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An ORDINARY MEETING OF THE COUNCIL of the Borough of Castle Point will be held in the **Council Chamber, Council Offices, Kiln Road, Thundersley**, on **WEDNESDAY, 11th OCTOBER 2023 at 7.p.m** and all Members of the Council, listed below, are hereby summoned to attend to transact the undermentioned business.

Councillors, Ms L. McCarthy-Calvert (The Worshipful the Mayor), B. Campagna, (Deputy Mayor), A. Acott, Ms S.A Ainsley, J. Anderson, Ms H.L Barton-Brown, Ms N. Benson, B. Bizzell, D. Blackwell, Mrs. J.A Blissett, K. Bowker, M. Dearson, A. Edwards, Mrs. B. Egan, M. J Fuller, T.Gibson, W. Gibson, P.C. Greig, S. Hart, N. Harvey, G. Howlett, G.I. Isaacs, Ms D. Jones, J. Knott, R. Lillis, P. May, S Mountford, Mrs. S. Mumford, B.A. Palmer, J.A. Payne, Mrs. J Payne, Mrs. C.J Sach, R. Savage, T.F. Skipp, A. Taylor, D.J. Thomas, A. Thornton, Mrs. J Thornton, Walter, Mrs G Watson and G.St.J. Withers

Angela Hutchings
Chief Executive

AGENDA

PART I

(Business to be taken in public)

- 1. Apologies for absence**
- 2. Members' Interests**
- 3. Minutes**
To receive the following:
 - Minutes of the meeting of the Ordinary Council held on 26th July 2023.
- 4. Mayor's Announcements**
The Mayor will report announcements if any at the meeting.
- 5. Questions from members of the public of which Notice has been received**
These are attached.
- 6. Questions from Members of the Council of which Notice has been received –**
These are attached.

7. **To deal with any business from the last Council Meeting –** There is none.
8. **Any explanations for urgent decisions taken by Cabinet -** There are none.
9. **Consideration of recommendations from Cabinet -** There are none
10. **Any References from the Scrutiny/Policy and Scrutiny or Regulatory Committees -** There are none.
11. **Transformation Matters - Interim Arrangements for Scheme of Delegations**
A report is attached.
12. **Changes to Electoral Arrangements**
A report is attached.
13. **Report from the Leader of the Council/Cabinet Member**
The Leader is to report at the meeting.
14. **Notices of Motion -** A report is attached.
15. **Petitions submitted by Members of the Council of which Notice has been given. –** Notice has been received that two petitions are to be presented.
16. **Recommendations to Council – Transforming Together – Outcome of Tier 3 Part 1 Organisation Restructure.**
A report is attached.



ORDINARY COUNCIL MINUTES

26th JULY 2023

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 Wednesday, 26th July 2023.

PRESENT:

Councillors, Ms L. McCarthy-Calvert (The Worshipful the Mayor), B. Campagna, (Deputy Mayor), A. Acott, J. Anderson, Ms S.A Ainsley, Ms N. Benson, B. Bizzell, D. Blackwell, Mrs. J.A Blissett K. Bowker, A. Edwards, Mrs. B. Egan, M. J Fuller, T.Gibson, W. Gibson P.C. Greig, S. Hart, , G. Howlett, G.I. Isaacs, Ms D. Jones, J. Knott, R. Lillis, P. May, S Mountford, Mrs. S. Mumford, B.A. Palmer, J.A. Payne, Mrs. J Payne, Mrs. C.J Sach, T.F. Skipp, A. Taylor. D.J. Thomas, A. Thornton, Mrs. J Thornton, Walter and Mrs G Watson.

Apologies for absence were received from Councillors Ms H.L Barton-Brown, M. Dearson, N. Harvey, R. Savage and G.St.J. Withers.

16. MEMBERS' INTERESTS

No disclosures were made.

17. MINUTES

The Minutes of the meeting of the Ordinary Council held on 22 March 2023 and the Minutes of the Annual Meeting held on 17th May 2023 and Special Council held on 31st May 2023, subject to a correction to show that Councillor Mrs Egan was not present, were taken as read and agreed as a correct record. The Mayor signed the Minutes.

18. MAYOR'S ANNOUNCEMENTS

The Mayor had the honour to welcome HRH the Duchess of Edinburgh to the Borough on 27 June when she visited and opened the Charfleets Book Bindery on Canvey Island.

The Mayor reported that she was very much enjoying her first months in office. The Mayor took the opportunity to acknowledge the value the contribution made to the Borough by the voluntary and community organisations and the talent to the enthusiasm of among young people.

19. QUESTIONS FROM MEMBERS OF THE PUBLIC OF WHICH NOTICE HAS BEEN RECEIVED.

1. Questions to the Leader of the Council

From Sean Quartermaine:

Question 1

"Will your administration commit to reinstating the Canvey Island Third Road Task Force, with public meetings, and provide regular updates at each future full council meeting regarding its progress?"

Question 2

"Will your administration commit to providing a significant number of council houses in your new local plan, both to clear the current waiting list and to also address decades of a deficiency in council house supply in Castle Point?"

The Leader of the Council replied in response to Question 1:

Discussions were taking place with partners at a regional and sub-regional basis on various transport matters, including improving access to Canvey Island.

Improving access to Canvey Island was a long-standing objective, but it was not something that could be achieved by the Council alone .

Support was required from central government leadership and funding. The investment happening in the Thames Estuary, through the Thames Estuary Growth Board and the Thames Freeport presented opportunities for the Council to demonstrate that improved transport infrastructure to Canvey Island will open up and improve access to jobs. That is something which the Council, through its participation in ASELA was approaching at sub-regional level.

The county wide approach to devolution also creates new opportunities to advocate for funding as part of an overall approach to development of the wider Essex economy.

As such the work of the previous Task Force has been overtaken by these other forums. The work of ASELA is conducted via public Joint Committee on a quarterly basis and is reported to the Council's Scrutiny Committee. The Essex devolution proposal was due to mature later this summer and would be reported back to Council.

The Leader of the Council replied in response to Question 2:

The new Castle Point Plan was at an early stage, and one of the key pieces of work was a local and robust assessment of local need. This had been done by talking to local people rather than simply relying on statistical analysis. The work

was not available yet, but it would tell what our genuine need is and how many affordable homes were needed.

Tackling homelessness and the affordability issue is a top priority.

The Leader thanked Mr Quartermaine for his questions.

2. Question to the Leader of the Council

From Chas Mumford :

Following the tragic and distressing loss of wildlife at Canvey Lake last Summer, there now appear to be signs of a potential recurrence this year. Will the Leader of the Council take this opportunity to update the Council and residents of the Borough as to what actions this Authority has taken to date, as landlord, to ensure Canvey Town Council, as Tennant(sic), is abiding by the terms and conditions of the lease as signed in 2010 and furthermore give details of plans and timescales to ensure Canvey Lake capable of fulfilling its function both as a major water retention facility for Canvey Island and as a wildlife haven for the enjoyment of residents.

The Leader of the Council replied thanking Mr Mumford for his question:

The Council had received a complaint from a member of the public which the Chief Executive was dealing with at Stage 2 of the Council's complaints procedure. The question repeats the complaint which was in the process of being reviewed. A written response would be provided to the questioner at the conclusion of that review and the complaints process had been dealt with.

3. Question to the Leader of the Council

From Ms Jo-ann Davis :

As residents impacted by what was HO10 in the now withdrawn local plan, we have worked for over a decade with various administrations to protect this precious green belt land from unwanted development.

The site is particularly susceptible to overdevelopment due to its make up of numerous individual plots under multiple ownership, with no overall control of the entire site as a whole. Each landowner is seeking to maximise development, and consequently profit, on their own particular portion of land. We know from previous Local Plan hearings that individual landowners are trying to significantly increase housing numbers on this wooded, GB and designated Local Area Wildlife site, a home to deer, badgers and many other woodland creatures.

As Residents, we were mindful of the fact that some redevelopment of the site was highly likely and worked hard with the previous administration to limit numbers and mitigate harm. The withdrawn LP therefore significantly reduced the allocated numbers on site from 200 down to just 89, doubled the land allocated as Local Area Wildlife Site

designation and sought to protect the integrity of the existing bridleways, pathways and lanes. It also insisted on the council controlling the master planning of the site to protect its overall integrity of the whole site and avoid an uncoordinated piecemeal result caused by speculative overdevelopment of the individually owned plots.

However, following the withdrawal of the LP, the site has already become susceptible to speculative development, as seen with the recent submission of the application for 47 extra houses on one such plot along Felstead Road, and we are worried that this is only the beginning.

What reassurances can the leader give us that following the withdrawal of the LP the council has sufficient protections in place and can the leader please confirm that:

a) that the council retains a legal mechanism to control a master planning of the entire site following the withdrawal of the Local Plan to protect it from speculative uncoordinated overdevelopment?

b) whether the council's ability to defend an Application on Appeal by using prematurity has been lost following the withdrawal of the Local Plan?

The Leader of the Council replied thanking Ms Davis for her question:

The Council unanimously took the decision to withdraw the Castle Point Local Plan last June. By withdrawing the plan all the sites that were allocated in that plan that were previously in the Green Belt, now remain in the Green Belt.

Green Belt is national policy that only permits development such as new housing in very special circumstances.

Even though the plan was withdrawn, council officers work with developers on prospective applications to ensure that should planning permission be granted that any development is of the highest quality and provides maximum benefit. That includes putting in place the legal agreements that secures investment in infrastructure in the local area.

A planning application was currently being considered for development of part of the site. No comment could be made on that application, as it was pending.

But with regards to master planning on the remainder of the site: that land remains within the Green Belt. New development will need to demonstrate special circumstances in order to get planning permission and that is very strong control that we have.

And on the issue of prematurity, had we not withdrawn the plan which was sound, it would have near maximum weight so the prematurity is irrelevant now

we are starting a completely new plan from scratch with the local community. As that plan progresses, we can use prematurity.

However, prematurity is not as strong an argument against inappropriate development as national policy, such as the Green Belt.

4. Question to the Leader of the Council

From Jack Fortt:

"At the full council meeting on 22nd March of this year, Cllr Lillis, then a member of the public, asked the following question: 'Can the Leader of the Council confirm that had the Local Plan not been withdrawn it would have left our Borough in an even more vulnerable position to developers, as applicants could have used the sound non-adopted plan as strong evidence to support their speculative applications on our precious Green Belt?', in part of his response, Cllr Blackwell stated that "developers will as expected seek to justify development by referring to the old plan or the evidence base, but the withdrawn plan is not a material consideration on appeal to the planning inspector". Can Councillor Blackwell explain why the Council agreed in its Statement of Common Ground with Legal & General for the appeal to build on Green Belt in Hart Road, under the section marked "Material Considerations", there was a subsection entitled the 'Withdrawn Local Plan', that included the following, "It is agreed that many of the evidence base documents remain relevant as does the Examining Inspector's post hearing letter of the 6th September 2021 and his later Report dated 3rd March 2022"? Furthermore can he confirm that in any future planning appeals by developers on Green Belt sites until the new local plan becomes a material consideration itself, if the Council will agree again to include evidence from the withdrawn local plan, and would he like to revise his comments made in response to Cllr Lillis on 22nd March."

The Leader of the Council replied thanking Mr Fortt for his question:

At the time of the Council making the decision to refuse planning permission for the Hart Road development the Castle Point Local Plan 2018 to 2033 had not been withdrawn. In drawing their recommendation to the Development Management Committee to approve that application, officers referred to the then still extant local plan and the evidence in it. That was their professional view and one we must all respect.

Even though the plan was withdrawn, which all Members voted to do, we cannot deny that the evidence still existed albeit no longer supporting an extant plan. hence the reference.

I do feel that the position is different with the applications we have in now. As the Plan was withdrawn the Council, both officers and Members, cannot use that plan to justify any decisions. That includes the evidence. As I said at the time of the Hart Road decision by the Development Management Committee the plan had not been withdrawn and was a material consideration.

As new evidence is prepared for the Castle Point Plan, it will be published and supersede evidence. That will not stop developers, however, from using the old evidence.

20. QUESTIONS FROM MEMBERS OF THE COUNCIL OF WHICH NOTICE HAS BEEN RECEIVED.

1. Question to the Leader of the Council

From Councillor Mumford :

“ Following the announcement of the £140,000 Public Realm and Play Spaces Funding, earlier this year, I worked with local residents to submit a bid for grant funding to fulfil their request for an outdoor gym at Tarpots Recreation Ground.

When the Council announced the successful bids on the 23rd March, the Council did agree that additional facilities are needed at this spot and whilst my application was initially declined, the Council stated that they would like to test public opinion before making a final decision.

I have now received email confirmation that my request, on behalf of residents, for an outdoor gym has been refused.

Can the leader please confirm how they have gone about testing public opinion on the outdoor gym, and what progress has been made?

Can the leader also confirm how much of the £140,000 has been paid out to date and on what projects and when the second round of applications will be considered? “

The Leader of the Council replied:

To date the Hadleigh and Thundersley Cricket Club, the Castle Point Community Allotment and the Thundersley Congregational Church have all benefited from the grant funding. It had also been used to fund projects associated with the King's Coronation.

Consideration was currently being given to how the remaining £134k Public Realm and Play Spaces Fund should be spent.

The request for outdoor play equipment at the Tarpots Recreation Ground would be revisited and considered alongside other projects suggested by Members and a report with recommendations on what projects to progress would be presented to Cabinet in September for endorsement.

The Leader thanked Councillor Mumford for her question.

2. Question to the Leader of the Council

From Councillor Walter :

I refer to my previous Motion to Council concerning the replacement of the Borough's Air Quality Environmental Monitoring Station and would like to ask what progress has been made on this.

The Leader of the Council replied:

The Council has a comprehensive network of 34 diffusion tubes across the Borough which test for NO₂. The Council had £14k of unspent section 106 funding for air quality monitoring and officers were seeking advice on how best to spend this funding having regard to the section 106 funding criteria. The Leader was sure Officers would keep the Councillor Walter informed.

The Leader thanked Councillor Walter for his question.

3. Questions to the Leader of the Council

From Councillor Mrs J Thornton :

Question One - Banking Hub

It has been a full year since I submitted a motion this council to explore the provision of a Banking Hub in Hadleigh to counter the impact on its residents and business community after the closure of its last bank. Following the Independent Party Members taking control of the motion via their amendment, I have heard nothing back as ward councillor from this administration, despite unanimous support for the motion in the chamber.

At a recent meeting with the local business community, I was informed that this issue is seriously impacting on footfall and their viability. Therefore, can I ask on their behalf, what action has been taken since this motion was passed to begin this work, when it was started and how it is progressing?

Question Two - Climate Action Forum

Can the leader please give an update on whether the Climate Action Forum has now met, and if not, can the leader please explain why he has not reinstated it, or an equivalent, as promised?

The Leader of the Council replied in response to Question 1:

Applications for banking hubs are made via Link. An application was made by the Head of Place and Policy but rejected on the grounds that despite the closures of banks, access to cash in the area was still good. This would be pursued again.

The Leader highlighted the work being undertaken by all banks with local post offices which would provide banking services to residents and local businesses. Barclays was providing a service from St Nicholas Church Hall Canvey Island and the Halifax Bank was providing a service from Canvey Library. The Council would continue to explore other options.

The Leader of the Council replied in response to Question 2:

This would be dealt with through the Review of the Council's Constitution which was to be considered later on the agenda. The work to be carried out was to include a review of the Council's decision-making structure particularly the Council's Overview & Scrutiny arrangements and include consideration of a formal structure to ensure the actions to address climate action and carbon reduction initiatives were brought forward.

The Leader of the Council thanked Councillor Mrs Thornton for her questions.

21. TO DEAL WITH BUSINESS FROM THE LAST COUNCIL MEETING

There was none.

22. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

23. CONSIDERATION OF RECOMMENDATIONS FROM CABINET

There were none.

24. ANY REFERENCES FROM THE SCRUTINY/POLICY AND SCRUTINY OR REGULATORY COMMITTEES

There were none.

25. PROPOSAL FOR INVESTMENT AND REFURBISHMENT WORKS AT KNIGHTSWICK SHOPPING CENTRE CANVEY ISLAND

The Council considered a report containing a proposal to invest in updating and undertaking refurbishment works at the Knightswick Shopping Centre Canvey Island.

The proposal before Council was to proceed with the first phase of work. The report before Council addressed and set out the funding arrangements. Council considered the recommendations set out in the report.

Resolved:

1. That the Council allocates up to £275,000 from the Knightswick earmarked reserve to cover professional fees for the technical development, construction and delivery of the refurbishment of the Knightswick Shopping Centre.
2. That the Council allocates up to £1,000,000 from the Knightswick earmarked reserve to cover the internal refresh works at the Knightswick Shopping Centre.

3. That the Council commissions the internal refresh works set out in the report and delegates authority to the Section 151 officer, in consultation with the Chief Executive and Leader of the Council to enter into contracts to procure the delivery of such works.

26. TRANSFORMATION MATTERS - REVIEW OF CONSTITUTION

Council considered a report setting out proposals to undertake a review of the Constitution and to undertake a review of Members Allowances.

The Council had entered a period of transformation to meet the operational and budgetary challenges it faces. In moving forward with the modernisation of the Council, a review of the Council's organisational structure and decision-making accountability was being undertaken. Members were aware that the Castle Point (Electoral Changes) Order 2023 had been made which meant that a new council would be formed following elections in 2024. Taken together it was timely to undertake a review and update the Constitution in view of the changes to be made to the Constitution.

The review would be led by the Chief Executive, working with officers with subject specific knowledge and engaging with all Members. In particular, the Chief Executive was to work with the Scrutiny, Audit and Review Committees to review specific aspects of the Constitution which relate to those committees and their responsibilities as part of the Council's decision-making structure, including the terms of reference of those committees. Once a final draft had been completed, it would be presented to Full Council for adoption.

With a new Council to be formed in May 2024 and it was some time since a formal review of the Members Allowances Scheme had been undertaken (2015), Council considered that the Scheme of Members Allowances should be reviewed mindful that under the current scheme the Basic Allowance received by all Members is the lowest in Essex.

It would be necessary to convene an Independent Remuneration Panel to make recommendations and report to a future meeting of the Council.

Resolved:

1. To approve arrangements to review the Constitution as set out in this report.
2. To make the necessary arrangements to convene an Independent Remuneration Panel to review the Members' allowances scheme.

27. CONSULTATION RESPONSE TO ESSEX COUNTY COUNCIL ELECTORAL REVIEW

Council considered a comprehensive report and presentation setting out the proposed response from the Council to the current stage of consultation in the review of electoral arrangements of Essex County Council by the Local Government Boundary Commission for England.

The Commission has reached a view, based on a written submission about council size submitted by ECC to the Commission, that the number of county councillors should increase from 75 to 77. The proposal was to increase the number of councillors by one in each of Harlow, Maldon and Uttlesford and to remove one councillor from Castle Point.

However, and notwithstanding the change in ECC's position on council size, the "Initial Consultation" stage of the review was the first opportunity for the Council to make representations about the proposals made in ECC's council size submission, specifically about the proposal from ECC to remove one county councillor from Castle Point. This version of the submission on council size remained on the Commission's website and the report to Full Council at ECC refers to revised housing number forecasts as the reason for revising the number of county councillors, not the need to maintain five county councillors in the Castle Point Borough.

The proposed consultation response was attached in Appendix 1 to the report and in summary was as follows:

The number of county councillors representing the Castle Point Borough should remain at five for the following reasons:

The variance from the forecast average electorate per county councillor in 2029 is -12% for both Castle Point Borough and the Rochford District, yet there is no proposal from Essex County Council to remove one county councillor from the Rochford District;

The proposal to remove one county councillor in the Castle Point Borough results in 18,164 electors per county councillor by 2029 which is 13% higher than the average forecast number of electors (16,054) per county councillor across the county of Essex;

The drawing of new divisional boundaries in the Castle Point Borough with four county councillors presents significant challenge in order to arrive at electoral equality across four divisions, not least because of the hard boundary between Canvey Island and the rest of the Borough:

Removal of one county councillor from Canvey Island would result in one county councillor representing an electorate of over 30,500 by 2029 (90% higher than – almost double – the countywide average number of electors per county councillor);

Redistribution of electors in the rest of the Borough across two county council divisions would result in each county councillor representing an electorate of over 21,000 (31% higher than the countywide average number of electors per county councillor).

The following points should be noted about the communities in the Castle Point Borough when designing a new divisional pattern as part of the review:

There are four distinct urban settlements, each with their own identities; Canvey Island, South Benfleet, Hadleigh and Thundersley. Any division patterns should be based around these four areas as residents most closely identify with these;

New divisional boundaries should not run through the caravan/mobile home sites in the Borough as there is potential for homes to be moved within the boundaries of these sites;

New divisional boundaries should, wherever possible, be coterminous with the new Castle Point Borough Council ward boundaries from May 2024.

Resolved:

To approve for submission the consultation response included in Appendix 1 in summary above.

28. REPORT FROM THE LEADER OF THE COUNCIL/CABINET MEMBER

The Leader of the Council was unable to attend the Annual Meeting and took the opportunity to congratulate the Mayor and Deputy Mayor on their appointments.

The Leader thanked the Council for his appointment as Leader of the Council and looked forward to continuing the good work from last year and to continuing the successful joint administration with Warren Gibson and the People's Independent Party in accordance with an agreed protocol.

The Leader was to review reviewing Cabinet Member responsibilities.

The Leader was pleased the Council had approved the business case so the project can go forward to improve the Knightswick Centre.

The Leader encouraged residents to have their say and respond to the Boundary Commission's consultation on the Electoral Arrangements for Essex County council which was to close on 31.7.2023.

Looking back at recent Cabinet meetings the Leader was pleased to see that matters were moving forward with consultation on Waste Collection Arrangements. The Leader was pleased to see that progress was being made on the Transformation Programme to modernise the Council. The Council would continue to listen and engage with residents.

At the conclusion of his report the Leader responded to a question regarding progress on the refurbishment of the Paddocks. Arrangements were in place for contractors and works would be progressed.

29. NOTICES OF MOTION

Councillor Skipp had given notice of the following Motion:

"Castle Point Borough Council acknowledges that speaking in objection to a planning application brought forward by a Councillor at this authority during a Development Control Committee meeting could be very daunting. With this in mind the Council calls upon the Chief Executive to bring a report to the next full council meeting with the necessary changes to the constitution and procedures of the Council to allow the option in these circumstances for the Chief Executive to read out a speech prepared by an objector or group of objectors, on their behalf at Development Management Committee meetings."

The Motion was moved and seconded. Debate took place during which an amendment was moved and seconded:

'Castle Point Borough Council acknowledges that speaking at a Development Management Committee can be daunting. With this in mind the Council requests that the Chief Executive include an examination of the Protocol for Public Speaking on Planning Applications and Committee Procedure in the Review of the Constitution agreed earlier and in particular includes the option for a suitable person to read a speech prepared by a resident or group of residents on their behalf at Development Management Committee meetings.'

The amendment was not accepted by the Proposer and Seconder. Following debate a vote was taken which was CARRIED UNANIMOUSLY. A vote took place on the substantive Motion, which was CARRIED UNANIMOUSLY, and it was RESOLVED accordingly.

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

There were none.

31. RECOMMENDATIONS TO COUNCIL – TRANSFORMING TOGETHER – OUTCOME OF TIER 2 ORGANISATION RESTRUCTURE.

Council considered a report on the outcome of the reorganisation of Tier2 of the organisation seeking agreement to the recommendations of the Head of Paid Service/Chief Executive. Council was also asked to approve the appointment of Interim Statutory Officers.

Consultation had been undertaken in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 ("the 2001 Regulations") before a dismissal for redundancy of a Chief Officer.

In accordance with Part 3 of the Constitution, the approval for dismissals by means of redundancy of other Chief Officers was a matter for the Chief

Executive with approval from the Section 151 Officer. Details of these redundancies were nonetheless shared with full Council for reasons of transparency.

Reference to these redundancies as dismissals did not imply any culpability on the part of the individual employees.

There was financial provision within the Council's approved budget for Transformation to cover the upfront cost of the voluntary redundancies. The payback period (that being how quickly the savings generated repay the cost of implementation) was well within the maximum expected three-year period.

Resolved:

For the purpose of Section 100A (4) Local Government Act 1972 as amended as the business contains information relating to an individual or is likely to reveal the identity of an individual (Exempt Information under Paragraphs 1 & 2 Schedule 12A Local Government Act 1972) to exclude the press and public from the meeting to enable the business of the meeting to be transacted in private

Council considered and discussed in confidential session Appendices providing information on the individuals proposed to be dismissed by reason of redundancy.

The meeting resumed in public to take the decision.

Resolved:

1. To approve the dismissal by means of redundancy the individuals identified in Confidential Appendix A.
2. To note the dismissal by means of redundancy of the individuals identified in Confidential Appendix B.
3. To approve unanimously the appointment of Lance Wosko, to carry out the duties and responsibilities of the Section 151 statutory officer on an interim basis with effect from 7 August 2023 for a period of up to three months pending the commencement of the appointment of a permanent replacement.
4. To approve unanimously the appointment of Jason Bishop, to carry out the duties and responsibilities of the statutory monitoring officer on an interim basis with effect from 14 August 2023 for a period of up to three months pending the commencement of the appointment of a permanent replacement.

Mayor

ORDINARY COUNCIL

11th October 2023

Subject: Questions from Member of the Public

1. Purpose of Report

To present to Council Notice of Questions from received residents to be put to the Leader of the Council for response at this meeting.

1. Question to the Cabinet Member - Strategic Planning ,Deputy Leader of the Council

From Tim Copsey:

Will the Deputy Leader of the Council please report the key points of the recent meeting with the Housing Minister, particularly with respect to the weight to be assigned by planning inspectors to withdrawn local plans?

2. Questions to the Leader of the Council

From Sean Quartermaine:

On behalf of Friends of Canvey Lake, I would like to ask:

At the recent Friends of Canvey Lake meeting, we passed a resolution calling on Castle Point Borough Council, Canvey Town Council, and the other relevant bodies, to commit to restoring Canvey Lake's ability to operate as a recreational fishery. Some of our members had fished Canvey Lake for decades before the recent ecological disaster which devastated the lake's wildlife. Will your administration support our resolution and add the Borough Council's support for restoring Canvey Lake's ability to operate as a recreational fishery?

3. Questions to the Leader of the Council

From Michael Dixon :

Hadleigh Community Group has just held its fourth successful Annual Summer Fayre attracting thousands of visitors with a full roster of entertainment. They are to be congratulated for providing this at no cost to the taxpayer, asking only for a voluntary donation of £1-2 entry. The event also returned a profit to be invested back into the Hadleigh Community.

Is it correct that the council is charging £25 for a family with two children, and £32 for those with three to its Fireworks event?

When first announced, this event was allocated between £17-£25k of money paid for out of residents pockets through their council tax. Can the leader confirm that to then charge an entrance fee is effectively taking money from residents a second time, especially as it would appear Pinnacle are fronting sponsorship for the event?

4. Questions to the Leader of the Council
From Jack Fortt:

Question 1:

It's important that where Council Members make a decision to refuse a planning application based on their interpretation of the material planning considerations, and the applicant then takes it to appeal, the council prepares as robust a defence as possible. The council should submit to the inspector representations and any further evidence to back up the justification of their reasons for refusal.

Can the Leader explain why, at a recent Appeal on our refusal of a flatted development in Benfleet High Road, the council presented no further evidence and its case for defence relied solely on the officers report attached to the original application and can the Leader also confirm that in any future appeals, the council will commit to defending their reasons for refusal by presenting a robust justification of their refusal to the inspector?

Question 2:

Can the Leader of the Council please confirm why recent audit committee meetings have not been recorded or webcast to the public, contrary to efforts to improve transparency and accountability of the council?

5. Question to the Leader of the Council
From John Stone :

Why did the Leader of Castle Point Borough Council decide not to send a Canvey Island Independent Party Councillor to represent the Island at a meeting with the Minister of State for Planning and leave it up to representatives from the mainland People's Independent Party instead?

ORDINARY COUNCIL

11th October 2023

Subject: Questions from Councillors

1. Purpose of Report

To present to Council Notice of Questions from received from Councillors under Council Procedure Rule 9.2 to be put at this meeting.

1. Questions to the Leader of the Council

From Councillor Mumford :

Question 1 to the Leader of the Council

At the last Council meeting, on Wednesday 26th July 2023, I asked a question regarding the rejection of the Community bid, made on behalf of residents, for funding of an Outdoor Gym at Tarpots Recreation Ground. Leader, you replied that the project would be reviewed and revisited with the projects suggested by Members and a report would be made to Cabinet in September.

It is disappointing that the Outdoor Gym at Tarpots Recreation Ground has not secured funding.

May I ask how the testing of public opinion was undertaken for both this and the successful bids reported to Cabinet last month?

Question 2 to the Leader of the Council.

At the Council meeting, on Wednesday 30th November 2022, Council unanimously agreed a Motion calling on the Borough Council to investigate the opportunity to mark the sad passing of Her Majesty Queen Elizabeth the Second.

More than one year later there are no visible signs in the Borough.

May I ask what action has been taken to commemorate the late Queen's long service?

2. Question to the Leader of the Council

From Councillor Skipp :

"What steps is the Castle Point Borough Council taking to ensure that the Common Liaison Committee of the Canvey Island Town Council is reinstated so that issues/decisions relating to the Canvey Lake can be publicly scrutinised".

3. Questions to the Leader of the Council

From Councillor Mrs Egan :

“Recent reports have identified the long-term harm suffered by children forced to live in emergency and temporary accommodation. I’m sure the Leader agrees it should be a priority for this council to focus on these children and how we should address this crisis.

I am aware a number of social housing units are to be provided on land to the rear of Hart Road, but this is only after the applicant won at Appeal following the councils refusal of planning permission.

Question 1

Can the Leader therefore please confirm how many people are currently on the housing waiting list, together with how many families we have in temporary accommodation?

Question 2

Can the Leader please identify land under council ownership it has identified as available to build the social housing we require to meet this need, and how the council envisages meeting the shortfall given that our urban brownfield land too often fails to provide affordable or social housing provision due to viability issues?

Hopefully, this will confirm we have a plan to meet this need and are not relying on social housing being brought forward through appeal decisions such as Hart Road”.

4. Questions to the Leader of the Council

From Councillor Mrs Thornton :

“When questioned by members in early September, officers confirmed that at that time they were not aware of any RAAC in our leisure centres, halls or any other Council buildings, but that given recent concerns about its presence in public buildings the necessary assurances would be sought.

Can the Leader now please confirm what surveys have been carried out on RAAC in our suspected buildings, which buildings this relates to, and when is the deadline for when we should know?”

ORDINARY COUNCIL

11th October 2023

**Subject: Transformation Matters – Interim Amendments To
Scheme of Delegations**

Report of: Chief Executive – Angela Hutchings

1. Purpose of Report

To seek authority to amend the Scheme of Delegations to Officers to enable the changes to the Council's organisational structure to be effective from 1st November 2023.

2. Links to Council's Priorities and Objectives

This links to all and particularly as Enablers.

3. Recommendations

1. To approve the variation of the Scheme of Delegations as set out in this report to enable the changes to the Council's organisational structure to come into effect on 1st November and ensure the smooth transfer of operations.
-

4. Background

4.1 It is a requirement of the Local Government Act 2000 as amended that the Council publishes and maintains a formal document setting out the constitutional and governance arrangements for the Council.

4.2 This report is presented to the Council by the Chief Executive having responsibility as set out under Article 13 of the Constitution to report to Council on changes to the Constitution.

4.3 At the meeting of the Council on 26th July 2023 Council approved arrangements to review the Constitution which is scheduled to be presented to the meeting of the Council scheduled for 29 November 2023.

5. Report

5.1 The Council has entered a period of transformation to meet the operational and budgetary challenges it faces. In moving forward with the modernisation of the Council, a review of the Council's organisational structure and decision-making accountability is underway. The Council's new organisational structure (the "Target Operating Model") will take effect from 1st November 2023 .

- 5.2 In order that the delegations required for the new Target Operating Model can be exercised in advance of the formal adoption of the new Constitution at the end of November 2023, Council is to approve variations of the Scheme of Delegation set out in Part 3 of the Constitution to ensure the smooth transfer of operations on 1st November 2023. The proposed changes are set out in the table below.

Current Delegation	Proposed changes to take effect from 1 st November 2023
Chief Executive (page 39 of the Constitution)	The following words to be added as a new paragraph 13 “In the absence of the Chief Executive, any one of the following posts (as Chief Officers) may exercise these delegations: Director Corporate & Customer; Director of Place & Communities; Director of Commercial & Assets”
Solicitor to the Council/ Monitoring Officer (page 41 of the Constitution)	<ul style="list-style-type: none"> • All references in this delegation to “Solicitor to the Council/Monitoring Officer” should be replaced with “Assistant Director Legal & Democratic Services/Monitoring Officer” • All delegations under the sub-title “Licensing Conditions” on pages 42, 43 and 44 of the Constitution shall be removed as delegations to the Solicitor to the Council/ Monitoring Officer and shall be delegations to the Director Place & Communities • All delegations under the first paragraph under the sub-title “Community Safety & Safeguarding” on page 44 of the Constitution shall be removed as delegations to the Solicitor to the Council/ Monitoring Officer and shall be delegations to the Director Place & Communities • All delegations under the second paragraph under the sub-title “Community Safety & Safeguarding” on page 44 of the Constitution shall be removed as delegations to the Solicitor to the Council/ Monitoring Officer and shall be delegations to the Director Corporate & Customer
Chief Finance/ S151 Officer (page 45 of the Constitution)	<ul style="list-style-type: none"> • All references in this delegation to “Chief Finance/s151 Officer” should be replaced with “Assistant Director Finance & Procurement/ Section 151 Officer”. • All delegations under the sub-title “Human Resources and Terms of Employment” on page 46 of the Constitution shall be removed as delegations to the Chief Finance/ S151 Officer and shall be delegations to the Director Corporate & Customer
Head of Place & Policy (page 47 of	<ul style="list-style-type: none"> • All references in this delegation to “Head of Place & Policy” should be replaced with “Director of Place &

Current Delegation	Proposed changes to take effect from 1st November 2023
the Constitution)	Communities”
Head of Environment (page 52 of the Constitution)	<ul style="list-style-type: none"> • All references in this delegation to “Head of Environment” should be replaced with “Director of Commercial & Assets”
Head of Housing (page 56 of the Constitution)	<ul style="list-style-type: none"> • All references in this delegation to “Head of Housing” should be replaced with “Director of Place & Communities” • All delegations under the sub-title “Council Housing Finance” on page 57 of the Constitution shall be removed as delegations to the Head of Housing and shall be delegations to the Assistant Director Finance & Procurement/ S151 Officer
Head of Customer & Digital Services (page 59 of the Constitution)	<ul style="list-style-type: none"> • All references in this delegation to “Head of Customer & Digital Services” should be replaced with “Director of Corporate & Customer • All delegations under the sub-title “Revenues and Benefits” on page 59 of the Constitution shall be removed as delegations to the Head of Customer & Digital Services and shall be delegations to the Assistant Director Finance & Procurement/ S151 Officer

5.3 During this interim period existing post holders will continue to be able to exercise delegations under the original Scheme of Delegation.

6. Corporate Implications

(a) Financial Implications

There are none to be addressed by this report which deals with interim administrative arrangements pending completion of restructure of the organisation.

(b) Legal Implications

Amendment to the Scheme of Delegations will allow council business to be transacted on launch of the Council’s new organisational structure to come into effect from 1st November 2023.

(c) Human Resources and Equality Implications

There are none to be addressed in the report.

(d) IT and Asset Management Implications

There are none to be addressed in the report.

7. Timescale for implementation and Risk Factors

It is planned to complete the Review and present a New Constitution to the Council for adoption in the late autumn/winter.

8. Background Papers

Constitution November 2022 Part 3 Delegations

Report Author: Angela Hutchings Chief Executive

ORDINARY COUNCIL

11th October 2023

Subject: Changes to the Borough Council's Electoral Cycle

Report of: Chief Executive – Angela Hutchings

1. Purpose of Report

To seek authority to consult on the proposal to change the Council's current electoral cycle and move to whole-council elections every four years

2. Links to Council's Priorities and Objectives

The Council's democratic arrangements support all of the Council's priorities and objectives.

3. Recommendations

- (1) That the Chief Executive be authorised to consult on changing the Council's electoral cycle from elections by thirds to whole-council elections every four years;**
 - (2) That the consultation process set out in this report be approved;**
 - (3) That Scrutiny Committee consider the results of the consultation and make a recommendation to be considered by Full Council; and**
 - (4) That a Special meeting of the Council be convened for 31 January 2024 in order for Council to consider the results of the consultation, the recommendation from Scrutiny and determine proposals for any change in its electoral governance arrangements.**
-

4. Background

- 4.1** The Council has held elections by thirds since 2004. Elections are held in three years out of every four with a third of borough councillors elected at each election, with Essex County Council (ECC) elections held in the fourth year.

- 4.2 The Local Government Boundary Commission for England (LGBCE) has recently undertaken a review of the Council's electoral arrangements and the Castle Point (Electoral Changes) Order 2023 came into force in July 2023. The effect of the changes is that Castle Point is now represented by 39 councillors, three councillors for each of its 13 wards. To implement the changes, the Council is required to hold whole-council elections on 2 May 2024 and then will return to elections by thirds from 2026 onwards (the next ECC elections will be held in 2025).
- 4.3 Therefore, it is an opportune time to review the effectiveness of the Council's current electoral cycle and decide whether to return to elections by thirds from 2026 onwards or change to whole-council elections every four years.
- 4.4 The Local Government and Public Involvement in Health Act 2007 enables the Council to resolve to change its electoral cycle and move to whole-council elections every four years.

5. Report

- 5.1 The main body of this report sets out the arguments for moving to whole-Council elections every four years contrasted with arguments about retaining election by thirds.

Considerations in support of changing to whole-council elections

Political stability and more time to effect change.

- 5.2 Administratively, a four-year term gives greater stability for implementation of policy and effecting change. The annual election cycle reduces the working time available for Members, not just because of the 6-week pre-election period, but also in the weeks leading up to the pre-election period as campaign plans emerge. The delay between close of polls and Annual Council also means that most of the month of May is also ruled out for business. Therefore, in practice, the municipal year comprises only 8 months during which substantive work can be undertaken. The increasingly strategic nature of local government means many of the outcomes a council seeks to deliver or influence span more than one municipal year and so it becomes difficult to demonstrate progress and impact in such a tight window.

Increased democratic understanding and engagement.

- 5.3 There is often a suggestion four-year terms are contrary to the principles of democracy as elections in three years out of every four provide more frequent opportunity for electors to vote and influence the political make-up of the Council. This is not a universally held sentiment as low electoral turnout numbers testify; expectations of voters are rooted in delivery, not elections. There would be a clearer opportunity for the electorate to change the political composition of the council once every four years. However, it should be noted that unlike Parliament, there is no provision for the Council to go to the polls earlier than the four-year period.

- 5.4 The Electoral Commission undertook a review of electoral cycles in 2003 in a report entitled *The Cycle of Local Government Elections in England*. The Electoral Commission, having considered the evidence and arguments presented during the consultation process concluded that a pattern of whole-council elections for all local authorities in England would provide a clear, equitable and easy to understand electoral process that would best serve the interests of local government electors. The Electoral Commission, therefore, recommended that each local authority should hold whole-council elections, with all councillors elected simultaneously, once every four years. However, this is still currently a matter for local choice, as demonstrated by the mixed pattern of electoral cycles across England.

Reduced cost of democracy

- 5.5 Holding whole-Council elections once every four years rather than smaller elections every three years out of four would cost less. The average cost of elections in the last 5 years has been £133,000 per annum, net of income from others for whom we have held elections. The May 2023 elections cost the Council in the region of £122,000.
- 5.6 Under elections by thirds, it is reasonable to assume in a four period the Council would incur costs of £360,000 plus the costs of any by-elections held. In the last four years the Council has had three by-elections. Two were combined with the 2021 Borough elections. One was standalone (St Peter's Ward in 2022) and cost approximately £10,500. Note that there is a greater risk of by-elections within a four-year term.
- 5.7 Operating a four-year term does ever so slightly increase the cost of running an election. The count is likely to take longer and therefore costs for count staff will increase, as may some of the costs around printing ballot papers. However, the majority of the costs would be no different. It is estimated that the cost would increase by just £4,000 to £126,000.
- 5.8 Therefore, the estimated saving by moving to a four-year term is £240,000 every four years, or £60,000 per annum. Even if there was an additional by-election in each year, the savings remain significant.
- 5.9 In addition, by aligning with the Police, Fire and Crime Commissioner (PFCC) elections, additional savings would be achieved through cost sharing. If a change was to take effect from 2024, it would coincide with the PFCC elections which also run on a four-yearly cycle. This would mean that we would share costs (currently 50/50) with the PFCC in 2024, 2028 and so on. One point to note, however, is that if the role of PFCC were to be incorporated into any County Combined Authority (CCA) devolution deal, the CCA itself will be subject to elections and it remains to be seen what electoral cycle that might be adopted and from when. If the change were to take effect from 2026, we would bear the full cost of our own elections from 2028 and in subsequent cycles
- 5.10 Currently, the Borough elections coincide with the Town Council and, if the change was made, that would no longer be possible. A standalone election would cost the Town Council between £20,000 and £25,000.

Less disruption to public buildings

- 5.11 Holding whole-council elections once every four years would also be less disruptive for public buildings used as polling stations, for example schools. Although it should be noted that no other elections would be affected by these changes. Parliamentary, Police, Fire and Crime Commissioner, Essex County Council and Canvey Island Town Council elections would continue on their normal electoral cycle. Under the current timetable for all elections this would mean that only from 2026 and every subsequent fourth year there would be no elections in Castle Point.

Considerations in support of maintaining election by thirds

Current system is well-established and understood

- 5.12 Voting for one councillor at a time under elections by thirds is well understood by voters in Castle Point. Voting for three councillors at the same time under whole-council elections could cause confusion.

Political accountability and risk of democratic disengagement

- 5.13 The withdrawal of the opportunity to vote more frequently may disengage some of the Borough's electors if they can only vote once every four years, as opposed to elections by thirds. Elections in three years out of every four provide more frequent opportunity for electors to vote and to influence the political make-up of the Council. This may, therefore, provide more immediate political accountability and provide a more up-to-date reflection of the views of local people.

Political stability

- 5.14 Electing by thirds means there is more continuity of councillors without any chance of all councillors being replaced in a single election. This can also lead to greater political stability as change from one administration to another is likely to be more gradual under this system.

More dynamic political environment

- 5.15 Election by thirds can provide more frequent turnover of councillors; a regular influx of newly-elected councillors can potentially bring new ideas and fresh approaches to the Council.

6 Public Consultation

- 6.1 If an authority wishes to move from thirds to whole-council elections, it must consult. Councils undertaking such consultation must:
- Take reasonable steps to consult such persons that it believes appropriate on the proposed change;

- Have regard to the outcome of the consultation before making its decision;
- Convene a special meeting of the Council to make a resolution;
- Pass a resolution to change by a two-thirds majority of those voting;
- As soon as practicable after passing such a resolution, produce and make available to the public (at its own cost) an explanatory document setting out details of the new scheme.
- Give notice to the Local Government Boundary Commission for England.

6.2 It is therefore recommended that the Council undertakes a consultation exercise which includes an opportunity for the public and other stakeholders to express their views on the options available.

6.3 It is proposed that this consultation is primarily undertaken by way of an on-line questionnaire supplemented by hard copies of the questionnaire in appropriate venues. The questionnaire would include:

- Information on the current electoral arrangements
- Information on the proposed changes together with an impact of the change
- Reasons to change to whole-council elections and reasons to keep elections by thirds.
- The choice of 'tick boxes' for the respondent to indicate their preferred option.
- A box for reasons or any comments on the proposal (optional to complete)
- A question to indicate if they are completing the questionnaire as a local resident or as a representative of a group or organisation.
- Basic demographic information such as gender, ethnicity and age.

A copy of the proposed questionnaire is attached at Appendix 1 to this report.

6.4 Hard copies of the questionnaire will also be available from public buildings across the Borough, including: Council Offices at Kiln Road; Canvey Island Town Council; leisure centres; and libraries.

6.5 An analysis of the results from the consultation will be included in a report submitted to the Special Council meeting on 31 January 2024.

7. Corporate Implications

(a) Financial Implications

The majority of the financial implications are within the main body of the report at paragraphs 5.5 through to 5.10.

Should the Council ultimately move to elections once every four years, the financial impact of this will be smoothed to ensure that an election year does not result in a spike in the budget requirement. The smoothing would be achieved by creating a quadrennial elections earmarked reserve and contributing to it every year.

(b) Legal Implications

The legal implications are dealt with in the report which describes the process to be followed as set out in Sections 32 - 36 Local Government and Public Involvement in Health Act.

(c) Human Resources and Equality Implications

There are none to be addressed in the report. However, an Equality impact Assessment will be completed and included in the report to Special Council in January 2024.

(d) IT and Asset Management Implications

There are none to be addressed in the report.

7. Timescale for implementation and Risk Factors

It is planned to take a decision on this matter at a Special Council meeting on 31 January 2024 and if agreed will be implemented from the whole-council elections on 2 May 2024.

If the Council passes the resolution to make the change, it cannot reverse its decision for at least 5 years. If, in the future, the Council sought to revert to elections by thirds after the expiration of 5 years, the Local Government Boundary Commission for England must decide whether to conduct another review of boundaries and warding arrangements.

8. Background Papers

Part 2 (specifically s.32 – 36) Local Government and Public Involvement in Health Act 2007

Report Author: Angela Hutchings Chief Executive



HAVE YOUR SAY ON LOCAL ELECTIONS

COUNCIL LAUNCHES CONSULTATION ON ELECTION CYCLE

We're interested in your views on whether we should change to 'whole-council elections' every four years starting in May 2024, or retain the existing system of 'elections by thirds'. The change would see the whole council elected at the same time at one election every four years.

Following the meeting of Full Council on 11th October 2023 it was agreed to consult on the proposal to change Castle Point Borough Council elections to a four year cycle.

Below is some background information and the arguments for both electoral cycles to help you give an informed view on the issue.

The consultation will run from Monday 16th October until Monday 27th November 2023.

Our Council – From May 2024 Castle Point Borough Council will have 39 Councillors representing 13 wards. Each ward will be represented by 3 councillors and each councillor is elected for a four-year term of office.

Current cycle - elections by thirds - Currently the Council holds 'elections by thirds' which means elections are held for a third of all seats each year, for three successive years out of four. This means electors vote in Borough Council elections in all three years.

Whole council elections - Under the Local Government and Public Involvement in Health Act 2007, the Council has the power to change its electoral arrangements to 'whole council elections' which would mean that all seats on the Council would be elected at the same time, once every four years.

Please note no other elections will be affected by any future change to Castle Point Borough Council's electoral cycle. Parliamentary; Police, Fire and Crime Commissioner; Essex County Council; and Canvey Island Town Council elections will continue on their normal electoral cycle.

Timing of any change - Whole council elections will be held in May 2024 as a result of a review of electoral arrangements by the Local Government Boundary Commission for England and this consultation will not affect that arrangement. If the change is approved, the next Borough Council elections would be held in May 2028 and every subsequent four years. If the change is not approved, then the next Borough Council elections (following May 2024) would be held in May 2025 under the current 'election by thirds' arrangements.

Full council meeting - outcome of the consultation - A meeting of the Full Council on 31st January 2024 will consider the issue further including responses to this consultation. The Council's Scrutiny Committee will meet separately – before the Full Council meeting - to consider responses to this consultation and make recommendation to Full Council.

Reasons to change to whole council elections

- A clear mandate from the electorate once every four years would enable the Council to adopt a more strategic, long-term approach to policy and decision-making and focus less on yearly election campaigning.
- The results from whole-council elections are simpler and more easily understood by the electorate. This may increase turn-out at local elections;
- There would be a clearer opportunity for the electorate to change the political composition of the council once every four years;
- Holding whole-Council elections once every four years rather than smaller elections every three years out of four would cost less and would be less disruptive for public buildings used as polling stations, for example, schools

Reasons to keep elections by thirds

- Elections in three years out of every four provide more frequent opportunity for electors to vote and to influence the political make-up of the Council. This may, therefore, provide more immediate political accountability and provide a more up-to-date reflection of the views of local people.
- Electing by thirds means there is more continuity of councillors without any chance of them all being replaced in a single election.
- Voting for one councillor at a time under elections by thirds is well understood by voters. Voting for three councillors at the same time under whole-council elections could cause confusion.
- An election by thirds provides a regular influx of newly-elected councillors who can bring new ideas and fresh approaches to the Council

HAVE YOUR SAY

☐

Change to whole Council elections

☐

Keep it as it is, elections by thirds

Please use the space below if you would like to explain the reason for your answer (optional).

ABOUT YOU

Are you responding as an individual or on behalf of an organisation?

- ☐ Resident
- ☐ Organisation

If you are responding as an individual, please indicate your postcode below (optional)
[Postcode]

By answering the following questions, you will help us to see if there are differences in the views of different groups of residents. All the information you give will be kept completely confidential. There is a “prefer not to say” option for each question.

What is your age?

- ☐ Under 18
- ☐ 18 -24
- ☐ 25 – 34
- ☐ 35 – 44
- ☐ 45 – 54
- ☐ 55 – 64
- ☐ 65 – 74
- ☐ Over 75
- ☐ Prefer not to say

How you define your gender?

- ☐ Female
- ☐ Male
- ☐ Non-binary
- ☐ Transgender
- ☐ Prefer not to say

Are you registered as disabled?

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

How would you describe your ethnicity?

- ☐ White
- ☐ Asian
- ☐ Black

- ☐ Mixed ethnicity
- ☐ Chinese
- ☐ Other
- ☐ Prefer not to say

What is your religion?

- ☐ No religion
- ☐ Christian
- ☐ Buddhist
- ☐ Hindu
- ☐ Jewish
- ☐ Muslim
- ☐ Sikh
- ☐ Other religion
- ☐ Prefer not to say

If you are responding on behalf of an organisation, please indicate the type of organisation:

- ☐ Political party
- ☐ Public sector
- ☐ Community and voluntary sector
- ☐ Business
- ☐ Other (please specify below)

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ORDINARY COUNCIL

11TH OCTOBER 2023

Subject: Notices of Motion

1. Purpose of Report

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

1. Councillor Walter has given notice of the following:

“Castle Point Borough Council welcomes the Government ban on the possession of nitrous oxide as its recreational use poses a serious health risk to young people in Castle Point and the litter nuisance from spent canisters is a blight on our parks and open spaces”.

The Motion is to be seconded by Councillor Mumford.

ORDINARY COUNCIL

11th October 2023

**Subject: Recommendations to Council -
Transforming Together – Appointment of Statutory
Section 151 Officer**

1. Purpose of Report

To present the outcome of the reorganisation of Tier 2 of the organisation and secure agreement to the recommendations of the Head of Paid Services/Chief Executive.

2. Links to Council's Priorities and Objectives

The appointment of the Section 151 Statutory Officer is not linked to a Council Corporate Priority. The Council has a statutory duty to appoint a Section 151 officer. That position is carried out within the Council by the post of Assistant Director, Finance & Procurement.

3. Recommendations

That the Council:

- 1. To approve the permanent appointment of Lance Wosko, to carry out the duties and responsibilities of the Section 151 statutory officer.**

4. Background

- 4.1 This report comes to Council as part of the Transforming Together transformation programme the details of which are set out in the report to Council dated 31 May 2023.**

- 4.2 The 31 May 2023 report stated the key drivers for the Transforming Together transformation programme. The Council needs to modernise to meet the needs and demands of its customers: the residents who live in the Borough, businesses who operate here and visitors who contribute to the growth of the local economy. This requires an agile, skilled, and motivated workforce driving service provision which is customer focused and future proofed for a digital age set against a backdrop of continuing financial austerity.**

- 4.3 The findings of the Local Government Association's Decision-Making Accountability ("DMA") review of the Council's workforce is a fundamental premise of the programme. The findings of the review are summarised in the 31 May 2023 report and form the basis of the restructure at Tier 2. One of the primary findings of the LGA was that in some areas there are too many layers (or tiers) of management so frontline staff are too far away from the Chief Executive role with up to 6 layers/tiers between them. Their feedback is that this leads to hold-ups, bottlenecks and staff working in siloes. They report that it also means that decisions can be made too slowly and ineffectively, with what feels like lots of red tape and some things not being progressed. The ratio of front-line staff to managers is very low in places and this creates hierarchies that are not needed and a lack of resources on the front line.
- 4.4 Other key findings of the DMA review was around silo working, poor information sharing, fragmentation of culture; a lack of understanding of roles and responsibilities and poor communication have informed the decision to reduce the number of roles at Tier 2 from 7 to 3. The new Director job descriptions place significant reliance on the postholders to demonstrate collaborative working, leadership of culture and a clear allocation of roles and responsibilities.
- 4.5 Following the conclusion of the Tier 2 restructure, work commenced on reorganisation of Tier 3. This has been approached in two phases with the intention of phase 1 being to create the Assistant Director cohort that will sit at Tier 3 of the organisation and report to the Director, Corporate & Customer.
- 4.6 Resulting from the restructure and role changes at tier 2, the proposal outlined that the statutory Chief Officer role of Section 151 Officer to sit at Tier 3 and within the requirements of the Assistant Director, Finance & Procurement role.
- 4.7 Formal consultation on the proposal for the Tier 3 Assistant Director restructure for Corporate and Customer directorate, commenced with impacted employees on 26th July and lasted for 28 days.
- 4.8 Following the conclusion of the consultation, application to the Assistant Director Finance & Procurement (section 151 officer) role was invited from a restricted ringfence of one. The individual has undergone a robust assessment and selection process, concluding with being interviewed by the Staff Appointments and Review Panel on 26th September.

5.0 Report

- 5.1 Arising from the assessments and interview, the Staff Appointments Panel agreed unanimously to recommend to Council the appointment of Lance Wosko, as the Council's statutory Section 151 Officer.
- 5.2 Lance Wosko, Financial Services Manager is the current Deputy Section 151 Officer, and has performed the role since joining Castle Point in January 2020. He has had taken on the full responsibility of the Section 151 Officer in the absence of the permanent postholder. He has performed the role to a satisfactory standard on all occasions.

- 5.3 The statutory provisions in the Local Authorities (Standing Orders) (England) Regulations 2001 (“the 2001 Regulations”) states, that the power to approve the appointment or dismissal of the Section 151 Officer shall be exercised by full Council.
- 5.4 In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (“the 2001 Regulations”) before the appointment of a Statutory Chief Officer (as defined in para 5.3 of the 2001 Regulations) can be agreed, it is necessary for there to be a consultation with the Executive. This consultation process requires notice of the name of the person being proposed for appointment to be given to every member of the Executive of the Council - i.e., the Cabinet. The purpose of the process is to give Cabinet members the opportunity to object to the appointment.
- 5.5 The Executive consultation period ran for a period of 5 days commencing on the 27th September 2023. No objections to the proposed appointment were received.
- 5.6 In accordance with Regulation 5 of the 2001 Regulations the Council is required to approve the appointment to the statutory post of Section 151 Officer.

6. Corporate Implications

(a) Financial Implications

There is financial provision within the Council’s approved budget to support the cost of the post of Assistant Director Finance & Procurement (Section 151 Officer)

(b) Legal Implications

Approving the appointment to the Section 151 Officer statutory role is matter reserved to Council.

(c) Human Resources and Equality Implications

None to be addressed by this report.

(d) IT and Asset Management Implications

None to be addressed by this report.

6. Timescale for implementation and Risk Factors

Subject the formal decision of Council the appointment to the role of Section 151 Officer statutory role will take effect on 1st November 2023.

7. Background Papers

Tier 3 Phase 1 end of consultation pack

Report Author: Angela Hutchings