

ANNUAL MEETING OF THE TENDRING DISTRICT COUNCIL**HELD ON 6 MAY 2014 AT 7.30 P.M.****IN THE PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA**

Present: Councillors V E Guglielmi (Chairman), Nicholls (Vice-Chairman), Aldis, Amos, Broderick, Brown, Bucke, Caines, C Callender, R Callender, Calver, Casey, Challinor, Chapman, Colbourne, Cossens, De-Vaux Balbirnie, Fawcett, Goggin, Griffiths, G V Guglielmi, Hawkins, Heaney, I J Henderson, J Henderson, P B Honeywood, S A Honeywood, Howard, Johnson, D R Mayzes, McLeod, McWilliams, Miles, Mitchell, D Oxley, P J Oxley, Page, Patten, Platt, Powell, Richardson, Sambridge, Scott, Simons, D C Skeels, M J D Skeels, Steady, Talbot, Turner, Watling, White, Winfield and Wood

In Attendance: Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Corporate Director (Public Experience) (June Clare), Democratic Services Manager (Colin Sweeney), Legal Services Manager and Monitoring Officer (Lisa Hastings), Management and Members' Support Manager (Karen Neath), Communications and Public Relations Manager (Nigel Brown), Senior Democratic Services Officer (Ian Ford) and Democratic Services Officer (Janey Nice)

1. CHAIR

The Chair was occupied by the Vice-Chairman of the Council (Councillor V E Guglielmi) who, in accordance with the provisions of Section 3(2) of the Local Government Act 1972, chaired the meeting in the absence of the retiring Chairman, Councillor Stock, until his successor became entitled to act as Chairman.

2. SILENT TRIBUTE

All persons present stood in silent tribute to the memory of the late Councillor Sarah Candy.

Councillors Turner, Hawkins (on behalf of the Labour Group), Watling, P J Oxley, Sambridge, G V Guglielmi and Mitchell each paid tribute to Sarah Candy's memory and her work as a member of the Council.

Condolences were also given to Councillors I J Henderson and Tracey on the recent loss of their respective mothers and to Councillor Talbot on the recent loss of his daughter-in-law.

3. RETIRING CHAIRMAN'S ANNOUNCEMENTS

The Chief Executive, on behalf of Councillor Stock, thanked all those who had sent messages of support and condolence to Councillor Stock.

4. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors S S Mayzes, Shearing, Stock and Tracey.

5. CHAIRMAN OF THE COUNCIL

It was moved by Councillor Goggin, seconded by Councillor Page and:

RESOLVED that, pursuant to Section 3(1) of the Local Government Act 1972, Councillor V E Guglielmi be elected Chairman of the Council for the 2014/2015 municipal year.

Councillor Guglielmi was thereupon invested with the badge and Chain of Office and made a Statutory Declaration of Acceptance of Office.

After thanking the Council for the honour they had bestowed upon her, the Chairman paid tribute to her predecessor in office, Councillor Stock. She also thanked Officers, and in particular, Sarah Creelman, the former Chairman's Secretary, for all the help she had received during her term as Vice-Chairman of the Council. Councillor Guglielmi went on to state that she was very much looking forward to working with the new civic affairs team of Karen Neath, Sally Cornish and Ashley Wood.

6. VICE-CHAIRMAN OF THE COUNCIL

It was moved by Councillor Heaney, seconded by Councillor Page and:

RESOLVED that, pursuant to Section 5(1) of the Local Government Act 1972, Councillor Nicholls be elected Vice-Chairman of the Council for the 2014/2015 municipal year.

Councillor Nicholls was thereupon invested with the Vice-Chairman's Badge of Office, made a Statutory Declaration of Acceptance of Office, expressed his thanks to his mover and seconder and to the Council for their support. He paid tribute to his predecessor in office Councillor V E Guglielmi and her consort Councillor G V Guglielmi. Councillor Nicholls pledged that he and his wife would do their utmost to support the Chairman during her year in office.

7. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that the theme for her year in office would be "Building a Future for Young People" and that she would inform Council at its next meeting of her chosen Charity for her year in office. She further informed Members that her Chaplain for the municipal year would be the Reverend Pat Presley.

The Chairman informed Members of the following dates for their diaries:

- (1) V E Day Service at Clacton war Memorial on Thursday 8 May 2014;
- (2) Womens' Cycle Tour and Tour de Tendring – Friday 9 May and Sunday 11 May 2014;
and
- (3) Clacton Air Show on Thursday 21 and Friday 22 August 2014.

The Chairman was pleased to announce that she had accepted an invitation to be a Patron of the Tendring and Colchester Grass Roots charity.

Finally, the Chairman invited Members and Officers to join her in the Chairman's Parlour after the meeting for refreshments.

8. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were none on this occasion.

9. APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES AND ELECTION OF CHAIRMEN AND APPOINTMENT OF VICE-CHAIRMEN

(a) Appointment of Standing Committees and Sub-Committees subject to the Widdicombe Rules

The Council had before it a schedule of Members that it was proposed should serve on each of the Council standing Committees and Sub-Committees, which were subject to the Widdicombe Rules.

It was moved by Councillor Page, seconded by Councillor Turner and:

RESOLVED that the standing Committees and Sub-Committees of the Council, subject to the Widdicombe Rules be, and are, hereby appointed for the 2014/2015 municipal year and that their membership be as set out hereunder:

Audit Committee

Councillors Challinor, Griffiths, I J Henderson, D C Skeels and Talbot.

Community Leadership and Partnerships Scrutiny Committee

Councillors Amos, C Callender, Hawkins, Howard, Miles, Patten, Pugh and Tracey.

Corporate Management Committee

Councillors Bucke, Caines, R Callender, Challinor, V E Guglielmi, Nicholls, Steady and Wood.

Council Tax Committee

Councillors Amos, Bucke, Caines, Nicholls and Page.

Education and Skills Committee

Councillors Aldis, C Callender, Chapman, V E Guglielmi, Miles, Richardson, Tracey and Watling.

Human Resources Committee

Councillors Amos, Broderick, C Callender, R Callender, Calver, Chapman, Colbourne, Griffiths, Heaney, J Henderson, S A Honeywood, Richardson, Scott and Tracey.

Licensing Committee

Councillors Caines, Casey, Colbourne, Cossens, De-Vaux Balbirnie, Fawcett, Mitchell, Powell, Pugh, Sambridge, Shearing, D C Skeels, M J D Skeels, Winfield and Wood.

Local Plan Committee

Councillors Amos, Broderick, R Callender, De-Vaux Balbirnie, G V Guglielmi, V E Guglielmi, Hawkins, I J Henderson, Howard, McWilliams, Nicholls, Richardson and Shearing.

Planning Committee

Councillors Broderick, Brown, Challinor, Fawcett, Heaney, Johnson, McLeod, Mitchell, Simons, Watling and White.

Regulatory Committee

Councillors C Callender, R Callender, Colbourne, Cossens, S A Honeywood, King, McLeod, Nicholls, D Oxley, Richardson, Scott, Simons, M J D Skeels and Steady.

Service Development and Delivery Scrutiny Committee

Councillors Aldis, R Callender, Challinor, Colbourne, D R Mayzes, D Oxley, Simons and Talbot.

Standards Committee

Councillors Hawkins, Heaney, P B Honeywood, Johnson, Nicholls, Stock and White.
Appeals Sub-Committee

Councillors Aldis, Broderick, S A Honeywood, Nicholls, M J D Skeels and Simons.

Licensing (General Purposes) Sub-Committee

Councillors Casey, De-Vaux Balbirnie, Fawcett, Mitchell, Powell, Pugh, Sambridge and D C Skeels.

(b) Appointment of the Premises/Personal Licences Sub-Committees

The Council had before it a schedule of Members that it was proposed should serve on the Premises/Personal Licences Sub-Committees, which were not subject to the Widdicombe Rules.

It was moved by Councillor Page, seconded by Councillor Turner and:

RESOLVED that the Premises/Personal Licences Sub-Committees be, and are, hereby appointed for the 2014/2015 municipal year and that their membership be as set out hereunder:

Premises/Personal Licences Sub-Committee 'A'

Councillors Casey, Colbourne and Powell.

Premises/Personal Licences Sub-Committee 'B'

Councillors Mitchell, Sambridge and Shearing.

Premises/Personal Licences Sub-Committee 'C'

Councillors De-Vaux Balbirnie, Fawcett and Sambridge.

(c) Appointment of the Town and Parish Councils Standards Sub-Committee

It was moved by Councillor Page, seconded by Councillor Turner and:

RESOLVED that the Town and Parish Councils Standards Sub-Committee be, and is, hereby appointed for the 2014/2015 municipal year and that its membership be as set out hereunder:

Councillors P B Honeywood, Nicholls and White.

(d) Chairmen and Vice-Chairmen of the Standing Committees and Sub-Committees subject to the Widdicombe Rules and Chairmen of the Premises/Personal Licences Sub-Committees

It was moved by Councillor Page, seconded by Councillor Nicholls and:

RESOLVED that the Chairmen and Vice-Chairmen of the standing Committees and Sub-Committees subject to the Widdicombe Rules and the Chairmen of the Premises/Personal Licences Sub-Committees be elected and appointed respectively for the 2014/2015 municipal year as follows:

<u>Committee/Sub-Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
Audit	Griffiths	D C Skeels
Community Leadership and Partnerships	Miles	Patten
Corporate Management	Steady	V E Guglielmi
Council Tax	Page	Nicholls
Education and Skills	Watling	Miles
Human Resources	R Callender	Griffiths
Licensing	Fawcett	Sambridge
Local Plan	G V Guglielmi	R Callender
Planning	Heaney	Challinor
Regulatory	S A Honeywood	Nicholls
Service Development and Delivery	Challinor	D R Mayzes
Standards	Stock	Heaney
Appeals Sub-Committee	S A Honeywood	M J D Skeels
Licensing (General Purposes) Sub-Committee	D C Skeels	Fawcett
Premises/Personal Licences Sub-Committee 'A'	Colbourne	n/a
Premises/Personal Licences Sub-Committee 'B'	Mitchell	n/a
Premises/Personal Licences Sub-Committee 'C'	Sambridge	n/a

10. OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMME FOR 2014/2015 AND A REVIEW OF THE WORK CARRIED OUT DURING THE PERIOD MAY 2013 TO APRIL 2014

The Council considered a report which sought its approval to a proposed work programme for the Community Leadership and Partnerships Committee, the Corporate Management Committee and the Service Development and Delivery Committee for the 2014/2015 municipal year and which reviewed the work carried out by those Committees during the period May 2013 to April 2014.

It was moved by Councillor Page, seconded by Councillor Turner and:

RESOLVED that the proposed work programmes for the Community Leadership and Partnerships Committee, the Corporate Management Committee and the Service Development and Delivery Committee for the 2014/2015 municipal year and the review of the work carried out by those three Committees in the period May 2013 to April 2014, as set out in Appendices A2A and A2B to item A.1 of the References from Committees, be approved.

11. PROGRAMME OF MEETINGS: 2014/2015 MUNICIPAL YEAR

The Council gave consideration to a proposed timetable of meetings of the Council, the Audit Committee, the Community Leadership and Partnerships Committee, the Corporate Management Committee, the Council Tax Committee, the Education and Skills Committee, the Local Plan Committee, the Planning Committee, the Service Development and Delivery Committee and the Standards Committee for the 2014/2015 municipal year.

It was moved by Councillor G V Guglielmi, seconded by Councillor Page and:-

RESOLVED that the programme of meetings of the Council and the Committees, as set out in the Appendix to item A.2 of the Reference from Cabinet, be approved.

12. THE LATE COUNCILLOR SARAH CANDY

The Chief Executive formally reported the death of Councillor Sarah Candy. He informed the Council that notice of the vacancy in the Manningtree, Mistley, Little Bentley and Tendring Ward would be given in due course.

The Council noted the foregoing.

13. APPOINTMENT OF INDEPENDENT PERSON AND INDEPENDENT REMUNERATION PANEL UPDATE

Independent Persons

The Council was aware that the Localism Act 2011 required each local authority to appoint an Independent Person (IP) to work with the Council's Monitoring Officer within the Standards Framework. At its meeting held on 26 November 2013, as part of the adoption of new conduct arrangements, Council had resolved that the current IP role would terminate with effect from 6 May 2014.

It was reported that since those new arrangements had been put into place, the Council's Monitoring Officer had commenced a recruitment exercise, which had been approved by the Council's Standards Committee. However, a very low response had been received. Feedback the Monitoring Officer had received had identified the lack of an allowance allocated for the role especially as it was desired that applicants applied from outside of the District. As a result the Monitoring Officer had reviewed the position at other Authorities and considered that an allowance to cover all expenses of £600 (funded from within existing budgets) would be an acceptable sum. Members were reminded that the IP must be available for the Monitoring Officer to consult with regarding any complaint received against District, Town and Parish Councillors. The allowance therefore, gave a degree of commitment to the role and support to the Monitoring Officer. It was therefore proposed that the recruitment exercise be repeated with the allowance being referred to in the application pack.

Members were aware that Mr John Wolton had been appointed as the Council's IP at the full Council meeting on 3 July 2012 (Minute 32 referred) and remained as such until 6 May 2014. It was reported that although it was envisaged that the recruitment exercise would be repeated with interviews taking place before the next Council meeting, it was suggested that Mr Wolton's appointment be extended until 30 September 2014, in order to provide continuity and additional time should it be required.

Independent Remuneration Panel

Council was reminded that, at its meeting held on 17 May 2011, the Annual Review of the Scheme of Members' Allowances by the Independent Remuneration Panel (IRP) had been considered and Council had resolved that a scheme of indexation be introduced for allowances commencing in May 2012, May 2013 and May 2014 and:

"That Officers bring forward to a future Council meeting a report on the options for the provision of an Independent Remuneration Panel following the expiry of the term of appointment of the current members of the Tendring District Council Independent Remuneration Panel."

It was reported that the term of the IRP had ended on 30 June 2012 and, following this, a recruitment exercise had been conducted for a new panel. However, interest had been extremely limited and had not delivered sufficient candidates to form a Panel. Alternatively, legislation allowed the Council to jointly appoint a Panel with another

Authority. To that end, approaches had been made to nearby district councils both within Essex and Suffolk and to Essex County Council. However, it had not proved possible to find another Council able to move forward with a jointly appointed panel.

Members were informed that given the difficulties experienced in attracting independent people to participate in both the standards arrangements and the recommending of Members' allowances, it was proposed to utilise the re-advertisement for the IPs to recruit people to undertake both this and the IRP role. Members were reminded that Council had agreed to have three IPs and there were three people required for the IRP. The Monitoring Officer did not consider that there would be any conflict of interest should those roles be combined and legislation did not prohibit it.

It was also suggested that the proposed allowance of £600 for each IP would also encompass the IRP role. If agreed, costs would be £1,800 per year which would be funded using the £500 per annum already in the budget for the IRP plus a further £1,300 to be found within existing budgets.

The new IRP would commence a review of Members' allowances and report back to the Annual Council meeting in May 2015.

It was moved by Councillor Page, seconded by Councillor Turner and:

RESOLVED that

- (a) the appointment of three individuals to undertake the dual role of Independent Persons and the Independent Remuneration Panel be agreed;
- (b) with immediate effect an annual allowance of £600 be allocated for each individual undertaking the dual role of Independent Person and Independent Remuneration Panel member; and
- (c) the appointment of John Wolton, as the current Independent Person be extended until 30 September 2014.

The meeting was declared closed at 8.11 p.m.

Chairman