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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, 29th NOVEMBER 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 11th October 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**
This is attached.
- 6. Questions from Members of the Council of which Notice has been received –**
There are none.

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** –
 - Council is asked to approve the recommendation from Cabinet regarding the Council Tax Reduction Scheme & Exceptional Hardship Fund Scheme for 2024/25. A report is attached separately.
10. **Any References from the Scrutiny/Policy and Scrutiny or Regulatory Committees** - There are none.
11. **Transformation Matters - Variation of Calendar of Meetings**
A report is attached.
12. **Report from the Leader of the Council/Cabinet Member**
The Leader is to report at the meeting. A report from Cabinet Member Strategic Planning is attached.
13. **Notices of Motion** - A report is attached.
14. **Petitions submitted by Members of the Council of which Notice has been given.**
15. **Recommendations to Council – Transforming Together – Outcome of Tier 2 & Tier 3 Organisation Restructure.**
A report is attached.



ORDINARY COUNCIL MINUTES

11th OCTOBER 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, 11th October 2023.

PRESENT:

Councillors, Ms L. McCarthy-Calvert (The Worshipful the Mayor), A. Acott, J. Anderson, Ms H.L Barton-Brown, Ms N. Benson, 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, G. Howlett, G.I. Isaacs, J. Knott, R. Lillis, P. May, Mrs. S. Mumford, B.A. Palmer, J.A. Payne, Mrs. J Payne, Mrs. C.J Sach, T.F. Skipp, D.J. Thomas, A. Thornton, Mrs. J Thornton, Walter, and Mrs G Watson, G.St.J. Withers.

Apologies for absence were received from Councillors Ms S.A Ainsley, B. Bizzell, B. Campagna, N. Harvey, Ms D. Jones, S Mountford, R. Savage and A. Taylor.

32. MEMBERS' INTERESTS

No disclosures were made.

33. MINUTES

The Minutes of the meeting of the Ordinary Council held on 26th July 2023, subject to a corrections circulated to address typographical errors to the narrative of the minutes:

Minute 18 – final sentence

The Mayor took the opportunity to acknowledge the value and contribution made to the Borough by the voluntary and community organisations together with the talent and enthusiasm of our young people.

Minute 26

‘liaise’ is missing from paragraph 3 line 3 now reads –

In particular, the Chief Executive was to liaise 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.

were taken as read and agreed as a correct record. The Mayor signed the Minutes.

34. MAYOR'S ANNOUNCEMENTS

The Mayor welcomed all back following the summer recess. The Mayor reported on the message issued on social media in advance of lighting up the building on the previous evening.

The Mayor had attended a meeting earlier to plan the Schools Christmas concert at Waterside Farm on 7th December 2023. Details were to follow, and all were encouraged to attend.

The Mayor encouraged attendance at Remembrance Sunday Services taking place on Sunday 12th November 2023 to remember all those who had died in armed conflicts. Details would be circulated.

The Mayor reported on various visits undertaken during the summer including the Mayor's Charity Day hosted by Canvey Railway which raised £340 for Little Havens Hospice; the Military Exhibition at the Bay Museum Canvey Island; the Heritage Open Day at Salvation Army Hadleigh Farm Rare Breeds Centre; a number of Macmillan coffee mornings mentioning one organised by Naomi Pilkington who raised over £3,900 for Macmillan Cancer support. Finally the Mayor mentioned her attendance at the London Pearly Kings and Queens Society's Annual Costermongers Harvest Festival.

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

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?'

Councillor Warren Gibson Deputy Leader of the Council replied that he had attended a meeting on 12.9.2023 with the Minister of State for Housing and Planning as deputy for the Leader of the Council together with Councillor Mountford Cabinet member for Resources, the Chief Executive and the Head of Place and Policy. The meeting had been arranged through Castle Point's MP, Rebecca Harris's Office, who shared the concerns about the view being taken by Planning Inspectors on the evidence supporting the withdrawn local plan.

The meeting provided an opportunity to reassure the Minister that progress was being made with the Castle Point Plan with the community engaged throughout.

The Minister reiterated the Government policy of ensuring local plans were in place as soon as possible and having an up-to-date local plan was the best way to defend against speculative development in the Green Belt. The Minister also stressed that what constitutes a material consideration was down to the decision

maker. This had been restated by government officials at a subsequent meeting with council officers.

This therefore remained a concern particularly the use by developers of Green Belt Assessments that were part of the evidence for the withdrawn plan. This was being addressed.

At the meeting the Deputy Leader asked a question of a government official who replied that yes if we left a sound plan unadopted and never withdrew it, we would be in a worse position with speculative green belt applications.

The Deputy Leader thanked Mr Copsey for his question.

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?'

The Leader of the Council replied that he would respond to the question in his reply to the Question from a Member of the Council submitted by Councillor Skipp, the next item on the agenda.

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?'

The Leader replied congratulating the Hadleigh Community Group on the success of the Summer Fayre .The Leader commented that a Summer Fayre

and a large public firework event were two very different events which did not compare.

The Cabinet had allocated a budget of £17k to support delivery of the event. Pinnacle PSG had contributed £4k in sponsorship. The Leader thanked Pinnacle PSG for their contribution. However this sum did not reduce significantly the cost to deliver the event.

The Leader commented that across Essex most public firework events were charged and the charges for the Castle Point Fireworks, a discretionary event, stood comparison. The Council had a duty to the public purse to charge for such discretionary events.

Recognising the impact of the increasing cost-of-living the Leader was delighted to announce that the Council had made available 100 family tickets through local charities to enable families struggling with the cost-of-living crisis to attend the event.

The Leader thanked Mr Dixon for his question.

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?

The Leader of the Council informed the questioner that a similar question had been asked by a Council member recently. The reply reflected the practice of many years that where an application was refused, the officers draft the report with the Appeal in mind. Under written reps it was not necessary to submit any other document other than the robust officer report.

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?

The Leader of the Council replied informing the questioner that meetings of the Council, the Cabinet and the Committees were open to the public to attend except when dealing with personal or confidential matters. There was no obligation on Councils to webcast or record meetings. Indeed many did not.

The Council's Constitution stated that only meetings of the Cabinet, Council and Development Management Committee were web cast. However the Audit Committee held on 12th July was webcast. The Extraordinary meeting of the Audit Committee held on 24 July dealt with an item of private business so was not webcast. Staff resources were not available to support the meeting on 28th September.

The Leader thanked Mr Fortt for his questions.

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?

The Leader of the Council replied thanking Mr Stone for his question. The Leader referred to Councillor Warren Gibson's earlier reply. Councillor Gibson attended the meeting with the Minister in his capacity as the Deputy Leader of Castle Point Borough Council.

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

1. Questions to the Leader of the Council - from Councillor Mumford:

Question 1

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?

Councillor Tom Gibson replied at the request of the Leader of the Council as the Cabinet Member lead.

The priority when proceeding with this project was to enhance the community aspect of the Borough's parks and open spaces. This was why the MUGA at John Burrows took priority in terms of the allocation of funds as a 'flagship project' looking to augment the accessibility of existing community assets, both in terms of council-owned assets and resident-led organisations.

This was why projects were included for the laying of a path at Thundersley Common to facilitate disabled access and the sensory garden at Richmond Park as a space for both children to come together to learn about nature and for elderly, perhaps lonely residents to gather and socialise. This was an addition to the general mental health benefits that such sensory gardens were known to provide.

The provision of up to 30 picnic benches in the Borough's parks would also greatly enhance the social and community value of the Borough's open spaces.

Councillor Gibson referred to the cost of providing and maintaining an outdoor gym which to proceed could result in cuts to funding elsewhere. He stated that the focus should be on making sure the Borough's current facilities were operating at their full potential in terms of community value before looking to expensive new facilities for which there could be little uptake.

Question 2

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?

The Leader replied at present ,no suitable memorial had been identified to commemorate the late Queen Elizabeth the Second. It was hoped one of the projects being funded through the Public Spaces and Play Spaces Fund would provide a fitting memorial.

The Leader thanked Councillor Mumford for her questions.

2. Questions 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".

The Leader replied that the Common Liaison Committee was a committee of Canvey Island Town Council, and the question should be directed to the Town Council. However the Borough Council was working with the Town Council to re-convene the committee to ensure that the Borough Council was fully represented and active in the work of the Committee.

The Leader in responding referred to Councillor Skipp's membership of the Common Liaison Committee which had been active until Covid. The membership was 50% Borough Council and 50% Town Council and had fully supported the work undertaken on Canvey Lake. The Leader restated the Council would continue to work together with the Town Council to improve Canvey Lake.

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".

The Leader replied taking both questions together.

Question 1

The Council had 104 households in temporary accommodation at the end of Quarter 1 this year, 73 with children of which half were in Private Sector Leased properties leased by the Council. There were 470 households on the Housing needs register, with 249 being in priority need.

Question 2

The Council continued to review all land in its ownership for opportunities to develop additional social housing, seven units across 3 garage sites were due to

be presented to Cabinet, further garage sites and areas of housing land were under review.

Other assets and land held by the General Fund would be reviewed for suitable use, but it was recognised that these would not deliver the required number of units needed. Other options would be explored, such as the purchase and renovation of homes within the borough or the purchase and conversion of other buildings to create increased capacity to provide both long-term accommodation and high-quality temporary homes that meet the needs of households.

The Leader was committed to look to provide social housing on brownfield sites. He thanked Councillor Egan for her questions.

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?”

The Leader replied that a review had been undertaken. Given the age and types of construction used in the council's housing stock there were no properties that would require a survey to be undertaken as they were not consistent with this construction method.

A desk top survey had been undertaken in relation to the rest of the Council's buildings at this time there was no cause for concern. However the situation was being kept under review. The Leader thanked Councillor Mrs Thornton for this important question.

37. TO DEAL WITH BUSINESS FROM THE LAST COUNCIL MEETING

There was none.

38. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

39. CONSIDERATION OF RECOMMENDATIONS FROM CABINET

There were none.

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

There were none.

41. TRANSFORMATION MATTERS – INTERIM ARRANGEMENTS FOR SCHEME OF DELEGATIONS

Council considered a report seeking 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.

The changes were detailed as follows:

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

Current Delegation	Proposed changes to take effect from 1 st November 2023
Head of Place & Policy (page 47 of the Constitution)	<ul style="list-style-type: none"> • All references in this delegation to “Head of Place & Policy” should be replaced with “Director of Place & Communities”.
Head of Environment (page 52 of the Constitution) (Page 53)	<ul style="list-style-type: none"> • All references in this delegation to “Head of Environment” should be replaced with “Director of Place & Communities”. • “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

During this interim period pending the new Constitution existing post holders would continue to be able to exercise delegations under the original Scheme of Delegation.

Resolved:

To approve the variation of the Scheme of Delegations to enable the changes to the Council’s organisational structure to come into effect on 1st November and ensure the smooth transfer of operations.

42. CHANGES TO ELECTORAL ARRANGEMENTS

Council considered a comprehensive report seeking authority to consult on the proposal to change the Council’s current electoral cycle and move to whole-council elections every four years.

The Local Government and Public Involvement in Health Act 2007 enabled the Council to resolve to change its electoral cycle. The report described the process to be followed.

The Local Government Boundary Commission for England (LGBCE) had recently undertaken a review of the Council's electoral arrangements, and this was 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.

The report set out the arguments for moving to whole Council elections every four years contrasted with arguments about retaining election by thirds.

The arguments for whole Council elections in summary were - Political stability and more time to effect change; Increased democratic understanding and engagement; Reduced cost of democracy and less disruption to public buildings.

The arguments for retaining elections by thirds in summary were - Current system is well-established and understood; Political accountability and risk of democratic disengagement; Political stability and More dynamic political environment.

It was recommended that consultation was undertaken as described the report. The results of the consultation would be considered by Scrutiny Committee before consideration by a Special Council meeting to consider whether to move to whole council elections from May 2024.

Resolved:

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 the 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.

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

The Leader of the Council:

- Congratulated Castle Point Leisure in reaching the Finals of the National Fitness Awards in three categories and acknowledged the professional and dedicated staff at Waterside and Runnymede leisure centres their achievements and all their hard work. He wished them luck in the finals.

- Updated the meeting on ASELA, a key Council partner - On 28 September, the Joint Committee for ASELA had met and agreed to change its name to South Essex Councils as part of a refreshed focus on growth linked to the proposed Devolution Deal and the economic opportunities of the Thames Estuary Growth Board and the Thames Freeport.
- Explained that the Thames Estuary was the UK's number one growth opportunity, and the Freeport was a multi-modal logistics and manufacturing hub, right on our doorstep – creating opportunities for jobs and skills.
- Transport infrastructure was needed to unlock those opportunities, and this had brought renewed focus onto transport issues across South Essex and this including Castle Point.
- Referred to the frustrations with Essex County Council's inability to deliver strategic transport projects. The Leader advised that a Canvey third accessway had been included as a project which devolved transport powers could deliver as part of the Greater Essex Devolution Deal.
- Restated that it would take the scale of investment which only Government could leverage to make this a reality. The Council needed to be part of a partnership approach which was why the Council was part of South Essex Councils and signatories to Transport East which had direct links into the Department of Transport.
- Advised that conversations were continuing with representatives from the Department for Levelling Up, Housing and Communities to argue that access to jobs and skills through investment in transport was the best way forward for our Borough.
- Wished luck to the new organisation as the Council's Transformation Programme goes live on 1 November.
- Encouraged everyone to come along and enjoy the Castle Point Fireworks on 4 November the first of a new and exciting programme of events.

44. NOTICES OF MOTION

Councillor Walter had given notice of the following Motion:

“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 was moved and seconded.

Following debate a vote was taken which was CARRIED and it was RESOLVED accordingly to welcome 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 the councils' parks and open spaces.

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

Notice had been received of two petitions. Councillor Mumford presented a petition supporting an outdoor gym at Tarpots. Councillor Walter presented a Petition opposing a planning application in respect of 3 Steeple Heights Benfleet.

46. RECOMMENDATIONS TO COUNCIL – TRANSFORMING TOGETHER – APPOINTMENT OF STATUTORY SECTION 151 OFFICER

Council considered a report on the outcome of the reorganisation of Tier 2 of the organisation seeking agreement to the recommendations of the Head of Paid Service/Chief Executive.

The statutory provisions in the Local Authorities (Standing Orders) (England) Regulations 2001 (“the 2001 Regulations”) required, that the power to approve the appointment or dismissal of the Section 151 Officer shall be exercised by full Council.

Following assessments and interview on 26th September 2023, the Staff Appointments Panel agreed unanimously to recommend to Council the appointment of Lance Wosko, as the Council’s statutory Section 151 Officer.

Resolved:

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

Mayor

AGENDA ITEM NO.5

ORDINARY COUNCIL

29th November 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. Questions to the Leader of the Council

From Sean Quartermaine:

In mid-October, members of the Friends Of Canvey Lake were incredibly concerned when two of our members reported that some people had been seen attacking the wildlife on Canvey Lake and caused the death of several geese and injuries to other animals. These members, and several others, have worked incredibly hard to help the wildlife on the lake and now many residents are concerned about the risk of the good work being undone by mindless violence.

In light of this, please could you let the people of Canvey know what work the Council is doing in partnership with other agencies to help to reduce the risk of incidents like this happening again.

AGENDA ITEM NO. 9

ORDINARY COUNCIL

29th November 2023

Subject: **Council Tax Reduction Scheme & Exceptional Hardship Fund Scheme for 2024/25**

Cabinet Member: **Councillor Mountford - Resources**

1. Purpose of Report

To present to Council recommendations from Cabinet to make no changes to the Council Tax Reduction (CTR) and Exceptional Hardship Fund (EHF) schemes for 2024/25.

2. Links to Council's priorities and objectives

Efficient and Effective Customer Focussed Services

3. Recommendations

1. That Members note the performance and spend information relating to the 2023/24 CTR scheme (at Appendix's A, B, and C).
2. To make no changes to the CTR or EHF schemes for 2024/25 and approve and adopt the schemes with effect from 1 April 2024.

4. Background Information

- 4.1 At the Cabinet meeting on 15th November Cabinet received an update on the 2023/24 Council Tax Reduction (CTR) and Exceptional Hardship Fund (EHF) schemes and made recommendations to Council on the proposed CTR and EHF schemes for 2024/25.
- 4.2 The CTR scheme is intended to provide support for “working age” Council Taxpayers of the Borough, based on a banded percentage reduction.
- 4.3 The Council is required to review the scheme every year and consider whether it wishes to change the scheme or not. Should it wish to consider implementing changes to the scheme it must undertake a 6-week public consultation.

5. Council Tax Reduction Scheme

- 5.1 Appendix A to this report provides data on the CTR scheme for 2023/24. It demonstrates that the forecast cost of the scheme is £1.5m which is consistent with prior years and in line with assumptions made in November 2022.
- 5.2 The maximum level of support available in 2023/24 is 70% of the annual Council Tax liability and details of the various the income bands and percentage reductions are in Appendix B.
- 5.3 There are no changes being proposed to the CTR scheme for 2024/25.

6. Transitional Protection Payments

- 6.1 When the current scheme was introduced in April 2023, Council agreed to make Transitional Protection (TP) payments for one year only to Council Taxpayers who, due to the introduction of CTR, no longer received support towards their Council Tax charge.
- 6.2 TP payments ensured that customers received the same level of support under the new CTR scheme in 2023/24 as they had under Local Council Tax Support during 2022/23.
- 6.3 Appendix C provides data on the number and value of TP payments so far in 2023/24. It shows that 28 awards have been made with a total value of £23,474.

7. Exceptional Hardship Fund

- 7.1 Council also agreed to enhance and promote the Exceptional Hardship Scheme to assist Council Taxpayers during 2023/24 where they were experiencing hardship due to the cost-of-living crisis and were unable to pay their Council Tax because of current and historic debt.
- 7.2 Appendix C of this report shows the levels of support paid out under the Exceptional Hardship scheme during 2023/24. It shows that 43 awards have been made with a total value of £27,000.
- 7.3 There are no changes being proposed to the EHF scheme for 2024/25.

8. Corporate Implications

a) Financial Implications

The overall cost of the CTR scheme – based on best estimate of 2023/24 current case load is £1.5m. Case load at present is 2,013 claims, with an average award per claim of £745 for the year.

Although this figure makes no assumptions regarding uplifts to Council Tax or caseload for the year 2024/25 and going forward.

The Transitional Protection Scheme for the year 2023/24 and the increased demand on the Exceptional Hardship Scheme for 2023/24 is shown in **Appendix C** of this report.

b) Legal Implications

The Council has a legal responsibility to create, maintain and renew its CTR scheme on an annual basis. These powers are contained in Section 13A of the Local Government Finance Act 1992, as amended.

c) Human resources/equality/human rights

Movement to the simpler, less admin heavy, CTR scheme has had an impact on the processing of claims and the speed in which the customer is advised of the outcome and the Council Tax due to be paid. The Benefit and Compliance team have been able to reduce agency costs, and within the transformation project, the aim is to reduce agency cost further and the dependency on agency staff going forward into the new financial year.

Over the past three years, the Benefits job sector has been under significant strain with specialist skills under increasing demand, and low supply resulting in higher costs.

The simplified nature of the CTR scheme was designed to require less specialist skills. However, considering the scheme has only been live for one year, the expected easing on resources has yet to be fully achieved. The signs are positive for 2024/25 with the scheme improving its relation to the customer and the ever changing financial and workplace needs.

9. Timescale for implementation

Key milestones are as follows:

Milestone	Timeframe	Purpose
Council approves 2024/25 scheme	29.11.23	Adoption and implementation
Set Council Tax for 2024/25	Feb 2024	CTR awarded for 2024/25
CTR scheme live for 2024/25	01/04/2024	CTR Live

Background Papers

Appendix A 2023/24 CTR Scheme – Key Data

Appendix B CTR Bands, Review Matrix

Appendix C Transitional Protection and EHF Awards

Appendix D CTR Scheme 2023/24

Report Author: Lance Wosko, Assistant Director, Finance & Procurement (s151 officer)

2023/24 CTR Scheme – Key Data

Estimated CTR spend for the year to 31/03/2024:

Council Tax Reduction Scheme Expenditure 2023/24

April	May	June	July	August	September
Total overall spend					
£1,570,681	£1,571,398	£1,537,807	£1,546,896	£1,502,596	£1,489,569
Average Spend for the year 2023/24 (estimated) £1.5 Million					

Council Tax Reduction Scheme case load = 2,013

Average award per claim for the year = £745

CTR Performance and Statistical Information - Up to 30/09/2023

CTR Claims Received, including migrated CTR claims. = 1,406

Migrated claims were cases that were receiving Local Council Tax Support as working age and were migrated over to the new CTR scheme from 01/04/2023, these cases will be reviewed during the year 2023/24.

Under the review matrix all CTR cases will be reviewed once during a 52-week cycle

Average time take to review claim = 2.3 days

CTR changes received = 240

Average time taken to determine change = 2.5 days

CTR cases cancelled = 496

Average time to cancel claim and issue revised Council Tax Bill = 1.5 days

Council Tax Reduction Scheme (CTR) 2023/24

CTR Income Bands & Percentage Reductions

The following table shows the household types and income bands used to calculate the percentage of reduction that is currently applied to each household.

Household	Passported	£0 to £150	£150.01 to £225	£225.01 to £300	£300.01 to £375	£375.01 to £450	£450.01 +
Single	70%	70%	40%	20%	0%	0%	0%
Couple with no Children	70%	70%	40%	20%	0%	0%	0%
Single with 1 child	70%	70%	40%	40%	20%	0%	0%
Couple with 1 child	70%	70%	40%	40%	20%	0%	0%
Single with 2 or more children	70%	70%	70%	40%	40%	20%	0%
Couple with 2 or more children	70%	70%	70%	40%	40%	20%	0%

Review Matrix

The following table shows the frequency with which claims falling into different income bands are currently reviewed;

	Income	Review Matrix
A	Passported	52 weeks
B	£0 to £150	52 weeks
C	£150.01 to £225	40 weeks
D	£225.01 to £300	40 weeks
E	£300.01 to £375	35 weeks
F	£375.01 to £450	26 weeks

Council Tax Reduction Scheme (CTR) 2024/25

Transitional CTR Protection spend as at 30/09/2023

CTR applicants given a Transitional Protection payment: -

28 Customers considered.

26 Awards made.

Total Value at 30/09/2023 = £23,474

Average award per customer = £902

Exceptional Hardship Fund Awards to 30/09/2023

Applications Received = 76

Awards made = 43

Total Value to 30/09/2023 = £27,000

Average award per customer = £630

Regarding the EHF budget for 2023/24, This has been enhanced following a Member's decision to use the underspend of the Central Government £25 per household award for Council Taxpayers who are in receipt of Local Council Tax Support and / or Council Tax Reduction from the 1st of April 2023.

Therefore, the EHF budget for 2023/24 is £60k. Any underspend of this budget will need to be returned to Central Government when requested.

The need for an EHF scheme is imperative during the continued "cost of living crisis".

ORDINARY COUNCIL

29th November 2023

Subject: Transformation Matters – Variation to the Calendar of Meetings

Report of: Chief Executive – Angela Hutchings

1. Purpose of Report

To inform of variation to the Calendar of Meetings.

2. Links to Council's Priorities and Objectives

This links to all and particularly as Enablers.

3. Recommendation

To note the new dates of Ordinary Council and Special Council meetings.

4. Background

- 4.1 At the Annual Meeting in May 2023, Council approved the Calendar of Meetings. The calendar of meetings provides that the next annual Meeting takes place on Wednesday 15 May 2024.
- 4.2 The Council elections to be held on 2 May 2024 are whole Council elections, following the Boundary Commission review. As the Council usually elects in one-thirds, additional time will be required by officers to undertake the work necessary to form the new Council following the elections. Therefore it is proposed that the Annual Meeting for May 2024 is moved a week later from 15 May to 22 May 2024.
- 4.3 Related to the Council elections on 2 May 2024 it is proposed to move the Ordinary Council arranged for Wednesday 27 March 2024 to Wednesday 13 March to avoid the pre-election period (which commences at the latest on 26 March).
- 4.4 In addition, subsequent to the May 2023 Annual Meeting, Council has agreed to schedule a Special Council on 31 January 2024 to consider whether to change the electoral cycle from the current one-thirds arrangement to 4 yearly whole Council elections. This Special Council now also needs to be added to the calendar of meetings.

4.5 Finally, as a result of the Council's Transformation Programme, various officer appointments and/or dismissals either need to be made by or reported to meetings of Full Council and a Special Council will, therefore, be scheduled for Wednesday 20 December at 7pm to facilitate this.

5. Report

5.1 Council is therefore asked to note the following variations to the Calendar of Meetings

- Special Council - Wednesday 20 December 2023 at 7pm (with Cabinet to follow at 7.15pm on the rising of Council)
- Special Council - Wednesday 31 January 2024 at 7pm
- Ordinary Council – Wednesday 13 March 2024 at 7pm
- Annual Meeting 22 May 2024

6. Corporate Implications

(a) Financial Implications

There are none to be addressed by this report.

(b) Legal Implications

The Constitution sets out the criteria for calling meetings of Council.

(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

This is dealt with in this report.

8. Background Papers

Constitution November 2022

Report Author: Angela Hutchings Chief Executive

AGENDA ITEM NO.12

ORDINARY COUNCIL

29th November 2023

Subject: **The Castle Point Plan**

Cabinet Member: **Councillor Warren Gibson - Strategic Planning**

1. Purpose of Report

To provide Council with an update on progress on the new Castle Point Plan and the implications of the withdrawal of the Castle Point Local Plan 2018 – 2033.

2. Links to Council's Priorities and Objectives

The proposals in the Castle Point Plan will have significant implications for all of the Corporate Plan objectives - Economy and Growth, People, Place and Environment. The plan will be a key strategic and policy document in setting out how those objectives can be achieved.

3. Background

- 3.1 On 30 November 2022 the Council took the decision to prepare a new local plan, The Castle Point Plan. This followed the unanimous decision of Council to withdraw the Castle Point Local Plan 2018 to 2033 on 15 June 2022.
- 3.2 It has now been one year almost to the day, that we started the preparation of the new plan. As the Chair of the Castle Point Plan Board established to bring all parties together to foster cross party support, it seems appropriate that I provide an update to Council on progress.
- 3.3 I also want to look at the impact of withdrawing the plan and how we are managing the risks of that withdrawal.
- 3.4 Firstly, I would like to thank all members of the Castle Point Plan Board for their input into work to date. We established the Board to build consensus and whilst we may have our disagreements the board is a forum for those to be aired and properly discussed.
- 3.5 I would also like to say thank you to our officers for their advice, candidness and drive. Remember that they sat and watched us withdraw a plan that they

had tirelessly worked on, so it is a real credit that Amanda Parrott and her team have been able to provide such leadership.

- 3.6 We have four key objectives for the plan:
 1. Have a plan based on our robust housing needs assessment.
 2. Have a plan that identifies and prioritises brownfield and urban sites.
 3. Have a plan that protects the green belt.
 4. Have a plan that the community wants.
- 3.7 I am pleased to say that we have recently completed the work on the needs assessment, and I can advise the Council that our locally assessed need is 100 per annum homes less than the standard methodology that the government use. We are confident in our approach and that it is sound. The needs report will be published shortly.
- 3.8 In preparing the needs assessment the consultants, ORS, interviewed just over 500 local residents on what their needs were. The standard methodology is merely an algorithm, which is detached from the realities of need. I am pleased that the government has followed our lead and decided that local assessments are the way forward.
- 3.9 We are not against development in the borough. We have a statutory and moral obligation to ensure that there are enough homes. But we want to identify what that need is with our local communities rather than imposing on them.
- 3.10 The second objective was a brownfield and urban first approach. I am pleased to advise the Council that we employed an AI company to trawl all the urban areas and identify hundreds of sites that met certain criteria and could be developed or redeveloped.
- 3.11 The initial phase of this work has been completed and officers are in the process of contacting the landowners of the sites identified to see whether they have any plans for development, or open their eyes to the potential, and test what the development potential is.
- 3.12 This will tell us in the most comprehensive fashion imaginable just what the maximum capacity is for our urban areas. This is not the final piece however, and after this phase we will need to test what the impacts will be on infrastructure, traffic demands and the character of our towns, but we said that we would explore everything like never before and that is what we have done.
- 3.13 Once we fully understand the urban capacity, then we look at whether we need land elsewhere. Our objective remains to protect the green belt. So over the coming months we will look at how our need can be met in full and in a way that is sound and delivers the right homes for the right people in the right places, with infrastructure and builds quality places. It is only through these robust assessments will the Council be able to protect the green belt.
- 3.14 Finally, we are engaging local residents, businesses and partners at the earliest opportunity to ensure that the plan delivers what people want. Unfortunately,

many people do not feel that they have their say on the future of where they live. That leads to mistrust in plan making and mistrust in the Council. We are addressing this by giving a greater say to the people who live and work here in what the future of the borough should be and the issues that the plan should address.

3.15 This engagement is an ongoing process and to date over 1,500 people have participated.

Impact of withdrawing the plan

3.16 No one takes the decision to withdraw a local plan lightly. Withdrawing a local plan at any stage, has its consequences.

3.17 In both the report on adopting the plan in March 2022 and the report on withdrawing the plan in June 2022, officers set out in some detail the impact and risks.

3.18 Let's be clear: the withdrawn plan was found sound. However, the Council across all parties, agreed not to adopt the plan (and thereby not to implement the plan) as it allocated vast areas of the green belt that residents did not want to see developed. The only option to the Council to strengthen our position to defend the green belt, was not to adopt the plan.

3.19 Had we not done so, Officers would have to take the sound but unadopted plan into account when determining applications on the allocated sites. They would have to afford that plan very significant weight and if an application was in accordance with that plan, most likely recommend approval. By withdrawing the plan, the plans policies and proposals no longer apply.

3.20 Had the sound but unadopted plan remained in place, we could not have argued that applications made in accordance with that plan were being made prematurely, as the plan had been examined and been found to be sound. Prematurity arguments are allowed where a proposal is made before a plan has been examined and we cannot be sure that a proposal is sound.

3.21 Withdrawing the plan has also enabled us to prepare a new plan unencumbered by a sound unadopted plan. The weight applied to a plan increases as the plan progresses through the various stages towards adoption.

3.22 With a sound unadopted plan remaining, it would be difficult to argue that a proposal is premature in relation to the new plan we are preparing. This is because any new proposals will need to go through the whole plan making process and be found sound to over-ride the sound unadopted plan. By withdrawing the plan, the proposals in the new plan will gain in weight as they are progressed.

3.23 We are now receiving applications on sites that were allocated in the withdrawn plan. We were warned that this would happen, but we cannot stop developers from submitting them. However, fewer have been submitted than we would have expected had the plan not been withdrawn.

- 3.24 I do not wish to pre-determine the decision-making process on those applications, but the best way to defend against speculative development is by putting a local plan in place.
- 3.25 Unfortunately the process for doing so takes time. We have started completely afresh, after 5 attempts with an approach that did not work and we have complied with the processes for preparing plans set by central government. We aim to maintain the joint working across all parties and engagement with our residents.
- 3.26 Whatever we do there will always be people who will oppose the plan, but we remain committed to preparing a plan which the people of this borough want.

Conclusion

- 3.27 We are making good progress preparing a new plan for Castle Point and are still on track to deliver against the programme set out last November. This will see our position strengthen when dealing with green belt applications over the next year.
- 3.28 I will provide further updates as we reach key stages in preparing the plan and will continue to work with board members to ensure effective cross-party involvement.

AGENDA ITEM NO.13

ORDINARY COUNCIL

29TH NOVEMBER 2023

Subject: Notices of Motion

1. Purpose of Report

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

1. Councillor Skipp has given notice of the following:

"We call on this Council to begin work on its own Parking Standards Supplementary Planning Document for adoption by the Council to provide the material planning considerations needed to adequately address parking concerns raised during the planning process."

The Motion is to be seconded by Councillor Hart.

As this Motion has budget implications the Motion will be deferred without debate for a report to Cabinet Council Procedure Rule 13 applies. The Motion will not be dealt with at this meeting.

ORDINARY COUNCIL

29th November 2023

Subject: **Recommendations to Council -
Transforming Together - Outcome of Tier 2 & Tier 3
Organisation Restructure.**

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 and also to provide an update as to the progress of the reorganisation of Tier 3 of the organisation.

2. Links to Council's Priorities and Objectives

This item has links to all Council priorities and objectives.

3. Recommendations

That the Council:

1. Notes the dismissal by means of redundancy of the individuals identified in Confidential Appendix A.
2. To approve the dismissal by means of redundancy of the individual identified in Confidential Appendix B.
3. To endorse the appointment of Ian Butt, to carry out the duties and responsibilities of Director, Place & Communities with effect from 1 November 2023.
4. To endorse the appointment of the individual identified in Confidential Appendix C to carry out the duties and responsibilities of Director, Commercial & Assets.

4. Background

- 4.1 This report comes to Council as part of the Transforming Together transformation programme the background and details of which are set out in the report to Council dated 31 May 2023.
- 4.2 The reorganisation workstream within the Transforming Together programme leads on the redesign and restructure of the organisation. The restructure commenced with the most senior roles in the organisation which are referred to as Tier 2 and report direct to the Chief Executive and is continuing with restructuring at Tier 3 (those who report to Tier 2). This report provides an

update on the progress of this workstream and resulting appointments and dismissals.

- 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 and Tier 3. 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 The restructure of Tier 2 was the first step in reducing the numbers of layers. A formal redundancy consultation commenced on 24 May 2023 for a period of 28 days, closing on 20th June 2023. Tier 2 comprises 3 Director roles: Commercial & Assets; Place & Communities; and Corporate & Customer.
- 4.5 With the conclusion of the Tier 2 restructure, work commenced on reorganisation of Tier 3, which report direct to Director roles, otherwise referred to as Tier 2. The proposal was for 12 Assistant Director roles.
- 4.6 Resulting from the restructure and role changes at Tier 2, the proposal for Tier 3 outlined that the statutory Chief Officer roles of Monitoring Officer and Section 151 Officer would sit at Tier 3.
- 4.7 A formal redundancy consultation with the staff impacted by the Tier 3 proposals was approached in two phases. Phase 1 comprised formal consultation on the proposals for the Tier 3 Assistant Director restructure for the Corporate and Customer directorate. Consultation with impacted employees began on 26 July and lasted for 25 days. Following closure of consultation, two existing postholders were identified as being at risk of redundancy. One of those postholders was subsequently appointed as the Assistant Director, Finance & Procurement and s151 Officer.
- 4.8 Phase 2 comprised the Assistant Director roles in the Place and Communities directorate and the Commercial and Assets directorate. The consultation with impacted employees began on 6 September and lasted for 25 days. Following closure of consultation, two further existing postholders were identified as being at risk of redundancy.
- 4.9 Those postholders at risk of redundancy were given the first opportunity to apply for the new roles in the new structure. All other impacted individuals who were part of the consultation but were not at risk of redundancy have subsequently also been given an opportunity to apply for the new roles. Those roles which have not been applied for by internal candidates have now been advertised externally.

4.10 All candidates shortlisted for roles at Tier 2 and Tier 3 have undergone a robust assessment and selection process conducted in line with good sector practice. Assessment and selection to all Chief Officer roles, including the Statutory Officers of S151 and Monitoring Officer have been undertaken by the Staff Appointments and Review Panel.

5.0 Dismissals

Voluntary Redundancy

5.1 As set out above, there were 4 postholders at risk of redundancy as a result of the Tier 3 restructure and one of whom was appointed to an Assistant Director role. Applications for voluntary redundancy were received and considered from the other three postholders.

5.2 At Tier 2, two of the Director roles had been appointed to by the Staff Appointments and Review Panel. Subsequent to that decision, one of the applicants has indicated that they do not wish to take up the role, for personal reasons. This is a decision which they are lawfully entitled to make and no adverse inference should be drawn by it. Consequently, that individual falls to be dismissed by way of redundancy.

5.3 Notwithstanding that individuals have voluntarily applied for redundancy; the law treats this as a dismissal. Reference to these redundancies as dismissals does not imply any culpability on the part of the individual employees.

5.4 In accordance with Part 3 of the Constitution, the approval for dismissals by means of redundancy of the postholders listed in Confidential Appendix A(to be circulated separately) is a matter for the Chief Executive with approval from the S151 Officer, because the postholders are subject to the National Joint Council Services and the National Agreement on Pay and Conditions of Service (Green Book). Nonetheless, details of these redundancies are nonetheless shared with Council for reasons of transparency. Approval from the Section 151 Officer has been given for those Chief Officers on terms of employment outlined in paragraph 5.3 above.

5.5 Approval of dismissal by way of redundancy of the fourth postholder set out in Confidential Appendix B(to be circulated separately) requires a different process because they fall within the definition of a Chief Officer as per the Local Authorities (Standing Orders) (England) Regulations 2001 (“the 2001 Regulations”) because they hold the statutory designation of Monitoring Officer.

5.6 In accordance with the 2001 Regulations, before a dismissal for redundancy of a Chief Officer can be agreed, it is necessary for there to be a consultation with the Executive. The purpose of the process is to give Cabinet members the opportunity to object to the redundancy proposals. The Executive consultation period ran for a period of 5 days commencing on 15 November. No objections to the proposed dismissals for redundancy were received.

5.7 The 2001 Regulations requires that a dismissal (including by means of redundancy) of the Monitoring Officer shall be exercised by full Council. The

role of Assistant Director Legal & Democratic Services which holds the statutory post of Monitoring Officer is currently out to external recruitment.

5.8 The Staff Appointments and Review Panel is scheduled to meet in December and any recommendation to appoint will be brought to Council to approve the appointment to the statutory officer post of Monitoring Officer.

5.9 The role of Monitoring Officer is a statutory requirement, and so in the event that there is a delay between when the new Assistant Director, Legal & Democratic Services postholder joins the Council and when the incumbent leaves the organisation, the Chief Executive will make all necessary interim arrangements, including securing approval to the appointment of a Monitoring Officer as are needed to ensure business continuity.

Appointment of Director Place & Communities

5.10 This Director Place & Communities role was subject to an internal recruitment process as postholders who were at risk of redundancy as a result of the Tier 2 restructure were given first opportunity to apply for new Director roles. Ian Butt underwent a robust assessment and selection process in line with good sector practice, concluding with an interview by the Staff Appointments and Review Panel on 20.7.2023.

5.11 The Council is required by the 2001 Regulations to complete the executive consultation process in relation to the appointment Chief Officers, by giving individual notice of the proposed appointment to the executive. The Executive consultation period ran for a period of 5 days commencing on 20th July 2023. No objections to the proposed appointment were received. As the role of Director, Place & Communities is a Chief Officer appointment, accordingly, Council is now asked to formally endorse his appointment with effect from 1st November 2023, which is the date when the new structure took effect.

Appointment of Director Commercial & Assets

5.12 This Director Commercial & Assets role went out to external recruitment and shortlisted candidates have undergone a robust assessment and selection process in line with good sector practice, concluding with candidates interviewed by the Staff Appointments and Review Panel on 6 October and 2 November 2023.

5.13 As a result of that process details of the proposed candidate for the appointment to the post of Director Commercial & Assets is set out in Confidential Appendix C (to be circulated separately).

5.14 The Council is required by the 2001 Regulations to complete the executive consultation process in relation to the appointment Chief Officers, by giving individual notice of the proposed appointment to the executive. The Executive consultation period ran for a period of 5 days commencing on 15th November 2023. No objections to the proposed appointment were received. As the role of Director, Commercial & Assets is a Chief Officer appointment accordingly Council is now asked to formally endorse the appointment.

6. Corporate Implications

(a) Financial Implications

Calculated in line with the Council's redundancy policy, the total cost of the voluntary redundancy of the postholders set out in Confidential Appendix A, inclusive of amounts payable to the Essex Pension Fund, is £473k. There is no element of discretionary payment in the calculation of the redundancy sums which is comprised solely of sums which are statutorily and contractually due.

There is financial provision within the Council's approved budget for Transformation to cover the upfront cost of the voluntary redundancies.

The salary and employer's on-cost budgets for the four roles subject to voluntary redundancy will not be required going forward and therefore can contribute towards closing the Council's budget gap in 2024/25.

(b) Legal Implications

Approving the dismissal of and appointment to the Monitoring Officer statutory roles is matter reserved to Full 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, notice of redundancy will be issued to the relevant officers shortly after. It is at the discretion of the Head of Paid Service to decide to pay in lieu of some or all the notice period.

7. Background Papers

Tier 3 Phase 1 end of consultation pack

Tier 3 Phase 2 end of consultation pack

Papers are Exempt under (Exempt Information under Paragraphs 1 & 2 Schedule 12A Local Government Act 1972)

Report Author: Angela Hutchings, Chief Executive