

ANNUAL MEETING OF THE TENDRING DISTRICT COUNCIL**HELD ON 25 APRIL 2017 AT 7.30 P.M.****IN THE PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA**

Present: Councillors Platt (Chairman), Yallop (Vice-Chairman), Alexander, Amos, Baker, Bennison, Bray, B E Brown, J A Brown, M Brown, Bush, Callender, Calver, Cawthron, Chapman (in the Chair for items 1 -5 (part)), Chittock, Coley, Cossens, Davis, Everett, Fairley, Ferguson, Fowler, Griffiths, G V Guglielmi, V E Guglielmi, Heaney (except items 1 - 5 (part)), I J Henderson, J Henderson, Hones, Honeywood, Khan, King, Land, McWilliams, Miles, Nicholls, Parsons, Pemberton, Poonian, Porter, Raby, Scott, M J Skeels, M J D Skeels, Steady, Stephenson, Stock, Talbot, Turner, Watling, Watson, White, Whitmore and Winfield

In Attendance: Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Head of Governance and Legal Services & Monitoring Officer (Lisa Hastings), Head of People, Performance and Projects (Anastasia Simpson), Management and Members' Support Manager (Karen Neath), Committee Services Manager (Ian Ford), Communications and Public Relations Manager (Nigel Brown) and Committee Services Officer (Katie Sullivan)

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 Chapman, until her successor became entitled to act as Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Broderick, Bucke, Gray and Newton.

3. REPORT OF THE RETURNING OFFICER ON THE DISTRICT COUNCIL BY-ELECTION – ST JAMES WARD

The Returning Officer reported that, at the by-election in the St James Ward of the District, held on 6 April 2017, Maurice John Michael Alexander had been duly elected as a Councillor for the St James Ward of the District of Tendring.

The Returning Officer also formally reported to Council that Councillor Maurice Alexander had since made a Statutory Declaration of Acceptance of Office.

Councillor Alexander had also given notice that he wished to be treated as a member of the Conservative Group for the purposes of the Local Government and Housing Act 1989. That notice had been counter-signed by the Deputy Leader of the Conservative Group, Councillor G V Guglielmi.

Members congratulated Councillor Alexander with a round of applause.

With the permission of the Chairman, Councillor Turner made a short speech welcoming back Councillor Alexander to the Council after a 14 year absence.

The Council noted the foregoing.

4. RETIRING CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillor Alexander and outlined her engagements for the period 24 March to 25 April 2017.

5. CHAIRMAN OF THE COUNCIL

It was moved by Councillor Turner, seconded by Councillor V E Guglielmi and:

RESOLVED that, pursuant to Section 3(1) of the Local Government Act 1972, Councillor Platt be elected Chairman of the Council for the 2017/2018 municipal year.

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

Councillor Platt thanked his proposer and thanked Members for the honour of being Chairman of the Council. He paid tribute to Councillor Chapman, and her husband, for their fantastic year in Office and stated that they should be proud of their efforts. He stated that being Councillor Chapman's Vice-Chairman had been a pleasure.

Councillor Platt informed Council that the theme for his year in office would be "This Is Tendring" which would be a celebration of the District and all of its diversity and attractions and also of the work of the Council.

Councillor Platt also informed Members that his nominated Charities for the year would be the RNLI (the local District Stations), Prostate Cancer, St Helena Hospice (Clacton) and Guide Dogs for the Blind. He also indicated that he would announce further charities that he wished to support at a later date.

Councillor Platt then gave Councillor Chapman her Past Chairman's Badge together with a memento of her year in Office.

Councillor Chapman then addressed the Council and stated that it had been an honour and a privilege to be Chairman. She had had a fantastic year with many highlights and had met some wonderful people. She thanked Councillor Platt, her consort, friends, family, Members and Officers (especially Nigel Brown, Elizabeth Ridout, Sophie Hickson and Emma Haward) for all their support.

Councillor Chapman was delighted to announce that over £13,400 had been raised for her two nominated charities; the Tendring Specialist Stroke Service and The Swimming Trust.

Finally, Councillor Chapman wished Councillor Platt best wishes for a successful year in Office.

6. VICE-CHAIRMAN OF THE COUNCIL

It was moved by Councillor Ferguson, seconded by Councillor Watling and:

RESOLVED that, pursuant to Section 5(1) of the Local Government Act 1972, Councillor Yallop be elected Vice-Chairman of the Council for the 2017/2018 municipal year.

Councillor Yallop was thereupon invested with the Vice-Chairman's Badge of Office and made a Statutory Declaration of Acceptance of Office.

Councillor Yallop paid tribute to her predecessor, Councillor Platt, for all his hard work in supporting Councillor Chapman during her year as Chairman. She pledged that she would give Councillor Platt every support during his year in Office as Chairman.

The Chairman's and Vice-Chairman's Consorts were invested with their Badges of Office.

7. CHAIRMAN'S ANNOUNCEMENTS

There were none on this occasion.

8. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were none on this occasion.

9. REPORT OF THE CHIEF EXECUTIVE – A.1 – FORMATION/DISSOLUTION OF POLITICAL GROUPS ON TENDRING DISTRICT COUNCIL

Non-Aligned Group

The Chief Executive formally reported that, on 29 March 2017, Councillor Peter Cawthron and Councillor Alex Porter, pursuant to Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, had served formal notice on the Council that they wished to be treated as a political group. The name of the political group was the Non-Aligned Group. The Leader of the Non-Aligned Group was Councillor Cawthron and Councillor Porter was the deputy Group Leader.

Tendring Democrats Group

The Chief Executive also formally reported that, on 4 April 2017, Councillor John Brown and Councillor Laurie Gray, pursuant to Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, had served formal notice on the Council that they wished to be treated as a political group. The name of the political group was the Tendring Democrats Group. The Leader of the Tendring Democrats Group was Councillor Gray and Councillor J Brown was the deputy Group Leader.

Subsequently, on 5 April 2017, and pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor John Brown had served formal notice on the Council that he no longer wished to be treated as a member of the Tendring Democrats political group.

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

Tendring First/Liberal Democrats Group

The Chief Executive also formally reported that, on 11 April 2017, Councillor Robert Bucke and Councillor Gary Scott, pursuant to Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, had served formal notice on the Council that they wished to be treated as a political group. The name of the political group was the Tendring First/Liberal Democrats Group. The Leader of the Tendring First/Liberal Democrats Group was Councillor Scott and Councillor Bucke was the deputy Group Leader.

Council noted the foregoing.

10. REVIEW OF THE SCHEME OF MEMBERS' ALLOWANCES BY THE INDEPENDENT REMUNERATION PANEL

The Council had before it a report of the Management and Members' Support Manager, which informed Members that the Independent Remuneration Panel (IRP) had recently undertaken a review of Members' Allowances for a scheme commencing 1 May 2017 and

that the Panel's recommendations had been published in the local press in accordance with legislation.

Council was advised that it must now have regard to the recommendations of the IRP in determining a Scheme of Allowances for 2017/18. The Council could depart from the IRP's recommendations provided it could demonstrate good reasons for doing so, having taken all relevant matters into account.

Council recalled that it had last agreed a Scheme of Allowances on 26 April 2016 which had had effect from 1 May 2016. It was reported that the latest review proposed an across the board 1% inflationary increase and a modest increase for Cabinet Members.

The Leader of the Council thanked the members of the IRP for their work and due diligence in conducting their review of Members' Allowances.

It was moved by Councillor Stock and seconded by Councillor G V Guglielmi that -

(a) the allowances recommended by the IRP, as set out in its report to the Council (Appendix A to item A.2 of the Report of the Management and Members' Support Manager) be approved.

Councillor Stephenson then moved, and Councillor I J Henderson seconded, the following amendment –

"In the light of the residents facing rising council tax bills and unprecedented cutbacks in public services we, the councillors of Tendring, feel it would be inappropriate to accept the IRP's recommendations for 2017/18 and propose that we maintain the remuneration from 2016/17."

Following the receipt of advice from the Chief Executive and the Monitoring Officer, Councillors Stephenson and Henderson agreed to withdraw their amendment.

Councillor Porter then moved and Councillor Cawthron seconded that all Members' Allowances should be abolished. The Monitoring Officer advised Council that this amendment could not be allowed to proceed, as the proposal negated the motion, which was not permitted in accordance with Council Procedure Rules. The proposal being put forward by Councillor Porter could not be considered until such time as Council had decided whether to approve the allowances recommended by the IRP.

Councillors Davis, Stephenson, Porter, Bray, Heaney, I J Henderson, Steady, Parsons, Scott, G V Guglielmi and Calver addressed Council during the debate on Councillor Stock's motion.

Councillor Parsons asked that, in accordance with the provisions of Council Procedure Rule 19.4, a record of the vote on Councillor Stock'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>
Alexander	Bennison	Griffiths	Broderick
Amos	Bray	Scott	Bucke
Baker	J A Brown		Gray
B E Brown	Bush		Massey
M Brown	Calver		Newton
Callender	Cawthron		
Chittock	Chapman		
Coley	Davis		

Cossens	Everett
Fairley	Fowler
Ferguson	I J Henderson
G V Guglielmi	J Henderson
V E Guglielmi	Hones
Heaney	Khan
Honeywood	King
Land	Parsons
McWilliams	Pemberton
Miles	Porter
Nicholls	Raby
Platt	Stephenson
Poonian	Watson
M J Skeels	Whitmore
M J D Skeels	Winfield
Steady	
Stock	
Talbot	
Turner	
Watling	
White	
Yallop	

Councillor Stock's motion was thereupon declared **CARRIED**.

It was then moved by Councillor Stock, seconded by Councillor Turner and -

RESOLVED that -

- (b) the IRP undertakes a further review for 2018/19 and makes recommendations to Annual Council in April 2018;
- (c) the Scheme of Members' Allowances in Part 7 of the Constitution be amended to reflect the agreed allowances and expenses; and
- (d) Members who do not wish to take the increase in their Allowances or any Allowances at all are free to do so.

11. APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES AND ELECTION OF CHAIRMEN AND APPOINTMENT OF VICE-CHAIRMEN

(a) (i) Appointment of Committees and Sub-Committee subject to the Widdicombe Rules

The Council had before it a schedule of Members that it was proposed should serve on each of the Council's Committees and Sub-Committee, which were subject to the Widdicombe Rules.

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

RESOLVED that the Committees and Sub-Committee of the Council, subject to the Widdicombe Rules be, and are, hereby appointed for the 2017/2018 municipal year and that their membership be as set out hereunder:

Audit Committee

Councillors Alexander, Bucke, Coley, Hones and Poonian

Community Leadership and Partnerships Scrutiny Committee

Councillors Amos, Baker, Broderick, Fairley, I J Henderson, Land, Newton, Pemberton, Poonian, Scott and Yallop

Corporate Management Committee

Councillors Baker, Chittock, Nicholls, Parsons, Scott, Steady, Stephenson and Whitmore

Council Tax Committee

Councillors Bray, Cawthron, Chittock, Miles and Nicholls

Human Resources Committee

Councillors Amos, Bennison, B E Brown, Callender, Calver, Chapman, Cossens, Davis, Ferguson, Massey, King, Nicholls, Porter and Skeels Snr

Licensing and Registration Committee

Councillors Amos, B E Brown, M Brown, Bucke, Bush, Callender, Cossens, V E Guglielmi, J Henderson, Raby, Skeels Jnr, Watson, White, Whitmore and Winfield

Local Plan Committee

Councillors Bray, Broderick, G V Guglielmi, I J Henderson, Land, Newton, Nicholls, Platt, Porter, Skeels Snr, Stephenson, Stock, Turner, Watson and Yallop

Planning Committee

Councillors Alexander, Baker, Bennison, Cawthron, Everett, Fairley, Fowler, Heaney, Hones, McWilliams and White

Service Development and Delivery Scrutiny Committee

Councillors Bush, Chapman, Fowler, Griffiths, V E Guglielmi, Miles, Pemberton and Skeels Jnr

Standards Committee

Councillors Davis, Heaney, J Henderson, Honeywood, Nicholls, Steady and Whitmore

General Purposes Sub-Committee

Councillors M Brown, Cossens, V E Guglielmi, J Henderson, Massey, Watson, White and Winfield

(a) (ii) Appointment of the Premises/Personal Licences Sub-Committees

The Council had before it a schedule of Members that it was proposed should serve on the Premises/Personal Licences Sub-Committees, which were not subject to the Widdicombe Rules.

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

RESOLVED that the Premises/Personal Licences Sub-Committees be, and are, hereby appointed for the 2017/2018 municipal year and that their membership be as set out hereunder:

Premises/Personal Licences Sub-Committee 'A'

Councillors V E Guglielmi, Whitmore and Winfield

Premises/Personal Licences Sub-Committee 'B'

Councillors Callender, Watson and White

Premises/Personal Licences Sub-Committee 'C'

Councillors Cossens, J Henderson and Skeels Jnr

(a) (iii) Appointment of the Town and Parish Councils Standards Sub-Committee

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

RESOLVED that the Town and Parish Councils Standards Sub-Committee be, and is, hereby appointed for the 2017/2018 municipal year and that its membership be as set out hereunder:

Councillors Heaney, Nicholls and Steady

(b) Election of a Chairman of each of the above Committees and Sub-Committees (except the Town and Parish Councils Standards Committee) and Appoint a Vice-Chairman of each of the above Committees and the General Purposes Sub-Committee

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

RESOLVED that the Chairmen and, where appropriate, the Vice-Chairmen of the following Committees and Sub-Committees be and are elected respectively for the 2017/2018 municipal year as follows:

<u>Committee/Sub-Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
Audit	Coley	Poonian
Community Leadership and Partnerships	Fairley	Baker
Corporate Management	Steady	Baker
Council Tax	Miles	Bray
Human Resources	Callender	Chapman
Licensing and Registration	Cossens	Callender
Local Plan	Stock	Turner
Planning	White	Heaney
Service Development and Delivery	Griffiths	V E Guglielmi
Standards	Heaney	Honeywood
General Purposes Sub-Committee	V E Guglielmi	Cossens
Premises/Personal Licences Sub-Committee 'A'	V E Guglielmi	n/a
Premises/Personal Licences Sub-Committee 'B'	White	n/a
Premises/Personal Licences Sub-Committee 'C'	Cossens	n/a

The Leader of the Council (Councillor Stock) placed on record his thanks to the Committee Services Manager (Ian Ford) for his work and due diligence in carrying out the political proportionality review of Committee seats for the Annual Meeting of the Council together with the several such reviews that he had undertaken during the preceding municipal year.

Members showed their appreciation for Ian Ford's efforts with a round of applause.

12. THE COUNCIL'S CONSTITUTION

Members were informed that, in accordance with Council Procedure Rule 1.1 (viii), 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 previously been provided with a booklet containing those sections of the Constitution most relevant to the work of Councillors. That booklet would shortly be reprinted and reissued to Members to reflect the recent changes that had been made to Portfolio Holders' responsibilities and the Constitution.

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

RESOLVED that the Council's Constitution be reaffirmed.

13. PROGRAMME OF MEETINGS: 2017/2018 MUNICIPAL YEAR

The Council gave consideration to a proposed timetable of meetings of the Council, the Audit Committee, the Community Leadership and Partnerships Committee, the Corporate Management Committee, the Council Tax Committee, the Human Resources Committee, the Licensing and Registration Committee, the Local Plan Committee, the Planning Committee, the Service Development and Delivery Committee and the Standards Committee for the 2017/2018 municipal year.

It was moved by Councillor Stock and:

RESOLVED that the programme of meetings of the Council and the Committees, as set out in the Appendix to item A.4 of the Reference from Cabinet, be approved.

14. OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMME FOR 2017/2018 AND A REVIEW OF THE WORK CARRIED OUT DURING THE PERIOD MAY 2016 TO APRIL 2017

The Council considered a report which sought its approval to a proposed work programme for the Community Leadership and Partnerships Committee, the Corporate Management Committee and the Service Development and Delivery Committee for the 2017/2018 municipal year and which reviewed the work carried out by those Committees during the period May 2016 to April 2017.

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

RESOLVED that the proposed work programmes for the Community Leadership and Partnerships Committee, the Corporate Management Committee and the Service Development and Delivery Committee for the 2017/2018 municipal year and the review of the work carried out in the period May 2016 to April 2017, as set out in Appendices A5A and A5B to item A.5 of the References from Committees, be approved.

Finally, the Chairman invited Members and Officers, together with their families and guests to join him in the Chairman's Parlour after the meeting for refreshments.

The meeting was declared closed at 9.01 p.m.

Chairman