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Annual Council

30 April 2024

**MINUTES OF THE ANNUAL MEETING OF THE COUNCIL,
HELD ON TUESDAY, 30TH APRIL, 2024 AT 7.35 PM
IN THE PRINCES THEATRE, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

Present:	Councillors Casey (Chairman), Davidson (Vice-Chairman), Alexander, Amos, Baker, Barrett, Barry, Bensilum, Bray, Bush, Calver, Chapman BEM, Codling, A Cossens, M Cossens, Doyle, Everett, Fairley, Ferguson, Fowler, Goldman, Griffiths, Guglielmi, Harris, I Henderson, J Henderson, P Honeywood, S Honeywood, Kotz, McWilliams, Newton, Oxley, Placey, Platt, Scott (in the Chair for items 1 - 4 (part)), Skeels Jnr., Smith, Steady, G Stephenson, M Stephenson, Sudra, Talbot, Thompson, Turner and White
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Keith Simmons (Head of Democratic Services and Elections & Deputy Monitoring Officer), Ian Ford (Committee Services Manager), Keith Durran (Committee Services Officer), Bethany Jones (Committee Services Officer), Kai Aberdeen (Theatre General Manager (Technical)), James Dwan (Communications Officer) and Simon Kedge (Casual Technician (Princes Theatre))

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 Gary Scott, until his successor became entitled to act as Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Land, Morrison and Wiggins.

3. RETIRING CHAIRMAN'S ANNOUNCEMENTS

Her Royal Highness the Princess of Wales – Letter Received

The Chairman (Councillor Scott) informed Council that he had received a gracious letter from Her Royal Highness the Princess of Wales in response to a letter he had sent to Her Royal Highness sending her support and best wishes following her recent cancer diagnosis. Councillor Scott had also sent a similar letter to His Majesty the King Charles III following his recent cancer diagnosis.

New Starbucks in Clacton-on-Sea

The Chairman reported that he had attended the opening of the new Starbuck's in Clacton-on-Sea.

Chairman's Charity Quiz Night

Councillor Scott informed Members that he had recently hosted a Chairman's Charity Quiz Night at The Pointer Public House in Alresford.

Town Twinning Visit – Biberach, Germany

The Chairman made Council aware that he and the Vice-Chairman (Councillor Casey) would be attending this coming weekend a town twinning event in Biberach, Germany.

4. ELECTION OF THE CHAIRMAN OF THE COUNCIL FOR THE 2024/2025 MUNICIPAL YEAR

It was moved by Councillor M E Stephenson and seconded by Councillor Baker that Councillor Casey be elected Chairman of the Council.

Councillors Bray and Harris addressed the Council in support of Councillor Casey's election.

On being put to the vote it was **RESOLVED** that, pursuant to Section 3(1) of the Local Government Act 1972, Councillor Casey be elected Chairman of the Council for the 2024/2025 municipal year.

Members gave a round of applause to Councillor Casey on his election.

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

The Chairman then made a short speech as follows:-

"Thank you to everybody who supported me in becoming Chairman of this great council; and even if you did not, know that I will work hard to represent and support Tendring District Council.

I would like to see us all work together for the good of all; this is something which I have seen first-hand in my own ward of Jaywick Sands since I was first elected to represent it in 2010, and is something I believe makes us stand apart from other councils.

It has always been a pleasure to be part of this council, everyone is so helpful from right across the chambers, and from our excellent cadre of officers too.

I feel privileged to have been chosen as Chairman of the council – especially to do so as we mark 50 years since Tendring District Council was formed – and I hope I can serve you all well.

As you will know, I thoroughly enjoy meeting people; and so I think I will enjoy my term of office. Later this week myself and Councillor Scott have an official visit to Germany and this is a trip we are looking forward to.

I look forward to overseeing our meetings over the coming year, and would like to invite all Members for tea and coffee in the Chairman's Parlour after the meeting."

Councillor Casey paid tribute to the work undertaken by his predecessor Councillor Scott and invested him with the Past Chairman's Badge. Councillor Scott congratulated

the Chairman and wished him and the new Vice-Chairman well during their term of office. He also confirmed that the year in office would go by very quickly! Councillor Scott also made mention of the following:-

- (1) thanked Members for the support that they had given him during his term of office especially with his chosen Charities;
- (2) Clacton Pride;
- (3) attending the University of Essex for its Graduation Day and the opening of its well-being hub;
- (4) thanked his Chaplains for their services;
- (5) holding Charity Quizzes at The Pointer Public House in Alresford;
- (6) attending the Remembrance Day Service;
- (7) attending the Pride of Tendring Awards; and
- (8) gave thanks to the Officers especially those in the Leadership Support Team.

Members gave another round of applause.

5. APPOINTMENT OF THE VICE-CHAIRMAN OF THE COUNCIL FOR THE 2024/2025 MUNICIPAL YEAR

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

Councillor Ferguson spoke in support of Councillor Davidson's appointment.

On being put to the vote it was:-

RESOLVED that, pursuant to Section 5(1) of the Local Government Act 1972, Councillor Davidson be appointed Vice-Chairman of the Council for the 2023/2024 municipal year.

Members gave a round of applause to Councillor Davidson on his appointment.

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

Councillor Davidson expressed his thanks to Councillors Henderson and Stephenson and to those Members who had voted for him. He felt very honoured and privileged and he pledged that he would do his very best for everyone during his year in office. Members then gave a further round of applause.

6. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

There were no announcements made by the Chairman of the Council on this occasion.

7. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

The Chief Executive announced that a short while ago he had received formal notices that, for the purposes of Regulation 8(5) of the Local Government (Committees and Political Groups) Regulations 1990, the Conservative Group wished to change, with immediate effect, the name of its Leader and of its Deputy Leader.

The new Leader of the Conservative Group was to be Councillor P B Honeywood.

The new Deputy Leader of the Conservative Group was to be Councillor Guglielmi.

8. **SIZE OF MEMBERSHIP OF COMMITTEES ET CETERA**

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	(5)
Community Leadership Overview & Scrutiny	(9)
Human Resources & Council Tax	(7)
Licensing and Registration	(10)
Planning	(9)
Planning Policy & Local Plan	(9)
Resources and Services Overview & Scrutiny	(9)
Standards	(7)
Miscellaneous Licensing Sub-Committee	(5)
Town & Parish Councils Standards Sub-Committee	(3)

9. **REPORT OF THE CHIEF EXECUTIVE - A.1 - ALLOCATION OF SEATS ON COMMITTEES AND SUB-COMMITTEES TO THE POLITICAL GROUPS FORMED ON TENDRING DISTRICT COUNCIL AND THE APPOINTMENT OF THE MEMBERSHIP OF COMMITTEES ET CETERA FOR THE 2024/2025 MUNICIPAL YEAR**

Council considered a comprehensive report prepared by Officers, which detailed the legislative requirements, principles and necessary procedural steps, with regard to 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 (i.e. Section 15 of the Local Government and Housing Act 1989).

Council also 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).

Members were aware that there were unallocated seats on the Community Leadership Overview and Scrutiny Committee, the Licensing and Registration Committee and the Miscellaneous Licensing Sub-Committee, to which Full Council would need to appoint Members.

Having duly considered the information contained in the report and the appendix thereto:-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that:-

- (a) Council confirms that the political balance rules shall not be applied to the Tendring/Colchester Borders Garden Community Joint Committee and the Town & Parish Councils Standards Sub-Committee;
- (b) Council approves the review of the allocation of places on relevant Committees, as set out in Table 2 above in so far as it sets out the total number of seats on all those Committees to be allocated to political groups represented on the Council, (principle (c) of the “Principles”);
- (c) Council approves, subject to the subsequent consideration of (d) below, the number of seats on each relevant Committee to be allocated to political groups such that, for each group, their proportion of seats on individual Committees is proportionate to their overall membership on the Council (principles (c) and (d) of the “Principles”):

Table 7

Committee /Sub-Committee	Total Seats on Body	Conservative	Independents	Labour	Liberal Democrats	Tendring Independents	Tendring Residents' Alliance
Audit Committee	5	2	1	1	0	1	0
Community Leadership O & S Committee	9	3	1	1	1	2	0
Human Resources & Council Tax Committee	7	2	1	2	0	2	0
Licensing & Registration Committee	10	3	0	1*	1	3*	1
Miscellaneous Licensing Sub-Committee	5	2	0	1	0	1	0
Planning Policy & Local Plan Committee	9	3	1	1	1	2	1
Planning Committee	9	2	1	1	1	3	1
Resources and Services O & S Committee	9	3	1	1*	1	2*	1
Standards Committee	7	2	1	1	1	2	0

- (d) That the following changes to the allocations set out in Table 7 above be approved (the relevant allocations are shown ‘*’ in Table 7):

- (1) the Labour Group to have two seat on the Licensing and Registration Committee (instead of one) and no seat on the Resources and Services Overview & Scrutiny Committee (instead of one);
- (2) the Tendring Independents Group to have two seats on the Licensing & Registration Committee (instead of three) and three seats on the Resources and Services Overview & Scrutiny Committee (instead of two); and
- (e) Council endorses and approves, in so far as it reflects the earlier decisions on this matter, the appointment of Members to serve on the relevant Committees et cetera, as set out in Appendix 1 to this report subject to Councillor Ferguson being replaced by Councillor Alexander as a member of the Standards Committee.

It was then moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED - (f) that Councillor Casey be appointed to the unallocated seats on the Licensing and Registration Committee and the Miscellaneous Licensing Sub-Committee.

10. APPOINTMENT OF THE TOWN AND PARISH COUNCILS STANDARDS SUB-COMMITTEE FOR THE 2024/2025 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. This was due to the fact that the Town and Parish Councils Standards Sub-Committee's membership was required to be chosen from the membership of the Standards Committee.

11. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES ET CETERA FOR THE 2024/2025 MUNICIPAL YEAR

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:

RESOLVED that the Chairmen and Vice-Chairmen of the following Committees and Sub-Committee be and are elected respectively for the 2024/2025 municipal year as follows:

<u>Committee/Sub-Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
Audit	Sudra	Steady
Community Leadership Overview & Scrutiny	Steady	Barrett
Human Resources & Council Tax	Chapman	Calver
Licensing and Registration	J Henderson	Wiggins
Planning	Fowler	White
Planning Policy & Local Plan	Guglielmi	Bush
Standards	Wiggins	Oxley
Miscellaneous Licensing Sub-Committee	J Henderson	Smith

It was then moved by Councillor Guglielmi, and seconded by Councillor Bray that Councillor P B Honeywood and Councillor M A Cossens be elected Chairman and Vice-Chairman, respectively, of the Resources and Services Overview and Scrutiny Committee for the 2024/2025 Municipal Year.

On being put to the vote it was:-

RESOLVED that Councillors P B Honeywood and M A Cossens be elected Chairman and Vice-Chairman, respectively, of the Resources and Services Overview and Scrutiny Committee for the 2024/2025 municipal year.

12. REPORT OF THE MONITORING OFFICER - A.2 - 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 Council's Constitution had been amended to reflect the changes approved by Council at its meetings held on 30 January 2024 and 19 March 2024 and the full text of the Constitution could be found on the Council's website.

Members had also been provided with an updated booklet containing those sections of the Constitution most relevant to the work of Councillors.

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:

RESOLVED that the Council's Constitution be re-affirmed.

13. REFERENCE FROM CABINET - A.3 - TIMETABLE OF MEETINGS: 2024/2025 MUNICIPAL YEAR

The Council gave consideration to a proposed timetable of meetings of the Council and its Committees for the 2024/2025 municipal year.

The timetable of meetings also included dates for All Member Briefings and Councillor Development sessions, together with known dates of known Portfolio Holder Working Party meetings in order to assist Members in keeping their diaries up-to-date.

Councillors Harris, Bray, Griffiths, I J Henderson and M E Stephenson addressed Council during the debate on this matter.

It was moved by Councillor M E Stephenson and:-

RESOLVED that -

- (a) the timetable of meetings of the Council and its Committees, as set out in the Appendix to item A.3 of the Reference from Cabinet, be approved; and
- (b) the proposed dates for All Member Briefings and Councillor Development sessions for Members be noted.

14. **REPORT OF THE ASSISTANT DIRECTOR (GOVERNANCE) & MONITORING OFFICER - A.4 - INDEPENDENT REMUNERATION PANEL AND INDEPENDENT PERSONS' RECRUITMENT**

Council considered a report of the Assistant Director (Governance) & Monitoring Officer (A.4) which enabled Council to consider the recommendations submitted to it by the Standards Committee in relation to the Independent Remuneration Panel's and Independent Persons' term of office, exploring alternative options and future recruitment.

Members were informed that, at its meeting held on 20 March 2024 (Minute 13 referred), the Standards Committee had considered a report of the Assistant Director (Governance) & Monitoring Officer in relation to the Independent Remuneration Panel and Independent Persons' term of office, exploring alternative options and future recruitment, with a view to making relevant recommendations to Full Council.

At that meeting it had been:-

“RESOLVED that the Standards Committee -

(a) *notes the contents of this report (A.1);*

(b) *recommends to Full Council that:*

(i) *the previous local arrangements for joint appointments to both roles, being the Independent Remuneration Panel and Independent Persons ceases;*

(ii) *future arrangements continue to be explored for a joint Independent Remuneration Panel with other Councils, and the delegation for recruitment be extended to the Chief Executive and Monitoring Officer for recommendations to be made to a future meeting of Full Council;*

(iii) *for the purposes of (b)(ii) the term of office of future Independent Remuneration Panel members be for a period of up to 7 years, being staggered if appropriate, to cover the Review of the Members' Allowances Scheme required for 2026/27 and into the next term of office for District Councillors; and*

(iv) *the term of office for those Independent Persons who express an interest in doing so, be extended for a further year without an application process, in order to allow a separate recruitment exercise to be undertaken for the sole role of Independent Person.”*

A copy of the published report to the Standards Committee meeting held on 20 March 2024 was attached as an appendix to the Assistant Director (Governance) & Monitoring Officer's report (A.4).

The Leader of the Council (Councillor M E Stephenson) informed Council that the previous Chairman of the Standards Committee (Councillor Talbot) had stepped down due to ill health. Councillor Stephenson thanked Councillor Talbot for his services. Councillor Stephenson also pointed out that the newly elected Chairman of the Standards Committee (Councillor Wiggins) was absent as she was on holiday.

It was thereupon moved by Councillor M E Stephenson and:-

RESOLVED that Council approves that –

- (a) the previous local arrangements for joint appointments to both roles, being the Independent Remuneration Panel and Independent Persons ceases;
- (b) future arrangements continue to be explored for a joint Independent Remuneration Panel with other Councils, and the delegation for recruitment be extended to the Chief Executive and Monitoring Officer for recommendations to be made to a future meeting of Full Council;
- (c) for the purposes of (b) above the term of office of future Independent Remuneration Panel members be for a period of up to 7 years, being staggered if appropriate, to cover the Review of the Members' Allowances Scheme required for 2026/27 and into the next term of office for District Councillors; and
- (d) the term of office for those Independent Persons who express an interest in doing so, be extended for a further year without an application process, in order to allow a separate recruitment exercise to be undertaken for the sole role of Independent Person.

15. 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 (xiii) 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 of the Council and the Deputy Leader of the Council.

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that, in addition to the Leader of the Council and the Deputy Leader of the Council, Councillor Guglielmi 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 8.27 pm

Chairman

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