, Mrs. Payne, J Payne, Mrs. Watson. (9)

Abstain:

Councillors Blackwell, S Cole and Tucker (3)

Accordingly, it was -

RESOLVED:

Implementation of Council policies and related spending plans

- 1. That Council note the cashable savings summarised in table 4.1.
- 2. That Council approves the continued funding of priority projects and other items of discretionary expenditure, as set out in table 9.1.
- 3. That Council notes the cost pressures and other budget increases as set out in table 9.2, including the establishment of two new earmarked reserves.
- 4. That subject to recommendations 1 to 3 above, the revenue spending plans for 2013/14 (revised) and 2014/15, set out in section 9, tables 9.3 (summary) and 9.4 (net services expenditure) of the accompanying report, are approved.

Capital spending plans and prudential indicators

- 5. That the capital spending plan described in section 10 of the accompanying report (tables 10.2 and 10.3) is approved in respect of 2013/14 (revised) and 2014/15.
- 6. That it is noted that as stated in paragraph 24 of section 10 of the accompanying report, and based on current plans and proposals, gross external borrowing is not expected to exceed the capital financing requirement in the current or forthcoming two financial years.
- 7. That as set out in paragraphs 48 and 49 of section 10 of the accompanying report, the £1.5m limit previously approved for affordable housing projects to be expended by the end of March 2017 be re-confirmed.
- 8. That the Treasury Management Strategy Statement for 2014/15 as set out in section 11 of the accompanying report is approved.

9. That as required by section 3 of the Local Government Act 2003 and the Prudential Code for Capital Finance in Local Authorities, the following Prudential Indicators are approved as set out in the appropriate sections of the accompanying report:

Prudential Indicator	Reference to sections 10, 11 and 12 of accompanying report		
Capital expenditure	Tables 10.2 and 10.3		
Ratio of financing costs to net revenue stream	Table 10.4		
Capital financing requirement	Table 10.5		
Authorised limit for external debt	Table 10.6		
Operational boundary for external debt	Table 10.7		
Incremental impact of capital investment	Table 10.8		
Housing Revenue Account limit on indebtedness	Section 10 para 36		
Maturity structure of fixed rate borrowing - upper and lower limits	Table 11.2		
Upper limits of fixed and variable interest rate exposures	Table 11.3		
Maximum period and counterparty limits for specific and non-specific investments	Tables 12.1 and 12.2		

- 10. That the Statement of Minimum Revenue Provision for 2014/15, as stated in paragraphs 37 to 39 of section 10 of the accompanying report is approved.
- 11. That no new capital proposals are allowed until:
 - the proposal has been evaluated in accordance with all relevant evaluation criteria;
 - the Cabinet has confirmed affordability and compliance with the Prudential Code for Capital Finance in Local Authorities;
 - the Cabinet has considered and approved details of the proposal.
- 12. That the Investment Strategy for 2014/15 as set out in section 12 of the accompanying report is approved.
- 13. That the Pay Policy as set out in section 13 of the accompanying report is approved.

Statutory report of the Head of Resources

14. That as required by section 25 of the Local Government Act 2003, the report of the Head of Resources set out in section 15 of the accompanying report in respect of robustness of the estimates is noted.

15. That as required by section 25 of the Local Government Act 2003, the report of the Head of Resources set out in section 8 of the accompanying report in respect of the adequacy of proposed financial reserves is noted.

Statutory calculations in respect of the budget requirement and Council Tax as required by the Local Government Finance Act 1992, as amended ("the Act")

- 16. That as set out in section 5 of the accompanying report it is noted that acting under delegated authority and in consultation with the Cabinet Member responsible for Resources, Policy and Performance the Head of Resources has calculated
 - a) a tax base for the Borough of Castle Point of **28,734** being the amount T required by section 31B of the Act; and
 - b) a tax base for Canvey Island to which a Town Council precept applies as 10,977.
- 17. That the following amounts be calculated for the year 2014/15 in accordance with sections 31 to 36 of the Act:

-		1,
Ref	Amount £	Item
(a)	60,442,416	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish (Town) Councils.
(b)	53,489,838	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	6,952,578	being the amount by which the aggregate at 20(a) above exceeds the aggregate at 20(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the act)
(d)	241.96	being the amount at 20(c) above (item R), divided by item T (19(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish (Town) precepts.
(e)	226,236	being the aggregate amount of the (Parish (Town) precepts) referred to in Section 34(1) of the Act.

(f)	234.09	being the amount at 20(d) above less the result given by
		dividing the amount at 20(e) above by item T (19(a)
		above), calculated by the Council in accordance with
		Section 34(2) of the Act, as the basic amount of its Council
		Tax for the year for dwellings in those parts of its area to
		which no Parish precept relates.

18. That in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, Council sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2013/14 for each part of its area and for each category of dwelling. This information is included within section 17 of the accompanying report:

Castle Point Borough Council Tax 2014/15, including and excluding Town Council precept, for each of the following categories of dwelling:

Band	Council Tax	Council Tax		
	Including Town	Excluding		
	Council	Town Council		
	£	£		
Α	169.80	156.06		
В	198.10	182.07		
С	226.40	208.08		
D	254.70	234.09		
E	311.30	286.11		
F	367.90	338.13		
G	424.50	390.15		
Н	509.40	468.18		

19. To note that the County Council, the Policy Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area, as indicated in the table below:

Band	Castle Point Borough	Essex County Council	Essex Fire Authority	PCC for Essex	Total Excluding Town	Canvey Island Town	Total Including Town
	Council £	£	£	£	Council £	Council £	Council £
		· -					
Α	156.06	724.50	44.28	96.18	1,021.02	13.74	1,034.76
В	182.07	845.25	51.66	112.21	1,191.19	16.03	1,207.22
С	208.08	966.00	59.04	128.24	1,361.36	18.32	1,379.68
D	234.09	1,086.75	66.42	144.27	1,531.53	20.61	1,552.14
E	286.11	1,328.25	81.18	176.33	1,871.87	25.19	1,897.06
F	338.13	1,569.75	95.94	208.39	2,212.21	29.77	2,241.98
G	390.15	1,811.25	110.70	240.45	2,552.55	34.35	2,586.90
Н	468.18	2,173.50	132.84	288.54	3,063.06	41.22	3,104.28

20. To note that, in accordance with the requirements of section 52ZC of the Act the Council has determined whether its Relevant Basic Amount of Council Tax for 2014/15 is excessive, as follows:

Ref	Amount £	Item
(a)	234.09	being the Relevant Basic Amount of Council Tax for 2013/14, excluding local precepts.
(b)	2.0%	being the percentage increase above which the Secretary of State has determined the Relevant Basic Amount of Council Tax for 2014/15 would be excessive.
(c)	238.77	being the amount above which the Relevant Basic Amount of Council Tax for 2014/15, excluding local precepts, would be excessive (rounded down to the nearest penny).
(d)	234.09	being the Relevant Basic Amount of Council Tax for 2014/15, excluding local precepts.

The Relevant Basic Amount of Council Tax for 2014/15 is therefore, not excessive and the duty to make substitute calculations and hold a referendum does not apply (Chapter 4ZA of Part 1 of the Act).