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Council

27 April 2021

**MINUTES OF THE ANNUAL MEETING OF THE COUNCIL,
HELD ON TUESDAY, 27TH APRIL, 2021 AT 7.31 PM
THE MEETING WAS HELD PURSUANT TO STATUTORY INSTRUMENT 2020/392.**

Present:	Councillors Bray (Chairman), Harris (Vice-Chairman), Alexander, Allen, Amos, Barry, Bush, Calver, Casey, Cawthron, Chapman, Chittock, Clifton, Codling, Coley, Davidson, Davis, Fairley, Fowler, Griffiths, C Guglielmi, V Guglielmi, I Henderson, J Henderson, P Honeywood, S Honeywood, King, Knowles, Land (in the Chair for items 1 - 4 (part)), McWilliams, Miles (except item 15 (part)), Morrison, Newton, Placey, Porter, Scott, Skeels, Steady, G Stephenson, M Stephenson, Stock OBE, Talbot, Turner, White, Wiggins and Winfield
In Attendance:	Ian Davidson (Chief Executive), Damian Williams (Corporate Director (Operations and Delivery)), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), Elizabeth Ridout (Leadership Support Manager), William Lodge (Communications Manager), Keith Durran (Democratic Services Officer), Karen Hades (IT Training Officer), Debbie Bunce (Legal and Governance Administration Officer), Emma Haward (Leadership Support Assistant), Matt Cattermole (Communications Assistant) and Luke Rosier (IT Officer)

1. CHAIR

In accordance with the provisions of Section 3(2) of the Local Government Act 1972, the Chair was occupied by the retiring Chairman, Councillor Daniel Land, until his successor became entitled to act as Chairman.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence submitted on this occasion.

3. RETIRING CHAIRMAN'S ANNOUNCEMENTS

The retiring Chairman (Councillor D J Land) led the Council in a silent tribute to the memory and life of dedicated public service of HRH The Prince Phillip, Duke of Edinburgh.

4. ELECTION OF THE CHAIRMAN OF THE COUNCIL FOR THE 2021/2022 MUNICIPAL YEAR

It was moved by Councillor Stock and seconded by Councillor G V Guglielmi that Councillor Bray be elected Chairman of the Council.

The vote on the election of the Chairman of the Council resulted as follows:-

Councillors Voting Councillors Voting Councillors Councillors

<u>for Councillor Bray</u>	<u>Against Councillor Bray</u>	<u>Abstaining</u>	<u>Absent</u>
Alexander	Cawthron	Bush	None
Allen		Calver	
Amos		Davidson	
Barry		Fowler	
Bray		I J Henderson	
Casey		J Henderson	
Chapman		Morrison	
Chittock		Scott	
Clifton		Wiggins	
Codling			
Coley			
Davis			
Fairley			
Griffiths			
G V Guglielmi			
V E Guglielmi			
Harris			
P B Honeywood			
S A Honeywood			
King			
Knowles			
Land			
McWilliams			
Miles			
Newton			
Placey			
Porter			
Skeels			
Steady			
G L Stephenson			
M E Stephenson			
Stock OBE			
Talbot			
Turner			
White			
Winfield			

It was therefore **RESOLVED** that, pursuant to Section 3(1) of the Local Government Act 1972, Councillor Bray be elected Chairman of the Council for the 2021/2022 municipal year.

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

Councillor Bray thanked Members for the honour and privilege that they had bestowed upon him. He then paid tribute to the work undertaken by the retiring Chairman (Councillor Land) and for the care and commitment he had shown to his civic office.

Councillor Bray announced that The Reverend David Murray would continue in his role as Chairman's Chaplain and that TCVS would be his chosen charity for his year in Office. He further informed Council that he would be supporting Councillor Harris in a Keep Britain Tidy District-wide campaign against littering, fly tipping and dog fouling and that a theme for his year would be 'A Better Normal for Tendring'.

Councillor Land thanked Members for their support over the past two years and for being "so patient, kind and accommodating". He stated that whilst he had done the "traditional things" he had also "mixed it up a little" and he had enjoyed every minute learning about the different areas of the District. He also thanked the Chief Executive and his Officers for all of their support and many kindnesses. In particular, he paid tribute to the Leadership Support Manager, Mrs Elizabeth Ridout, whose support and assistance had been indispensable.

5. **ELECTION OF THE VICE-CHAIRMAN OF THE COUNCIL FOR THE 2021/2022 MUNICIPAL YEAR**

It was moved by Councillor G V Guglielmi and seconded by Councillor Stock OBE that Councillor Harris be elected Vice-Chairman of the Council.

It was then moved by Councillor M E Stephenson and seconded by Councillor I J Henderson that Councillor Casey be elected Vice-Chairman of the Council.

The vote on the election of the Vice-Chairman of the Council resulted as follows:-

<u>Councillors Voting for Councillor Harris</u>	<u>Councillors Voting for Councillor Casey</u>	<u>Councillors Abstaining</u>	<u>Councillors Absent</u>
Alexander	Allen	None	None
Amos	Barry		
Bray	Bush		
Chittock	Calver		
Codling	Casey		
Coley	Cawthron		
Davis	Chapman		
Fairley	Clifton		
Griffiths	Davidson		
G V Guglielmi	Fowler		
V E Guglielmi	I J Henderson		
Harris	J Henderson		
P B Honeywood	Knowles		
S A Honeywood	Miles		
King	Morrison		
Land	Placey		
McWilliams	Scott		
Newton	Steady		
Porter	G L Stephenson		
Skeels	M E Stephenson		
Stock OBE	Wiggins		
Talbot			
Turner			

White
Winfield

RESOLVED that, pursuant to Section 5(1) of the Local Government Act 1972, Councillor Harris be elected Vice-Chairman of the Council for the 2021/2022 municipal year.

Councillor Bray expressed his thanks to Members for their support and stated that he was very proud and privileged to be the Vice-Chairman of the Council. Councillor Harris paid tribute to Councillor Casey and to the former Chairman and he pledged that he would do his utmost to support the Chairman, Members and Officers during the coming year.

6. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

There were no such announcements on this occasion.

7. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were none on this occasion.

8. SIZE OF MEMBERSHIP OF COMMITTEES ETC.

Council noted the size of membership of the Council's Committees and Sub-Committees as follows:-

<u>Committee/Sub-Committee</u>	<u>No. of Members</u>
Audit	(7)
Community Leadership Overview & Scrutiny	(9)
Human Resources & Council Tax	(9)
Licensing and Registration	(9)
Planning	(9)
Planning Policy & Local Plan	(11)
Resources and Services Overview & Scrutiny	(9)
Standards	(7)
Miscellaneous Licensing Sub-Committee	(5)
Town & Parish Councils Standards Sub-Committee	(3)

9. ALLOCATION OF SEATS ON COMMITTEES AND SUB-COMMITTEES TO THE POLITICAL GROUPS FORMED ON TENDRING DISTRICT COUNCIL

Council noted the allocation to the political groups formed on Tendring District Council of seats on those bodies that were subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

10. APPOINTMENT OF THE MEMBERSHIP OF COMMITTEES ETC. FOR THE 2021/2022 MUNICIPAL YEAR

The Council gave consideration to a Schedule of Members that it was proposed by political Group Leaders should serve on each of the Council's bodies, which were

subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

It was moved by Councillor Stock OBE, seconded by Councillor G V Guglielmi and:

RESOLVED that the Committees and Sub-Committee of the Council, subject to the Rules of Political Proportionality be, and are, hereby appointed for the 2021/2022 municipal year and that their membership be as set out hereunder:-

Audit Committee

Councillors Alexander, Coley, Fairley, King, Miles, Placey and Steady.

Community Leadership Overview and Scrutiny Committee

Councillors Amos, Chittock, Clifton, Codling, Davidson, Davis, Miles, Skeels and Steady.

Human Resources and Council Tax Committee

Councillors Amos, Calver, Chapman, Chittock, Griffiths, S Honeywood, Knowles, Morrison and M Stephenson.

Licensing and Registration Committee

Councillors Casey, Clifton, Coley, Davis, V Guglielmi, J Henderson, McWilliams, Skeels and Winfield.

Planning Committee

Councillors Alexander, Bray, Casey, Codling, Fowler, V Guglielmi, Harris, Placey and White.

Planning Policy and Local Plan Committee

Councillors Allen, Bush, Chapman, Fairley, G Guglielmi, I Henderson, S Honeywood, Newton, Scott, Turner and Winfield.

Resources and Services Overview and Scrutiny Committee

Councillors Allen, Barry, Codling, Griffiths, Harris, Land, Morrison, Scott and M Stephenson.

Standards Committee

Councillors Amos, Fowler, J Henderson, Land, Steady, Turner and Wiggins.

Miscellaneous Licensing Sub-Committee

Councillors Casey, Coley, Davis, V Guglielmi and J Henderson.

11. APPOINTMENT OF THE TOWN AND PARISH COUNCILS STANDARDS SUB-COMMITTEE FOR THE 2021/2022 MUNICIPAL YEAR

Council noted that the appointment of Members to serve on the Town and Parish Councils Standards Sub-Committee would take place at the next meeting of the Standards Committee as the membership of that Sub-Committee was required to be chosen from the membership of the Standards Committee.

12. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES ETC. FOR THE 2021/2022 MUNICIPAL YEAR

It was moved by Councillor Stock OBE, seconded by Councillor G V Guglielmi and:

RESOLVED that the Chairmen and Vice-Chairmen of the following Committees and Sub-Committee be and are elected respectively for the 2021/2022 municipal year as follows:

<u>Committee/Sub-Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
Audit	Coley	Alexander
Community Leadership Overview & Scrutiny	Chittock	Amos
Human Resources & Council Tax	Chapman	Griffiths
Licensing and Registration	Winfield	V Guglielmi
Planning	White	Bray
Planning Policy & Local Plan	Turner	Fairley
Resources and Services Overview & Scrutiny	Vacant	Vacant
Standards	Land	Steady
Miscellaneous Licensing Sub-Committee	V Guglielmi	Coley

It was then moved by Councillor Allen, and seconded by Councillor Barry that Councillor M E Stephenson and Councillor Scott be elected Chairman and Vice-Chairman, respectively, of the Resources and Services Overview and Scrutiny Committee.

On being put to the vote it was:-

RESOLVED that Councillors M E Stephenson and Scott be elected Chairman and Vice-Chairman, respectively, of the Resources and Services Overview and Scrutiny Committee for the 2021/2022 municipal year.

13. REPORT OF THE MONITORING OFFICER - A.1 - THE COUNCIL'S CONSTITUTION

Members were reminded that, in accordance with Council Procedure Rule 1.1 (xi), it was normal practice at the annual meeting of the Council to formally reaffirm the Council's current Constitution.

The full text of the Council's Constitution could be found on the Council's website and Members had recently been provided with a booklet containing those sections of the Constitution most relevant to the work of Councillors.

The Corporate Finance and Governance Portfolio Holder (Councillor G V Guglielmi) recorded his thanks to the members of his Review of the Constitution Portfolio Holder Working Party for their constructive participation in the work of that body.

It was moved by Councillor G V Guglielmi, seconded by Councillor Stock OBE and:

RESOLVED that the Council's Constitution be reaffirmed.

14. REFERENCE FROM CABINET - A.2 - PROGRAMME OF MEETINGS: 2021/2022 MUNICIPAL YEAR

The Council gave consideration to a proposed timetable of meetings of the Council and its Committees for the 2021/2022 municipal year.

The programme of meetings also included dates for All Member Briefings in order to assist Members in keeping their diaries up-to-date.

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

RESOLVED that -

- (a) the programme of meetings of the Council and its Committees, as set out in the Appendix to item A.2 of the Reference from Cabinet, be approved; and
- (b) the proposed dates for All Member Briefings for Members be noted.

15. REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.3 - CLACTON AND HOLLAND-ON-SEA CLIFF STABILISATION PHASE 2: REQUEST FOR FUNDING

It was reported that, since February 2020, three areas of cliff in Holland-on-Sea had collapsed or been identified as likely to collapse. Whilst monitoring of the movement was continuing to take place the design of remedial measures had been completed and tenders had been invited, received and assessed as it had been felt that if no action was taken further cliff collapse was likely which would expose the Council to significant reputational, financial and legal risk.

Council was informed that the lowest tender received was in the sum of £1,930,212.92. An allocation of funding in excess of this would be considered to be prudent in order to allow for contingencies and potentially increasing material costs.

It was for those reasons that the Portfolio Holder for Corporate Finance & Governance (Councillor G V Guglielmi) had submitted a report to the formal meeting of the Cabinet that had been held on Friday 23 April 2021 that, inter alia, had requested Cabinet to recommend to Council that it authorised the use of the £1.5m beach recharge reserve to fully fund the proposed cliff stabilisation scheme.

Members were made aware that the provisions of the Financial Procedure Rules, as set out in Part 5 of the Council's Constitution and specifically Section 6.15 (Part 5.37) required the approval of Full Council for the use of this reserve. Conventionally, the Annual Meeting of the Council did not consider general business. However, in this case the Portfolio Holder had proposed that an exception to that convention be accepted in

order to enable the Coastal Protection Team to accept the tender for the work as early as reasonably practicable. A timely commencement would maximise the proportion of work that could be attempted during summer weather; reduce the risk of increasing material prices; and address urgent stability work more quickly.

Prior to the commencement of the meeting the Committee Services Manager had circulated to all Members of the Council the text of Cabinet's decision on this matter, which had been to recommend to Council that it authorised the use of the £1.5m beach recharge reserve in order to fully fund the proposed cliff stabilisation scheme.

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

RESOLVED that the use of the £1.5m beach recharge reserve to fully fund the proposed cliff stabilisation scheme be approved.

16. APPOINTMENT OF MEMBER AUTHORITY REPRESENTATIVES TO SERVE ON/AT THE GENERAL ASSEMBLY OF THE LOCAL GOVERNMENT ASSOCIATION

In accordance with Council Procedure Rule 1.1 (xiv) the Council was requested to appoint up to four Members, with each Member being a Member Authority Representative to serve on/at the General Assembly of the Local Government Association. Council was aware that two of the Members appointed must be the Leader and Deputy Leader of the Council.

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

RESOLVED that, in addition to the Leader and Deputy Leader of the Council, Councillors Coley and I J Henderson be appointed to represent Tendring District Council as Member Authority Representatives at the General Assembly of the Local Government Association.

The Meeting was declared closed at 8.41 pm

Chairman