

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of The Council

**Date: Thursday, 23rd July, 2015**

**Place: Council Chamber, Civic Centre, Southend-on-Sea**

**Present:** The Worshipful the Mayor, Cllr A J Moring  
Cllr B C Arscott, Cllr M Assenheim, Cllr S T Ayles, Cllr B Ayling, Cllr M A Betson, Cllr M L Borton, Cllr S Buckley, Cllr M Butler, Cllr T K Byford, Cllr T Callaghan, Cllr J I Courtenay, Cllr A Crystall, M W Davidson, Cllr L Davies, Cllr C J Endersby, Cllr M F Evans, Cllr M A Flewitt, Cllr D A Garston, Cllr J M Garston, Cllr I D Gilbert, Cllr S J Habermel, Cllr R E Hadley, Cllr A E Holland, Cllr D J Jarvis, Cllr A P Jones, Cllr D G Kenyon, Cllr J L Lamb, Cllr G E Longley, D C McGlone, Cllr J McMahon, Cllr J W Moyies, Cllr C A Mulrone, Cllr C J Nevin, Cllr D A Norman MBE, Cllr G A F Phillips, Cllr I T Robertson, Cllr K R Robinson, Cllr L P Salter, Cllr M Stafford, Cllr M W Terry, Cllr P R Van Looy, Cllr M Velmurugan, Cllr C W Walker, Cllr N D Ward, Cllr J G S Ware-Lane, Cllr F Waterworth, C A Willis and Cllr R A Woodley

**Start/End Time:** 18.30/23.45

\*\*\*\* **Part I**

**159 Apologies for absence.**

Apologies for absence were received from Councillors Cox and Folkard.

**160 Tribute**

The Council stood in silent tribute in the memory of former Councillor, Mr Colin George, who recently passed away.

**161 Declarations of Interest**

- Councillor Arscott

Cabinet Committee – 25th June 2015

Minute 90 – One Way Traffic Flows Southsea Avenue and Leighville Grove – Non-pecuniary interest – Acquainted with residents in Southsea Avenue;

- Councillor Assenheim –

Development Control Committee – 3rd June 2015

Minute 22(x) - 14/00914/FULM – Non-pecuniary interest – family known to him;

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant's parent is a former Councillor known to him;

People Scrutiny Committee – 14th July 2015

Minute 134 – Older People Joint SBC/CCG Commissioning Strategy – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015,

under S.33 of the Localism Act 2011 to participate in the debate and vote;  
Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote

- Councillor Ayling

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of Council’s Housing Responsibilities – Non-pecuniary interest – private landlord, let to family member;

- Councillor Betson

Audit Committee – 24th June 2015

Minute 65 – South Essex Homes Annual Governance Statement 2014/15 and Supporting Reports – Disqualifying non-pecuniary interest – Board Member South Essex Homes - (was able to participate in the debate and vote by virtue of the dispensation agreed by the Standards Committee at its meeting held on 19th February 2015, under S.33 of the Localism Act 2011);

Relevant Minutes in so far as they relate to HMRC – Non-pecuniary interest – Employee of HMRC dealing with international trade;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote

- Councillor Borton

Development Control Committee – 3rd June 2015

Minute 22(e) - 15/00418/AMDT - Non-pecuniary interest – Applicant’s parent is a former Councillor known to her;

Minute 22(v) - 15/00397/FUL – Non-pecuniary interest – Councillor Willis lives in the vicinity of the application

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 156 – Digital Strategy (Minute 4 of People Management, Accommodation and Digital Strategy Working Party) – Non-pecuniary interest – DwP and JobCentre Plus mentioned – her employer;

Cabinet Committee – 25th June 2015

Minute 83 – Petition: Rochester Drive Area – Non-pecuniary interest – lives in the road;

- Councillor Buckley

Development Control Committee – 3rd June 2015

Minute 22(s) – 15/00568/FUL – Non-pecuniary interest – gave advice as to opposing application to residents;

Audit Committee – 24th June 2015

Minute 65 – South Essex Homes: Annual Governance Statement 2014/15 and Supporting Reports - Non-pecuniary interest – friends are tenants of South Essex Homes Ltd;

Cabinet Committee – 25th June 2015

Minute 85 – Non-pecuniary interest – Gave advice re: Collins Way & Western Approaches to residents and lobbied as to highway changes; lives in the vicinity;

- Councillor Byford

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

- Councillor Callaghan

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing responsibilities – Disqualifying Non-pecuniary interest – Board Member South Essex Homes;

- Councillor Crystall

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

- Councillor Davidson

People Scrutiny Committee – 14th July 2015

Minute 139 – Scrutiny Committee Updates – Non-pecuniary interest – volunteer for Healthwatch Southend;

- Councillor Davies

Development Control Committee – 3rd June 2015

Minute 22(g) – 14/01462/FULM – Non-pecuniary interest – lives in the ward and within vicinity of the application;

People Scrutiny Committee – 14th July 2015

Minute 142 – Schools Progress Report – Non-pecuniary interest – formerly taught at Cecil Jones HS;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – worked at night shelter/HARP;

- Councillor Evans

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to her;

- Councillor Flewitt

Development Control Committee – 3rd June 2015

Minute 22(s) – 15/00568/FUL – Non-pecuniary interest – gave advice as to opposing application to residents;

Audit Committee – 24th June 2015

Minute 65 – South Essex Homes: Annual Governance Statement 2014/15 and Supporting Reports - Non-pecuniary interest – friends and family are tenants of South Essex Homes Ltd;

Cabinet Committee – 25th June 2015

Minute 85 – Non-pecuniary interest – Gave advice re: Collins Way & Western Approaches to residents and lobbied as to highway changes; lives in the vicinity;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of Council’s Housing Responsibilities – Non-pecuniary interest – friend, family tenants of SEH Ltd;

Council – 23rd July 2015

Councillor Questions – Question from Cllr Aylen – Non-pecuniary interest – sits as a JP;

- Councillor Folkard

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

- Councillor D Garston

Development Control Committee – 3rd June 2015

Minute 22(b) – 15/00155/FULM – Non-pecuniary interest – knows the applicant;  
Minute 22(g) – 14/01462/FULM – Non-pecuniary interest – sons have rented property in the vicinity of the application;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 – Non-pecuniary interest – Objector and Applicant known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – private landlord owning one rented house in Southend;

- Councillor J Garston

Cabinet Committee – 25th June 2015

Minute 84 – Petition: Salisbury Road – Non-pecuniary interest – brother lives in the road;

Minute 86 – Requests for TRO's (Western Esplanade) – Non-pecuniary interest – Acquainted with a former Councillor who is connected with the adjacent property;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 – Non-pecuniary interest – Objector and Applicant known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities – Non-pecuniary interest – local landlord;

- Councillor Gilbert

Policy & Resources Scrutiny Committee – 16th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Councillor Hadley

Development Control Committee – 3rd June 2015

Minute 22(d) – 15/00312/FULH – Disclosable non-pecuniary interest – knows the applicant (withdrew);

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 – Non-pecuniary interest – Member of the Licensing Sub Committee appointed to consider the licensing application in respect of these premises (withdrew);

- Councillor Holland

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities – Non-pecuniary interest – son works for SBC and involved in strategic housing;

- Councillor Jones

Development Control Committee – 8th July 2015

Minute 110(d) – 15/00521/FULM – Non-pecuniary interest – Executive Councillor for Children & Learning regarding s.106 contributions to education which were referred to;

People Scrutiny Committee – 14th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 142 – Schools Progress Report – Non-pecuniary interest – parent of primary school child;

- Councillor Lamb

Development Control Committee- 8th July 2015

Minute 110(d) – 15/00521/FULM – Non-pecuniary interest – knows head teacher of the school adjacent to the application site;

- Councillor Longley

Cabinet Committee – 25th June 2015

Minute 85 – Members Request No. 15/05 – Non-pecuniary interest – lives in one of the roads that may be affected by the proposals;

Place Scrutiny Committee – 13th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

People Scrutiny Committee – 14th July 2015

Minute 135 & 141 - Delaware & Priory Update – Non-pecuniary interest – Vice-Chair of Board of Governors, Southend Adult Community College which provides training to staff;

Policy & Resources Scrutiny Committee – 16th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Councillor McMahon

Development Control Committee – 3rd June 2015

Minute 22(g) - 14/01462/FULM – Non-pecuniary interest – lives within vicinity of the application (within several hundred metres);

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a former Councillor known to her;

Minute 22(v) – 15/00397/FUL – Non-pecuniary interest – Councillor Willis lives in the vicinity of the application;

Audit Committee

Minute 65 – South Essex Homes Annual Governance Statement 2014/15 and Supporting Reports – Non-pecuniary interest – former Board Member of South Essex Homes;

Development Control Committee – 8th July 2015

Minute 110(i) – 14/01117/AMDT – Non-pecuniary interest – Occasional advocate for the residents of Chalkwell Lodge;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant's parent is a former Councillor known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities & Minute 149 – Monthly Performance Report – Non-pecuniary interest – cofounder of HARP; night shelter worker; former governor YMCA and worked as part of the street pastor team;

- Councillor Moyies

People Scrutiny Committee – 14th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Councillor Mulroney

Development Control Committee – 3rd June 2015

Minute 22(t) – 15/00537/FULH - non-pecuniary interest – Member of Leigh Town Council and Leigh Society who were consultees and objector is known to me;

Cabinet Committee – 25th June 2015

Minute 90 – Southsea Avenue - non-pecuniary interest – Resident of Southsea Avenue but not the affected part;

Development Control Committee – 8th July 2015

Minute 110(h) – 15/00740/FULH - non-pecuniary interest – Member of Leigh Town Council who were a consultee;

- Councillor Nevin

People Scrutiny Committee – 14th July 2015

Minute 134 – Older People Joint SBC/CCG Commissioning Strategy – Non-pecuniary interest – NHS employee, Trust outside area of strategy;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities – Non-pecuniary interest – night shelter volunteer;

- Councillor Norman MBE

Cabinet Committee – 25th June 2015

Minute 81 – Petition regarding provision of a school crossing patrol and enforcement activity at Darlinghurst School – Non-pecuniary interest – wife is a governor and 2 grandchildren attend the school;

Place Scrutiny Committee – 13th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Policy & Resources Scrutiny Committee – 16th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Councillor Robertson

People Scrutiny Committee – 14th July 2015

Minute 139 – Scrutiny Committee Updates – Non-pecuniary interest – wife is a consultant in homeopathy and complimentary medicine;

- Councillor Robinson

Development Control Committee – 8th June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a

former Councillor known to him;

Minute 22(v) – 15/00397/FUL – Non-pecuniary interest – Councillor Willis lives in the vicinity of the application;

People Scrutiny Committee – 14th July 2015

Minute 134 – Older People Joint SBC/CCG Commissioning Strategy – Non-pecuniary interest – NHS employee of Trust in Southend, job description outside scope;

Minute 142 – Schools Progress Report – Non-pecuniary interest – parent of children at Chase HS and Cecil Jones College;

- Councillor Salter

Southend Health & Wellbeing Board

Minute 97 (minutes of last meeting), Minute 100, Minute 101 and Minute 102 – Non-pecuniary interest – Husband is a Business Unit Director at Southend General Hospital for surgical services including oral surgery – urology and son-in-law is a GP in the borough;

Development Control Committee – 8th July 2015

Minute 110(a) – 15/00315/FUL – Non-pecuniary interest – Son-in-law works at Highlands Surgery which is next door to the application site;

People Scrutiny Committee – 14th July 2015

Minute 139 – Scrutiny Committee Updates – Non-pecuniary interest – husband is Business Unit Director at Southend General Hospital for surgical services including oral surgery – urology and son-in-law is a GP in the borough;

- Councillor Terry

Cabinet – 23rd June 2015

Minute 57 – Roots Hall CPO – Non-pecuniary interest – season ticket holder, Southend United FC;

Minute 60 – Provision of Secondary School Places – Non-pecuniary interest – wife is a teacher at Futures College;

Place Scrutiny Committee – 13th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Councillor Van Looy

Development Control Committee – 3rd June 2015

Minute 23(a) – 15/00003/UNAU\_B – Non-pecuniary interest – lives in Arlington Road;

Cabinet Committee – 25th June 2015

Minute 81 – Petition: Manchester Drive – Non-pecuniary interest – relative lives in Manchester Drive;

Development Control Committee – 8th July 2015

Minute 110(a) – 15/00315/FUL – Non-pecuniary interest – Friend lives in Sydney Road;



- Councillor Walker

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(d) – 15/00521/FULM – Non-pecuniary interest – knows head teacher of the school adjacent to the application site;

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

- Councillor Willis

Southend Health & Wellbeing Board – 29th June 2015

Minute 97 – Minutes of last meeting in reference to pharmaceutical needs assessment – non-pecuniary interest – employed by Royal Pharmaceutical Society;

- Councillor Ward

Development Control Committee – 8th July 2015

Minute 110(g) – 14/01649/FUL – Non-pecuniary interest – Owns a bed and breakfast accommodation in Eastern Esplanade;

- Councillor Ware-Lane

Place Scrutiny Committee – 13th July 2015

Minute 121 – Blenheim Park Pavilion Proposal – Non-pecuniary interest – sits on the Executive of Southend Borough & District Football Combination and has refereed Catholic United many times;

- Councillor Woodley

Cabinet Committee – 25th June 2015

Minute 80 – Objections to TRO’s – Non-pecuniary interest – acquainted with public speaker;

Place Scrutiny Committee – 13th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

People Scrutiny Committee – 14th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Policy & Resources Scrutiny Committee – 16th July 2015

Interest in the referred/called-in items – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

### Agenda Item 22 – Review of Members’ Allowances

All Members of the Council have an interest in the above item which needs to be declared. However, on 11th July 2012 the Standards Committee granted a dispensation to all Members to participate in the debate and vote on Members’ Allowances and this was endorsed at Council on 19th July 2012.

## Officer Declarations of Interest

- Andrew Lewis

Cabinet – 23rd June 2015

Minute 46 – Blenheim Park Pavilion Proposal – Non-pecuniary interest – Chairman of Leigh Dynamo YFC and lives in the road adjacent to Wellstead Gardens;

Place Scrutiny Committee

Minute 121 – Blenheim Park Pavilion Proposal – Non-pecuniary interest - Chairman of Leigh Dynamo YFC and lives in the road adjacent to Wellstead Gardens;

### **162 Questions from Members of the Public.**

The relevant Executive Councillors responded to written questions received from Members of the Public.

### **163 Questions from Members of the Council.**

The relevant Executive Councillors responded to written questions received from Councillors Hadley, Ayles, Assenheim, Buckley and McMahon.

### **164 Petition - To remove taxi rank in Campfield Road, outside the Health Centre**

Councillor Hadley presented a petition on behalf of local residents requesting the removal of the taxi rank in Campfield Road, opposite the Health Centre.

Resolved:

That in accordance with Council Procedure Rule 15.5 the petition be referred to Cabinet Committee.

**\*Referred to:- Cabinet Committee**

### **165 Petition - Residents only Parking Zones for Redstock Road and adjoining streets/roads**

Councillor Norman MBE presented a petition on behalf of local residents requesting residents only parking zones in Redstock Road and adjoining streets/roads.

Resolved:

That in accordance with Council Procedure Rule 15.5 the petition be referred to Cabinet Committee.

**\*Referred to:- Cabinet Committee**

### **166 Petition - Traffic Calming Measures in Tunbridge Road and Penhurst Avenue**

Councillor Norman MBE presented a petition on behalf of local residents requesting traffic calming measures in Tunbridge Road and Penhurst Avenue.

Resolved:

That in accordance with Council Procedure Rule 15.5 the petition be referred to Cabinet Committee.

**\*Referred to:- Cabinet Committee**

**167 Minutes of the Meeting held on Thursday, 14th May, 2015**

Resolved:

That the minutes of the meeting held on 14th May 2015 be confirmed and signed as a correct record.

**168 Minutes of the Meeting held on Thursday, 21st May, 2015**

Resolved:

That the minutes of the meeting held on 21st May 2015 be confirmed and signed as a correct record.

**169 Minutes of the Meeting of Development Control Committee held on Wednesday, 3rd June, 2015**

Resolved:

That the minutes of this meeting be noted.

**170 Minutes of the Meeting of Appeals Committee A held on Monday, 15th June, 2015**

Resolved:

That the minutes of this meeting be noted.

**171 Minutes of the Meeting of The Cabinet held on Tuesday, 23rd June, 2015**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 36, 38, 40, 41, 44, 47, 48, 50, 51 and 52 be adopted.

**172 Minutes of the Meeting of Audit Committee held on Wednesday, 24th June, 2015**

Resolved:

That the minutes of this meeting be noted.

**173 Minutes of the Meeting of Cabinet Committee held on Thursday, 25th June, 2015**

Resolved:

That the minutes of this meeting be noted.

**174 Minutes of the Meeting of Licensing Sub-Committee A held on Thursday, 25th June, 2015**

Resolved:

That the minutes of this meeting be noted.

**175 Minutes of the Meeting of Southend Health and Wellbeing Board held on Monday, 29th June, 2015**

Resolved:

That the minutes of this meeting be noted.

**176 Minutes of the Meeting of Licensing Sub-Committee B held on Monday, 6th July, 2015**

Resolved:

That the minutes of this meeting be noted.

**177 Minutes of the Meeting of Development Control Committee held on Wednesday, 8th July, 2015**

Resolved:

That the minutes of this meeting be noted.

**178 Minutes of the Meeting of Place Scrutiny Committee held on Monday, 13th July, 2015**

Resolved:

That the minutes of this meeting be noted and the recommendation contained in Minute 119, be adopted.

**179 Minutes of the Meeting of People Scrutiny Committee held on Tuesday, 14th July, 2015**

Resolved:

That the minutes of this meeting, with the exception of Minute 141 which was dealt with under Part II, be noted and the recommendations contained in Minute 135, be adopted.

**180 Minutes of the Meeting of Policy and Resources Scrutiny Committee held on Thursday, 16th July, 2015**

Resolved:

That the minutes of this meeting be noted.

**181 Review of Members Allowances**

The Council considered a report of the Corporate Director for Corporate Services which presented the recommendations of the Joint Independent Remuneration Panel (JIRP) on Members' allowances for the Council.

In accordance with Council Procedure Rule 10.1 a number of amendments were proposed to the recommendations as follows:

Amendment 1a and 1b: The Special Responsibility Allowance for Executive Members remains at the current level of £10,841. The Members' Allowances Scheme be amended to make it clear that the two Deputy Leaders will each

receive a Deputy Leader Allowance and an Executive Member allowance on a pro-rata basis to reflect the arrangements in place.

Amendment 2: The Basic Allowance would not include the cost of printing cartridges and paper.

Amendment 3: A 1% increase to the basic allowance for all Members.

Amendment 4: No change to any SRA, except for Executive Councillors.

A requisition for a named vote was made in accordance with Council Procedure Rule 12.1 for each amendment. The voting was as follows:-

Amendments 1a & 1b:

For the amendments:

Cllrs Arscott, Assenheim, Ayles, Ayling, Betson, Borton, Buckley, Butler, Byford, Callaghan, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Anne Jones, Kenyon, Lamb, Longley, McGlone, McMahon, Moyies, Mulrone, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Walker, Ward, Ware-Lane, Waterworth, Willis and Woodley (45)

Against the amendments:

Cllr Courtenay (1)

Abstentions:

Cllr Velmurugan and the Worshipful the Mayor (2)

Absent:

Cllrs Cox, Folkard and Van Looy (3)

Amendment motions 1a and 1b were carried.

Amendment 2:

For the amendment:

Cllrs Arscott, Assenheim, Ayles, Ayling, Buckley, Butler, Byford, Crystall, Davidson, Endersby, Evans, Flewitt, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Kenyon, Lamb, Phillips, Robertson, Salter, Stafford, Walker (25)

Against the amendment:

Cllrs Betson, Borton, Callaghan, Courtenay, Gilbert, Anne Jones, Longley, McGlone, Mulrone, Nevin, Norman MBE, Robinson, Terry, Ward, Ware-Lane, Waterworth, Willis and Woodley (18)

Abstentions:

Cllrs Davies, McMahon, Moyies, Velmurugan and the Worshipful the Mayor (5)

Absent:

Cllrs Cox, Folkard and Van Looy (3)

Amendment motion 2 was carried.

Amendment 3:

For the amendment:

Cllrs Ayling, McGlone, Walker, Waterworth (4)

Against the amendment:

Cllrs Arscott, Assenheim, Ayles, Betson, Borton, Buckley, Butler, Byford, Callaghan, Courtenay, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, Longley, McMahon, Moyies, Mulroney, Nevin, Norman, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Ward, Ware-Lane, Willis and Woodley (41)

Abstentions:

Cllr Velmurugan and the Worshipful the Mayor Cllr (2)

Absent:

Cllrs Cox, Folkard, D Garston and Van Looy (4)

Amendment motion 3 was not carried.

Amendment 4:

For the amendment:

Cllrs Arscott, Assenheim, Ayles, Ayling, Buckley, Byford, Callaghan, Crystall, Endersby, Evans, Habermel, Kenyon, McGlone, Stafford, Walker, Ward, Waterworth (17)

Against the amendment:

Cllrs Betson, Borton, Butler, Courtenay, Davidson, Davies, Flewitt, J Garston, Gilbert, Hadley, Holland, Jarvis, Jones, Lamb, Longley, McMahon, Moyies, Mulroney, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Terry, Ware-Lane, Willis and Woodley (28)

Abstentions:

Cllr Velmurugan and The Worshipful the Mayor (2)

Absent:

Cllrs Cox, Folkard, D Garston and Van Looy (4)

Amendment motion 4 was not carried.

The recommendations of the Joint Independent Remuneration Panel (subject to amendments 1(a), 1(b) and 2 above) were then voted on by way of a named vote, as follows:

For the recommendations:

Cllrs Arscott, Assenheim, Ayles, Ayling, Betson, Borton, Buckley, Butler, Byford, Callaghan, Crystall, Davidson, Endersby, Evans, Flewitt, J Garston, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, McGlone, Moyies, Mulroney, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Walker, Ward, Ware-Lane, Waterworth, Willis (39)

Against the recommendations:

Cllrs Courtenay and Woodley (2)

Abstentions:

Cllrs Davies, Gilbert, Longley, McMahon, Velmurugan and the Worshipful the Mayor (6)

Absent:

Cllrs Cox, Folkard, D Garston, Van Looy (4)

Accordingly, the recommendations of the Joint Independent Remuneration Panel were carried with the amendments (1(a), 1(b) and 2 above) as follows:

Resolved:

1. That the Basic Allowance remains at £8,673 which would include the cost of postage, stationery and minor items of office equipment (but not printing cartridges and paper).
2. That the revised Special Responsibility, Mayoral and Co-optees Allowances set out in paragraphs 29-84 of the JIRP be approved, subject to:
  - (a) The Special Responsibility Allowance for Executive Members remaining at the current level of £10,841; and
  - (b) The Members' Allowances Scheme being amended to make it clear that the two Deputy Leaders will each receive a Deputy Leader Allowance and an Executive Member allowance on a pro-rata basis to reflect the arrangements in place.
3. That subject to the inclusion of the HMRC approved mileage payments in relation to motorcycles and bicycles (paragraph 88 of the JIRP report), the existing provisions in the Members' Allowances Scheme with regard to travelling and subsistence allowances, be reaffirmed.
4. That the existing provisions in the Members' Allowances Scheme with regard to the Dependants' Carers' Allowance be reaffirmed.
5. That the following indices be applied to the remuneration and allowances paid to Members of the Council:
  - (a) Basic Allowance, Special Responsibility and Co-optees Allowances to be indexed by reference to the National Joint Committee pay settlement for Council officers from the start of the Municipal Year;
  - (b) Mileage allowances to be updated by reference to the rates which apply to Council officers (HMRC rates);
  - (c) Subsistence allowances to be updated by reference to the schemes which apply to Council officers.
  - (d) Basic "sitters" allowance be adjusted to the national minimum wage applicable to the age of the carer.
6. That the existing Members' Allowances Scheme be revoked and that the new Members' Allowances Scheme, as set out in Appendix 2 to the submitted report, as amended above, be approved and implemented on 1st August 2015.

## **182 The Local Authorities (Standing Orders) (England) Regulations 2015**

The Council considered a report of the Corporate Director for Corporate Services which proposed minor changes to the Constitution to comply with the requirements of the Local Authorities (Standing Orders) (England) Regulations 2015 ("the 2015 Regulations") regarding dismissal procedures for the Head of Paid Service, Chief Finance Officer and Monitoring Officer.

Resolved:

1. That the changes to the Officer Employment Procedure Rules set out in Appendix 1 to the submitted report, to comply with the requirements of the Local Authorities (Standing Orders) (England) Regulations 2015 be approved and that Part 4(h) of the Constitution be amended accordingly.
2. That a new Disciplinary Advisory Panel be established as required by the 2015 Regulations comprising the two Independent Persons who have been appointed under S.28(7) of the Localism Act 2011 with the terms of reference set out in Appendix 2 to the submitted report and that Part 3, Schedule 2 of the Constitution be amended by the addition of a new paragraph 9.7.
3. That consequential changes to the following parts of the Constitution as set out in Appendix 3 to the submitted report be approved:
  - (a) Part Article 4 - The role of the Full Council;
  - (b) Section 6.5.3 of Part 3 Schedule 2 - The terms of reference of the Appointments and Disciplinary Committee; and
  - (c) Such other changes as the Head of Legal & Democratic Services deems necessary to ensure compliance with the 2015 Regulations.

## **183 Revised Contracts Procedure Rules and Financial Procedure Rules**

The Council considered a report of the Corporate Director for Corporate Services which recommended revised Contracts Procedure Rules (CPR's) and Financial Procedure Rules (FPR's).

Resolved:

1. That the revised Contract Procedure Rules set out in Appendix 1 to the submitted report be approved and that Part 4(g) of the Constitution be amended accordingly.
2. That the revised Financial Procedure Rules set out in Appendix 2 to the submitted report be approved and that Part 4(f) of the Constitution be amended accordingly.
3. That the consequential amendment to the Scheme of Delegation to Officers set out in Section 3.3 of the submitted report be approved and that Part 3 of Schedule 3 of the Constitution be amended accordingly.



**184 Changes to Membership of Committees, Working Parties, etc**

Resolved:

That the appointments to Committees, Working Parties, and other bodies as circulated at the meeting, be approved.

**185 Council Procedure Rule 1.7**

During consideration of Agenda Item 23 (Review of Members' Allowances) the hour of 11.00pm having been reached, the Council:

Resolved:

That the remaining business on the agenda be proceeded with.

**186 Exclusion of the Public.**

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**\*\*\*\* Part II**

**187 Minute 141 of People Scrutiny Committee held 14th July 2015**

The Council considered Minute 141 (Delaware & Priory Update - Confidential Appendix) in private session.

Upon a requisition for a named vote in accordance with Council Procedure Rule 12.1, a recorded vote was taken to note Minute 141 (Delaware & Priory Update - Confidential Appendix), the voting was as follows:

To note the Minute:

Cllrs Arscott, Assenheim, Ayling, Betson, Borton, Buckley, Callaghan, Courtenay, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, J M Garston, Gilbert, Habermel, Hadley, Holland, Anne Jones, Longley, McGlone, McMahon, Moyies, Mulroney, Nevin, Norman MBE, Robertson, Robinson, Terry, Walker, Ware-Lane, Waterworth, Willis, Woodley (35)

Abstentions:

Cllrs Jarvis, Lamb and Phillips (3)

Absent:

Cllrs Aylen, Butler, Byford, Cox, Folkard, D Garston, Kenyon, Salter, Stafford, Van

Looy, Ward (11)

No Vote:

Cllrs Velmurugan and the Worshipful the Mayor, Cllr Moring (2)

The motion to note the minute was carried.

Resolved:

That Minute 141 of People Scrutiny Committee held 14th July 2015 be noted.

**Chairman:** \_\_\_\_\_