

Public Document Pack

Council

3 July 2018

**MINUTES OF THE MEETING OF THE COUNCIL,
HELD ON TUESDAY, 3RD JULY, 2018 AT 7.30 PM
PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Platt (Chairman), Yallop (Vice-Chair), Alexander, Amos, Bray, Broderick, B Brown, J Brown, M Brown, Bucke, Callender, Calver, Cawthron, Chapman, Chittock, Coley, Cossens, Davis, Everett, Fairley, Ferguson, Fowler, Gray, Griffiths, C Guglielmi, V Guglielmi, Heaney, I Henderson, J Henderson, Hones, P Honeywood, S Honeywood, Khan, Land, Massey, McWilliams, Newton, Nicholls, Pemberton, Poonian, Raby, Skeels Jnr, Skeels (Snr), Stephenson, Talbot, Turner, Watson, White, Whitmore and Winfield
In Attendance:	Martyn Knappett (Deputy Chief Executive (Corporate Services)), Lisa Hastings (Head of Governance and Legal Services), Ian Ford (Committee Services Manager) and William Lodge (Communications Manager)

32. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Baker, Bennison, Bush, King, Miles, Scott, Steady and Stock OBE.

Apologies for absence were also submitted on behalf of the Chief Executive (Ian Davidson) who was attending the Local Government Association's Annual Conference with the Leader of the Council (Councillor Stock OBE).

33. MINUTES OF THE LAST MEETING OF THE COUNCIL

RESOLVED that the minutes of the ordinary meeting of the Council, held on Tuesday 15 May 2018 be approved as a correct record and signed by the Chairman.

34. DECLARATIONS OF INTEREST

Councillor I J Henderson on behalf of himself and Councillors J Henderson, Calver and Fowler declared an interest in Agenda Item 21 – Report of the Head of Leadership Support and Community – A.2 – Community Governance Reviews.

35. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

National Democracy Week

The Chairman reminded Council that this week was National Democracy Week which the Council was marking in a number of ways. The previous day an "Equaliteas" party marking the 100th Anniversary of Women's Suffrage had been attended by approximately 50 members of staff. The event had been organised by two of the Council's Career Track Apprentices who had interviewed Councillor Tanya Ferguson about what had made her decide to become a Councillor.

In addition, those attending had been able to see original copies of Suffragette Newspapers and a range of other documents. Attendees had also taken part in an informal poll on the question of whether to lower the voting age to 16. A majority had voted to keep the voting age at 18. Also attendees were encouraged to register online to vote if they were not already a registered voter.

The Chairman further informed Members that the Council's Communications Manager (Will Lodge) would be taking a photograph of the Council's proceedings whilst holding the National Democracy Week sign and that photograph would be posted on social media whilst the meeting was going on.

Armed Forces Day Coffee Morning

The Chairman thanked all those Members, Officers and members of the public who had attended and participated in the Armed Forces Day Coffee Morning. He also thanked the Council's Armed Forces Champion (Councillor Amos) for his role in proceedings.

36. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were none on this occasion.

37. STATEMENTS BY THE LEADER OF THE COUNCIL

Constitution Review Portfolio Holder's Working Party

The Deputy Leader of the Council (Councillor G V Guglielmi) informed Council that he intended to constitute a Portfolio Holder Working Party to carry out a light touch review of the Council's Constitution. The membership of the Working Party would reflect the broad political balance of the Council and he would be in contact with Group Leaders shortly to seek their suggestions as to which Members would serve.

Annual Canvass for Electoral Register

Councillor G V Guglielmi also reminded Members that the annual canvass of households in the District for the purposes of maintaining the Register of Electors would be commencing in early August.

38. STATEMENTS BY MEMBERS OF THE CABINET

There were none on this occasion.

39. PETITIONS TO COUNCIL

There were none on this occasion.

40. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

No questions had been received, on notice, from members of the public on this occasion.

41. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Subject to the required notice being given, Members of the Council could ask questions of the Chairman of the Council, the Leader of the Council, Portfolio Holders or Chairmen of Committees or Sub-Committees.

Three questions had been submitted as set out below:

Question One

From Councillor Pemberton to Councillor Talbot, Portfolio Holder for the Environment:

“Brook Farm Retail Park

Is there anything this Council can do to encourage the retail shops to clean the car parks around this area as this is becoming a bit of a mess lately?

Is there any way these businesses could sponsor someone to do this?”

Councillor Talbot replied as follows:-

“The stores within Brook Retail Park are all committed to being responsible partners within the community and as such the Council is currently working closely with Tesco to ensure that the land for which they are responsible for is maintained to a satisfactory level of cleanliness. Tesco have their own cleaning contractors and have also in the past undertaken community clean up events involving their staff and volunteers to litter pick around the vicinity of then retail park to promote their community values.

KFC also undertake litter picking in the immediate vicinity of the store and have also installed extra litter bins within the car park near to their store. Additionally they are also active partners in the county wide Cleaner Essex Group litter picking initiative which involved all the Councils in Essex; Keep Britain Tidy along with McDonald’s, KFC, Domino’s and other food-on-the-go outlets in promoting the responsible and other appropriate disposal of litter.

Litter accumulations within the car park areas of Brook Retail Park remains to be on the agenda of the retail outlets with the night time economy connected with this area responsible for litter in the car park areas.”

Councillor Pemberton then asked the following supplementary question:-

“I’m not sure if you are aware that this Council actually pays for four hours a week to litter pick so I was wondering if we could actually get a few more hours on there as currently you are only giving two hours on a Monday and two on a Friday?”

Councillor Talbot then replied as follows:-

“All I can say Councillor Pemberton is that the matter is under constant review. As you can see the Officer is in the midst of meetings on this sort of thing. The car park area you identify is a very bad area and does want some attention but the matter is being dealt with on a current basis. That’s all I can say at the moment.”

Question Two

From Councillor Griffiths to Councillor Skeels Snr., Portfolio Holder for Leisure and Tourism:

“The closure of the toilets in the High Street in Clacton Town Centre has been the subject of a number of enquiries. The facility was used by a number of older residents using shops in the High Street, and concerns have been raised, that some of our retired community no longer enjoy good health or mobility, and struggle to get to the toilets in Rosemary Road. The High Street car park is often the first stop for those visiting the town and it would make sense to have a toilet in a car park that visitors can use.

Could the Portfolio Holder tell us what action he intends to take to address the concerns of some of our older residents, and if it is his intention to reinstate or reopen a much needed toilet at this location?”

Councillor Skeels replied as follows:-

“I would like to thank Councillor Griffiths for his question. I have to say that I am a little puzzled by his question as the decision was taken in June 2017 to close these toilets and this was clearly set out within the Cabinet report and within the plans for the management of our public conveniences.

The High Street toilets have been the target of anti-social behaviour for many years and given the strategy to refurbish the Rosemary Road toilets so as to provide a better offer the decision to close these toilets was long overdue. I am not sure how many older people would actually want to use the High Street toilets given the disgusting state that may users left the facilities in despite the best efforts of our dedicated cleaning staff.

As Councillor Griffiths will no doubt be aware a number of toilets will be closed as part of the Council’s strategy to free up budget from the more expensive ones to operate, due in part to vandalism and anti-social behaviour and use the savings to improve the remaining toilets.

As has often been commented on in Council, this Council still has over 30 publicly funded and operated public conveniences, a far higher total than many if not most of the other Councils in the UK.”

Councillor Griffiths then asked the following supplementary question:-

“Given that this Council is supposed to be encouraging tourism and community cohesion this does seem rather sad. Whilst I acknowledge that there are other toilets in the District there is only one actually in Clacton and would the Portfolio Holder not agree that to shut one of the two toilets and reduce toilet capacity by 50% in the main seaside town in Tendring is not only short-sighted but has scant regard for our older community?”

Councillor Skeels then replied as follows:-

“Councillor Griffiths you know that there are plenty more toilets along the seafront. Obviously we want to encourage tourism but we don’t want them to walk into a place

where you would think that a lot of the users had never been trained to use a toilet. Absolutely disgusting some of them. We are out to improve what we have got."

Question Three

From Councillor Talbot to Councillor Nicholls, Portfolio Holder for Corporate Enforcement:

"With reference to the question I asked you on the 15th May to which you gave me a complete answer to the points I raised, I now wish to ask the following:

The Planning Enforcement Notices served on the freehold properties in Point Clear Bay refer to a breach of the planning permission granted to them in the late 1950's, with the deaths suffered in the East Coast Floods of 1953, still very fresh in planners' minds.

The occupation restriction prevented residence in properties for the period between 31st of October and 1st March in the following year, when flooding was thought most likely.

The current Enforcement Notices state, inter alia, that the service of these notices is to protect the owners from the risk of flooding during the above period of time.

In the late 1980's Tendring District Council were prepared, on payment of a planning fee by the applicant, to vary the occupation conditions to allow occupation during the restricted period from midday on Friday to midday on the following Monday and in addition legal occupation for a continuous period of ten days to include Christmas Day and New Year's Day in any year. This to me seems inconsistent with the original restriction and prompts the questions:-

- *Are you satisfied with the continued service of enforcement notices to selected homes in the Bay area knowing that:-*

**One home can have the original 50 year old condition forbidding occupation from 31st October to the following 1st March.*

**Their neighbour next door in identical property can have totally unrestricted occupation granted by means of a legal determination endorsed by this Council.*

**Next door whilst they may still have restrictions, they have in addition to the original condition, permission to occupy their property at specific times during the winter season (as set out above)*

**Their next door Chalet may have a 'Personal Permission' granted to the owner by an Inspector, to occupy without restriction 365 days per year, but this personal permission ceases when the owner leaves the property as it does not alter the extant planning permission?*

I think this situation is grossly unfair to those with restricted occupation where they suffer the same 'Flood Risk' as those next door who have not been served with Enforcement Notices. There are rumours that the Planning Inspectorate is to call for a Public Inquiry and so therefore:

- *Can the Portfolio Holder inform us of any date set for this Inquiry and will individual residents be advised by the Inspectorate in due course?"*

Councillor Nicholls replied as follows:

"Thank you for your question Councillor Talbot. This is a complex issue and as you rightly highlight there is a long planning history. My response therefore is quite lengthy but I wish to provide you with as full a response as possible.

Planning enforcement action as to breaches of conditions at Point Clear to prevent the permanent residential occupation of chalets all year round was taken as far back as 1963 by the then Tendring Rural District Council.

There has been a consistent pattern of enforcement re these conditions since 1963. Members of the Planning Committee endorsed further enforcement action against those breaching winter occupancy planning conditions on 2 February 2016 and following service of enforcement notices the question of whether conditions are upheld or modified is now for the Planning Inspectorate to decide via the appeals process.

Planning applications seeking to permanently remove the conditions preventing all year round occupation of chalets were made by some residents of the chalets to this Council in the period 1986 -1989 but these applications were refused.

As a consequence many residents appealed those decisions and a series of planning and enforcement notice appeals were heard at a Public Inquiry in 1990. On 3 July 1990 the Inspector released his decision letter.

The conditions preventing all year round occupation were generally supported but the Inspector allowed many of the chalets appealing to extend their period of use to include winter weekends and also a 10 day holiday starting on Christmas Day.

In other limited cases he allowed personal planning permissions so that named residents could stay in their chalet all year round on the grounds of personal hardship but in some cases these residents had to revert to a pattern of leaving the chalet during the winter period once a given period of 1-2 years was up. Where a resident granted a planning permission on terms of personal hardship died or moved away the Inspector required the chalet to revert to having restrictions on winter occupation.

Another group of residents making appeals were able to prove to the Inspector's satisfaction that all year round occupation had taken place for more than 10 years in breach of the winter occupation restrictions. As a result the Inspector considered that the condition preventing winter occupation could no longer be enforced and removed it whilst quashing enforcement notices.

The appeal was heard before current national and local planning policies were adopted and subsequent recent appeal decisions in the estate have refused to lift or modify the restrictions on winter occupation.

In 2018 many of the chalets are still subject to their original restrictions as they were not involved in the appeals in 1990. A second group still have winter occupation restrictions but are allowed to use the chalet during winter weekends or for a 10 day holiday starting at Christmas as a result of the 1990 decision. These two groups are in the majority.

Those granted personal planning permission on the grounds of hardship have mostly died or moved away and only 2 residents remain with a personal planning permission. They are not facing enforcement action.

Where the Council is taking enforcement action this is against residents who are either in breach of the original restrictions preventing winter occupation or else the modified restrictions imposed at appeal in 1990. Residents will not be subject to enforcement action if there are no restrictions on their chalet or if they are complying with the conditions preventing winter occupation.

As a result of the service of around 78 enforcement notices there are now at least 51 appeals being dealt with by the Planning Inspectorate. It is intended to hear these jointly at a combined Public Inquiry. All the appeals are likely to be heard in Autumn 2018 but as yet no date has been set by the Planning Inspectorate.

The Council will write to interested parties once the appeals formally start and will also erect site notices giving details of the Inquiry and its date closer to the Inquiry opening. It is likely to last several days. A notice of the Inquiry will also appear in a local newspaper.

I would like to finish by reiterating that the Council wishes to move to a position of certainty for all residents involved. Following the Planning Appeal the Council will review its position. Should any future action be required then this would be taken within a reasonable timescale and the Council is committed to supporting residents through any change.

I fully recognise that this is sensitive and challenging matter for residents but trust that you recognise that the Council is seeking to achieve a resolution which will provide certainty for the future."

42. REPORT OF THE LEADER OF THE COUNCIL - URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

There was no such report on this occasion.

43. MINUTES OF COMMITTEES

It was **RESOLVED** that the minutes of the following Committees, as circulated, be received and noted:

- (a) Resources and Services of Monday 21 May 2018; and
- (b) Community Leadership of Monday 4 June 2018.

There was a Recommendation to Council contained within Minute 4 of the minutes of the meeting of the Community Leadership Overview and Scrutiny Committee held on 4 June 2018. This recommendation was taken in conjunction with Agenda Item 16, as recorded under Minute 46 below.

Councillor I J Henderson thanked the Chairman of the Resources and Services Overview and Scrutiny Committee, Councillor Stephenson, for his response to the comments he had made at the last full Council meeting in regard to the new waste

contract. With reference to Councillor Stephenson's suggestion that he should look elsewhere if he felt that the procurement process was flawed, Councillor Henderson now asked Councillor Stephenson if his Committee would look at not the actual extension of the waste contract but whether the Council's current procurement process had the capability to actually carry out a procurement on this scale and importance.

Councillor Stephenson thanked Councillor Henderson for his question and informed him that due to the extensive programme of work that the Resources and Services Overview and Scrutiny Committee already had to carry out he could do no more than again suggest to Councillor Henderson that he approach the Audit Committee with his request.

44. MOTIONS TO COUNCIL

There were no motions, notice of which had been given under Council Procedure Rule 12, on this occasion.

45. MOTION TO COUNCIL - RENEWAL AND DUALLING OF THE A120 BETWEEN HARWICH AND HORSLEY CROSS

Council further considered the following motion, which had been moved by Councillor I J Henderson and seconded by Councillor Calver at the meeting of the Council held on 15 May 2018 (Minute 25 referred) and which had stood referred to the Cabinet for consideration and report:

"Following confirmation in writing from Martin Fellows, Regional Director Operations East Highways England, that the Wix By-pass is approaching the end of its anticipated life and that the long term aim is to renew this section of road, Tendring District Council writes to Essex County Council to advise ECC that it fully supports calls for the renewal and dualling of the A120 between Harwich and Horsley Cross and requests that ECC engages in the process of securing the necessary Government funding through the second Roads Investment Strategy Period 2020/25."

Council was aware that Cabinet, at its meeting held on 15 June 2018 (Minute 17 referred) had considered Councillor Henderson's motion. The relevant Cabinet Minute containing the Cabinet's recommendation to Council was contained within the Council Book.

Councillor G V Guglielmi formally moved, on behalf of the Cabinet, that Councillor Henderson's motion be amended to read as follows:-

"(1) This Council recognises:

- The national and international significance of the A120 strategic highway.*
- That the A120 connects Stansted Airport to the international ports at Harwich and is a key economic corridor essential to the economic success and vitality of much of the East of England.*
- That the A120 is one of the country's only East-West highways.*
- That the A120 from Braintree to Marks Tey is wholly inadequate and should be upgraded to dual carriageway as soon as possible.*
- That the A120 from Hare Green to Harwich is wholly inadequate and should be upgraded to dual carriageway as soon as possible.*

(2) *This Council notes and welcomes Essex County Council's support for the dualling of the A120 from Braintree to Marks Tey, but this Council –*

- *Questions why no route option was even considered that would run north of the existing route.*
- *Questions the logic of favouring a new route which connects to the A12 so far south, actually closer to Chelmsford than to Colchester, as such an option will lead to far more traffic on the A12 which is already beyond capacity and will lengthen considerably journey times on the A120.*

(3) *This Council welcomes and supports the announcement by Highways England Regional Director – Eastern Region, Martin Fellows that the A120 between Harwich and Horsley Cross is at last being proposed for upgrade and dualling and this Council will actively seek support as a matter of urgency from –*

- *Our Members of Parliament;*
- *Essex County Council, including those Members elected to represent Tendring; and*
- *All key stakeholders in both the public and the private sector –*

to help make the case that the upgrade, renewal and dualling of the A120 between Harwich and Hare Green is vital not just to the economic prosperity and well-being of the District of Tendring but that it will also positively impact a much wider area.

(4) *This Council specifically requests that Essex County Council ensures that the necessary Government funding is secured through the RIS2 (Road Investment Strategy 2) 2020/25 and the A120 is made fit for purpose and upgraded to dual-carriageway status as soon as possible."*

Pursuant to the provisions of Council Procedure Rule 16.5(b), Councillor I J Henderson gave notice that he would be moving a further amendment at a later stage in the proceedings. The wording of that amendment had been agreed by himself and the Leader of the Council (Councillor Stock OBE) in accordance with the following resolution of the Cabinet made at its meeting held on 15 June 2018 namely:-

"That the Leader of the Council works with Councillor I J Henderson to review the final wording of the proposed amended motion, prior to the full Council meeting on 3 July 2018, in order to make it as effective as possible."

The wording of that further amendment had been tabled prior to the commencement of the meeting.

Councillor G V Guglielmi's amendment, on being put to the vote, was declared **CARRIED** and became the substantive motion.

Councillor I J Henderson moved and Councillor Calver seconded that the substantive motion be amended to read as follows [amended wording highlighted in bold]:-

"(1) This Council recognises:

- *The national and international significance of the A120 strategic highway.*

- *That the A120 connects Stansted Airport to the international ports at Harwich and is a key economic corridor essential to the economic success and vitality of much of the East of England.*
- *That the A120 is one of the country's only East-West highways.*
- *That the A120 from Braintree to Marks Tey is wholly inadequate and should be upgraded to dual carriageway as soon as possible.*
- *That the A120 from Hare Green to Harwich is wholly inadequate and should be upgraded to dual carriageway as a matter of urgency.*

(2) This Council notes and welcomes Essex County Council's support for the dualling of the A120 from Braintree to Marks Tey, but this Council –

- *Questions why no route option was even considered that would run north of the existing route.*
- *Questions the logic of favouring a new route which connects to the A12 so far south, actually closer to Chelmsford than to Colchester, as such an option will lead to far more traffic on the A12 which is already beyond capacity and will lengthen considerably journey times on the A120.*

(3) This Council welcomes and supports the announcement by Highways England Regional Director – Eastern Region, Martin Fellows that the A120 between Harwich and Horsley Cross is at last being proposed for upgrade and dualling and this Council will actively seek support as a matter of urgency from –

- *Our Members of Parliament;*
- *Essex County Council, including those Members elected to represent Tendring; and*
- *All key stakeholders in both the public and the private sector – to help make the case that the upgrade, renewal and dualling of the A120 between Harwich and Hare Green is vital not just to the economic prosperity and well-being of the District of Tendring but that it will also positively impact a much wider area.*

(4) This Council specifically requests that Essex County Council ensures that the necessary Government funding is secured through the RIS2 (Road Investment Strategy 2) 2020/25 and the A120 is made fit for purpose and upgraded to dual-carriageway status as soon as possible."

Councillor I J Henderson's amendment, on being put to the vote, was declared **CARRIED**.

The amendment, on being put to the vote as a substantive motion was declared **CARRIED**.

46. MOTION TO COUNCIL - ADDITIONAL FLAG RAISING DAYS AT THE TOWN HALL

Council further considered the following motion, which had been moved by Councillor Pemberton and seconded by Councillor Porter at the meeting of the Council held on 15 May 2018 (Minute 26 referred) and which had stood referred to the Community Leadership Overview and Scrutiny Committee for consideration and report:

"That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George's Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day."

Council was aware that the Community Leadership Overview and Scrutiny Committee, at its meeting held on 4 June 2018 (Minute 4 referred) had considered Councillor Pemberton's motion. The relevant Minute containing that Committee's recommendation to Council was contained within the Council Book.

The Chairman of the Community Leadership Overview and Scrutiny Committee, Councillor Land formally moved, on behalf of that Committee, that Councillor Pemberton's motion be amended to read as follows:-

That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George's Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day subject to a protocol being prepared by officers and agreed by Council and that the protocol includes the ability to fly more than one flag on any one day."

Councillor Land's amendment, on being put to the vote, was declared **CARRIED**.

The amendment, on being put to the vote as a substantive motion was declared **CARRIED**.

47. MOTION TO COUNCIL - FORMER PUBLIC CONVENIENCES AT IPSWICH ROAD, HOLLAND-ON-SEA

Council further considered the following motion, which had been moved by Councillor Winfield and seconded by Councillor Broderick at the meeting of the Council held on 15 May 2018 (Minute 27 referred) and which had stood referred to the Cabinet for consideration and report:

"That this Council hereby requests the Executive to rescind the previous decisions taken by the Cabinet and the Finance and Corporate Services Portfolio Holder to close and lease out the public conveniences at Ipswich Road, Holland-on-Sea and instruct the Corporate Director (Operational Services) to restore and re-open for public use the aforesaid public conveniences."

Council was aware that Cabinet, at its meeting held on 15 June 2018 (Minute 18 referred) had considered Councillor Winfield's motion. The relevant Cabinet Minute containing the Cabinet's recommendation to Council was contained within the Council Book.

Councillor Winfield explained his motion to the Council.

Pursuant to the provisions of Council Procedure Rule 16.12, Councillor Winfield clarified, in order to avoid any confusion that may have arisen at the Cabinet meeting on 15 June 2018 that he did not have a disclosable pecuniary interest in this matter.

Councillor Broderick asked that, in accordance with the provisions of Council Procedure Rule 19.4, a record of the vote on Councillor Winfield's motion be taken.

Accordingly, the result of that vote was as follows:

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Broderick	Alexander	Bray	Baker
J A Brown	Amos	Chapman	Bennison
Bucke	B E Brown	Heaney	Bush
Calver	M Brown	P B Honeywood	King
Cawthron	Callender	Raby	Miles
Davis	Chittock	M J Skeels	Porter
Fowler	Coley	M J D Skeels	Scott
Gray	Cossens	Watson	Steady
Griffiths	Everett	White	Stock OBE
I J Henderson	Fairley	Yallop	Watling MP
J Henderson	Ferguson		
Hones	G V Guglielmi		
Khan	V E Guglielmi		
Newton	S A Honeywood		
Pemberton	Land		
Stephenson	Massey		
Whitmore	McWilliams		
Winfield	Nicholls		
	Platt		
	Poonian		
	Talbot		
	Turner		

Councillor Winfield's motion was thereupon declared **LOST**.

48. RECOMMENDATIONS FROM THE CABINET

There were none on this occasion.

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

There were none on this occasion.

50. REPORT OF THE CHIEF EXECUTIVE - A.1 - CHANGE OF NAME OF A POLITICAL GROUP ON TENDRING DISTRICT COUNCIL

The Chief Executive formally reported that, pursuant to Regulation 8(5) of the Local Government (Committees and Political Groups) Regulations 1990, Councillors Robert Bucke and Gary Scott had, on 15 May 2018, served formal notice on the Council that they wished to change the name of the Tendring First / Liberal Democrats Group to instead be the Liberal Democrats / Tendring First Group

In addition, pursuant to the aforementioned Regulation, Councillors Bucke and Scott had served notice that the Leader of the Liberal Democrats / Tendring First Group was to be Councillor Bucke and the Deputy Leader was to be Councillor Scott.

Council noted the foregoing.

51. REPORT OF THE HEAD OF LEADERSHIP SUPPORT AND COMMUNITY - A.2 - COMMUNITY GOVERNANCE REVIEWS

Councillors I J Henderson, J Henderson, Calver and Fowler had earlier declared an interest in this item.

Council recalled that, at its meeting held on 15 May 2018 (Minute 30 referred), it had considered a report of the Head of Leadership Support and Community and it had been agreed that –

(a) in relation to the two Community Governance Reviews for which public consultation has been undertaken:-

- i. the number of Harwich Town Councillors will remain at 16 with the existing parish ward distribution; and*
- ii. a boundary change be implemented in order to make the St Osyth Parish and District boundaries coterminous.*

(b) draft recommendations as set out in (a) be made available for public comment inline with the previously agreed timetable; and

(c) no Community Governance Reviews be taken forward at this time for the following Parish Councils: Alresford, Ardleigh, Beaumont-cum-Moze, Elmstead, Frating, Great Bentley, Great Oakley, Lawford, Little Bentley, Little Bromley, Little Clacton, Little Oakley, Ramsey and Parkeston, Tendring, Thorpe-le-Soken.

It was reported that those draft recommendations had been advertised in the local press and on the Council's website and that no comments had been received on those draft recommendations other than confirmation from St Osyth Parish Council of their original comments.

In addition, the members of the Electoral Review Working Group had been advised by email that no additional comments had been received and that the draft recommendations would now be put forward to Council as the final recommendations.

Council was advised that a delegation was sought from it in order to allow the Head of Legal and Governance Services to take the steps to implement the recommendations. No further action would be required in relation to Harwich as the recommendation was to leave the number of councillors and wards unchanged. However, a reorganisation order would be required to effect the recommendation in relation to St Osyth. A model order and the procedure to be followed was set out in the Guidance on Community Governance Reviews issued jointly by the former Department for Communities and Local Government and the Local Government Boundary Commission for England. The reorganisation order would need to be made available at the Council's offices together with a map showing the effect of the boundary change. Certain organisations (the Ministry for Housing, Communities and Local Government, the Local Government Boundary Commission for England, the Office of National Statistics, the Director General of the Ordnance Survey, Essex County Council and the Council's external auditors) would need to be informed when the order had been made. The reasons for the Council's decisions would also need to be published.

It was moved by Councillor P B Honeywood, seconded by Councillor G V Guglielmi and:

RESOLVED that -

- a) the final recommendations, in relation to the two Community Governance Reviews for which public consultation has been undertaken, are:-
 - i. the number of Harwich Town Councillors remains at 16 with the existing parish ward distribution; and
 - ii. a boundary change should be implemented in order to make the St Osyth Parish and District boundaries coterminous.

- b) the Head of Legal and Governance Services be authorised to implement a) above, in accordance with the Guidance on Community Governance Reviews issued jointly by the former Department for Communities and Local Government and the Local Government Boundary Commission for England, including:-
 - i. drawing up, publicising and disseminating the necessary reorganisation order to implement a)ii);
 - ii. the publication of a map showing the effect of the reorganisation order for a)ii); and
 - iii. the publication of the reasons for the decisions taken in a).

52. URGENT MATTERS FOR DEBATE

There were none on this occasion.

The Meeting was declared closed at 8.43 pm

Chairman