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**MEETING OF THE TENDRING DISTRICT COUNCIL,  
HELD ON TUESDAY 25 NOVEMBER 2014 AT 7.30PM  
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, Coley, Cossens, De-Vaux Balbirnie MBE, Fawcett, Goggin, Griffiths, G V Guglielmi, Hawkins, Heaney, I J Henderson, J Henderson, P B Honeywood, S A Honeywood, Howard, Johnson, King, D R Mayzes, McLeod, McWilliams, Miles, Mitchell, D Oxley, P J Oxley, Page, Patten, Platt, Powell, Pugh, Richardson, Sambridge, Scott, Simons, D C Skeels, M J D Skeels, Steady, Stock, Talbot, Tracey, Turner, Watling, White, Winfield and Wood

**In Attendance:** Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Corporate Director (Life Opportunities) (Paul Price), Legal Services Manager and Monitoring Officer (Lisa Hastings), Democratic Services Manager (Colin Sweeney), Finance and Procurement Manager (Richard Barrett) and Democratic Services Officer (Janey Nice)

**70. ORDER OF BUSINESS**

The Chairman announced that, given the high-volume of business to be considered:

1. Questions Pursuant to Council Procedure Rule 10.2 (Agenda Item No.10) be moved and considered at the end of all other formal business, time permitting; and
2. A motion received by her from Councillor Stock be considered as urgent in accordance with Council Procedure Rule 12(q) and that this be considered immediately after the two motions received, on notice, and which appeared at Agenda Item 13.

**71. APOLOGIES FOR ABSENCE**

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

**72. MINUTES OF THE LAST MEETING OF THE COUNCIL**

**RESOLVED**, that the minutes of the meeting of the Council, held on Tuesday 9 September 2014, be approved as a correct record and signed by the Chairman.

**73. DECLARATIONS OF INTEREST**

Councillor L McWilliams declared a non-pecuniary interest in relation to Agenda Item No.13 (Urgent Matters for Debate), by virtue of the fact she was a stakeholder governor with the Colchester Hospital University Foundation Trust.

**74. ANNOUNCEMENTS BY THE CHAIRMAN**

The Chairman's and Vice-Chairman's engagements for the period 10 September to 24 November 2014 were tabled at the meeting.

The Chairman made the following announcements:

**"Movember"**

The Chairman invited Members to contribute to a collection after the meeting in aid of "Movember" to which, a number of Officers and Members had taken part in.

**Chairman's Christmas Quiz**

The Chairman was delighted to announce that her Christmas Quiz was to be held in the Princes Theatre on Friday 5 December 2014, the proceeds of which would be donated to her Charity, Team-Talk.

**75. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE**

There were no announcements by the Chief Executive.

**76. STATEMENTS BY THE LEADER OF THE COUNCIL**

There were no statements by the Leader of the Council.

**77. STATEMENTS BY MEMBERS OF THE CABINET****Environment and Coast Protection Portfolio**

Councillor N Turner, Deputy Leader of the Council and Portfolio Holder for Environment and Coast Protection, made statements in respect of the following areas of service delivery within the remit of his portfolio:

**Engineering and Coast Protection**

Councillor Turner advised Council that the Clacton to Holland-on-Sea coastal defence transformation works had begun on 22 July 2014, followed by the Sospan Dau beginning its "rainbowing and pancaking" and delivery of rocks from Norway for the building of eight groynes. He said that the Council now had the beach recharges starting and that everything was now on track to finish by about this time next year. The Project, he said, would be stood down in January only to start again in late March 2015. Councillor Turner said the works were a wonderful sight to behold and that Members could view progress via the Council's website where time lapse photography and photographs of the day-to-day activities were available.

**Open Spaces and Bereavement**

Councillor Turner was delighted to announce that the Council had opened a further two gardens this year. The first, the Poppy Garden in Dovercourt, led by Harwich Town Council, and the second, in Clacton, to commemorate the first bombing of the Second World War. The Council had, he said, won another Green Flag and retained the other two it already had received in respect of Weeley Crematorium, which he was delighted to announce had won a gold medal from Anglia in Bloom for the new category of "Crematorium Grounds". He added that the Council had also helped Frinton-on-Sea to attain the award of Best Small Town in six counties plus it had been awarded its sixth straight Royal Horticultural Society's Gold Medal.

Early next year, he said, and subject to a Bat Licence, the Council would be starting in earnest on the replacement of its two cremators and sundry improvements, the contract for which, he said, would take over a year and come within the Council's budget for this work of £1.4m.

### Street Scene

Councillor Turner was pleased to announce that the new Waste Transfer Station on the A120 had come into use at the end of October and, additionally, that the Council's Stray Dogs Services had won a gold medal from the Royal Society for the Prevention of Cruelty to Animals' (RSPCA) prestigious Community Animal Welfare Footprints (CAWF).

Councillor Turner advised Council that the Council's Green Waste offer had proved to be a success with 2,207 households within the District having already signed-up and paid for the service. He said he had had the pleasure of speaking of this success in September at the Resource and Waste Management Exhibition held at the NEC, Birmingham.

### Seafronts and Parking Service

Councillor Turner acknowledged that Essex County Council had been very helpful, having funded two changing places. He was delighted to announce that, at The Loo of the Year Awards, the Council had received a Platinum award for the facility at Walton-on-the-Naze and a gold medal for the facility at Clacton-on-Sea. In addition, he said, the Council was in line to receive a major, national architectural award for the design of these. The Alan King Award, hosted by the Chartered Institute of Architectural Technologists had placed the design within the top three in the United Kingdom and would either be commended, highly commended or overall 2014 winner when the final decisions were announced at a ceremony to be held in Nottingham on 29 November 2014.

### Environment

Councillor Turner was delighted to announce that the Environment Service which, he said, worked quietly in the background, had won the only gold medal to be awarded by the RSPCA in recognition of the Council's Animal Welfare Policy.

In conclusion, Councillor Turner applauded the work of the Council's Officers and all Members in maintaining and enhancing the Tendring District over the past year.

### Planning and Corporate Services

Councillor G V Guglielmi, Portfolio Holder for Planning and Corporate Services advised Members that Officers across the Council had been working hard over the Summer on developing the Council's new intranet (called PING!), which went live on Monday 10 November 2014, and he paid particular thanks to Katie Wilkins, Matt Cattermole and the rest of their team for its inception and success so far.

Councillor Guglielmi was delighted to say how it looked and felt very much better than the previous intranet and, like the Council's website, it would record usage so the Council could regularly restructure the front page to give prominence to the things people used it for most.

Because of the sizeable IT Infrastructure Investment that this Council agreed in October last year, PING, Councillor Guglielmi said, would save ongoing costs, play an important part, along with the wider investment in IT and better use of office buildings, in the transformation of the way staff worked across the Council. He said that it (PING) linked-up information from all parts of the Council, made it more accessible to staff and Members alike and it would give scope for many more improvements on how Members and Officers communicated with each other.

Councillor Guglielmi reported that feedback from users had been extremely positive and the site usage figures showed a huge increase in visits with, as of 20 November 2014, (nine days post launch), the site had received 12,545 hits.

Councillor Guglielmi thanked to those Members who came along to one of the taster sessions, which had been run earlier this month. He said that there were plans in place to show more of PING for Members at the all Member Briefing due to be held at 6pm on 17th December and asked as many Members to come along.

In conclusion, Councillor Guglielmi said he would be interested to know of any Members who would like to work with him as part of a Portfolio Holder's Working Party to look at the issue of how the Council could best improve the IT facilities it had for Members. He believed the opportunity existed to work much more efficiently than the Council did now and, with a new Council being elected from next May, now was the time to start thinking about it and he looked forward to hearing from interested Members.

### **Culture, Tourism, Leisure and Events Portfolio**

Councillor Platt, Portfolio Holder for Culture, Tourism, Leisure and Events, made a statement in respect of the following area of service delivery within the remit of his portfolio:

#### **Dovercourt and Frinton and Walton Swimming Pools**

Councillor Platt said he wished to issue an apology to the residents of Frinton and Walton and Harwich and Dovercourt who had, until now, second rate changing facilities for far too long. He realised that he had not been a member of the Council for too long and was very new to the role of portfolio holder and, therefore, he said, he had little knowledge as to how these facilities were allowed to deteriorate over time. However, he said, that was not important now but what was important that, back in April, in his first speech as Leader of the Council, Councillor Page made a promise to resolve these shortcomings and Councillor Platt thanked and congratulated him on another pledge fulfilled.

Councillor Platt said that part of that pledge was to promise residents a first class facility for both sites and, having visited Dovercourt Lifestyles earlier today, he was very pleased to report that what he had seen would fulfil that. The outdated and poor quality changing rooms had, he said, been replaced with a modern, family-friendly 21st Century provision. He added that a state-of-the-art fitness suite was the subject of some final checking before its grand opening, which would see a significant addition to the Council's leisure offer and helping the health and well-being of the District's residents.

Councillor Platt said he believed that Members were aware that this offer extended to the Frinton and Walton site and with planning permission recently granted, he looked forward to updating Members further. He said he would like to take this opportunity to thank and recognise the ward members for continuing to press for this work to be carried out and, importantly, for their input and support throughout the refurbishment. Councillor Platt also praised the staff of all the Council's leisure facilities, especially those at Manningtree, where a significant improvement in the activity programme had led to attendance levels of over 47,000. Councillor Platt went on to say that he firmly believed that Members had a responsibility, as community leaders, to provide high-quality leisure facilities for each and every resident of the Tendring District. But, much more than that, there was, he said, powerful evidence available to say why Councils should invest in its sports' facilities, for example, a recent study by the British Heart Foundation estimated that the cost of physical inactivity to the Tendring economy was over £3m per year. Furthermore, he said, Sport England's Active People Survey showed that only 30% of adults in Tendring participated regularly in any sport but, interestingly, over 50% of adults would like to do more sport. Councillor Platt said he was not suggesting that the Council alone could change this but, in a district where the top three sports were swimming, gym and fitness, there was strong evidence to suggest that the Council was making a very good start.

In conclusion, Councillor Platt said the Council should not look backwards or apportion blame on others for what could or should have been but, instead, look to the future, a positive, bright future here in Tendring with leisure facilities fit for 2015.

### **Well-being and Partnerships**

Councillor McWilliams, Portfolio Holder for Well-being and Partnerships, made a statement in respect of the following area of service delivery within the remit of her portfolio:

Councillor McWilliams said that the Care Quality Commission (CQC) had made an unannounced visit on Wednesday 12 November 2014 to the Accident and Emergency (AE) Department and the Emergency Assessment Unit (EAU) at Colchester Hospital and that the Hospital's Trust had received verbal feedback from the CQC that evening pending the report and outcomes of the inspection, which would be known in due course. One of the main concerns the CQC had, she said, were the numbers being admitted to, and cared for in AE and EAU.

Councillor McWilliams said that the number of people who had attended AE had risen that week and, due to the pressures on the hospital, a "major incident" had been declared on the morning of Thursday 13 November 2014. She added that this course of action had been supported by the North East Essex Care Commissioning Group, which had given out a press release asking potential patients to only attend AE for serious, or life-threatening, conditions such as loss of consciousness, heavy blood loss, suspected broken bones, persistent chest pains, difficulty with breathing, overdoses and ingestion or poisoning. The hospital, she said, had asked that those potential patients with minor injuries, such as cuts, sprains and minor burns, attend walk-in medical centres or minor injury units.

Councillor McWilliams advised Council that, by 17 November 2014, the number of attendees to AE were down to 115, compared with the normally expected 160 to 170 attendees. She added that the major incident status continued and that information would be updated regularly and available on the Hospital's website. In addition, Councillor McWilliams said that, by Friday 21 November 2014, 38 elective surgery cases (non-emergency and non-cancer) were, reluctantly, postponed and that new dates for this surgery would be identified within 28 days. She stressed that day case procedures had not been affected.

Councillor McWilliams said that much had already been done to address some of the issues and concerns the CQC had raised and that partners were working with the Trust to ensure there were better flows through the hospital to then go out into the community. She added that multi-agency meetings had taken place.

In conclusion, Councillor McWilliams said that, as portfolio holder with responsibility for health community leadership for Tendring District Council, she had arranged for the Chief Executive Officer of Colchester Hospital University Foundation Trust, Dr Lucy Moore, to attend the local health and well-being board meeting and, as Chairman, Councillor McWilliams extended an invitation to all Members to attend that meeting, which was scheduled to be held at 10.00am on Wednesday 3 December 2014. She said that, in order to ensure that the Council got full answers to its questions, and to avoid duplication, she asked if Members could provide their questions to be put to Dr Moore, by the close of business on Friday 28 November 2014 to the Council's Environmental Services Manager.

**78. PETITIONS****Report of the Corporate Director (Life Opportunities): A.1 – Petition: Parkeston House**

With reference to Minute No.56 to the meeting of the Council, held on 9 September 2014, Council considered a petition received, which contained 278 valid signatures and which related to the safety and security of Parkeston House in Parkeston.

The lead petitioner, Ms Joanna Underhill, was not in attendance to present the report, nor had she appointed anyone to do so.

The Council had before it a report of the Corporate Director (Life Opportunities), which set out the background to the petition and how it related to Parkeston House.

Councillor G V Guglielmi, Portfolio Holder for Planning and Corporate Services advised Members that the Council had actively worked with the developer of Parkeston House in an attempt to ensure that the site was safe and secure but, regrettably, the developer had failed to follow advice provided by the Council's Officers or take appropriate remedial action, which had resulted in the Health and Safety Executive's intervention.

He added that the developer's private building control arrangements had been withdrawn by the companies involved, on at least two occasions, which had resulted in the Council taking on aspects of the role in default. Action, he said, had been taken under the Council's powers for dealing with dangerous structures but related legal events had run in parallel, which had resulted in the developer receiving a custodial sentence.

Councillor Guglielmi said that, following the Council obtaining a warrant to enter the premises, a full survey by independent surveyors had been commissioned and the Council's options determined based upon the results of that inspection. He added that £20,000 had been made available to supply and erect steel covers for the ground floor windows and plywood for the top floor.

Councillor Guglielmi said that the Council had already expended significant levels of resources and officer-time in dealing with the developer and making the site safe and secure and that these actions would ensure the building was properly secured, that unauthorised attendance was prevented and to make sure that the building was not a danger to the public. He stressed that the Council would do all it could to recover these costs in due course.

Councillor Guglielmi advised Council that he had submitted a progress report and a Council Officer had attended the last three meetings of the Ramsey and Parkeston Parish Council to ensure that the Parish Council, and residents were kept informed of progress in respect of the Council's actions. He said that the Council had a legal duty to ensure that the property did not present a danger to the public however, it did not have a duty to undertake any other works to the building and, given the developer's current situation, it was apparent that he was currently unable to undertake any further work until his position changed. He went on to say that when the developer was released from custody, the Council would attempt to establish his future intentions and determine any potential further action based on these intentions.

Given the ongoing situation with the developer, Councillor Guglielmi said that the Council had been left with no alternative other than to undertake the works in default as it was clear that the developer would not be undertaking the works. The Council, he said, had attempted to advise local residents of the ongoing situation but, given the confidential nature of the issues, it had not always been possible to be as frank and open as it would have wished. However, he said, it was hoped that with the action which had now been put in place, the signatories to the petition and the Parish Council, would have seen that the Council was prepared to take legal action and would take action which was appropriate and within its scope.

In conclusion, Councillor Guglielmi said that, in accordance with the agreed procedure, Officers had investigated the request made in the petition and that the Council may now consider the petition and whether to make any recommendation to Cabinet. He said that the petition had requested that the Council make the building safe and secure and, given the proposal to affix security screens to the ground floor and board the upper floors, it was apparent that the Council would comply with this request.

Having considered the petition and the Officer's report it was moved by Councillor Stock, seconded by Councillor Hawkins and **RESOLVED**, that the petitioners be thanked for submitting it, the contents of the petition be noted and supported and that the actions being taken by the Council be recognised.

**79. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 9**

There were none on this occasion.

**80. REPORT OF THE LEADER OF THE COUNCIL**

In accordance with the requirements of Procedure Rule 17.4 of the Access to Information Procedure Rules and Rule 16(i) of the Overview and Scrutiny Procedure Rules, Council had before it, a report, which notified Members of Executive Decisions taken in the circumstances set out in Rule 16 of the Access to Information Procedure Rules and Rule 18(i) of the Overview and Scrutiny Procedure Rules, as follows:

(a) Extension of Careline Service

Decision by the Housing, Benefits and Revenues Portfolio Holder that the Council enters into a contract with Provide Community Interest Company to supply its local community alarm system.

(b) Exemption from Procurement Procedure Rules – Printing Arrangements for Elections

Decision by the Finance and Transformation Portfolio Holder that the Council continues to use its current printers, Print UK, for all elections and electoral services related printing, up to and including the UK Parliamentary, District, Town and Parish Council Elections in May 2015.

(c) Membership of the Essex Non-Domestic Rates Pool for 2015/16

Decision by the Finance and Transformation Portfolio Holder that:

- (i) Tendring District Council confirms its participation in the Essex non-domestic rates pool for 2015/16 for the purpose of submitting the initial application to the Government by 31 October 2014;
- (ii) Officers continue to work with the other local authorities in the Pool to develop the final pooling agreement based on the principle of no Authority being worse off in the Pool than outside of it; and
- (iii) If the currently proposed pooling arrangements are adversely affected by factors such as announcements by the Government, then Officers be requested to withdraw from the Pool at the earliest opportunity if the position for Tendring District Council no longer looks favourable.

Council noted the foregoing.

## 81. MINUTES OF COMMITTEES

**RESOLVED** that, with the exception of the minutes of the meeting of the Standards Committee held on Monday 29 September 2014, the minutes of the following Committees, as circulated, be received and noted:

1. Community Leadership and Partnerships Committee of Wednesday 3 September 2014 (Special);
2. Corporate Management Committee of Wednesday 10 September 2014;
3. Community Leadership and Partnerships Committee of Monday 15 September 2014;
4. Service Development and Delivery Committee of Monday 22 September 2014;
5. Audit Committee of Thursday 25 September 2014;
6. Local Plan Committee of Tuesday 21 October 2014;
7. Service Development and Delivery Committee of Monday 3 November 2014; and
8. Corporate Management Committee of Tuesday 4 November 2014 (Special).

### Standards Committee of Monday 29 September 2014

The Chairman of the Standards Committee, Councillor Stock, moved that the minutes of the meeting of the Standards Committee, held on 29 September 2014, be received and noted.

It was further moved by Councillor Stock, seconded by Councillor Heaney and **RESOLVED** that the Member and Officer Relations Protocol, together with the Officers' Code of Conduct, be reinstated within Part 6 of the Constitution.

### Special Corporate Management Committee of Tuesday 4 November 2014

Councillor J Hawkins asked the Vice-Chairman of the Corporate Management Committee (Councillor A Wood) whether the annual savings of approximately £540,000, as detailed on the last line of page 1 to those minutes (page 69 to the Council Book) should in fact show a figure of £54,000?

In response, Councillor Wood agreed that the figure should read £54,000 and that this would be amended at the next ordinary meeting of the Corporate Management Committee to be held on Tuesday 2 December 2014.

## 82. MOTIONS TO COUNCIL

The Council had received Motions, on notice, from Members in relation to:

1. Part Night Street Lighting; and
2. The Size and Composition of the Council's Local Plan Committee.

Notice of the motions had been given in accordance with Council Procedure Rule 11.

### 1. Part Night Street Lighting

Councillor I J Henderson moved and Councillor P Oxley seconded:

*“That this Council seeks to reverse the impact of Essex County Council’s Part Night Street Lighting policy within the Tendring District by paying to Essex County Council the sum of up to £44,000 in 2014/15 (Essex County Council have identified £127,000 as the annual amount saved by the night time switch off of the District’s lights) to enable the Tendring District’s street lights to remain on all night. The amount to be spent is to be taken from the Council contingency to meet the remainder of the 2014-2015 financial year.*”



*Funding thereafter to be included for consideration as part of the budget setting process for 2015/16 on the basis that the funding of Tendring's street lights throughout the night be met by this Council only until Essex County Council is persuaded to reverse its unpopular and dangerous policy."*

In accordance with Council Procedure Rule 11.4 (Referral of Motions), the Chairman moved that the matter stand referred to the Cabinet for consideration and report.

Councillor I J Henderson requisitioned, in accordance with the provisions of Council Procedure Rule 18.4, a record of the vote to suspend Council Procedure Rule 11.4 to allow the motion to be considered and disposed of at this meeting. A recorded vote was undertaken, the result of which was as follows:

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Aldis	Amos	None	S S Mayzes
Broderick	C Callender		Shearing
Brown	R Callender		Steady
Bucke	Challinor		
Caines	Colbourne		
Calver	Coley		
Casey	Cossens		
Chapman	Fawcett		
De-Vaux Balbirnie	Goggin		
Hawkins	Griffiths		
I J Henderson	G V Guglielmi		
J Henderson	V E Guglielmi		
Howard	Heaney		
Johnson	P B Honeywood		
King	S A Honeywood		
McLeod	D R Mayzes		
D Oxley	McWilliams		
P Oxley	Miles		
Powell	Mitchell		
Scott	Nicholls		
D C Skeels	Page		
M J D Skeels	Patten		
Talbot	Platt		
Tracey	Pugh		
White	Richardson		
Winfield	Sambridge		
	Simons		
	Stock		
	Turner		
	Watling		
	Wood		

Councillor I J Henderson's motion to suspend Council Procedure Rule 11.4 to allow the motion to be considered and disposed of at this meeting was thereupon declared **LOST** and the matter stood referred to the Cabinet for consideration and report.

**In accordance with Council Procedure Rule 23 (Disturbance by Public), the Chairman ordered that Council stand adjourned.**

**Accordingly, Council stood adjourned from 8.45pm until 9.00pm.**

## 2. The Size and Composition of the Council's Local Plan Committee

Councillor Howard moved and Councillor M Page seconded:

*"This Council will increase the size of the Local Plan Committee from 13 Members to 15 Members at the earliest practical opportunity and that, in accordance with the rules of political proportionality, the composition of the Committee be 8 Conservative Group members, 1 Holland-on-Sea Residents Group member, 1 Independent Group member, 2 Labour Group members, 1 Liberal Democrat Group member, 1 Tendring First Group member and 1 UKIP Group member."*

On a vote being taken by a show of hands, Councillor Howard's motion was thereupon declared **CARRIED**.

### 83. URGENT MATTERS FOR DEBATE

In accordance with Council Procedure Rule 12(q), the Chairman of the Council, Councillor V E Guglielmi, informed the meeting that she would allow the following motion to be considered as a matter of urgency in view of its significant impact on affected residents of the District.

Councillor Stock addressed Council and referred to media headlines that had appeared over the weekend in relation to the state of Colchester General Hospital and, in particular, its Accident and Emergency Department. The comments culminated in a press release by the North East Essex Clinical Commissioning Group (CCG), which had been forwarded to all Members of the Council. The opening paragraph to the press release stated that:

*"People across North East Essex are being asked not to go to the Accident and Emergency Department at Colchester General Hospital unless they have a serious or life threatening condition."*

Accordingly, Councillor Stock moved and Councillor Watling seconded that:

*"This Council instructs our Chief Executive to write on behalf of the Council to the Secretary of State for Health, with copies to the Prime Minister, to demand*

- i. a full and frank update on the situation as a matter of urgency;*
- ii. an assurance that everything possible is being done to make the improvements necessary at the hospital; and*
- iii. a copy of the plan for improvement including a timeline and an understanding of the consequences of deadlines not being met."*

The motion, on being put to the vote, was declared unanimously **CARRIED**.

### 84. TO CONSIDER RECOMMENDATIONS FROM THE CABINET

#### (1) Amendments to the Council's Constitution (Phase 3)

The Council had before it the Cabinet minute of 7 November 2014, as set out in the Council agenda, and considered whether to adopt the proposed changes to the Council's Constitution, which had been suggested by Members and Officers of the Constitution Working Party, as Phase 3 of the Review.

By way of an amendment, Councillor Talbot, seconded by Councillor White, moved that on Page 87 to the Council Agenda (Article 5, Clause 5.01 – Chairing the Council), the following be inserted as an additional Role and Function of the Chairman:

*“The Chairman shall not be a member of any standing committee”*

On a vote being taken by a show of hands, 25 Members voted in favour of the amendment, with 33 Members voting against the amendment, which was thereupon declared LOST.

It was moved by Councillor G V Guglielmi, seconded by Councillor Page and: **RESOLVED**, that:

- (a) the proposed changes to the Articles, Budget and Policy Framework Procedure Rules, Financial Procedure Rules, Access to Information Rules and Members' Allowance Scheme, as detailed at Appendices A, B, C, D and E respectively to item A.6 of the Report of the Planning and Corporate Services Portfolio Holder, considered by Cabinet on 7 November 2014, be adopted;
  - (b) the Member/Officer Protocol be reinstated within the Constitution; and
  - (c) the Council's Constitution be amended accordingly to reflect the changes above.
- (2) The Local Council Tax Support Scheme, Council Tax Exemptions and Discounts for 2015/2016 and Annual Minimum Revenue Provision Policy Statement 2015/2016

The Council had before it the Cabinet minute of 7 November 2014, as set out in the Council agenda, and considered whether to approve the Local Council Tax Support Scheme, Council Tax Exemptions and Discounts for 2015/2016 and Annual Minimum Revenue Provision Policy Statement 2015/2016.

There was tabled, by the Council's Monitoring Officer, an amendment to the Cabinet's recommendation at Page 165 to the Council Agenda, to reflect what Cabinet agreed and the Labour Group objected to at the Cabinet meeting of 7 November 2014, to the effect that, at (a), the words "as Appendix B to" be removed and replaced with "in" to now read:

*“(a) The proposed Local Council Tax Support (LCTS) Scheme for 2015/2016, as set out **in** item A.5 of the Report of the Housing, Benefits and Revenues Portfolio Holder, be approved.”*

By way of an amendment, Councillor Hawkins, seconded by Councillor I J Henderson, moved the following:

*“Add to recommendation (a)*

*Subject to the maximum eligible Council Tax being set at a level of 90% and that:*

- (i) The revised scheme becomes the Council's draft 2015/16 LCTS Scheme;*
- (ii) Officers be requested to carry out the necessary statutory consultation;*
- (iii) The final LCTS Scheme be reported back to a meeting of the full Council;*
- (iv) The funding for the additional level of support be met from the Austerity Reserve.”*

Councillor Hawkins requisitioned, in accordance with the provisions of Council Procedure Rule 18.4, a record of the vote on his amendment. A recorded vote was undertaken, the result of which was as follows:

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Aldis	Amos	Chapman	S S Mayzes
Brown	Broderick	Powell	Shearing
Bucke	C Callender		
Caines	R Callender		
Calver	Challinor		
Casey	Colbourne		
Hawkins	Coley		
I J Henderson	Cossens		
J Henderson	De-Vaux Balbirnie		
Howard	Fawcett		
Johnson	Goggin		
McLeod	Griffiths		
D Oxley	G V Guglielmi		
P Oxley	V E Guglielmi		
Scott	Heaney		
Steady	P B Honeywood		
Talbot	S A Honeywood		
Tracey	King		
White	D R Mayzes		
	McWilliams		
	Miles		
	Mitchell		
	Nicholls		
	Page		
	Patten		
	Platt		
	Pugh		
	Richardson		
	Sambridge		
	Simons		
	D C Skeels		
	M J D Skeels		
	Stock		
	Turner		
	Watling		
	Winfield		
	Wood		

Councillor Hawkins' amendment was thereupon declared **LOST**.

By way of a further amendment, Councillor Hawkins, seconded by Councillor McLeod, moved the following:

*“Add to recommendation (a)*

*Subject to the exclusion of income from child maintenance payments when assessing claims for LCTS and that:*

- (i) The revised scheme becomes the Council's draft 2015/16 LCTS Scheme;*
- (ii) Officers be requested to carry out the necessary statutory consultation;*
- (iii) The final LCTS Scheme be reported back to a meeting of the full Council;*
- (iv) The funding for the additional level of support be met from the Austerity Reserve.”*

Councillor Hawkins requisitioned, in accordance with the provisions of Council Procedure Rule 18.4, a record of the vote on his amendment. A recorded vote was undertaken, the result of which was as follows:

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Aldis	Amos	Broderick	S S Mayzes
Brown	C Callender	Miles	Shearing
Bucke	R Callender	D C Skeels	
Caines	Challinor	M J D Skeels	
Calver	Colbourne	Wood	
Casey	Coley		
Chapman	Cossens		
De-Vaux Balbirnie	Fawcett		
Griffiths	Goggin		
Hawkins	G V Guglielmi		
Heaney	V E Guglielmi		
I J Henderson	P B Honeywood		
J Henderson	S A Honeywood		
Howard	McWilliams		
Johnson	Mitchell		
King	Nicholls		
D R Mayzes	Page		
McLeod	Platt		
D Oxley	Pugh		
P Oxley	Richardson		
Patten	Sambridge		
Powell	Simons		
Scott	Stock		
Steady	Turner		
Talbot	Watling		
Tracey	Winfield		
White			

Councillor Hawkins' amendment was thereupon declared **CARRIED** and the motion now before Council was the substantive motion.

On a vote being taken by a show of hands the substantive motion was thereupon declared **CARRIED** and **RESOLVED** that:

- (a) The proposed Local Council Tax Support (LCTS) Scheme for 2015/2016 (including the maximum LCTS award being 80% for working age claimants), as set out in item A.5 of the Report of the Housing, Benefits and Revenues Portfolio Holder, be approved, subject to the exclusion of income from child maintenance payments when assessing claims for LCTS and that:
  - (i) The revised scheme becomes the Council's draft 2015/16 LCTS Scheme;
  - (ii) Officers be requested to carry out the necessary statutory consultation;
  - (iii) The final LCTS Scheme be reported back to a meeting of the full Council;
  - (iv) The funding for the additional level of support be met from the Austerity Reserve.
- (b) The Corporate Director (Life Opportunities), in consultation with the Housing, Benefits and Revenues Portfolio Holder, be authorised to undertake the necessary steps and actions to implement the new LCTS scheme from 1 April 2015;
- (c) The proposed Council Tax exemptions and discounts for 2015/2016, as set out in Appendix C to the aforementioned report, be approved;
- (d) The Corporate Director (Life Opportunities), in consultation with the Housing, Benefits and Revenues Portfolio Holder, be authorised to undertake the necessary steps and actions to implement the Council Tax exemptions and discounts for

2015/2016;

- (e) The approval of the NNDR data for 2015/2016 be delegated to the Finance and Transformation Portfolio Holder; and
- (f) The Annual Minimum Revenue Policy Statement for 2015/2016, as set out in Appendix D to the above-mentioned report, be approved.

**85. REPORTS SUBMITTED TO THE COUNCIL BY AN OVERVIEW AND SCRUTINY COMMITTEE**

There were none on this occasion.

**86. MEMBERSHIP OF COMMITTEES AND SUB-COMMITTEES**

The Chief Executive formally reported that, in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to him, the following appointments had been made:

Audit Committee

Councillor Sambridge had been appointed to serve in place of Councillor D C Skeels.

Licensing Committee

Councillor R Callender had been appointed to serve in place of Councillor D C Skeels.

Councillor Miles had been appointed to serve in place of Councillor M J D Skeels.

Councillor Coley had been appointed to serve in place of Councillor Fawcett.

Regulatory Committee

Councillor Miles had been appointed to serve in place of Councillor M J D Skeels.

Appeals Sub-Committee

Councillor Sambridge had been appointed to serve in place of Councillor M J D Skeels.

Licensing (General Purposes) Committee

Councillor Wood had been appointed to serve in place of Councillor D C Skeels.

Councillor Coley had been appointed to serve in place of Councillor Fawcett.

Council noted the foregoing.

**87. FORMATION OF A NEW POLITICAL GROUP ON TENDRING DISTRICT COUNCIL AND REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS**

The Chief Executive formally reported that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Dawn Skeels and Councillor Mick Skeels, on 10 September 2014, individually served formal notice on the Council that they no longer wished to be treated as members of the Conservative political group.

In addition, Councillor Dawn Skeels and Councillor Mick Skeels, pursuant to Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, served formal notice on the Council that they wished to be treated as a political group. The name

of the political group was the United Kingdom Independence Party (UKIP) Group. The Leader of the UKIP Group was Councillor Mick Skeels and Councillor Dawn Skeels was the Deputy Group Leader.

In accordance with Section 15(1)(e) of the Local Government and Housing Act 1989 and Regulation 17(b) of the Local Government (Committees and Political Groups) Regulations 1990, a review of the allocation of seats to political groups had been carried out. Following that review and in accordance with the wishes of the relevant Group Leaders, and the authority delegated to the Chief Executive, the following appointments were made:

Appeals Sub-Committee

Councillor M J D Skeels to serve in place of Councillor Aldis.

Licensing Committee

Councillor D C Skeels to serve in place of Councillor Miles.

Regulatory Committee

Councillor D C Skeels to serve in place of Councillor Broderick.

Councillor M J D Skeels to serve in place of Councillor C Callender.

Council noted the foregoing.

**88. APPOINTMENT OF INDEPENDENT PERSON AND INDEPENDENT REMUNERATION PANEL UPDATE**

The Council considered a joint report by the Monitoring Officer and Management and Members' Support Manager, which sought the Council's approval of the recommendations by the Interview Selection Panel to appoint the Council's Independent Remuneration Panel; the Council's second Independent Person and to seek authority to extend the appointment of the Council's current Independent Person for a further term.

Accordingly it was **RESOLVED** that, for the period expiring at the Annual Council Meeting in 2019:

- (i) Mr John Wolton, Mrs Clarissa Gosling and Rev Dr William Lock be appointed as the Council's Independent Remuneration Panel; and
- (ii) Mrs Clarissa Gosling be appointed as the Council's second Independent Person and extend the appointment of Mr John Wolton for a further term

**89. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.2**

The Council had received questions from Members in relation to:

1. Limited number of bins on Martello Estate after the summer season;
2. Use of S106 funding within Harwich;
3. Officer responsibility for S106 funding;
4. The Government's "Green Deal" Initiative;
5. Parking issues within Rush Green Ward;
6. Street lighting within the District;
7. Child poverty levels within Tendring;
8. "Days of Action" re dog-fouling; and
9. Registering landlords within Tendring.

Notice of the questions had been given in accordance with Council Procedure Rule 10.2

In accordance with Council Procedure Rule 10.6(c), the Chairman ruled that, given the late hour, written answers to all of the questions received would be sent to all Members.

The written answers are attached as Appendix A to these minutes.

The meeting was declared closed at 11.28pm.

**Chairman**



## Meeting of the Tendring District Council – Tuesday 25 November 2014

### Written Responses to Questions Pursuant to Council Procedure Rule 10.2

#### Question 1

Councillor C Griffiths will ask the Environment and Coast Protection Portfolio Holder (Councillor N Turner):

“A number of residents in Hastings and Selsey Avenue on the Martello estate have voiced concern over the limited number of bins left on the estate after the close of the summer season. Whilst it is understandable that the local authority reduces bin provision in sea front promenade areas, Martello Bay is a rather unique case, as there is a large housing estate behind the sea wall. Concerns have been raised that there are not enough bins left on the estate during the winter period. Those that are left are being filled to over-flowing, and not emptied quick enough.

Can the Portfolio Holder clarify?

- a) What action is being taken to address residents’ concerns?
- b) If the frequency of emptying the bins is to be increased?
- c) If the number of bins is to be increased?
- d) The action to be taken to stop the situation occurring next year?”

#### Response by Councillor N Turner

***Councillor - thank you for your question. I can confirm that Officers have been, and continue to monitor the area and, as a result, have increased the provision of litter bins in this area.***

***These additional bins are meeting the demands placed upon them, and so no extra emptying is required, which would place an additional financial burden upon the taxpayer.***

***These extra bins will be in place for next year’s winter months.***

#### Question 2

Councillor G Calver will ask the Housing, Benefits and Revenues Portfolio Holder (Councillor P Honeywood):

“The Portfolio Holder for Housing will be aware that, following the response to Cllr McLeod’s question at the September meeting of the Council, a meeting has taken place between officers and the Labour members representing Harwich. At that meeting an assurance was given that the £100,994 generated in S106 funding by the Capital House development in my Harwich East Central ward was no longer allocated to the Berkeley Road project in Clacton and was available to be used for an affordable housing project in the Harwich area.

Will the Portfolio Holder please give his personal assurance that he will ensure that the necessary resources are provided within his department to ensure that a project is drawn up to use this funding within the Harwich area before it lapses in December 2015?”

**Response by Councillor P Honeywood**

***As Councillor Calver will be aware, the decision to set the potential Compulsory Purchase cost for the property in Berkeley Road against the s106 affordable housing funding arising from the Capital House development was a pragmatic decision made by officers and as the funding is effectively held in an escrow type arrangement, the funding was always available if a suitable project could be identified in Harwich.***

***Councillor Calver will also be aware that numerous registered providers were approached in respect of on-site affordable housing provision as part of the Capital House development, none were prepared to commit to purchasing the on-site properties and this is why the off-site provision has arisen.***

***I understand that the officer has briefed Councillor Calver and members of the Labour Group on the potential registered provider developments which are progressing and they have also been briefed on the difficulties which are arising on each of the two sites currently being considered. It would appear that development of either of the sites is not being delayed for want of the s106 funding.***

***Whilst I can provide an assurance that any opportunities which arise within Harwich to use this funding will be fully explored, including any which the Council itself can undertake and any that it can undertake in collaboration with a registered provider, it would be disingenuous to give a commitment to ensure that a project is drawn up as there are many variables over which this Council has no control, including the availability of land.***

***Councillor Calver will be aware that if the s106 funding is not used by the specified date it will have to be returned to the developer.***

***I am determined that the money is not returned to the developer and I can provide Councillor Calver with an assurance that I will ensure that the money is used for affordable housing within the District and if that is within Harwich all the better.***

***However, what I can advise Councillor Calver is that I have discussed the possibilities with officers earlier today. I was advised that one of the schemes in Harwich, which didn't look like it was financially viable, may be viable with this s106 funding and so the developer is currently reappraising the viability of the scheme to see if the figures will stack up.***

***If they believe that it can work, they will come back to officers who will then discuss the scheme with the local ward Members to determine whether they support the development.***

***If everyone is in agreement, it will hopefully lead to a development coming forward in the area.***

**Question 3**

Councillor D McLeod will ask the Planning and Corporate Services Portfolio Holder (Councillor G Gugliemi):

“Will the Portfolio Holder for Development and Control please confirm whether or not there is an officer within his department with specific responsibility for overseeing all aspects of Section 106 funding?”

If there is then will he please arrange for all Members to be made aware of whom that officer is and, if there is not, will he please ensure that an officer is identified for this purpose immediately?”

**Response by Councillor G Guglielmi**

***S106 of the Town and Country Planning act allows the use of binding agreements to secure obligations or 'developer contributions' to make developments acceptable. The development of policy about what is needed, the determination of applications, including the use of S106 agreements and the monitoring of compliance with agreements are all responsibilities of the Planning Department.***

***Thanks to a huge amount of Officer's time the system for monitoring compliance has recently been greatly improved, with more information available to all Members.***

***Resilience in the system has been increased, updates are regularly undertaken, a procedure manual has been written and knowledge and responsibilities for monitoring and managing agreements are shared between multiple officers. The updated monitoring spreadsheet is published on the website quarterly. The task of monitoring and managing the records is a specific element of work for technicians and a senior officer in the Planning Team.***

***The introduction of the community infrastructure levy (CIL) with the new Local Plan will necessitate further changes to the system. The emphasis will be on a pre-calculated levy rather than individually negotiated agreements. It should need less officer input at the application stage. The procedure based model now being followed can be adapted to meet this new system as and when it becomes relevant to the Council.***

***Enquiries about agreements can be directed to the enforcement team by emailing [planning.enforcement@tendringdc.gov.uk](mailto:planning.enforcement@tendringdc.gov.uk) or 'phoning 01255 686120.***

**Question 4**

Councillor I Henderson will ask the Housing and Benefits and Revenues Portfolio Holder (Councillor P Honeywood):

***"As 1 in 5 households within the Tendring District would have benefited from the Government's £88 million 'Green Deal' initiative to improve home energy efficiency, why did this council not support Essex County Council in its attempt to secure a share of this funding for Essex?"***

**Response by Councillor P Honeywood**

***Tendring's Affordable Warmth Strategy dates back to 2003 and I am really pleased to state that most of the objectives in that strategy have been achieved.***

***Our current approach has been on the opportunities that are available to assist both private and public sector households.***

***For the private sector, this has involved the promotion of the Government Warm Front Grant Scheme for heating and insulation measures. This has been through joint publicity and, most successfully, through joint mailings along with Council Tax bills. Overall, Tendring has had the highest level of Warm Front installations in Essex over the past five years with a total of 6,646 installations. Measures include cavity wall insulation, loft insulation and central heating or boiler provision.***

***When Carbon Emissions Reduction Funding (CERT) for loft and cavity wall insulation moved to higher rates in early 2012, with 100% funding available for many people by summer 2012, the Council procured several partners to take advantage of this situation. It was delivered through three main providers until that funding came to an end in December 2012.***

***There was a targeted Council Tax mailing in early 2012 followed by a systematic advertising campaign and Ward by Ward local initiatives throughout the year. Over the period, an additional 1,258 cavity wall and loft insulation measures were installed with a total value in the region of £800,000.***

***Jaywick has been able to qualify for, and attract, higher levels of Community Energy Savings Programme (CESP) funding. There has been a very considerable programme of measures delivered since the summer of 2012. All of this funding has been 100% free to private owners. Approximately 1,000 properties in Brooklands, Grasslands and the lower part of the Village have new external wall insulation. Approximately 670 of these properties also have new air source central heating and hot water, plus new double glazing throughout. Over £15m has been invested using utilities energy obligation funding. Ofgem Officers and Ofgem Board Members visited over the summer 2013, as did Scottish Power, one of the funders.***

***The programme has raised EPC levels to D and above and, with efficient air source heat pumps, eligible for the Renewable Heat Incentive in 2014, many vulnerable residents have been removed from being classified as in fuel poverty.***

***As Council will be aware, Tendring has a retained stock of 3,221 social rented properties, managed directly by the Council. Within the annual capital and planned maintenance programmes, heating and insulation installations and upgrades have contributed to achieving Decent Homes and Decent Homes Plus standards. Overall, the stock is in good condition.***

***The Council's cavity wall and loft insulation programmes were completed some time ago as part of these programmes, making use of CERT and earlier funding streams to assist delivery. However, the enhanced levels of CERT funding made available in 2012 allowed for an additional loft top up programme. Of those surveyed, 199 properties qualified and were completed, along with 11 cavity wall insulations, approximate value £50,000.***

***Parallel to this, the Council has a continuing programme of boiler upgrades and heating replacements with 165 systems being upgraded at a cost of £451,071.***

***Not only is Tendring part of the Essex Energy Partnership (EEP) but alongside Thurrock Council it has led the Partnership.***

***A key part of the EEP initiative is flexibility, local authorities' ability to develop programmes locally as well as encompassing County wide schemes.***

***Within the partnership, TDC will continue to develop and deliver schemes within its 11 designated Carbon Saving Communities areas around Jaywick and Clacton. These areas attract higher levels of Energy Company Obligation funding and we are currently looking to see how we can attract further investment.***

***In November 2013, I wrote to the Minister of State for Climate Change regarding the barriers, which prevented further funding going into areas of Jaywick, and I have worked with officers in attempting to get the Essex Partnership to bid for more funding.***

***I have also worked with officers to explore options for a "Green Deal" scheme for Jaywick but, given the level of funding which individual homeowners would have to input, it really doesn't appear that this is going to be deliverable.***

***So, in summary, not only did this Council fully support the initiative to get more funding into Tendring, it in fact led the way in trying to secure funding and has actually secured more funding than any other area of Essex and we are advised by one of the companies that Jaywick is actually the largest renewable energy scheme in the country.***

## Question 5

Councillor D Mayzes will ask the Leader of the Council (Councillor M Page):

“For quite some time now Rush Green has been experiencing a couple of separate major parking issues that are now really beginning to take its toll on local residents and their local councillor alike.

Cllr Nick Turner along with TDC Parking Service officers, including Ian Taylor, Nikki Nepean and Mick Simpson, have been fantastic in trying to assist to date and I am grateful for their ongoing support on this and would like to place this thanks on record here tonight.

However, despite this assistance, a solution I feel is far from imminent.

The first issue involves Clacton Football Club and the disorderly, inappropriate and sometimes downright dangerous parking that takes place during busy match days. Cllr Turner and Ian Taylor recently helped me achieve an overspill car park to be built to relieve some of the on road parking, but unfortunately this isn't working to full effect.

Could you, Cllr Page, please make contact the Football Club on my, my resident's and this Council's behalf to try to agree and implement measures that can improve the on road parking that happens along Rush Green Road, St Ives Close and The Green as a result of Football Club activity?

One solution I would like to see explored, is for the football club to agree to steward busy match days and ensure parents and other visitors are directed to park in sensible places – and ideally within the perimeters of the football club grounds.

This would help to improve the day-to-day lives of local residents and would also improve road safety to both Rush Green Road and the access to, and egress from, adjoining roads.

The second parking issue is down Windsor Avenue and Ian Taylor describes it as the worst parking problem he has ever encountered. It is a T road and also has an infant school at the bottom of the T area. The new Limbourne House development does not help the situation.

Rather than detail this issue tonight I am happy to meet the Leader to discuss further.

Could the Leader please consider options that could help to improve parking down Windsor Avenue and Balmoral Avenue and could some of these options please include the following:

- 1) The use of the NEPP Parking Car that was originally banned from the District by Cllrs Halliday and Stock.
- 2) The installation of cameras as previously discussed with the Leader, which could be purchased with S106/CIL money from the Limbourne House development.
- 3) To contact the NEPP and request that a regular and effective enforcement plan is produced and implemented and that they recognise their responsibilities and obligations in patrolling and enforcing on street parking in Tendring and their duty of care to public safety – particularly involving young children.

I would like to thank the Leader for looking into both of these extremely complex parking issues and apologise for the length of my question!”

## **Response by Councillor M Page**

***Thank you, Councillor Mayzes for your question.***

**Both parking issues are well known to the Council and as Councillor Mayzes correctly stated, officers from Tendring District Council have worked, and continue to work to find solutions to these parking-related issues, which will prove acceptable to both the local and wider community.**

**With regard to Windsor Avenue, it is my understanding that following extensive investigations in and around the area of the school, the only action likely to yield a positive outcome in respect of the parking problems experienced by local residents during school drop-off, but more particularly, during school pick-up hours, is regular and consistent enforcement of the existing parking regulations.**

**The authority responsible for on-street parking enforcement in this area is the North Essex Parking Partnership (NEPP), however, the NEPP readily acknowledges that it does not have sufficient resources to provide the level of enforcement required to make any real and lasting difference to the parking habits and behaviour of drivers in and around this school. It is the opinion of the NEPP and Tendring District Officers that the level of enforcement necessary to effect permanent or lasting change is likely to require daily patrols over a sustained period of time, at least several weeks.**

**The suggestion put forward by Councillor Mayzes of using the CCTV car and/or the siting of a fixed CCTV camera in the area for the purpose of parking enforcement will not in the opinion of this Council provide the solution desired by local residents. Use of the CCTV car was rejected as an appropriate parking enforcement method by this Council some time ago and even if this policy was overturned, the camera car would only be available for use in Tendring for one week in six, which would be insufficient to produce the desired outcome of changing driver behaviour.**

**In addition, there remains considerable doubt about the long-term future of CCTV parking enforcement with the Government currently including a proposal to limit the use of CCTV cameras for parking enforcement in its Deregulation Bill currently going through Parliament.**

**For this reason, it would be unwise for the Council to consider at this stage, use of S106 monies for the purchase of fixed cameras designed for parking enforcement.**

**The final request made by Councillor Mayzes in connection with Windsor Avenue was for this Council to insist on the NEPP providing levels of parking enforcement necessary to curb the bad parking in and around this area.**

**Whilst this request is understood, this Council also acknowledges the demand for, and limits of available resources experienced by all local authorities. Therefore, Tendring District Council has offered to provide locally-based resources to bolster and assist the North Essex Parking Partnership when enforcing local parking issues. There remain some technical issues to overcome, but it is anticipated that regular and consistent parking enforcement of Windsor Avenue and Balmoral Avenue around school times by means of a partnership between Tendring District Council and the NEPP will be possible in the near future. This should, in turn, provide the level of consistent parking enforcement required to effect more permanent improvements for the benefit of local residents.**

**The other parking-related matter in and around Rush Green and the Clacton Town Football Club has, as acknowledged by Councillor Mayzes, also been the subject of considerable investigation and work by this Council.**

**The popularity of youth football, the number of available football pitches on the Rush Green site, combined with a high demand for car parking, all contributes to parking congestion within the grounds and, in turn, leads to overspill parking on the highway.**

***The solution to this problem is not, as suggested, exclusively related to Clacton Town Football Club, although the increasing popularity of youth football associated with them has grown in recent years.***

***This Council provides the majority of the football pitches on Rush Green and therefore, along with Clacton Town Football Club, as well as other teams hiring our pitches on the site not affiliated to Clacton FC, all bear some responsibility for managing the demand for parking and the actions of drivers associated with it.***

***The Council has, as acknowledged by Councillor Mayzes, already provided additional hard standing car parking within Rush Green and the Council will continue to investigate further options for managing parking on the highway outside of Rush Green in partnership with Essex County Council Highways and the NEPP who are primarily responsible for such matters.***

***The Council will also follow-up Councillor Mayzes' suggestion of extending an invitation to all football clubs hiring pitches within Rush Green in order to seek assistance and cooperation from them with regard to the management of parking in and around the area, with the specific aim of minimising negative or antisocial parking to the detriment of local residents.***

***I would like to thank Councillor Mayzes for taking the time to raise these matters and I hope I have been able to provide sufficient reassurance that the Council is both aware of the issues raised and is also working hard to alleviate the parking-related problems affecting residents in his ward.***

#### Question 6

Councillor D Casey will ask the Leader of the Council (Councillor M Page):

“RE: STREET LIGHTING

In reference to the above my concerns are and include why

- A 72 year old man was attacked in his home at midnight with a sledge hammer.
- An 80 year old woman tripped on a pot hole in the path and fractured her shoulder.

And the most worrying is

- A woman was attacked in Meadow Way and a neighbour went to her aid and called emergency services. When the emergency services arrived they had difficult assess the situation due to no lighting. For nearly 2 hours the only lighting available was an emergency light rigged up by a neighbour as Essex County Council did not turn them on quickly. The police requested the lights when first attending the incident.

Can the Leader give me an assurance that he will take these concerns back to ECC with a view to reconsidering the switching-off of lights within the District?”

#### **Response by Councillor M Page**

***Yes, I will take this up with Essex County Councillor Rodney Bass and, in particular, I shall ask him why there was a reported two-hour delay in turning the lights on when the emergency services were tending to the injured woman. I shall come back to Councillor Casey once I have been advised.***

## Question 7

Councillor D Mayzes will ask the Leader of the Council (Councillor M Page):

“I think by now all Councillors will be aware of the recently published report that identifies child poverty figures across our district.

Rush Green topped the list and was therefore identified as having the highest percentage of children considered to be living in poverty out of all wards in Tendring.

As local Councillor, and as a councillor for Clacton which has many of its wards at the top of the table, these are extremely concerning statistics and an even more concerning situation for our families and their children that are potentially living in poverty conditions.

Could the Leader of the Council please:

- 1) Find out and explain exactly what the statistics present in terms of real life definition, i.e. what classifies these children as living in poverty?
- 2) Suggest how or why Tendring has found itself in this situation?
- 3) Outline what he and his Cabinet intends to do to improve the situation and what this Council and its Members can do to assist with this?
- 4) Inform this Council of how beneficial/successful the Essex Family project was to Rush Green, as a pilot ward for the project, and suggest why Rush Green has the highest child poverty figure despite this high profile intervention.

I thank the Leader for his attention to this.”

## **Response by Councillor M Page**

***Thank you for your questions, Councillor Mayzes.***

***The subject of child poverty, and its causes, is a complex one, which includes issues of health, housing, education, employment and family circumstances and many others.***

***So, rather than attempt to answer your questions in detail at this stage, I have asked for the recently produced Essex County Council Child Poverty Strategy to be reported to the Community Leadership and Partnerships Committee.***

***I would like the Committee to consider the implications of the Strategy for Tendring and to make recommendations to Cabinet as to how it considers we should respond.***

***This course of action will address the first three parts of your question.***

***With regard to the fourth - the impact of the Essex Family Project in the Rush Green Ward – I would stress that the project was not targeted on the issue of child poverty. It was a pilot project, which was developed to demonstrate how early and coordinated intervention with families across a whole range of issues could improve the services they receive and reduce the cost to public services.***

***As such, it has succeeded and is now being applied across the whole of Essex.***



### Question 8

Councillor J Henderson will ask the Portfolio Holder for Environment and Coast Protection (Councillor N Turner):

“May I thank the Portfolio Holder for Environmental Services for recognising the concern of residents regarding the level of dog fouling and introducing a targeted initiative to highlight the negative impact and educate irresponsible dog walkers?”

May I further ask the portfolio holder whether a follow up strategy is in place to ensure that meaningful progress results from the initial ‘Days of Action’?”

### **Response by Councillor N Turner**

***Dear Councillor Henderson***

***Thank you for your question relating to our RSPCA gold footprint winning dog warden service and I am very happy to hear you enjoyed the very successful day of action that recently took place in your ward.***

***The two dog wardens currently carry out foot patrols district wide, including targeted patrols in areas where we have received more than one complaint (“hot spot”). As well as patrolling, the wardens have a responsibility to educate dog owners and this year have carried out 18 road shows, micro chipping 2258 animals in the process. Adam and Allen are also working closely with the Council’s Animal Welfare Officer and pollution department in order to improve cross-departmental working and, most importantly, continue to provide a gold standard service to the public.***

***All of the above is in addition to dealing with 164 stray dogs so far this year.***

***Due to the success of the recent day of action in your ward we will be conducting similar days of action all around the district. This, we hope, will spread the word on responsible dog ownership and reduce the number of dog fouling complaints received, which this financial year is only 25 for the entire district.***

### Question 9

Councillor J Broderick will ask the Portfolio Holder for Housing, Benefits and Revenues (Councillor P Honeywood):

“In 2010, I brought to the attention of Council a report that highlighted the influx of migrants to Tendring. Their first port of call is the Town Hall Housing Department hoping to be accepted on to the Council’s housing list. They are then pointed in the direction of various private property letting agents and even given a helpful list of agents. By issuing this list, we are not only endorsing landlords and their property but at the same time by directing the home seekers to agents recommending them as suitable tenants. This would suggest that with this Council’s assistance an increasing number of families with antisocial tendencies settle in to quiet neighbourhoods and proceed to make the life of neighbours difficult.

Councillors are called in to help and attempt to find the contact details of the landlord hoping to enlist their help. What we come up against is a cloak of silence and data protection claims barring the way. As this council readily assists in generating income for private landlords, unwittingly provide antisocial tenants with rented accommodation and then shields the landlords’ contact details, can I ask Cllr. Honeywood to set the wheels in motion that would require all landlords to register their contact details with the Council?”

**Response by Councillor P Honeywood**

***Those who do come to the housing service do receive advice and guidance as to their housing options. This is something we are legally required to do. They are usually fully aware of the residency policy in respect of the housing register only being open to residents who have lived in the area for three years.***

***Those who are seeking accommodation are provided with a list of letting agents but this in no way suggests that Tendring Council puts them forward as suitable tenants. If the Council did not provide a list of letting agents it is not beyond the wit of the majority of them to walk out of the building, turn right and find the host of letting agents located along the road into the town centre.***

***The Council, like all other Council's throughout the country has a legal duty to assist anyone who presents as homeless.***

***For some they will prefer to find accommodation in the private rented sector rather than stay in bed and breakfast accommodation whilst the Council makes enquiries as to their homelessness application. The former option massively reduces the financial burden on the Council.***

***Where residents decide to find accommodation in the private rented sector the Council has the same relationship with those who have come from outside the District as those who are local residents who move from one rented property to another.***

***It is not for the Council to vet or attempt to make judgements as to the suitability of a tenant. This is a matter for the landlord and the contractual relationship is between the landlord and the tenant.***

***In cases where the Council guarantees the rent deposit, the relationship between the landlord and tenant is no different and it is incumbent on the landlord to manage the property in the same way as we have to manage our own housing stock.***

***I can understand why Councillor Broderick would like all landlords to have to register their details with the Council. However, I fear that this would take a change in legislation and even if we did have those details they are unlikely to be available to a local Councillor.***