

COUNCIL

30 NOVEMBER 2021

REFERENCE FROM CABINET

A.1 GROUNDS MAINTENANCE SERVICE

(Report prepared by Ian Ford)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To enable Council to consider whether to support a motion submitted at the meeting of the Council held on 13 July 2021 by Councillor Ivan Henderson in relation to the grounds maintenance service.

EXECUTIVE SUMMARY

Further to Minute 76 of the formal meeting of the Cabinet held on 12 November 2021 this report seeks to enable Council to decide whether to support a motion submitted at the meeting of the Council held on 13 July 2021 by Councillor Ivan Henderson in relation to the grounds maintenance service.

At the meeting on 12 November 2021, Cabinet had a suggested amended motion for consideration however, following the Leader's recommendation, to enable this matter to be brought to a conclusion at the meeting of the Full Council due to be held on 30 November 2021, without fettering the discussion of the original motion, Cabinet decided:-

“That Cabinet does not put forward an amended motion to Full Council.”

In summary, on the original motion Cabinet has decided that:

- (a) it recommends that the Council should not support the motion in its original format;*
and
- (b) an amended motion is not being put forward.*

RECOMMENDATION

That the Council decides whether to support or not support the motion as originally submitted by Councillor I J Henderson.

PART 2 – SUPPORTING INFORMATION

BACKGROUND

Councillor I J Henderson's motion was duly submitted to the formal meeting of the Cabinet held on 17 September 2021 (Minute 36 refers).

In accordance with Council Procedure Rule 12.6 (Referred Motions – Right of Mover to

Attend Meeting), Councillor I J Henderson attended that meeting to answer any questions and/or points of clarification, if requested. At the invitation of the Chairman, Councillors I J Henderson and Allen reiterated the purpose of the motion.

It was noted by Cabinet at that meeting that the motion had expressed concern about the performance of the Council's open space and horticultural functions. A fuller outline of the extent of those functions plus other pertinent matters was set out in the 'Service Information' section of the Reference from Council (report A.1 to that meeting) which included:-

- *Maintenance of over 800 different sites in the District, including open spaces, parks, recreation grounds (which included significant numbers of sports pitches), seafront gardens, highway verges, cemeteries and crematorium grounds;*
- *Floral bedding of over 250,000 plants each year;*
- *Arboriculture inspections and works to over 5,500 trees and woodland management of ancient woodlands and other woodland areas;*
- *The management of a diverse range of dynamic natural environment including the management of Hamford Water and Walton Backwaters and country parks;*
- *The grass verge, highway tree maintenance and highway weed spraying on behalf of Essex County Council (ECC) including as many as eight additional cuts over the two cuts per year funded by ECC;*
- *That the service had received awards for excellence across many of its service areas including sports pitch maintenance, garden shows, nature conservation, parks, seafront gardens and crematorium grounds;*
- *That the 2021 summer, or growing, season had been a particularly challenging year due to unusually wet and warm weather giving rise to growing conditions way above normal but despite this, the public had been understanding and in many areas such as cemeteries, complaints were down on previous years;*
- *That the open space / grounds maintenance service in Tendring had also continued to initiate new projects to improve public realm areas in Tendring, many of them in the Harwich and Dovercourt area, as well as developing new initiatives such as the expansion of the volunteer gardener team across Tendring; and*
- *That the service had also received many compliments from visitors and local residents on the quality of visitor areas.*

Cabinet was also aware at that meeting that Council Procedure Rule 12.5 (Referral of Motions) states that:-

"Where a motion has been referred in accordance with Rule 12.4 the Cabinet or any relevant Committee shall (subject to the provisions of Rule 12.6) be required to consider such motion and to advise the Council (by no later than the second Ordinary Meeting of the Council held following the date of Council's referral) of their opinion and reason as to whether such motion should be supported in its original format.*

Prior to making its decision Cabinet or the relevant Committee may following consultation with Officers, require further information to be presented to them for consideration on the implications of the proposed motion. Such a report must be considered in a timely manner.

If the Cabinet or relevant Committee decides to advise the Council of its opinion that such motion in its original format should not be not supported, the Cabinet or relevant Committee may, in addition, suggest to the Council that an amended motion be proposed.

Once Cabinet or any relevant Committee has considered the motion it will be referred back to Council with the recommendation. If an amended motion is proposed by Cabinet, or relevant Committee, when presented back to Council, the amended motion will be debated first, in accordance with Rule 16.5 and Rule 16.10 (b)."

[* In this instance the relevant Full Council meeting is this meeting.]

Having considered Councillor Henderson's motion and in order for the Cabinet's opinion and recommendation to be reported back to Council, Cabinet had resolved:-

"That Cabinet –

(c) recommends that the Council should not support the motion in its original format; and

(d) will not suggest to Council at this time that an amended motion be proposed but will consider this further at a future meeting."

CURRENT POSITION

Council is now requested to consider Councillor Henderson's motion having due regard to the Cabinet's recommendation that it be not supported.

FURTHER INFORMATION BY WAY OF BACKGROUND AND CONTEXT

LEGAL

The Council's Grounds Maintenance Service is an executive function in accordance with The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), as set out in Part 3 (Responsibility of Functions - Scheme of Delegated Powers) of the Council's Constitution.

In considering the Motion at the Council Meeting the provisions, as applicable, of Council Procedure Rules 16, 19, 23, 24, 25, 28 and 29 will apply.

FINANCE, OTHER RESOURCES AND RISK

Changes to the Grounds Maintenance Policy and practices of the Grounds Maintenance Service Team may incur additional operational costs to the Council which will need to be budgeted for within the General Fund Budget going forwards.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder

There are none.

Equality and Diversity

There are none.

Health Inequalities

There are none.

Consultation and Public Engagement

Not applicable.

Carbon Neutrality

No adverse impact overall.

Area or Ward Affected

All Wards are potentially affected.

BACKGROUND PAPERS FOR THE DECISION

Published Minutes of the meeting of the Full Council held on 13 July 2021.

Published Minutes of the meetings of the Cabinet held on 17 September and 12 November 2021.

APPENDICES

None