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Council

29 April 2025

MINUTES OF THE ANNUAL MEETING OF THE COUNCIL, HELD ON TUESDAY, 29TH APRIL, 2025 AT 7.30 PM TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors Davidson (Chairman), Oxley (Vice-Chairman), Alexander, Amos, Baker, Barrett, Barry, Bensilum, Bray, Bush, Calver, Casey (in the Chair for items 1 - 4), Chapman BEM, Codling, A Cossens, M Cossens, Doyle, Everett, Fairley, Fowler, Goldman, Griffiths, Guglielmi, Harris, I Henderson, J Henderson, P Honeywood, S Honeywood, Kotz, Land, Morrison, Newton, Platt, Scott, Skeels Jnr., Smith, Steady, G Stephenson, M Stephenson, Sudra, Talbot, Thompson, White and Wiggins
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Keith Simmons (Assistant Director (Corporate Policy & Support) & Deputy Monitoring Officer), Ian Ford (Democratic Services Manager), Bethany Jones (Democratic Services Officer), Katie Koppenaar (Democratic Services Officer), 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 Dan Casey, until his successor became entitled to act as Chairman.

2. **APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Ferguson, Keteca and Placey.

3. **RETIRING CHAIRMAN'S ANNOUNCEMENTS**

The Chairman informed Members that details of his recent engagements had been circulated to them.

4. **ELECTION OF THE CHAIRMAN OF THE COUNCIL FOR THE 2025/2026 MUNICIPAL YEAR**

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

On being put to the vote it was unanimously:-

RESOLVED that, pursuant to Section 3(1) of the Local Government Act 1972, Councillor Davidson be elected Chairman of the Council for the 2025/2026 municipal year.

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

Councillor Davidson 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:-

Councillor Davidson gave heartfelt thanks for the honour and privilege that had been bestowed upon him and pledged to do his utmost. He paid tribute to the work undertaken by his predecessor Councillor Casey and his wife. He thanked Ian Davidson, Lisa Hastings, Keith Simmons and Maddie Adger for all their advice and guidance during the past year. He thanked his mover and seconder and looked forward to working with all Members during the year ahead. Members gave Councillor Davidson a further round of applause.

Councillor Davidson then invested Councillor Casey with the Past Chairman's Badge.

Councillor Casey congratulated the Chairman and wished him and the new Vice-Chairman well during their term of office. Councillor Casey also stated that it had been an incredible honour to be Chairman of the Council. He made mention of some of the highlights of his year in office which included a Town Twinning visit to Biberach in Germany, the 80th Anniversary of the D-Day Landings, the Clacton Air Show and the Veterans Tea Party. Councillor Casey thanked Councillor Davidson and Council Officers especially the Leadership Support Team for their support during his year in office.

Members gave another round of applause.

5. APPOINTMENT OF THE VICE-CHAIRMAN OF THE COUNCIL FOR THE 2025/2026 MUNICIPAL YEAR

It was moved by Councillor M E Stephenson and seconded by Councillor Scott that Councillor Oxley be appointed Vice-Chairman of the Council.

On being put to the vote it was:-

RESOLVED that, pursuant to Section 5(1) of the Local Government Act 1972, Councillor Oxley be appointed Vice-Chairman of the Council for the 2025/2026 municipal year.

Members gave a round of applause to Councillor Oxley on her appointment.

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

Councillor Oxley paid tribute to Councillors Casey and Davidson and expressed her thanks to those Members who had voted for her. She felt very honoured and privileged, and she pledged that she would do her very best for everyone during her year in office.

Members then gave a further round of applause.

6. ANNOUNCEMENTS BY THE CHAIRMAN

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

7. **ANNOUNCEMENTS BY THE CHIEF EXECUTIVE**

There were no announcements made by the Chief Executive on this occasion.

8. **REPORT OF THE CHIEF EXECUTIVE - A.1 - CHANGE IN MEMBERSHIP OF A POLITICAL GROUP ON TENDRING DISTRICT COUNCIL**

The Chief Executive formally reported that, pursuant to Regulation 9(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Dan Casey had served formal notice on the Council that he wished to be treated as a member of the Tendring Independents political group. That notice had been duly counter signed by the Leader of the Tendring Independents Group (Councillor Mark Stephenson).

Council noted the foregoing.

9. **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	(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)

10. **REPORT OF THE CHIEF EXECUTIVE - A.2 - 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 ETC. FOR THE 2025/2026 MUNICIPAL YEAR**

Council considered a comprehensive report prepared by Officers, which detailed the legislative requirements, principles and necessary procedural steps, regarding 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 considered 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 Planning Committee and the Miscellaneous Licensing Sub-Committee, which Full Council would need to consider.

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 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 10

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

Committee							
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- (d) That the following changes to the allocations set out in Table 8 above be approved (the relevant allocations are shown ‘*’ in Table 10):
- (1) the Labour Group to have two seats on the Human Resources & Council Tax Committee (instead of one), two seats 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 Conservative Group to have one seat on the Planning Committee (instead of two), three seats on the Planning Policy & Local Plan Committee (instead of two) and three seats on the Resources and Services Overview & Scrutiny Committee (instead of two);
 - (3) the Reform UK Group to have two seats on the Planning Committee (instead of one);
 - (4) the Tendring Independents Group to have one seat on the Human Resources and Council Tax Committee (instead of two), one seat on the Standards Committee (instead of one), three seats on the Resources and Services Overview and Scrutiny Committee (instead of two) and three seats on the Licensing and Registration Committee (instead of two);
 - (5) the Independent Group to have no seat on the Licensing and Registration Committee (instead of one), no seat on the Miscellaneous Licensing Sub-Committee (instead of one) and two seats on the Community Leadership Overview and Scrutiny Committee (instead of one); and
 - (6) the Liberal Democrats Group to have one seat on the Standards Committee (instead of none).
- (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 the tabled Appendix 1 to this report (A.2).

Councillors Harris and Calver addressed the Council during the discussion of Councillor Stephenson’s motion.

On being put to the vote, Councillor M E Stephenson’s motion was declared **LOST** on the grounds that it had required a nemine contradicente vote to be approved and, in fact, six Councillors had voted against the motion.

At the suggestion of the Council’s Monitoring Officer (Lisa Hastings), the Chairman of the Council adjourned the meeting and requested that Group Leaders (and their Deputies if so desired) accompany the Chief Executive and the Monitoring Officer to the Whitelaw Room to discuss the situation.

Upon the resumption of the meeting, the Monitoring Officer informed Members that she had given advice to the Group Leaders and made recommendations as to what should happen next as follows:-

- *the previous vote could not be taken forward as the legislation required that the motion be passed nemine contradicente i.e. that no one voted against the motion;*
- *therefore the Council was required to revert to the position that complied with the legislation prior to the “trading” of seats that was the standard practice in local government on these occasions;*

- *suggested that recommendation (a) in report A.2 should be approved nemine contradicente as otherwise this Council would have no appointed Members to serve on the Tendring / Colchester Borders Garden Community Joint Committee and that consequently the meeting of that Joint Committee due to be held on 1st May 2025 would be inquorate and unable to take place which would leave this Council open to serve reputational risk given the importance of the decisions the Joint Committee was due to make at that meeting especially in relation to the Garden Community Development Plan Document;*
- *suggested, at the request of some Members is that at the next review which would be carried out following the by-election in the Frinton Ward on 5 June 2025 in readiness for the following Full Council meeting in July 2025 the Officers would undertake to include the Tendring / Colchester Borders Garden Community Joint Committee seats and the Town & Parish Councils Standards Sub-Committee seats in that review;*
- *suggested that Members should then approve the allocation of places as set out in Table 2 in the report (A.2) and also to approve the allocation of seats to each political group as set out in Table 6;*
- *Group Leaders would then be asked to provide the Chief Executive with the names of Councillors to sit on those committees following this meeting;*
- *this Council would then note that the Council would have five unallocated seats on five different committees and that would remain in place until the next review which would take place following the by-election in the Frinton Ward.*

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

RESOLVED that 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.

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

RESOLVED that –

- (i) Council approves the review of the allocation of places on relevant Committees, as set out in Table 2, in the report, 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”);
- (ii) Council approves, the number of seats on each relevant Committee to be allocated to political groups, as set out in Table 6 in the Report, (without adjustments shown in the last column), 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”);
- (iii) the appointment of Members to serve on the relevant Committees be formalised through the Chief Executive exercising his delegated powers to approve the appointments, upon Group Leaders providing the names of those Councillors, noting that the Planning Committee membership will need to be confirmed by 1st May 2025; and

- (iv) Council notes the unallocated seats on the Planning Committee, Planning Policy and Local Plan Committee, Community Leadership Overview and Scrutiny Committee, Resources and Services Overview and Scrutiny Committee and the Licensing & Registration Committee vacant at this time pending the outcome of the by-election in the Frinton Ward and a further review of the allocation of seats on Committees et cetera to political groups.

11. APPOINTMENT OF THE TOWN AND PARISH COUNCILS STANDARDS SUB-COMMITTEE FOR THE 2025/2026 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.

12. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES ETC. FOR THE 2025/2026 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 2025/2026 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	M Cossens
Standards	J Henderson	Talbot
Miscellaneous Licensing Sub-Committee	J Henderson	Smith

It was then moved by Councillor Fairley and seconded by Councillor Guglielmi that Councillor P B Honeywood be elected Chairman of the Resources and Services Overview and Scrutiny Committee for the 2025/2026 Municipal Year.

On being put to the vote it was:-

RESOLVED that Councillor P B Honeywood be elected Chairman of the Resources and Services Overview and Scrutiny Committee for the 2025/2026 municipal year.

It was then moved by Councillor A I Cossens and seconded by Councillor M E Stephenson that Councillor M A Cossens be elected Vice-Chairman of the Resources and Services Overview and Scrutiny Committee for the 2025/2026 Municipal Year.

On being put to the vote it was:-

RESOLVED that Councillor M A Cossens be elected Vice-Chairman of the Resources and Services Overview and Scrutiny Committee for the 2025/2026 municipal year.

13. REPORT OF THE MONITORING OFFICER - A.3 - 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.

It was reported that the Council's Constitution had been amended to reflect the changes approved by Council at its meeting held on 25 March 2025 and the full text of the amended Constitution would be found on the Council's website in due course.

At the next meeting of the Council on 20 May 2025, Members would also be 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 P B Honeywood and:

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

14. REFERENCE FROM CABINET - A.4 - TIMETABLE OF MEETINGS: 2025/2026 MUNICIPAL YEAR

Annual Council considered a proposed timetable of meetings of the Council and its Committees for the 2025/2026 municipal year.

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

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

RESOLVED that -

- (a) the timetable of meetings of the Council and its Committees, as set out in the Appendix to item A.4 of the Reference from Cabinet, be approved;
- (b) the proposed dates for Cabinet meetings, All Member Briefings and Councillor Development sessions et cetera be noted; and
- (c) Annual Council notes that special meetings of the Cabinet and/or Full Council and potentially other bodies will likely be required to ensure that Tendring District Council can make its formal decision on the submission of the final Local Government Reorganisation proposals for Greater Essex by the Government's deadline of 26 September 2025.

15. REPORT OF THE CORPORATE DIRECTOR (LAW AND GOVERNANCE) & MONITORING OFFICER - A.5 - INDEPENDENT PERSONS RECRUITMENT

Council considered a report of the Corporate Director (Law and Governance) & Monitoring Officer (A.5) which enabled Council to approve the recommendations from the Interview Selection Panel (Standards Committee meeting on 24 October 2024 minute no. 25 referred) to appoint Mrs Sue Gallone, Mr David Irvine, Mrs Sheila Murphy and Mrs Jane Watts as the Council's Independent Persons for the purpose of the Standards Framework for a term of four years.

All the recommended appointments were to be for the period expiring at the Annual Council meeting in May 2029.

It was moved by Councillor Wiggins, seconded by Councillor Alexander and:-

RESOLVED that -

- a) Tendring District Council continues to appoint four Independent Persons for the purposes of the Council's Standards Framework, for a four-year term until Annual Council in 2029, with an allowance of £600 per annum plus expenses;
- b) following the outcome of the Standards Committee's interview panel, Mrs Sue Gallone, Mr David Irvine, Mrs Sheila Murphy and Mrs Jane Watts be appointed as the Council's Independent Persons with immediate effect;
- c) Council notes that further decisions on the term of the Independent Persons may be required, in the light of the emerging Local Government Reorganisation programme; and
- d) Council expresses its gratitude to Mrs Clarissa Gosling for her dedication to the role of the Independent Person for Tendring District Council for 11 years from 2014 and then also when she became a member of the Independent Remuneration Panel.

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 (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, Councillors Guglielmi and Fairley be appointed to represent Tendring District Council as Member Authority Representatives at the General Assembly of the Local Government Association.

17. CHAIRMAN'S INVITATION

The Chairman of the Council invited Members and Officers to join him in the Chairman's Parlour for post-meeting refreshments.

The Meeting was declared closed at 8.38 pm

Chairman