



ORDINARY MEETING OF THE COUNCIL WEDNESDAY 25TH MARCH 2015

Book 6 - 2014/2015

Council Enquiries – Ann Horgan, Ext. 2413

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Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200
Fax No: 01268 882455



David Marchant LLB (Hons) BSc (Hons) CEng FICE FCMI
Chief Executive

A **MEETING OF THE COUNCIL** of the Borough of Castle Point will be held in the Council Chamber, Council Offices, Kiln Road, Thundersley, on **WEDNESDAY, 25TH MARCH, 2015 at 7.30 p.m.**, and all Members of the Council, listed below, are hereby summoned to attend to transact the undermentioned business.

Councillors Mrs J.E.E.Govier (The Worshipful the Mayor), A.G.Sheldon, (Deputy Mayor), A.J .Acott, J. Anderson, L.J. Barrett, A.J.Bayley, D.A. Blackwell, P.M. Burch B.Campagna, S.Cole ,D.T. Cross, W.J.C. Dick, Mrs B. Egan, E. Egan, Mrs W. Goodwin, P.C. Greig, S.Hart , N.R. Harvey, R.C. Howard, J. Hudson,R.Hurrell, G.I. Isaacs, Mrs.J.King, N.E.Ladzrie, C.W. Letchford, P.J. May, B.A.Palmer, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, T.F. Skipp, N.G. Smith, J.A. Stanley, M.J.A. Tucker, P.E.Varker, A.C.Walter, Mrs L. Wass, Mrs G. Watson N. Watson and B.S.Wood.

Chief Executive

AGENDA

PART I

(Business to be taken in public)

Before commencing the business of the meeting, prayers will be offered by the Chaplain.

1. Apologies for absence

2. Members' Interests

3. Minutes

To receive the Minutes of the meeting of the Ordinary Council held on 10th December 2014 and the Special Council meeting held on 18th February 2015.

4. Mayor's Announcements

The Mayor will report at the meeting.

- 5. Questions from members of the public of which Notice has been received**
None have been received.
- 6. Questions from Members of the Council of which Notice has been received**
None have been received.
- 7. To deal with any business from the last Council Meeting**
At the meeting of the Council on 10.12.2014 three notices of Motion were adjourned without discussion to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied. The Cabinet meeting on the 21.1.2015 considered reports on the budget implications of the Motions. (The third Motion has been withdrawn (as improvements have been made to signage in the car parks showing the hours when restrictions /charges apply.) Reports are attached.
- 8. Any explanations for urgent decisions taken by Cabinet**
There are none.
- 9. Any References from the Scrutiny/Policy and Scrutiny or Regulatory Committees**
There are none.
- 10. Change of Appointment**
Councillor Norman Ladzrie has relinquished his appointment as Chairman of the Development Control Committee. Council is asked to appoint Councillor Simon Hart as Chairman of the Development Control Committee until the Annual Council Meeting 2015.
- 11. Report from the Leader of the Council**
The Leader is to report at the meeting.
- 12. Notices of Motion**
See attached report.
- 13. Petitions submitted by Members of the Council of which Notice has been given.**



ORDINARY COUNCIL MINUTES

10TH DECEMBER 2014

MINUTES of the Ordinary Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley on 10th December 2014.

PRESENT:

Councillors A.G.Sheldon,(Deputy Mayor), A. Acott, J. Anderson, L.J.Barrett, A.J.Bayley, D.A. Blackwell, B.Campagna, S.Cole , D.T. Cross, W.J.C. Dick, Mrs B. Egan, E. Egan, Mrs W. Goodwin, P.C. Greig, S.Hart, N.R. Harvey R.C.Howard, J.Hudson,R.Hurrell,G.I. Isaacs Mrs.J.King, N.E.Ladzrie, C.W Letchford, B.A.Palmer, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, T.F. Skipp, N.G. Smith, J.A. Stanley M.J.A. Tucker, P.E.Varker. A.C.Walter, Mrs L. Wass, Mrs G. Watson N. Watson and B.S.Wood

Apologies for absence were received from Councillors P.M. Burch, Mrs J.E.E.Govier and P.J.May.

52. MEMBERS' INTERESTS

Councillor Letchford declared he had registered a disclosable non pecuniary interest as the chairman and trustee of the Friends of Concorde Beach in respect of Minute 69 Notice of Motion.

Councillor Sharp declared a non Pecuniary Interest under the Council's Code of Conduct in relation to public perception of his connections with landowners on Canvey Island in respect of the Notice of Motions under Minutes 67 &70.

Councillor Palmer declared a personal non pecuniary interest during the debate in respect of Minute 69 Notice of Motion as member of the Canvey Bay Watch Team.

53. MINUTES

The Minutes of the meeting of the Ordinary Council held on 24th September 2014 were taken as read and signed by the Mayor as a correct record.

54. MAYOR'S ANNOUNCEMENTS

The Deputy Mayor welcomed Councillor Letchford to the Chamber following his election to the Council.

The Deputy Mayor informed the Council that for Minute 56 Item 6 Questions from Councillors and Minute 73 Item 14 Motion 8 Councillor Riley, Leader of the Council would chair the meeting for those matters.

55. QUESTIONS FROM MEMBERS OF THE PUBLIC OF WHICH NOTICE HAD BEEN RECEIVED

There were none.

56. QUESTIONS FROM MEMBERS OF THE COUNCIL OF WHICH NOTICE HAD BEEN RECEIVED

Councillor Bayley had given notice of the following question to the Deputy Mayor 'Cllr Sheldon.

At the last Council meeting, you made an apology to me, of which I did not accept, on the basis that you were only apologising for getting caught, and not for your actions. Your behaviour in colluding with Cllr Sharp to show of me a 'lack of intelligence' by way of having only 'three brain cells' was not acceptable.

If you can give me a satisfactory reason as to what prompted this action, I am prepared to accept your apology.'

Councillor Sheldon responded in his capacity as a Councillor and not as Deputy Mayor repeating his apology for the personal remarks about Councillor Bayley in a private email and stated that there was no collusion with Councillor Sharp who was unaware of the content of the email.

57. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING - NOTICE OF MOTION: THE PADDOCKS 1066 BAR

At the Ordinary Council meeting the following Motion was adjourned without debate to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

"We call upon Castle Point Council to do a complete independent survey on the 1066 at the Paddocks and to supply an estimate to put it into usable order".

The Motion was moved by Councillor May and seconded by Councillor Mrs Payne.

The Cabinet meeting on 19.11.2014 considered a report which addressed the financial implications of the Motion

The Cabinet noted that a survey of the Paddocks had been undertaken. The survey report estimated that £143K of expenditure would be required to bring the 1066 bar area up to a usable condition. The works would include replacement of the rotten floor areas and damaged ceiling, repair of damp walls, a complete re-wire, provision of fire and intruder alarms, replacement boiler, refurbishment of the toilet facilities, replacement windows and doors, plus decoration of the entire facility.

Councillor May who proposed the Motion accepted the recommendation of Cabinet.

Resolved - to note the information in the report to Cabinet which satisfied the Notice of Motion.

58. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING - NOTICE OF MOTION: CANVEY WAR MEMORIAL

At the Ordinary Council meeting the following Motion was adjourned without debate to enable Cabinet to consider whether it wishes to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

'We call upon Castle Point Council to fund £8,000 to the refurbishment of the Canvey Island War Memorial'

The Motion was moved by Councillor Anderson and seconded by Councillor Campagna.

The Cabinet meeting on 19.11.2014 considered a report. Cabinet noted that after a long and protracted history linked to the proposal to improve and upgrade the War Memorial on Canvey Island agreement was finally reached in early 2014 between the Council as the landowner and other respective parties, including the War Memorial Hall Committee (acting as the project sponsor), to erect a new monument in the vicinity of the Paddocks complex and a local contractor was appointed to carry out the necessary building works.

The Cabinet was reminded that the Council's support and contribution towards the costs of the building project was liaison with the various community stakeholders; the project implementation and initiation programme; ongoing site supervision and technical assistance as set out in the report made to the Cabinet on 16th April 2014.

A breakdown of the full costs associated with the project was appended to the Cabinet report. The Council's contribution in kind exceeded £8,000.

Cabinet recommended to Council to validate the approach taken by the Council to work together with the community to renew the War Memorial on Canvey Island and endorses the positive contribution made by the Council to enable the successful completion of the building works and the residual costs incurred by the Council in connection with the construction of the new monument.

Resolved- to validate the approach taken by the Council to work together with the community to renew the War Memorial on Canvey Island and endorse the positive contribution made by the Council to enable the successful completion of the building works and the residual costs incurred by the Council in connection with the construction of the new monument.

59. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

60. ANY REFERENCES FROM THE POLICY & SCRUTINY COMMITTEES /REGULATORY COMMITTEES

The Chairman of the Scrutiny Committee presented a report to Council on progress on the Scrutiny Committee's Review of Flooding in the Borough.

Good progress was being made by the Committee on the review of flooding in the Borough. The Committee was grateful to everyone who had given evidence including: Residents, Essex County Council Lead Flood Authority, Essex County Council Highways Authority, the Environment Agency and Anglian Water

The Committee welcomed the recent announcements concerning funding for flood relief.

The Committee was pleased to note the work that was already being undertaken by the agencies and Essex County Council to improve and maintain the drainage systems.

The Committee wished to carry out further evaluation of the evidence before presenting its report at a formal meeting of the Scrutiny Committee.

61. CONSIDERATION OF RECOMMENDATIONS FROM THE CABINET- LOCAL COUNCIL TAX SUPPORT SCHEME

Council considered recommendations from the Cabinet meeting held on 19.11.2014 in respect of the results of consultation on proposed changes for the 2015/16 scheme and recommended changes to the Local Council Tax Support scheme for 2015/16.

Resolved:

1. To note the summary of responses to the consultation.
2. That there are no changes to the Local Council Tax Support Scheme or allocated funds for 2015/2016.

62. REVIEW OF POLLING ARRANGEMENTS

The Council considered a report on the outcome of a statutory review of the polling districts and polling places in the Borough. The proposals for changes to the future electoral arrangements for the Borough were set out in Section 5 of the report.

No changes were proposed for the 2015 Elections .There was one change from 2016 at Cedar Hall (polling districts AW, AX, AY) it was planned to relocate the Polling Station from Thundersley Junior School to Swans Green Hall.

Resolved:

That the proposals for changes to the future electoral arrangements for the Borough, as set out in Section 5 of the report and detailed above are approved for commencement with effect from the Borough Elections and Police and Crime Commissioner Elections in May 2016.

63. REVIEW OF POLITICAL PROPORTIONS OF THE COUNCIL AND APPOINTMENT TO COMMITTEES ETC

Council reviewed the allocation of seats to the political groups on the Council following the By Election to fill the vacancy in the Canvey East Ward held on 30.10.2014 and receipt of a Notice of a Change to the membership of the Political Groups on the Council

On 30.10.2014 Councillor Colin Letchford an Independent was elected to fill the vacancy in the Canvey East Ward.

On 3.11.2014 notice was received that Councillor Steven Cole had resigned his membership of the Canvey Island independent Group on the Council and no longer wished to be treated as member of that Group. He had joined the Conservative Group on the Council and wished to be treated as a member of that Group.

As a result of these two matters the allocation of seats to the political groups on the Council had changed.

In reviewing the allocation of seats the Council considered the political proportions of the Council. The allocation of memberships on the Committees had to be on the basis of the political proportions of the Council.

The political proportions related to proportions based on the respective memberships of the political Groups. In law, a Group had to contain at least two Members. Consequently Councillor Letchford as the sole Independent Member on the Council was not a member of the Political Group and it was for the Council to allocate seats and appoint him to the Council's Committees.

Throughout the calculations on proportions, the figures had therefore been based on the proportions of the Groups to the total membership of the Council i.e. 41 as shown in the following table.

Party	Seats	Proportions for allocation purposes
Conservative	21	51% (51.21%)
Canvey Island Independent	14	34% (34.14%)
UKIP	5	12% (12.1%)

The table below showed the total number of seats allocated to each Group and included the allocation to the Independent Councillor who received an additional seat due to the effect of roundings:-

Party	Actual Allocation
Conservative	41
Canvey Island Independent	26
UKIP	9
Independent Member	3
Total	79

Resolved:

1. To note the calculation of the political proportions of the Council and confirm the allocations to the Political Groups as detailed above.
2. To allocate and appoint Cllr Letchford to a seat on each of the Policy & Scrutiny Committees - Environment, Wellbeing and Place & Communities.
3. To note the allocation of the seat on the Development Control Committee to Cllr Cole.

64. REPORT OF THE LEADER OF THE COUNCIL

The Leader of the Council updated the Council on positive news from the Government to extend grant funding to those affected by flooding due to severe weather in August 2013.

The Leader noted the report from the Chairman of the Scrutiny Committee on progress on the review of flooding in the Borough and pledged support for the work of the Committee. The Leader acknowledged the efforts being made by all the agencies to improve the response to flood emergencies and the action being taken to improve drainage across the Borough. The Leader thanked all concerned for their efforts.

The Leader reported on actions to ensure open governance with the reintroduction of the Community Forums, the involvement of Group Leaders and all Councillors in important decisions as soon as possible.

The Leader pointed out that there were challenges facing the Council linked to austerity funding and the emerging Local Plan. He referred to the excellent value for money services provided by the Council and the need to keep these under review.

The Leader informed the Council of the debate taking place concerning the devolution of responsibilities to Councils through combined authorities and his involvement in representing Castle Point in these discussions.

65. NOTICES OF MOTION

Councillor Dick had given notice of the following:

‘This Council fully supports the request from the Rector of St Peter's Church in their quest to have a memorial to commemorate residents of Thundersley who gave their lives in various conflicts.’

The Motion was Moved and Seconded.

Debate took place at the conclusion a vote took place which was CARRIED UNANIMOUSLY and RESOLVED accordingly.

66. NOTICES OF MOTION

Councillor Blackwell had given notice of the following:

‘Canvey Island Independent Party calls upon this Council to give a pledge to the residents of Canvey Island that it will not sell off any public open space on Canvey.’

The Motion was Moved and Seconded. The following AMENDMENT was Moved and Seconded:

‘The Council affirms to the residents of the Borough of Castle Point that it will fully comply with the Local Government Act 1972 Section 123 which deals with the sale of public open space and it will not sell off any public open space without first having a full consultation with the residents of the Borough.’

Debate took place on the AMENDMENT at the conclusion a vote took place which was CARRIED UNANIMOUSLY and RESOLVED accordingly.

67. NOTICES OF MOTION

Councillor Mrs Watson had given notice of the following:

‘We call upon this Council that in light of concerns raised by Simon Hart Independent Chairman of Essex Children and Adult Safeguarding Boards with regards to vulnerable children housed at Thorney Bay Caravan Park; We ask that this Council act upon those concerns and work with the Essex Children and Adult Safeguarding Boards to ensure that these children are receiving the right help and are not at risk.’

The Motion was Moved and Seconded. The following AMENDMENT was Moved and Seconded which was accepted by the Mover and Seconder of the original Motion and became the substantive motion on which debate took place :

‘This Council notes fully its responsibilities with regard to safeguarding vulnerable children and adults all across our Borough.
We have, we are and we will continue to ensure that vulnerable children and adults are receiving the right help and are not at risk.’

At the conclusion a vote took place which was CARRIED UNANIMOUSLY and RESOLVED accordingly

Note:

Councillor Sharp left the Chamber for this item.

68. NOTICES OF MOTION

Councillor Mrs Watson had given notice of the following:

'We call upon this Council to make the necessary repairs to the Skateboard Park at waterside which sadly has fallen into Disrepair.'

The Motion was Moved, Seconded and ADJOURNED without debate to enable Cabinet to consider whether it wished to report on the matter Council Procedure Rule 13 Motions on Expenditure applied.

69. NOTICES OF MOTION

Councillor Neville Watson had given notice of the following:

'We call upon this Council to support the beach area clean up at Thorney Bay of which has been cleaned by Canvey Bay Watch Team and public volunteers at no cost to the public purse.'

The Motion was Moved and Seconded.

Debate took place at the conclusion a vote took place which was CARRIED and RESOLVED accordingly.

70. NOTICES OF MOTION

Councillor Neville Watson had given notice of the following:

'We call upon this Council to inform us if any public land has been sold at Thorney Bay, Canvey Island.'

The Motion was MOVED and Seconded. Debate took place during which the Cabinet Member for Resources and Performance drew attention to the Council's Policy on the acquisition and disposal of land and the requirement for public notice under Section 123 Local Government Act 1972. The Motion was withdrawn.

Note:

Councillor Sharp left the Chamber for this item.

71. NOTICES OF MOTION

Councillor Anderson had given notice of the following:

‘Many local residents who live near Canvey Island seafront have asked if Castle Point Borough Council will delegate a Borough Warden to patrol the seafront and to fine anybody who does not clear up their dogs fouling the seaside pathway, and the grassed areas on the seafront.

I call upon this Borough Council to carry out their responsibilities to residents, to send a Warden to patrol the seafront, and fine those residents who do not follow the dog fouling regulations of clearing up after them.’

The Motion was Moved, Seconded and ADJOURNED without debate to enable Cabinet to consider whether it wished to report on the matter Council Procedure Rule 13 Motions on Expenditure applied.

72. NOTICES OF MOTION

Councillor Varker had given notice of the following:

‘In the light of Councillor Sheldon through sending a malicious email, by mistake, to all Borough Councillors and in doing so breaking 7 of the 8 points of the "Nolan Principle" 1995. Plus using Council property for improper use and bringing disgrace to the Mayor's Office by showing disrespect to an elected member of this Council.

We propose that Cllr. Sheldon is not fit to hold such a prestigious position as Deputy Mayor and should be removed from this position with immediate effect.’

The Motion was Moved and Seconded

During the debate took place during which the Motion was withdrawn mindful of Councillor Sheldon's profound apologies for his actions and in the spirit of Christmas.

73. NOTICES OF MOTION

Councillor Varker had given notice of the following:

‘We the UKIP Group would like to propose that the main Car Park signs at Hart Road Car Park along with the other Car Parks where the evening parking restrictions have been removed are physically altered to show the new rulings as the current laminated signs cable tied to posts are not fit for purpose

The Motion was Moved, Seconded and ADJOURNED without debate to enable Cabinet to consider whether it wished to report on the matter Council Procedure Rule 13 Motions on Expenditure applied.

74. PETITIONS SUBMITTED BY MEMBERS OF THE COUNCIL OF WHICH NOTICE HAS BEEN GIVEN

There were none.

There being no other business the Deputy Mayor wished everyone present a Happy Christmas and New Year

Mayor



SPECIAL COUNCIL MINUTES

18TH FEBRUARY 2015

MINUTES of the Special Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley on 18th February 2015.

PRESENT:

Councillors Mrs J.E.E.Govier (The Worshipful the Mayor), A.G.Sheldon, (Deputy Mayor), A.J .Acott, A.J.Bayley, D.A. Blackwell, P.M. Burch B.Campagna, S.Cole ,D.T. Cross, W.J.C. Dick, Mrs B. Egan, E. Egan, Mrs W. Goodwin, P.C. Greig, S.Hart , R.C. Howard, J. Hudson,R.Hurrell, G.I. Isaacs, Mrs.J.King, N.E.Ladzrie, C.W. Letchford, P.J. May, B.A.Palmer, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, T.F. Skipp, N.G. Smith, J.A. Stanley, M.J.A. Tucker, P.E.Varker, A.C.Walter, Mrs L. Wass, and B.S.Wood.

Apologies for absence were received from Councillors J. Anderson, L.J. Barrett, N.R. Harvey, Mrs G. Watson and N. Watson.

75. MEMBERS' INTERESTS

There were none.

76. POLICY FRAMEWORK AND BUDGET SETTING FOR 2015/16

This Special Meeting of the Council had been scheduled to determine the budget requirement and the level of Council Tax for 2015/2016.

At the Cabinet meeting held earlier that evening, the Cabinet considered the report on the Policy Framework and Budget Setting for 2015/16.

The Council was required to make certain statutory calculations in relation to the budget requirement and these were set out in full in the report submitted to the Cabinet.

The Council was asked to consider and resolve the recommendations 1 to 20 as set out in the report to Council.

In moving the recommendations the Cabinet Member for Resources and Performance drew attention to the key features of this balanced budget highlighting that the Council had continued to maintain a balanced budget notwithstanding the reductions the Council had suffered in its grant settlement in recent years.

The Cabinet Member for Resources and Performance warned of the continuing budget pressures to be faced by the Council and the actions planned to mitigate the effects. This included among other matters increased income from environment and leisure services; savings on contracts and savings arising from different working practices. In summary there was to be no reduction in frontline services but efforts continued to be made on smarter more effective working.

The Cabinet Member for Resources and Performance referred to the Councils' spending plans which continued to include discretionary spending and ongoing financial support for the Women's Refuge, Crossroads, Cava and the CAB. In addition, the Council has allocated a further £75,000 to fund environmental initiatives.

In seconding the recommendations the Leader of the Council referred to attempts by other Essex Councils to negotiate with Essex County Council to switch back on street lighting between Midnight and 5 am. The Leader of the Council announced that the Council would write to the Leader of Essex County Council (ECC) indicating that the Council was willing to discuss some capital input from Castle Point Borough Council if ECC was prepared to reconsider the matter.

The Leader of the Council said it would be imprudent to allocate revenue support to the cost of street lighting which was a county council responsibility, mindful of the continuing reduction in government grant received by the Borough Council.

The Leader of the Council concluded that due to the Council's careful fiscal management the negotiations with ECC would not result in a duplication of charges being passed on to Castle Point Council Tax Payers .

Discussion took place on the recommendations during which the Cabinet Member was questioned concerning details within the budget. Members welcomed the balanced budget to maintain Council services but recognised the challenge to be faced by the Council given the continuing economic pressures.

Members acknowledged and thanked the hard work and dedication of the officers mentioning specifically the Head of Resources, the Council's Section 151 Officer and her colleagues for their work in preparing the budget.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which had come into effect on 24 February 2014, a recorded vote was taken on the recommendations of the Cabinet meeting held earlier in the evening and the Members present voted as follows:

For:

Councillors: Acott, Bayley, Blackwell, Burch, Campagna, Cole, Cross, Dick, Mrs. Egan, E. Egan, Mrs. Goodwin, Mrs. Govier, Greig, Hart, Howard, Hudson, Hurrell, Isaacs, Mrs. King, Ladzrie, Letchford, May, Palmer, Partridge, Mrs. Payne, Riley, Sharp, Sheldon, Skipp, Smith, Stanley, Tucker, Varker, Walter, Mrs. Wass, Wood. (36)

Against:

None.

Abstained:

None.

Resolved Unanimously:

Implementation of Council policies and related spending plans

1. To note the efficiency savings, cost reductions and additional income summarised in table 4.2.
2. To approve the continued funding of priority projects and other items of discretionary expenditure, as set out in table 9.1.
3. To note the cost pressures and other budget increases (growth) as set out in table 9.2.
4. That subject to recommendations 1 to 3 above, the revenue spending plans for 2014/15 (revised) and 2015/16, set out in section 9, tables 9.3 (summary) and 9.4 (net services expenditure) of the accompanying report, are approved.

Capital spending plans and prudential indicators

5. That the capital spending plan described in section 11 of the accompanying report (tables 11.2 and 11.3) is approved in respect of 2014/15 (revised) and 2015/16.
6. That it is noted that as stated in paragraph 24 of section 11 of the accompanying report, and based on current plans and proposals, gross external borrowing is not expected to exceed the capital financing requirement in the current or forthcoming two financial years.
7. That as set out in paragraphs 48 and 49 of section 11 of the accompanying report, the **£1.5m** limit previously approved for affordable housing projects to be expended by the end of March 2017 be re-confirmed.
8. That the Treasury Management Strategy Statement for 2015/16 as set out in section 12 of the accompanying report is approved.
9. That as required by section 3 of the Local Government Act 2003 and the Prudential Code for Capital Finance in Local Authorities, the following Prudential Indicators are approved as set out in the appropriate sections of the accompanying report:

Prudential Indicator	Reference to sections 11, 12 and 13 of accompanying report
Capital expenditure Ratio of financing costs to net revenue stream	Tables 11.2 and 11.3 Table 11.4

Capital financing requirement	Table 11.5
Authorised limit for external debt	Table 11.6
Operational boundary for external debt	Table 11.7
Incremental impact of capital investment	Table 11.8
Housing Revenue Account limit on indebtedness	Section 11 para 36
Maturity structure of fixed rate borrowing - upper and lower limits	Table 12.2
Upper limits of fixed and variable interest rate exposures	Table 12.3
Maximum period and counterparty limits for specified investments	Table 13.1

10. That the Statement of Minimum Revenue Provision for 2015/16, as stated in paragraphs 37 to 39 of section 11 of the accompanying report is approved.
11. That no new capital proposals are allowed until:
 - the proposal has been evaluated in accordance with all relevant evaluation criteria;
 - the Cabinet has confirmed affordability and compliance with the Prudential Code for Capital Finance in Local Authorities;
 - the Cabinet has considered and approved details of the proposal.
12. That the Investment Strategy for 2015/16 as set out in section 13 of the accompanying report is approved.
13. That the Pay Policy as set out in section 14 of the accompanying report is approved.

Statutory report of the Head of Resources

14. That as required by section 25 of the Local Government Act 2003, the report of the Head of Resources set out in section 16 of the accompanying report in respect of robustness of the estimates is noted.
15. That as required by section 25 of the Local Government Act 2003, the report of the Head of Resources set out in section 8 of the accompanying report in respect of the adequacy of proposed financial reserves is noted.

Statutory calculations in respect of the budget requirement and Council Tax as required by the Local Government Finance Act 1992, as amended ("the Act")

16. That as set out in section 5 of the accompanying report it is noted that acting under delegated authority and in consultation with the Cabinet Member responsible for Resources and Policy and the Head of Resources has calculated

- a) a tax base for the Borough of Castle Point of **29,314** being the amount **T** required by section 31B of the Act; and
- b) a tax base for Canvey Island to which a Town Council precept applies as **11,232**.

17. That the following amounts be calculated for the year 2015/16 in accordance with sections 31 to 36 of the Act:

Ref	Amount £	Item
(a)	58,468,561	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish (Town) Councils.
(b)	51,374,955	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	7,093,606	being the amount by which the aggregate at 20(a) above exceeds the aggregate at 20(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the act)
(d)	241.99	being the amount at 20(c) above (item R), divided by item T (19(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish (Town) precepts).
(e)	231,492	being the aggregate amount of the (Parish (Town) precepts) referred to in Section 34(1) of the Act.
(f)	234.09	being the amount at 20(d) above less the result given by dividing the amount at 20(e) above by item T (19(a) above), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

18. That in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, Council sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2015/16 for each part of its area and for each category of dwelling. This information is included within section 17 of the accompanying report:

Castle Point Borough Council Tax 2015/16, including and excluding Town Council precept, for each of the following categories of dwelling:

Band	Council Tax Including Town Council £	Council Tax Excluding Town Council £
A	169.80	156.06
B	198.10	182.07
C	226.40	208.08
D	254.70	234.09
E	311.30	286.11
F	367.90	338.13
G	424.50	390.15
H	509.40	468.18

19. To note that the County Council, the Policy Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area, as indicated in the table below:

Band	Castle Point Borough Council £	Essex County Council £	Essex Fire Authority £	PCC for Essex £	Total Excluding Town Council £	Canvey Island Town Council £	Total Including Town Council £
A	156.06	724.50	44.28	98.10	1,022.94	13.74	1,036.68
B	182.07	845.25	51.66	114.45	1,193.43	16.03	1,209.46
C	208.08	966.00	59.04	130.80	1,363.92	18.32	1,382.24
D	234.09	1,086.75	66.42	147.15	1,534.41	20.61	1,555.02
E	286.11	1,328.25	81.18	179.85	1,875.39	25.19	1,900.58
F	338.13	1,569.75	95.94	212.55	2,216.37	29.77	2,246.14
G	390.15	1,811.25	110.70	245.25	2,557.35	34.35	2,591.70
H	468.18	2,173.50	132.84	294.30	3,068.82	41.22	3,110.04

20. To note that, in accordance with the requirements of section 52ZC of the Act the Council has determined whether its Relevant Basic Amount of Council Tax for 2015/16 is excessive, as follows:

Ref	Amount £	Item
(a)	234.09	being the Relevant Basic Amount of Council Tax for 2014/15, excluding local precepts.
(b)	2.0%	being the percentage increase above which the Secretary of State has determined the Relevant Basic Amount of Council Tax for 2015/16 would be excessive.

Special Council 18.2.2015

(c)	238.77	being the amount above which the Relevant Basic Amount of Council Tax for 2015/16, excluding local precepts, would be excessive (rounded down to the nearest penny).
(d)	234.09	being the Relevant Basic Amount of Council Tax for 2015/16, excluding local precepts.

The Relevant Basic Amount of Council Tax for 2015/16 is therefore, not excessive and the duty to make substitute calculations and hold a referendum does not apply (Chapter 4ZA of Part 1 of the Act).

Mayor

ORDINARY COUNCIL

25th March 2015

Subject: Any Business from the Last Council Meeting: Notice of Motion- Request for Borough Warden to Patrol Canvey Island Seafront.

1. Purpose of Report

To present to Council the report and recommendations of the Cabinet on the Motion adjourned from the Ordinary Council meeting on 10th December 2014 requesting the Council to delegate a Borough Warden to patrol the seafront and to fine anybody who does not clear up after their dog has fouled the seaside pathway and the grassed areas on the seafront.

2. Links to Council's Priorities and Objectives

This request links with the Council's Environment objective.

3. Recommendations

Cabinet recommended to Council that no further action is required as the Council already has suitably trained staff authorised to serve fixed penalty notices where offences are observed whilst undertaking other work activities.

4. Background

4.1 The Motion put to Council by Councillor Anderson and seconded by Councillor Palmer was that:

"Many local residents who live near Canvey Island seafront have asked if Castle Point Borough Council will delegate a Borough Warden to patrol the seafront and to fine anybody who does not clear up their dogs fouling the seaside pathway, and the grassed areas on the seafront.
I call upon this Borough Council to carry out their responsibilities to residents, to send a Warden to patrol the seafront, and fine those residents who do not follow the dog fouling regulations of clearing up after them".

- 4.2 The Motion was adjourned without debate to this Council meeting to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.
- 4.3 The Cabinet meeting on 21.1.2015 considered a report.
- 4.4 Dog fouling as well as being unpleasant and unsightly also presents a risk to public health. The Council is committed to promoting responsible dog ownership through a combination of education programmes and enforcement activities. Covert and overt patrols are undertaken in areas which are known to be dog fouling hotspots. Whilst overt patrols in particular, act as a deterrent to would be offenders, in practice offences are rarely observed and fixed penalty notices served, as dog owners are more inclined to pick up after their dog has fouled if other people are in sight.
- 4.5 The Council made a Dog Control Order in 2011 under the Clean Neighbourhoods and Environment Act 2005 which makes it an offence for persons in charge of a dog to not pick up dogs mess after it has fouled. This applies to all land in the open to which the public have access, with or without payment and includes the foreshore.
- 4.6 Whilst the majority of dog owners in the Borough act responsibly picking up after their dogs a small minority of dog owners see the Borough's public spaces as one big toilet; this Order has been brought in to ensure those irresponsible persons are made to pay for their failure to act.
- 4.7 The Head of Environment using her delegated powers has authorised Council Officers who are suitably trained and regularly patrol/visit public places e.g. parks and open spaces, the foreshore and public highways to serve fixed penalty notices where dog fouling offences are observed in the course of their other work activities.
- 4.8 Since the introduction of the Dog Control Order there has been close and effective collaborative working with the Canvey Island Town Council. The Community Warden previously employed by the Canvey Island Town Council was authorised by the Head of Environment once she had undertaken the necessary training, to served fixed penalty notices on behalf of this Council. The two new Wardens employed by the Town Council will also be authorised to serve fixed penalty notices once they have received the requisite training required of Parish/Town Council employees in the Approved Code of Practice.
- 4.9 This Council provides a network of dog and litter bins across the Borough all of which can be used to dispose of dogs mess. The Council provides free dog bags for dog owners to use so there really is no excuse for dog owners not clearing up after their dog has fouled.
- 4.10 In addition, Pinnacle, the Council's Grounds Maintenance and Street Cleansing Contractor is responsible for keeping public highways and Council owned recreational land (including the Canvey foreshore) clean throughout the year and clearing up after irresponsible dog owners.

- 4.11 For the period 01/04/14 to 31/12/14 the number of borough wide dog fouling complaints reported by the public was 14; this compared to 52 for the same period the previous year. Also, the number of resident requests for Dog Fouling Notices to be put up has decreased from 24 during the same period in 2013 to 19 in 2014.
- 4.12 In the case of dog fouling it is common for people to perceive the problem to be much greater than it actually is. This is probably due to its unpleasantness and the associated public health risks it presents.

5. Corporate Implications

(a) Financial Implications

None associated with this report as the Council already has suitably trained staff authorised to serve fixed penalty notices where offences are observed whilst undertaking other work activities.

In practice the number of fixed penalty notices that are served in any one year is low but any income from fixed penalty fines is used to offset the cost of providing the associated services.

(b) Legal Implications

Persons committing an offence can be served with a fixed penalty notice for £80 or be prosecuted. Payment of a fixed penalty fine within 14 days offers the offender the opportunity to discharge the offence. Failure to pay the fine within this time period is very likely to result in prosecution, and if found guilty, would result in the offender having a criminal record and being faced with a fine of up to £1000.

(c) Human Resources and Equality Implications

(d) Human Resources

None associated with this report as the Council already employs duly authorised staff to fine irresponsible dog owners who do not clean up after their dog has fouled on any land open to the public, with or without payment across the whole of the borough.

(e) Equality Implications

The Dog Control Order provides exemptions in particular cases for registered blind people, and for deaf people and for other people with disabilities who make use of trained assistance dogs.

6. Timescale for implementation and Risk Factors

Not applicable.

Background Papers

Item 6(b) Cabinet 21.1.2015

Report Author: Trudie Bragg, Head of Environment
Ann Horgan Head of Civic Governance

ORDINARY COUNCIL

25th March 2015

Subject: Any Business from the Last Council Meeting: Notice of Motion – Waterside Farm Skateboard Park Request for Repair

1. Purpose of Report

To present to Council the report and recommendations of the Cabinet on the Notice of Motion adjourned from the Ordinary Council meeting held on 10.12.2014.

2. Links to Council's Priorities and Objectives

This proposal links with the Council's Environment priority.

3. Recommendations

- 1. Council is recommended to note the report, that no decision had been taken to close the skate board park, the skateboard park was to be maintained and that the Council was to seek funding to ensure that the skateboard park could be kept to the required standard of repair.**
 - 2. That the Notice of Motion has been satisfied and no further action is required.**
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4. Background

Cabinet on 21.1.2015 considered a report on the Motion put to Council on 10.12.2014 by Councillor Grace Watson and seconded by Councillor Neville Watson that:

"We call upon this Council to make the necessary repairs to the Skateboard Park at Waterside which sadly has fallen into Disrepair"

The Motion had been adjourned without debate to the next Council meeting to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

The Cabinet noted that the skateboard park was a very large, well-used facility which attracted users from all over the Borough as well as from further afield.

Independent specialist advice had confirmed that the ramps had been maintained to a high standard with the surfaces being kept clean, free from litter and regularly painted in accordance with the manufacturer's recommendations.

However it had become apparent within the industry though that the design of the steel ramps by this particular manufacturer have a number of inherent design flaws.

Once the design flaw was discovered, a remedy to the corrosion issue was sought. Extensive repair and additional ventilation works were carried out in 2012 totalling £19k. Unfortunately the additional ventilation had not stemmed the corrosion.

The specialist advice received had highlighted repair work would be too complex/expensive and would not be guaranteed for more than a couple of years. The only long-term solution was to replace the ramps or remove the skateboard park all together.

The Cabinet report addressed the financial implications of the Motion within the Corporate Implications which are reproduced below

The Cabinet meeting was informed that the Essex County Council earlier in the day had agreed to allocate £50k which could be used to assist in funding emergency repairs which had been identified.

The Cabinet decided to recommend to Council to note the report, that no decision had been taken to close the skate board park, the skateboard park was to be maintained and that the Council was to seek funding to ensure that the skateboard park could be kept to the required standard of repair.

5. Corporate Implications

(a) Financial Implications

Indicative replacement costs for the whole skateboard park range from between £150k and £500k depending on the construction material used. Following on from the specialist's recommendations a total replacement cost of £200k using a mix of concrete and steel would see the facility returned to one of the country's premier skateboard/BMX parks. The skateboard park will continue to be maintained using the existing maintenance budget to delay further deterioration whilst officers try to secure funding for the long-term replacement of the facility.

If external funding could not be identified then the cost of replacement works would need to be considered against the Council's Medium Term Financial Forecast position, in particular the significant savings and cost reductions required in later years to achieved a balanced budget and maintain adequate levels of reserves.

The skateboard park was installed in phases and it could be replaced in phases with the oldest /worst affected ramps being replaced first. External funding will be sought so that the defective ramps can be replaced at the earliest opportunity.

(b) Legal Implications

The Council has a statutory duty to ensure that the facility is safe to use. If it deteriorates to such an extent that this is no longer the case, the Council will have to remove the offending ramps.

(c) Human Resources and Equality Implications

None associated with this report.

6. Timescale for implementation and Risk Factors

Replacement of the skateboard ramps will be dependent on securing the necessary funding.

Background Papers

Item 7(c) Cabinet Meeting 21.1.2015

Report Author: Ryan Lynch Operational Services Manager
Ann Horgan Head of Civic Governance

ORDINARY COUNCIL

25th March 2015

Subject: Notices of Motion

Purpose of Report

To present to Council Notices of Motion received for consideration at this meeting.

1. Councillor Hart has given notice of the following:

'I call upon Castle Point Councillors to instruct the CEO of Castle Point Borough Council David Marchant to investigate the available schemes, grants and financing available for street lighting conversion/ improvements within Castle Point to enable all lights in the Borough to be converted and thus restore the to full dusk to dawn operation.'

The Motion is to be seconded by Councillor Dick.

2. Councillor Dick has given notice of the following:

'This Council welcomes the statement by the Local Government Minister at a local meeting on green belt. This Council will therefore prepare a Local Plan protecting Virgin green belt areas and produce a realistic annually housing number that can ideally be achieved.'

The Motion is to be seconded by Councillor

This Motion will be adjourned without debate to the next Council meeting to enable Cabinet to consider whether it wishes to report on the matter. Council Procedure Rule 13 Motions on Expenditure applies.

3. Councillor Anderson has given notice of the following:

'Canvey Island Independent Party calls upon Castle Point Council to confirm there are no plans to outsource our leisure centres.'

The Motion is to be seconded by Councillor Campagna.

4. Councillor Blackwell has given notice of the following:

‘Canvey Island Independent Party calls upon Castle Point Council to support the Police Commissioner who states the Police are finding it hard to do their job with the street lights off by demanding Essex County Council turn our lights go back on.’

The Motion is to be seconded by Councillor Tucker.
