
**MINUTES OF THE MEETING OF THE TENDRING DISTRICT COUNCIL,
HELD ON TUESDAY 24 JANUARY 2017 AT 7.37 PM
IN THE PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA**

Present: Councillors Chapman (Chairman), Platt (Vice-Chairman), Amos, Baker, Bennison, Bray, B E Brown, J A Brown, M Brown, Bucke, Calver, Cawthron, Chittock, Coley, Cossens, Davis, Everett, Fowler, Gray, Griffiths, G V Guglielmi, V E Guglielmi, Heaney, I J Henderson, J Henderson, Hones, Honeywood, Khan, King, Land, Massey, McWilliams, Miles, Newton, Nicholls, Parsons, Pemberton, Poonian, Porter, Raby, Scott, M J Skeels, M J D Skeels, Steady, Stephenson, Stock, Talbot, Turner, Watling, Watson, White, Whitmore, Winfield and Yallop

In Attendance: Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Management and Members' Support Manager (Karen Neath), Committee Services Manager (Ian Ford) and Committee Services Officer (Katie Sullivan)

112. SILENT TRIBUTE

The Chairman referred to the sad passing of Councillor John Hughes and all persons present stood in a silent tribute to the memory of John.

The Chairman paid tribute to his work as a Member of Tendring District Council and as a Portfolio Holder on its Cabinet. The Chairman also paid tribute to John's work as a Council appointed trustee for the John Gilders & Maskell Almshouses charity and as a Governor at Alton Park Junior School, Clacton-on-Sea.

Councillors Stock, Scott, Talbot, Turner, I J Henderson, Griffiths and Stephenson each, in turn, paid a personal tribute and/or a tribute on behalf of their respective political groups to John.

113. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Broderick, Callender, Fairley and Ferguson.

114. MINUTES

RESOLVED, that the minutes of the ordinary meeting of the Council, held on Tuesday 22 November and Tuesday 29 November 2016, be approved as correct records and signed by the Chairman, subject to in Minute 84 (22.11.16) it being made clear that Councillor Bucke had spoke against Councillor Nicholls' motion.

115. DECLARATIONS OF INTEREST

There were none made at this time.

116. ANNOUNCEMENTS BY THE CHAIRMAN

The Chairman's and Vice-Chairman's engagements for the period 22 November 2016 to 24 January 2017 were tabled at the meeting.

The Chairman reminded Members that her Civic Service would be held at Trinity Church, Clacton-on-Sea at 2.30 p.m. on Sunday 29 January 2017.

The Chairman was to announce that a total of £805.60 had been raised at her Charity Quiz held on Friday 20 January 2017. The Chairman thanked all those Members and Officers who had taken part.

The Chairman congratulated Councillor Stock who had been awarded an OBE in the New Year's Honours List for services to local government. Councillors Talbot and Stephenson, on behalf of their respective political groups, congratulated Councillor Stock on his award. Councillor Stock responded and thanked those Members for their kind comments.

117. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

(1) Councillors J Chittock, B A Poonian and M J Skeels Jnr.

The Chief Executive formally reported that, on 19 January 2017, and pursuant to Regulation 9(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillors John Chittock, Anne Poonian and Mick Skeels Jnr. had each served formal notice on the Council that they wished to be treated as members of the Conservative political group. Those notices had been counter-signed by the Leader of the Conservative Group (Councillor Neil Stock).

As Regulation 8(1) of the aforementioned Regulations required a political group to have a minimum of two members this meant that the Tendring Independents Group and the Coastal Independents Group had ceased to exist as mandated in Regulation 8(2).

(2) The Late Councillor M J Hughes

The Chief Executive, with sincere regret and as had been previously mentioned, formally reported the death of Councillor John Hughes and informed Members that details of the funeral arrangements would be notified to them in due course.

He further informed Council that notice of the vacancy in the St James Ward would also be given in due course.

118. STATEMENTS BY THE LEADER OF THE COUNCIL

The Leader of the Council paid tribute to the hard working staff of the Council and its multi-agency partners for their magnificent response to the recent Severe Flood Alerts in Jaywick and Mistley.

Councillor Calver, on behalf of the Labour Group, endorsed the Leader's statement.

Councillors White, Yallop, Turner, Watling, Raby, Coley and Stephenson each, in turn, congratulated all the personnel involved and/or asked questions of the Leader.

The Leader then responded to those Members, as appropriate.

119. STATEMENTS BY MEMBERS OF THE CABINET

There were no statements by members of the Cabinet on this occasion.

120. PETITIONS TO COUNCIL

Council was aware from Minute 79 (22.11.16) that Mrs Tracey White had submitted a petition in respect of protecting open spaces in the Bockings Elm Ward and which, in accordance with the Council's approved scheme for dealing with petitions had been referred for an investigation by the Officers. That petition stated:

"We, the undersigned, are concerned about the increase in arrivals of caravans and camper vans from the travelling community in the Clacton area. We would like the Council to erect concrete bollards or stones along the edge of the field adjoining Woodrows Lane/Purley Way/Mayford Way, with one removable bollard to allow the Council Gardener access to mow the grass and empty the dog waste. The stones should allow mobility scooters and pushchairs through, but not motorised vehicles."

Council had before it a report of the Head of Public Realm which set out the results of the investigation and the various options considered.

In accordance with the Council's approved scheme for dealing with petitions, Mrs White, as the lead petitioner, was invited to address the Council. Mrs White presented the petition and outlined the action that the petitioners would like the Council to take.

Councillors Pemberton, Honeywood, Griffiths, M Brown, Heaney, Bray, Talbot, Steady and Stock each addressed the Council on the subject matter of this item.

Having considered the petition and the contents of the report of the Head of Public Realm it was moved by Councillor Honeywood, seconded by Councillor Griffiths and:

RESOLVED that Council asks the Leader of the Council to write to the Member of Parliament for Clacton asking him to use his position in Parliament to seek to bring forward measures to make it easier for local authorities to deal with unauthorised encampments.

121. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

Subject to the required notice being given, members of the public could ask questions of the Leader of the Council, Portfolio Holders or Chairmen of Committees.

There were no questions on this occasion.

122. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

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

There was one question on this occasion as set out below:

Question

From Councillor Jack Parsons to Councillor Michael Talbot, Portfolio Holder for the Environment:

"In regard to the four Beech trees to be felled in the vicinity of Albert Gardens would the Portfolio Holder for Environmental Services please confirm that all costs are being met by Essex County Council and that there is no cost to Tendring District Council?"

Will he also please advise the Council as to which authority is responsible for carrying out inspections of such trees in order to ensure they are safe and healthy?"

Councillor Talbot replied as follows:

"Thank you to Councillor Parsons for his question.

This Council has a long standing working arrangement with Essex County Council which includes a substantial payment from them to this Council each year. This payment is included in the annual budgets for the Open Space and Horticultural Services. The work includes highway verge and shrub maintenance and tree work.

The four beech trees in the vicinity of Albert Gardens are the responsibility of Essex County Council and all costs relating to them will be met by them from the budget supplied to TDC as per the ongoing arrangement.

In respect of Councillor Parsons' second question, responsibility for inspecting trees on the highway is Essex County Council.

However, the budget supplied by ECC covers dead, dying and dangerous trees. If any of these instances are brought to the attention of TDC, we will look to take the necessary action to minimise risk or danger to the public. Officers from TDC are in regular contact with ECC and discuss any high value work or contentious issues."

123. REPORT OF THE LEADER OF THE COUNCIL – URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

The Council would receive a report on any Cabinet decisions taken as a matter of urgency in accordance with Access to Information Procedure Rule 17.4, Budget and Policy Framework Procedure Rule 6(b) and/or Overview and Scrutiny Procedure Rule 18(i).

There was no such report on this occasion.

124. MINUTES OF COMMITTEES

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

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

- (a) Community Leadership and Partnerships Committee of Monday 14 November 2016;
- (b) Service Development and Delivery Committee of Wednesday 23 November 2016;
- (c) Corporate Management Committee of Monday 28 November 2016;
- (d) Corporate Management Committee of Monday 12 December 2016; and
- (e) Corporate Management Committee of Monday 19 December 2016 and continued on Thursday 5 January 2017.

125. MOTIONS TO COUNCIL

There were no motions submitted to Council, pursuant to Council Procedure Rule 12, on

this occasion.

126. RECOMMENDATIONS FROM THE CABINET

There were none on this occasion.

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

There were none on this occasion.

128. REPORT OF THE CHIEF EXECUTIVE – A.2 – RESIGNATION OF COUNCILLOR T A HOWARD

The Chief Executive formally reported that, on 15 December 2015, Councillor Tom Howard had resigned as a Member of Tendring District Council. Notice of the vacancy in the Great and Little Oakley Ward had been given and requests to fill the vacancy had been received. The by-election would be held on Thursday 9 February 2017.

Council noted the foregoing.

129. REPORT AND ADDENDUM REPORT OF THE CHIEF EXECUTIVE – A.3 – MEMBERSHIP OF COMMITTEES ETC.

The Chief Executive formally reported that, in accordance with the wishes of the Leader of the Independent Group and the Leader of the Holland Residents' Group and the authority delegated to him, the following appointments had been made since the last meeting of the Council:

Local Plan Committee

Councillor Chapman had been appointed to serve in place of former Councillor Howard.

Licensing (General Purposes) Sub-Committee

Councillor Winfield had been appointed to serve in place of Councillor Broderick.

Council noted the foregoing.

130. REPORT AND ADDENDUM REPORT OF THE CHIEF EXECUTIVE – A.4 – REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS

It was reported that, following the decision of Councillor J A Brown to leave the UKIP Group, the decision of Councillor J E Parsons to leave the UKIP Group and to join the Labour Group and the resignation from the Council of former Councillor T A Howard and 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 subsequently carried out.

It was further reported that, following the recent and subsequent decision of Councillors J Chittock, B A Poonian and M J Skeels Jnr. to join the Conservative Group and the sad death of Councillor M J Hughes and, 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 further review of the allocation of

seats to political groups had been carried out.

Following that further review and in accordance with the wishes of the affected Group Leaders revised appointments had been made and were set out in the Schedule that had been tabled prior to the commencement of the meeting.

The Leader of the UKIP Group (Councillor Stephenson) made the following statement:

“The UKIP Group does not agree with this Widdicombe but, considering recent circumstances, have decided that, in order to maintain the smooth running of the Council and in view of the fact that another Widdicombe will be due at the full Council in March, we will vote in favour. We would however like our concern minuted and hope this will enable Officers time to address our concerns ahead of the full Council in March.”

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

RESOLVED that, in accordance with the wishes of Group Leaders, Council approves the revised schedule of Members that it is proposed should serve on each of the Council’s Committees and Sub-Committee, which are subject to the Widdicombe Rules.

131. REPORT OF THE MANAGEMENT AND MEMBERS’ SUPPORT MANAGER – A.5 – ELECTORAL REVIEW OF TENDRING

Further to Minute 106 (29.11.16) Council had before it a report of the Management and Members’ Support Manager which sought Council’s agreement for the initial submission on the proposed district council electoral wards for Tendring to be confirmed as the final submission to the Local Government Boundary Commission for England (LGBCE).

Councillors Scott, Parsons, Watling, Stephenson and Bray each addressed the Council on the subject matter of this item. Councillor Bucke spoke against Councillor Honeywood’s motion.

Having considered the proposed submission it was moved by Councillor Honeywood, seconded by Councillor Bray and:

RESOLVED that Council approves the initial submission on the proposed district council electoral wards for Tendring, as attached at Appendix A to the Report of the Management and Members’ Support Manager, as the final submission to the LGBCE, subject to the ward initially proposed to be called “Frating and The Bentleys” being instead called “The Bentleys and Frating”.

132. URGENT MATTERS FOR DEBATE

There were none on this occasion.

The meeting was declared closed at 9.00 pm.

Chairman