



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



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

AGENDA

| | |
|--|---|
| Committee: | REVIEW COMMITTEE |
| Date and Time: | Tuesday 8th December 2015 at <u>4 p.m. NB Time</u> |
| Venue: | Committee Room 1 |
| Membership: | Councillors Ladzrie (Chairman)Blackwell, Mrs B.Egan, Mrs Govier, Hudson ,MacLean ,May, Mrs G.Watson |
| Independent Person (Section 28 Localism Act 2011) : | Paul Ramsden |
| Officers attending: | Andrew Roby Smith – Solicitor to the Council /Monitoring Officer Fiona Wilson – Head of Law /Deputy Monitoring Officer Ann Horgan – Head of Civic Governance |
| Committee Enquiries: | Ann Horgan, Ext. No. 2413 |

PART I (Business to be taken in public)

- 1. Apologies for Absence**
- 2. Declaration of Interests**
- 3. Dispensation from Section 31(4) Localism Act 2011 Restriction on Voting – Councillor Riley**
A request has been received from Councillor Riley seeking a dispensation on which the Report of the Solicitor to the Council /Monitoring Officer is attached.
- 4. Dispensation from Section 31(4) Localism Act 2011 Restriction on Voting – Councillor Hart**
A request has been received from Councillor Hart seeking a dispensation on which the Report of the Solicitor to the Council /Monitoring Officer is attached.



ITEM 3

Monitoring Officer Report

Dispensation from Section 31(4) Localism Act – Restriction on Voting

Request by Councillor Colin Riley (Leader of the Council)

A written request for a dispensation (**Document 1**) has been made by Cllr Colin Riley to allow him to participate and vote in any matter related to the Draft New Local Plan presently being prepared by the Council and likely to be presented to Full Council on 9 December 2015.

This request made by Cllr Colin Riley dated 3 November 2015 was received by the Monitoring Officer as the proper officer of the authority on 4 November 2015 and an acknowledgment (**Document 2**) was sent to Cllr Riley on the same date.

In the Register of Members Interests Cllr Colin Riley, the Leader of The Council, has disclosed his home address as 164 Daws Heath Road, Thundersley, Benfleet, Essex and that he also rents a parcel of land at the same location from a private landowner (**Document 3**). This property is owned and/or occupied by Cllr Colin Riley and is adjacent to a major housing land site shown in the Draft New Local Plan as site H10 – Land East of Rayleigh Road (**Document 4**).

During the preparation of the Draft New Local Plan by the Council over the previous 5 years Cllr Colin Riley has declared his property / home address as a prejudicial / disclosable pecuniary interest on repeated occasions (as shown in the Minutes) and not participated or voted in any council business related to the Draft New Local Plan (**Document 5**).

Cllr Riley continues to own and occupy the same property and site H10 remains a primary land site which is identified for housing purposes in the Draft New Local Plan (**Document 6**).

Dispensations

A dispensation will allow a Member to participate and / or vote at a council meeting where a pecuniary interest exists. A request for dispensation must be made to the proper officer of the authority setting out the grounds for the request.

A dispensation can only be granted under Section 33(2) a)-d) in the following circumstances:

- a) That so many Members of the decision-making body have a disclosable pecuniary interest (DPI) in a matter that it would impede the transaction of the council business. (This means that the decision-making body would be inquorate as a result).
- b) That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote.
- c) That the authority considers that the dispensation is in the interests of persons living in the Council's area.
- d) That, without a dispensation, no Member of the Cabinet would be able to participate and vote (on Cabinet business).
- e) That the authority considers that it is otherwise appropriate to grant a dispensation.

Any grant of a dispensation must specify how long it lasts for, up to a maximum period of 4 years.

All Members need to be aware that they must continue to ensure that they avoid the appearance of bias and predetermination notwithstanding any request which is made for a dispensation.

Delegations to the Monitoring Officer

The Monitoring Officer is delegated powers to grant dispensations pursuant to a), b) and d) above.

The Review Committee comprising 8 x Council Members can:

- (i) Grant dispensations after consultation with Independent Person (IP) under b), c) and e) above
- (ii) Determine appeals against refusal to grant dispensations by the Monitoring Officer under a) and d) above

The request made by Cllr Riley is therefore directly referred to the Review Committee for consideration with a recommendation from the Monitoring Officer because the request is made under c) and e) above.

Disclosable Pecuniary Interest (DPI)

These are defined by Section 30(3) of the Localism Act 2011 and by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and include:

- Any beneficial interest in land which is within the area of the relevant authority (**Document 7**).

A Member knowingly having a DPI in any matter to be considered at a meeting of the Council (or one of its committees, sub committees, joint committees or joint sub committee or a Task and Finish Group) must not take part in any discussion or vote at the meeting under Section 31 of the Localism Act.

Cllr Riley's DPI arises because of the close proximity of his home address to a Site identified in the Draft New Local Plan (**Document 8**). The impact of site H10 on the home address is worsened because the scheme proposed for the land, which is currently an open field green belt area of land, proposes the construction of over 400 houses and a new relief road which exits the site at a T – Junction which is opposite to the home owned and occupied by Cllr Colin Riley.

This can be shown on the proposal plan submitted by the developer Barratts Homes which was considered by the Task and Finish Group on 2 November 2015 (**Document 9**).

Cllr Colin Riley has previously declared an interest arising from his address and decided not to participate in council business related to the preparation of the Draft New Local Plan.

Restriction on Voting

It is relevant to consider those Members on the Council who are restricted from voting on the Draft New Local Plan and below shows the proportions:

Conservative = 23 - 6 = **17 x Members not restricted**

Canvey IIP = 13 - 1 = **12 x Members not restricted**

UKIP = 3 - 1 = **2 x Members not restricted**

Independent = 2 Members = **None restricted**

Total eligible to Vote = 33 x Members

This proportion means that only 8 Members, including Cllr Colin Riley, are currently restricted from voting on the Draft New Local Plan due to a variety of different interests and relationships with outside parties. This means that 33 Members of the Council are entitled to participate and vote and shows that 80.5% of the Council is entitled to take part and vote in the council business related to the Draft New Local Plan.

Recommendation made by Monitoring Officer

In determining the request made by Cllr Colin Riley the Review Committee must take into consideration any statutory advice which is received by the Monitoring Officer in relation to Chapter 7 of Part 1 of the Localism Act 2011 and the Constitution, governance, conduct and probity and the relevance of any Member interest which has been disclosed by Cllr Colin Riley in the Register of Interests or at any council meeting and must consult with the Independent Person before taking any decision.

The Review Committee should consider the following factors:

1. The home address of Cllr Colin Riley is adjacent to H10 and will be impacted by any decision which is made to include or not include site H10 in the Draft New Local Plan.
2. This impact is worsened by the creation of the relief road and the priority T - Junction next to his home address at 164 Daws Heath Road which will cause noise, traffic and annoyance and inconvenience during the construction phase and beyond.
3. Cllr Colin Riley has recorded the location of his home address in the Register of Interests and declared a prejudicial/ disclosable pecuniary interest on previous occasions over the past 5 years and decided not to participate in any council business related to the Draft New Local Plan and his circumstances have not changed.
4. All Members must serve the public interest and uphold the law, and, a member of the public knowing all the relevant facts, would view the interest relating to his address as likely to prejudice his judgment of the public interest.
5. 80.5% of Council Members are not restricted from voting and there is no requirement for Cllr Colin Riley to make the request for a dispensation.
6. All Members are Councillors for the whole of the Borough of Castle Point and should act in the best interests of all residents living in the Council's area.
7. The principal duty placed on a Member is to observe Section 33(4) of the Localism Act and not participate in council business where there is a prejudicial / disclosable pecuniary interest, or other conflict of interest, and the power to grant a dispensation is ancillary to this principal duty and purely discretionary.
8. A Member should at all times avoid the appearance of bias or predetermination in the preparation of the Draft New Local Plan and any voting by a Member with a recordable interest, such as a home address next to a large housing land site identified in the Draft New Local Plan, will come under intense scrutiny by any interested parties including landowners, developers and objectors.
9. There is no appropriate or sufficient reason to exercise the discretion in the circumstances of this request.

The recommendation therefore is that this request should be declined for these reasons.

This report and accompanying documents together with the written request for dispensation will be made available for public inspection and form part of any request which is reported to the Review Committee for their consideration.

Andrew Roby Smith MA BA (Hons) Dip LG PG Cert LCGI

Solicitor to the Council / Monitoring Officer

24 November 2015



Addendum advisory consultation note by the Independent Person

I have read the written request submitted by Cllr Colin Riley for a dispensation and considered the recommendation made by the Monitoring Officer and concluded that:

1. The request has been submitted in the correct form and should be assessed in accordance with Section 33(2) c) and e) of the Localism Act.
2. Cllr Colin Riley has described his land in the Register of Interests and it is adjacent to site H10 – Land East of Rayleigh Road
3. There is no doubt that should site H10 be included in the New Local Plan that the enjoyment and use of the land as a home will be affected by the large scale housing development proposed for the site including the creation of the relief road and T-Junction next to this address, and, if the restriction on voting is removed Cllr Colin Riley would be able to influence any decision in his personal favour.
4. Cllr Colin Riley has declared a prejudicial / disclosable pecuniary interest arising from his ownership and occupation of this land on frequent previous occasions when acting as a councillor and transacting council business.
5. There has been no significant change in circumstances and Cllr Colin Riley has not, during the long and complex process of preparing the Draft New Local Plan over the previous 5 years, made any previous attempt to obtain a dispensation.
6. The vast majority of the public knowing the relevant facts would rightly think that the judgment of any person with an address or landholding in such close proximity to such a major housing land site and new road access would be swayed.
7. Council business is not impeded by the restriction placed on Cllr Colin Riley by his recorded interest in the land forming his home address as the overwhelming majority of Members can participate and vote at the Council meeting on 9 December 2015.

Accordingly, I am not persuaded that it is either necessary in the interests of residents living in the Council's area under Section 33(2)c or appropriate under Section 33(2)e to grant a dispensation in this instance.

Paul Ramsden BSc(Hons), DTS, DMS, MCTSI

Independent Person duly appointed under Section 28 Localism Act 2011

25 November 2015

LIST OF DOCUMENTS

Document 1



00206B99620815112
6152013.pdf

Document 2



00206B99620815112
6152031.pdf

Document 3



00206B99620815112
6152052.pdf

Document 4



00206B99620815112
6152112.pdf

Document 5



00206B99620815113
0143107.pdf

Document 6



00206B99620815112
6152129.pdf

Document 7



00206B99620815112
6152139.pdf

Document 8



00206B99620815112
6152148.pdf

Document 9



00206B99620815112
6152201.pdf

Councillor Colin Riley

Member for Victoria Ward
Leader of the Council

1



164 Daws Heath Road
Thundersley
Benfleet
Essex SS7 2TB

Telephone: 01702 552775
Email: c/r.riley@castlepoint.gov.uk

Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex. SS7 1TF

Telephone: 01268 882425
Fax: 01268 882394

3rd November 2015

04 NOV 2015

LEGAL SERVICES

Monitoring Officer
Castle Point Borough Council
Kiln Road
Thundersley
Benfleet
Essex SS7 1TF

Dear Sir,

Request for Dispensation – Draft New Local Plan

As the Statutory Officer responsible for advising on Members' Interests, I detail below the reasons for my request for a dispensation against the declarable interest made by myself on 15th June 2015 under the Code of Conduct as "my home address, 164 Daws Heath Road, is adjacent to a (green belt) housing site".

The request is based upon the following:

During the 34 years I have lived at this address many proposals have come forward for possible development including the Stibbards owned Cottage Plantation, the golf course proposal, the Little Havens Hospice, land adjacent to Ragwood Riding Stables, Cooks Farm, the original 900 home site included in the councils Core Strategy and the Barrett proposal (Site H10 – Land East of Rayleigh Road) now shown in the draft local plan.

None of these proposals including the only site developed to date, Little Havens, has impacted on the value of my home.

During my time in 164 Daws Heath Road, and since I was elected to the council in 1999, the Local Plan process has over seen over 400 sites included in the draft proposal across the Borough, many of them in prime green belt, but no certainty that any of them will come forward for development.

Of the residents who responded to their Local Plan survey, over 90% have stated that green belt should not be developed ahead of brownfield or previously developed green belt.

Because of the infrastructure deficit Castle Point suffers across the borough there is no certainty that any of the sites will be brought forward.

Turning to the changes in the Localism Act, the Government's intention for openness was to allow councillors to be able to fully represent residents who elected them on proposals of major importance. This was further reinforced by the localism minister Eric Pickle's in both Parliament and at public presentations.

In my own case, and during my re-election in May, the electorate had a different expectation of the representation councillors will bring to major decisions in my ward.

The Local Plan is one of the most important decisions the Council will be called upon to make in the next 20 years, which in itself means we need to ensure an even proportion of councillors are allowed to be included.

As an experienced councillor for more than 16 years, many of those years in a senior position, I have been called upon to support many decisions "for the good of the community & Castle Point" regardless of my personal or declarable interests.

Of the 33 councillors currently eligible to vote on the Local Plan, 15 represent Canvey and 18 on the mainland. Regardless of the political representation this is a real imbalance and voting over representation on Canvey Island. My inclusion will allow a very experienced main land councillor to rebalance residents views.

I believe the current legislation allows a dispensation to be granted for up to four years, so that I can fully represent the residents in Victoria Ward who elected me for a further electoral term, without detriment to my current interest arising from my property address at 164 Daws Heath Road.

Yours faithfully,



Cllr Colin Riley
Leader of the Council

cc. Cllr Jeff Stanley
David Marchant

Cllr Colin Riley
Leader of the Council
164 Daws Heath Road
Thundersley
Benfleet
Essex SS7 2TB

Date: 4 November 2015
Our Reference:
Your Reference:

Dear Cllr Riley

Dispensation from section 31(4) Localism Act – Restriction on Voting

I refer to your request for dispensation dated 3 November 2015 related to your disclosable pecuniary interest arising in connection with the Land East of Rayleigh Road identified as site H10 in the draft new local plan. I shall now consult with the Independent Person and prepare the necessary report. The circumstances under which the authority may grant a dispensation are contained in section 33(2) and your request will receive consideration in accordance with the relevant sections of the Act.

Please be advised that any report made by myself as the proper officer of the authority will be an accountable document and will be available for public inspection.

Should you have any questions regarding the action which is required to be taken under the Act please do not hesitate to contact me.

With kind regards

Yours sincerely



Andrew Roby Smith
Strategic Director and Monitoring Officer

01268 882433 (Direct line)
asmith@castlepoint.gov.uk

CASTLE POINT BOROUGH COUNCIL

REGISTER OF MEMBERS' INTERESTS

GENERAL NOTICE OF REGISTERABLE INTERESTS

1. CUR COUNTRY

A member of Castle Point Borough Council, set out below under the appropriate headings my interests, which I am required to declare under the Localism Act 2011 and the Council's Code of Conduct and I have put "none" where I have no such interests under any heading.

| <u>Disclosable Pecuniary Interests</u> | |
|--|-------------|
| <p>Members are required to register not only their own interests under this heading but also those of their husband or wife, civil partner or of any person with whom they are living as if husband and wife or as civil partners when such interests are known by them</p> | |
| <p><u>Employment, office, trade, profession or vocation</u></p> <p>1. Your employment, office, trade, profession or vocation carried on by you or those persons referred to above for profit or gain (includes any payments or benefits in kind which are subject to Income Tax).</p> | <p>NONE</p> |
| <p><u>Sponsorship</u></p> <p>2. Any payment or provision of any other financial benefit (other than for your authority) made or provided within the</p> | <p>NONE</p> |

| | |
|--|--|
| <p>last 12 months in respect of expenses you have incurred in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992</p> | <p>NONE</p> |
| <p><u>Contracts</u></p> <p>3. A description of any contract for goods, services or works made between your authority and you or the persons referred to above (or a body in which you or they have a beneficial interest) and which has not been fully discharged</p> | <p>NONE</p> |
| <p><u>Land</u></p> <p>4. Any land in your authority's area in which you have a beneficial interest</p> | <p>164 DOWS HEATH ROAD BENFLEET, ESSEX SS7 2TB</p> |
| <p><u>Licences</u></p> <p>5. Any land in the authority's area for which you or the persons referred to above have a licence (alone or jointly with others) to occupy for a month or longer</p> | <p>LAND ADJACENT TO 164 DOWS HEATH ROAD RENTED FROM STIBBARD PARTNERS) (DOWS HEATH PLANTATION)</p> |

| | |
|--|--|
| <p><u>Corporate Tenancies</u></p> <p>6. Any tenancy where to your knowledge the landlord is your authority and the tenant is a body in which you or a person referred to above has a beneficial interest</p> | <p>NONE</p> |
| <p><u>Securities</u></p> <p>7. The name of any person or body in which you or a person referred to above has a benefit interest in securities of that body where:</p> <p>(a) that body to your knowledge has a place of business or land in the area of your authority; and</p> <p>(b) either-</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issue share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or a person referred to above has a beneficial interest exceeds one hundredth of the total issue share capital of that class</p> | <p>SAUSBURY HONEY LTP 164 DOWS HEATH ROAD BENFLEET ESSEX SS7 2TB</p> |

Other Pecuniary Interests

Members are only obliged to register their own interests under this heading and do not need to include the interests of husbands/wives/civil partners or others

| | |
|--|----------------------------|
| <p>1. The name of the person who employs or has appointed you, the name of any firm in which you are a partner, and the name of any company for which you are a remunerated director.</p> | <p>SALISBURY HOMES LTD</p> |
| <p>2. A description of any contract for goods, services or works made between your authority and you (or a body in which you or they have a beneficial interest) and which has been fully discharged within the last 12 months</p> | <p>NONE</p> |

Registerable Non-Pecuniary Interests

Members are only obliged to register their own interests under this heading and do not need to include the interests of husbands/wives/civil partners or others

| | |
|---|------------------|
| <p>1. Your membership of or the fact that you are in a position of general management and control of any body:-</p> <ul style="list-style-type: none"> a. to which you have been appointed or nominated by your authority b. exercising functions of a public nature c. directed towards | <p>FREEMASON</p> |
|---|------------------|

| | |
|---|--|
| charitable purposes d. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) | MEMBER OF HADWORTH & THUNDERSLEY CRICKET CLUB MEMBER OF THE CONSERVATIVE PARTY |
| 2. The name of any person from whom you have received a gift or hospitality with an estimated value of at least £50 | Hadw. HADWORTH & THUNDERSLEY CRICKET CLUB, HOSPITALITY EVENT. £75.00 |

d: I AM A MEMBER OF THE CASTLEPOINT CONSERVATIVE ASSOCIATION WHOM HAVE PAID MY ELECTION EXPENCES FOR THE COUNCIL ELECTION ON 7-05-15. AMOUNTING TO £411.62P.

 17/8/15

I recognise that it may be an offence under the Localism Act 2011 to:-


- (1) omit information that ought to be given in this notice;
- (2) provide information that is materially false or misleading;
- (3) fail to give further notices in order to bring up to date information given in this notice after my re-election or reappointment or to fail to declare a disclosable pecuniary interest that I acquire after the date of this notice and have to declare under the provisions of s. 31 (2) Localism Act 2011.

I also acknowledge that it may be a breach of the Code of Conduct to:-

- (1) omit information that ought to be given in this notice;
- (2) provide information that is materially false or misleading;
- (3) fail to provide written notification to the authority's monitoring officer of any change in my interests contained in this notice within 28 days of my becoming aware of such change of circumstances

Signed :

Date:

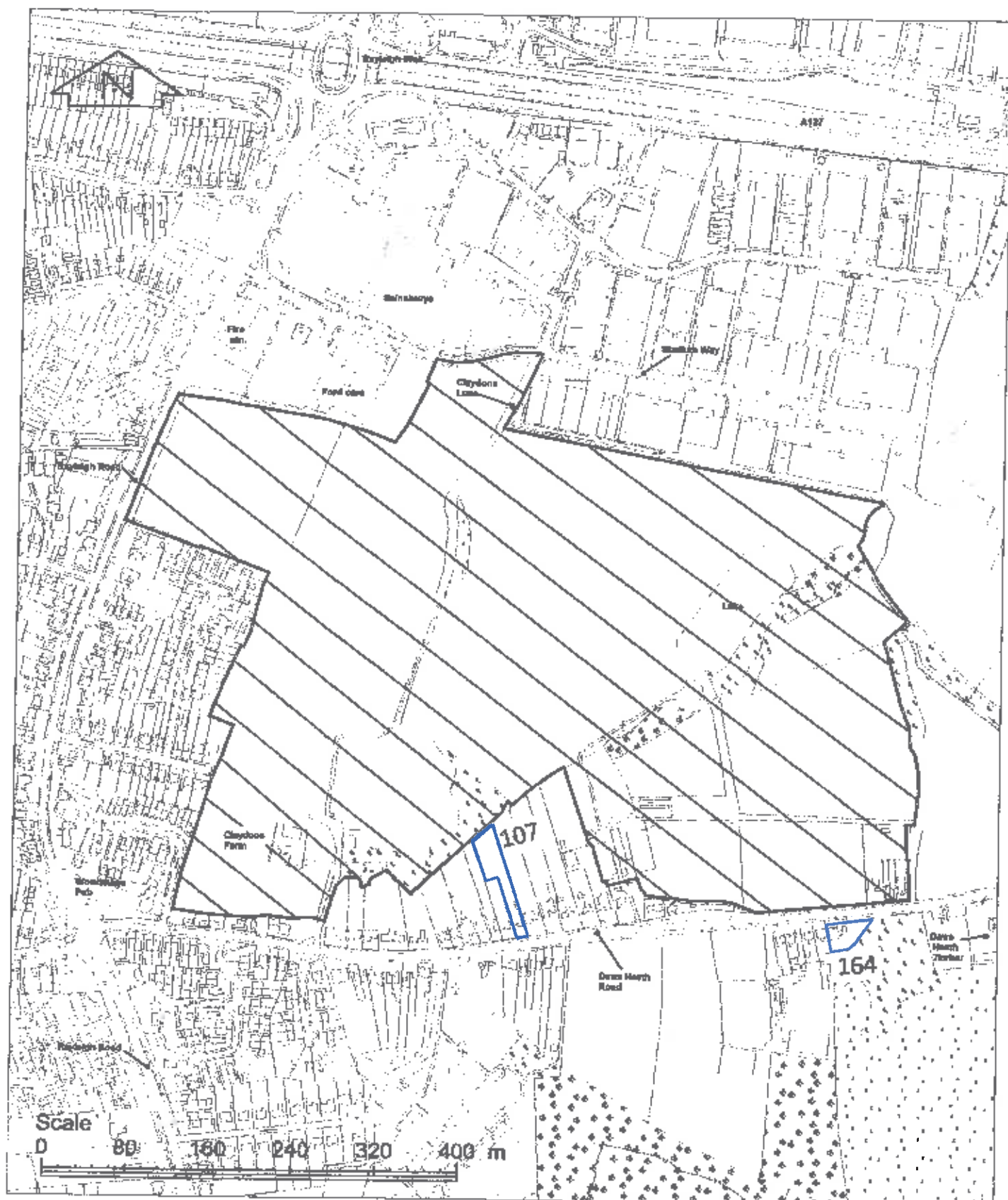

22/5/15.

RECEIVED

Signed:

Proper Officer of Council

Date:



Site location plan

H10 area outlined in red

Scale 1:5000

25th November 2015

**Councillor Riley****Schedule of Declaration of Interests**

| Minute No | Meeting | Item |
|------------------|-------------------------------|---|
| 29 | Ordinary Council 27.9.2011 | Members Interests |
| 31 | Ordinary Council 27.9.2011 | Consideration of Recommendations from Cabinet – Local Development Framework |
| 39 | Ordinary Council 15.1.2014 | Members Interests |
| 44 | Ordinary Council 15.1.2014 | New Local Plan Draft for Consultation |
| 1 | Cabinet 17.6.2015 | Members Interests |
| 8 | Cabinet 17.6.2015 | Notice of Motion Local Plan |
| 13 | Ordinary Council 22.7.2015 | Members Interests |
| 26 | Ordinary Council 22.7.2015 | Notice of Motion |



ORDINARY COUNCIL MINUTES

27TH SEPTEMBER 2011

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 27th September 2011.

PRESENT:

Councillors Mrs J.E.E. Govier (The Worshipful the Mayor), P.M. Burch, (Deputy Mayor), J. Anderson, L.J. Barrett, C.N. Brunt, , Mrs P.A. Challis, D.T. Cross W.J.C. Dick, E. Egan, Mrs P.D. Freeman, Mrs W. Goodwin, R.C. Harvey, R.C. Howard, Mrs A.M. Iles, Mrs E.J. Isaacs, Mrs J. King, N.E. Ladzrie ; P.J. May, J.A. Payne, Mrs J. Payne, A. Partridge, C.G. Riley, W.K. Sharp, A.G. Sheldon, T.F. Skipp, N.G. Smith, J.A. Stanley, M.J.A. Tucker, Mrs L. Wass, Mrs G. Watson, N. Watson, B.S. Wood.

Apologies for absence were received from Councillors D.A. Blackwell A.R. Cole, B. Dixie, Mrs B. Egan, P.C. Greig, G.I. Isaacs, Mrs J. Liddiard, A.C. Walter and Mrs A.R. Wood

29. MEMBERS' INTERESTS

Councillors Barrett, Howard, Riley, Sharp and Mrs. Wass declared personal and prejudicial interests in respect of Minute 31 below these Councillors left the Chamber and took no part in the vote or deliberations on this item.

Councillors Mrs Challis, Dick, Mrs Govier, Skipp, Smith, Stanley, Mrs Watson and N. Watson declared personal interests in the same item.

30. MINUTES

The Minutes of the meeting of the Ordinary Council held on 13th July 2011 were taken as read and signed as a correct record. The Mayor signed the Minutes.

31. CONSIDERATION OF RECOMMENDATIONS FROM CABINET- LOCAL DEVELOPMENT CORE STRATEGY (LDF)

At the meeting of the Cabinet on 21st September 2011 a report on work undertaken to progress the LDF Core Strategy, including the Member

Conference held on 12th and 13th September 2011 was before the Cabinet for consideration.

The report advised on the steps that now needed to be taken to respond to the issues raised in the Planning Inspector's letters of 11 May, 7 June and 6 July 2011.

Cabinet decided to refer the report to Council for full debate with the following statement –

The Conservative Group are concerned about the impact of the Core Strategy on the Green Belt in the Borough. We feel that the current advice coming from Government regarding planning emphasises the importance of protecting green spaces whilst at the same time planning for growth.

We call on Rebecca Harris our MP to arrange a special meeting with the Rt Hon Greg Clark MP, Minister of State for Planning to receive a delegation from the Council to clarify the current position.'

The Cabinet report is attached. The report set out two options for consideration on how the Council could proceed:

Option 1 was to amend the amend the Core Strategy having regard to the information set out in the report, to identify those sites as described in Section 9 of the report to ensure that there was sufficient and flexible housing land supply in the borough to address the issues raised by the Inspector, and make other changes as described in Appendix 2. If this option was pursued, the examination could continue, and there is a reasonable likelihood of receiving report identifying the Core Strategy as sound in the Spring of 2012.

Option 2 was to withdraw the Core Strategy. A considerable amount of the background work and evidence prepared so far would need to be refreshed. This would require substantial investment in preparing new background studies, preparing new policy documents, and then undertaking further consultation. It was likely that this could take a period of up to two years.

During this period the Council would not have an up-to-date development plan, nor an identified five-year supply of housing land, and so could be open to the presumption in favour of housing development set out in current planning policy and in the draft NPPF.

It was also clear from the recent policy announcements from the Coalition Government that it expected local authorities to have up-to-date plans in place as quickly as possible in order to facilitate growth, in the national interest.

The report also identified the risks inherent with these options these are set out below:

'With regard to option 1, it is recognised that this may prove unpopular. However, It is considered that there are substantial risks with not pursuing this option that

will result in even less desirable consequences for the Council. The risks associated with option 2 are listed as follows:

- Without a plan in place the Council will not have a clear and established position with regard to housing need. This will enable developers to use other sources of evidence to try to suggest that there is a higher need for housing in Castle Point.
- The presumption in favour of sustainable development could result in development happening anyway because the Council is unable to identify a five year housing land supply. This development may occur on any number of Green Belt sites across the Borough and could well be granted on appeal.
- Where there is no plan for housing development, and where applications are refused, the opportunity for community benefits from Section 106 agreements may be lost; furthermore the Council will be unable to put a Community Infrastructure Levy in place because there will be no spatial plan on which to base it.
- Failure to put a plan in place may result in the development industry losing confidence in Castle Point. This will have an impact on proposals such as the regeneration of town centres.
- There are also some specific risks associated with failing to identify, within the housing land supply, those sites which may be deliverable. The promoters of such sites will have undertaken work to demonstrate that their sites are deliverable and will therefore have evidence to challenge the Council's position in front of the Planning Inspector. Provided that the Council proposes those sites identified in Section 9 of this report, it will have identified a sufficient and flexible housing land supply as required by the Planning Inspector, and the Council will be in a good position to defend both its evidence base and decision making process.'

The following Motion was MOVED and SECONDED

'This Council resolves to withdraw the Core Strategy from the Inspectorate to await the outcome of the National Planning Policy Framework and to understand how this will work under the new Localism Act. This Council with the help of the local community resolves to protect the Green Belt, where possible, and to start work forthwith to prepare a local plan based on neighbourhood projections. This Council further resolves to start early meaningful engagement with the local community to help the Council shape the future of the Borough.'

Debate took place at the conclusion a vote was taken. The Motion was CARRIED.

Resolved:

1. To withdraw the Core Strategy from the Inspectorate to await the outcome of the National Planning Policy Framework and to understand how this will work under the new Localism Act.

2. With the help of the local community to protect the Green Belt, where possible, and to start work forthwith to prepare a Local Plan based on neighbourhood projections.
3. To start early meaningful engagement with the local community to help the Council shape the future of the Borough.

32. MAYOR'S ANNOUNCEMENTS

The Mayor thanked all those who had taken part in the Civic Service on Sunday 18th September 2011.

The Mayor also extended best wishes to the immediate Past Mayoress Carole Cross who was recovering from serious illness. Councillor Cross thanked the Council for their good wishes and messages of support.

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

There were none.

34. PRESENTATION

Chief Superintendent Gwynneth Williams presented information to the Council on the new policing arrangements for Essex and the implications for the Borough's residents. During questions following the presentation, the Chief Superintendent reassured the Council that there would be adequate support to maintain effective policing of the Borough.

The Council thanked the Chief Superintendent for her presentation.

35. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

36. ANY REFERENCES FROM THE SCRUTINY COMMITTEE IN RELATION TO CABINET DECISIONS.

There were none.

37. CONSIDERATION OF RECOMMENDATIONS FROM THE STATUTORY COMMITTEES

There were none.

38. REPORT OF THE LEADER OF THE COUNCIL

The Leader of the Council reported to Council on the work of the Partnerships with which the Council was involved.

The combined Castle Point and Rochford Local Strategic Partnership continued to work well ,a representative from the Castle point consortia of local doctors had joined the partnership recently.

The new joint Community Safety Partnership with Rochford was also being formed. The voluntary sectors of Castle Point and Rochford were also in the process of jointing together to add value to volunteering for both Local Authority areas.

39. STATEMENT OF ACCOUNTS FOR 2010/2011

The Council considered a report containing the financial out-turn results and audited Statement of Accounts for approval by Council.

The Statement of Accounts had been prepared in accordance with the Accounts and Audit Regulations 2011 and the Code of Practice on Local Authority Accounting in the United Kingdom 2011 and associated guidance.

The accounts had been audited by the Council's External Auditors PKL and had been available for public inspection.

In order to ensure that the accounts were subject to robust scrutiny additional guidance had been produced. The Council's Treasury Management Activity for 2010/11 had been scrutinised by Cabinet on 20.7.2011. The Accounts were scrutinised by the Audit Committee informally in June.

The Council examined and discussed the audited accounts and concurred with the view that the overall financial results for 2010/11 generally indicated sound budgeting and good budgetary control.

Resolved – following scrutiny:

1. To note the financial results for 2010/11 and explanation for budget variances.
2. To approve the audited Statement of Accounts.

40. QUESTIONS FROM MEMBERS OF THE COUNCIL OF WHICH NOTICE HAD BEEN GIVEN

There were none.

41. NOTICES OF MOTION

Councillor Sharp had given notice of the following:

'This Council, whilst fully supporting the Regeneration of Hadleigh wish to commend the community spirit of the local residents in their desire to retain the Endway Car park as is, and their hopes and wishes for a replacement of the old British Legion Hall with a functioning Community Facility'

The Motion was moved by Councillor Sharp and seconded by Councillor Ladzrie. Debate took place at the conclusion a vote was taken. The Motion was CARRIED

Resolved - whilst fully supporting the Regeneration of Hadleigh to commend the community spirit of the local residents in their desire to retain the Endway Car park as is, and their hopes and wishes for a replacement of the old British Legion Hall with a functioning Community Facility.

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

The Chief Executive reported receipt of a Petition containing 1864 signatures opposing the building of new homes on Jotmans Farm Green Belt land. In the light of the decision made under Minute 31 before

Resolved – to note receipt of the petition.

Mayor



ORDINARY COUNCIL MINUTES

15TH JANUARY 2014

MINUTES of the Ordinary Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley on 15th January 2014.

PRESENT:

Councillors Mrs A.M. Iles (The Worshipful the Mayor), Mrs J.E.E.Govier, (Deputy Mayor), J. Anderson, L.J. Barrett, D.A. Blackwell, P.M. Burch, Mrs P.A. Challis, S.Cole, B.Campagna, D.T. Cross, , Mrs B. Egan, E. Egan, Mrs P.D. Freeman, Mrs W. Goodwin, P.C. Greig, S.Hart, R.C. Howard, G.I. Isaacs, Mrs.J.King N.E.Ladzrie, J.A.Payne, Mrs.J.Payne, A. Partridge, C.G. Riley, A.G.Sheldon, T.F. Skipp, J.A. Stanley, N.G. Smith M.J.A. Tucker, A.C.Walter, Mrs L. Wass, Mrs G. Watson and N. Watson.

Apologies for absence were received from Councillors, Ms G.Barton, C.N. Brunt, A.R. Cole, W.J.C. Dick N.R. Harvey, Mrs J. Liddiard P.J. May and W.K.Sharp.

37. FORMER CHAIRMAN OF THE COUNCIL COUNCILLOR JOHN HACKLING

At the beginning of the meeting the Council stood in silence in tribute to the former Chairman of the Council and Councillor John Hackling who had died.

38. FORMER CHIEF EXECUTIVE BARRY ROLLINSON

At the beginning of the meeting the Council stood in silence in tribute to the former Chief Executive Barry Rollinson who had died recently.

39. MEMBERS' INTERESTS

Councillor Campagna declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 43 Recommendations from the Cabinet- Local Tax Support Scheme 2014/15.

Councillor Barrett declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Mrs King declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as she undertook equestrian activities including stabling and grazing of horses on land adjacent to an employment site in the Draft Local Plan.

Councillor Mrs. Wass declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as her home address was adjacent to a housing site in the Draft Local Plan.

Councillor Hart declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Riley declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Howard declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan and a member of his family owned land forming part of a housing site in the Draft Local Plan.

40. MINUTES

The Minutes of the meeting of the Ordinary Council held on 25th September 2013 and the Special Council meeting on 20th November 2013 were taken as read and signed as a correct record. The Mayor signed the Minutes.

41. MAYOR'S ANNOUNCEMENTS

The Mayor made a short report on events, activities and visits undertaken since the last Council meeting. The Mayor took the opportunity to thank all those involved in arranging the Firework Spectacular; the working visit of the High Sheriff Julia Abel Smith to see work being undertaken on community safety in the Borough; those who contributed to the Mayor's Christmas Parcel Appeal in particular the school children for their Christmas cards and those who delivered the parcels. Finally the Mayor thanked her Chaplain for organising the community carols event to raise funds for Cancer Relief.

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

There were none.

41. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

42. ANY REFERENCES FROM THE POLICY AND SCRUTINY COMMITTEES/ REGULATORY COMMITTEES

There were none.

43. CONSIDERATION OF RECOMMENDATIONS FROM THE CABINET: LOCAL TAX SUPPORT SCHEME 2014/15

The Council considered a report which had been presented to the Cabinet which set out the results of the public consultation on proposed changes to the Council Tax Support Scheme and presented the un-prescribed elements of the Local Council Tax Scheme for approval by Council.

Resolved:

1. To note the summary of responses to the consultation.
2. That the Council approves the existing un-prescribed elements of the Local Council Tax Support Scheme for working age claimants to continue unchanged from 1.4.2014 onwards.

Councillor Campagna having declared a Discloseable Pecuniary Interest under the Council's Code of Conduct left the Chamber during consideration of this item and took no part in the discussion or vote.

44. NEW LOCAL PLAN - DRAFT FOR CONSULTATION

The Council was asked to approve the draft Local Plan for consultation only. In introducing the comprehensive report before the Council the Chief Executive reminded the Council that the draft plan must be based on sound evidence. The Chief Executive drew attention to the corporate implications set out at Section 26 pages 37 to 40 of the report before the Council and highlighted the serious issues and risks to be faced by the community and the Council should the Council fail to progress the Local Plan.

The Head of Regeneration and Neighbourhoods presented the report to the Council emphasising that in approving the plan for consultation this gave every one the opportunity to see and comment on the extensive evidence summarised in the report used to support the Local Plan.

Councillors would continue to be fully engaged in the local plan process with the creation of a Task and Finish group to evaluate the response to consultation and thereafter in master planning of the sites.

The report before the Council took forward two key decisions of the Council the agreed target of 200 new homes a year and the nine sites identified for the first five years housing land supply.

The draft plan had been prepared to comply with requirement of the National Planning Policy framework and was based on objectively assessed evidence summarised in the report.

The Council was reminded that the draft local plan not only addressed housing but also identified provision for new jobs, employment, improvements to infrastructure and the provision and protection of open space. Finally the new local plan would provide the Council with the opportunity to introduce the community infrastructure levy which would ensure that new developments would make proper contribution to improve the infrastructure.

Debate took place at the conclusion a vote was taken.

Resolved:

1. To note the position and implications on the draft Local Plan with regard to land at Glebelands as set out at paragraphs 13.47 to 13.49 of the report.
2.
 - a) To publish for consultation the draft New Local Plan, as attached at appendix 1 of the report, for a period of no less than 6 weeks from the end of January 2014.
 - b) Alongside the draft New Local Plan, publish for consultation the Preliminary Draft Community Infrastructure Levy Charging Schedule for a period of no less than 6 weeks from the end of January 2014.
 - c) Alongside the draft New Local Plan, publish for consultation the draft Reviewed Developer Contributions Guidance SPD for a period of no less than 6 weeks from the end of January 2014.
 - d) Alongside the draft New Local Plan, publish for consultation the draft Reviewed Statement of Community Involvement for a period of no less than 6 weeks from the end of January 2014.
 - e) Make available for public examination the evidence base and supporting documents prepared to inform and accompany the draft New Local Plan and associated documents.
 - f) Officers should undertake further additional work as necessary, in consultation with the Leader of the Council, to fulfil the Duty to Co-operate.
 - g) Officers to report back the results of consultation alongside a revised and finalised New Local Plan to the meeting of the Council in June/July 2014.
3. To agree a revised Local Development Scheme setting out the programme for preparing the New Local Plan and associated planning policy documents.
4. To appoint a Task and Finish Group to review the response to consultation on the draft Local Plan. Membership to reflect the political balance of the Council and to be chaired by the Cabinet Member for Economic Development and Business Liaison.
5. To request Counsel to review the consultation on the draft New Local Plan and advise on the final Local Plan.

6. To appoint a Master Plan Working Group for each site identified for master planning or planning briefs to work with officers, other service providers and developers to prepare a master plan or planning brief for report and formal agreement by the Cabinet. Membership to comprise the Chairman the Cabinet Member for Economic Development and Business Liaison together with Ward Councillors for each site.

Note Planning approval would still be required from the Development Control Committee to progress development in respect of each of the Master Plan sites)

Councillors Anderson and Mrs Watson requested that it be recorded in the Minutes that they had voted against the recommendations.

Councillors Barrett, Mrs King, Mrs Wass, Hart, Riley and Howard each having declared a Discloseable Pecuniary Interest under the Council's Code of Conduct left the Chamber during consideration of this item and took no part in the discussion or vote.

45. REPORT OF THE LEADER OF THE COUNCIL

Given the volume of business to be dealt with at the meeting no report was made to the meeting.

46. NOTICES OF MOTION

There were none.

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

There were none.

Mayor



CABINET

17TH JUNE 2015

PRESENT:

| | |
|----------------------------|------------------------------------|
| Councillor Riley, Chairman | Leader of the Council |
| Councillor Stanley | Responding to Challenge |
| Councillor Dick | Health and Wellbeing |
| Councillor Skipp | Environment & Leisure |
| Councillor Mrs Egan | Homes and Customer Engagement |
| Councillor Howard | Waste, Floods and Water Management |
| Councillor Sharp | Finance |
| Councillor Smith | Regeneration and Business Liaison |

APOLOGIES:

Councillor Isaacs.

ALSO PRESENT:

Councillors: Acott, Anderson, Blackwell, Campagna, Mrs.Govier, Greig, Hart, Hurrell, Ladzrie, Letchford, Maclean, Walter, Mrs G.Watson N.Watson and Wood.

1. MEMBERS' INTERESTS

The following Cabinet Members made declaration of interests pursuant to Part 2 of the Code of Local Conduct for Councillors under Minute 8 Agenda item 7(b) Notice of Motion - Local Plan:

Councillor Howard – home address adjacent to a housing site and daughter is an owner of a housing site

Councillor Riley – home address is adjacent to a (Green Belt) housing site.

Councillor Sharp – Multiple known connections and personal friendships with land owners and developers of (various) Housing Sites in New Local Plan

These members of Cabinet left the meeting for this item and took no part in the vote or discussion. Councillor Stanley chaired the meeting for this item.

A number of Members present at the meeting made declaration of interest as follows:

Councillor Hart declared an interest pursuant to Part 2 of the Code of Local Conduct for Councillors under Minute 8 Agenda item 7(b) Notice of Motion - Local Plan as his home address is adjacent to a (Green Belt) housing site. He left the chamber during consideration of this item.

Councillor Letchford declared an interest pursuant to Part 2 of the Code of Local Conduct for Councillors under Minute 6 Agenda item 6(b) 'New 'Paddling Pool, Concord Beach as Chairman of the Friends of Concord Beach. He left the chamber during consideration of this item.

Councillors Anderson declared an interest under the Code of Local Conduct for Councillors under Minute 5 Item 6(a) Linden Way Recreation Land Request for Allotments as a member of the Big Lottery Committee.

2. MINUTES

The Minutes of the Cabinet meeting held on 18.3.2015 were approved and signed by the Chairman as a correct record.

3. FORWARD PLAN

To comply with regulations under the Localism Act 2011, the Leader of the Council presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter 2015. The plan was reviewed each month.

Under this item the Chairman announced the dates of the first round of Community Forum meetings as follows:

July 8th Thundersley
July 13th Hadleigh
July 20th Benfleet
July 21st Canvey East
July 27th Canvey West

Resolved – To note and approve the Forward Plan.

4. FOOD SAFETY SERVICE PLAN

Cabinet considered a report seeking approval of the Council's Food Safety Service Plan for 2015/2016

Resolved:

To approve the Food Safety Service Plan for 2015/16

5. LINDEN WAY RECREATION LAND – REQUEST FOR ALLOTMENTS

Cabinet considered a request from the Big Lottery Committee to use part of the Council owned recreation land in Linden Way, Canvey Island for allotments.

Resolved:

To give in principle support to the disposal of part of the recreation land in Linden Way including the gun site for allotments to Canvey Town Council and that consultation on the proposal be undertaken through the Community Forum meetings for Canvey East and Canvey West.

6. "NEW PADDLING POOL, CONCORD BEACH

Cabinet considered a report advising of the outcome of the independent safety audit of the "new" paddling pool at Concord Beach commissioned by the Council following completion of its pre-season works.

Resolved:

1. To note the recommendations in the QLM report; and that
2. Officers explore the feasibility and indicative cost of designing and installing a pontoon style walkway and report back to Cabinet at the earliest opportunity.
3. The above Cabinet decisions together with the reports are presented as evidence to the Scrutiny Committee in its review to provide public reassurance of the safety of the Concord Beach Paddling Pool.

7. HOUSING REPORT

The Cabinet received a progress report on the Housing Service. Members were pleased to acknowledge the progress and achievements of the Service and expressed their gratitude to staff for their efforts.

Resolved:

1. To note the progress and achievements of the Housing Service.
2. To authorise the procurement of contractors to clear the garage site at St Christopher's Close and to construct the properties in accordance with the planning permission dated the 12th December 2014 and for the Council to enter into a contract upon such terms and conditions as considered appropriate by the Head of Law with the successful contractors
3. To authorise the progression of a procurement process to identify a suitable architect to work with the Council on the next phases of housing land development and for the Council to enter into a contract with the successful consultant as further detailed in paragraph 6.6.
4. To authorise the procurement of a new Housing Management system and for the Council to enter into a contract upon such terms and conditions as considered appropriate by the Head of Law with the successful contractor

8. MOTION TO COUNCIL – NEW LOCAL PLAN

Councillor Stanley chaired the meeting for this item.

The Cabinet considered a report on the Motion put to Council on 25th March regarding the Local Plan.

Resolved:

To refer the report and the Notice of Motion to the New Local Plan Task and Finish Group for report back and consideration by Council with the recommendations of the Task and Finish Group on the response to consultation on the new Local Plan.

Councillors Howard, Riley, Sharp and Hart having declared interests see Minute 1 were not present during consideration of this item.

**9. REGENERATION OF HADLEIGH TOWN CENTRE -
HADLEIGH TOWN CENTRE ISLAND SITE**

The Cabinet received a report seeking approval to the selection of Hollybrook Ltd as the preferred partner in taking forward the redevelopment of the Hadleigh Town Centre Island site, and to commence negotiations regarding the disposal of relevant Council assets.

Resolved: To note the content of this report and

1. Approve the selection of Hollybrook Ltd as the preferred partner in taking forward the redevelopment of the Hadleigh Town Centre Island site
2. Approve commencement of negotiations with the preferred partner to dispose of the Council's interest in the Former Crown Public House and any associated nearby assets necessary to bring forward a successful redevelopment scheme.
3. Authorise the Chief Executive following consultation with the Leader, Deputy Leader of the Council and the Cabinet Member for Regeneration and Business Liaison to enter into a Contract with Hollybrook Ltd upon such terms and conditions as considered appropriate by the Head of Law.

10. EQUALITY SCHEME REVIEW

The Cabinet considered an Annual Report on how the Council was meeting its equality objectives set out in the Council's Equality Scheme 2014 to 2019.

Resolved: to note the contents of the report.

11. FINANCIAL UPDATE

The Cabinet received a report presenting the latest position in relation to the General Fund financial forecast for the period 2015/20.

Resolved: To note the report.

12. ANNUAL REFRESH OF KEY STRATEGIES (RESOURCES)

The Cabinet received a report seeking approval of the Human Resources (HR) Strategy and Workforce Plan and the Asset Management Plan (AMP).

Resolved: To approve and adopt the strategies referred to in the report.

13. CORPORATE SCORE CARD QUARTER 4 2014/15

The Cabinet considered a report setting out the cumulative performance figures for the Corporate Performance Scorecard for quarter 4, 1st January 2015 to 31st March 2015. The report also set out proposals for performance indicators to be monitored for this financial year.

Resolved:

1. To note the report and continue to monitor performance.
2. To agree the proposed indicators for performance monitoring for this financial year as set out in Appendix 2.

14. MATTERS TO BE REFERRED FROM/TO POLICY SCRUTINY COMMITTEES

There were none.

15. MATTERS TO BE REFERRED FROM /TO THE STATUTORY COMMITTEES

There were no matters.

16. EXCLUSION OF THE PUBLIC

Resolved:

To exclude the press and public from the meeting to allow the following item of business to be transacted as it contained exempt information under Paragraph 3 of the Local Government Access to information Variation order 2006

17. TEMPORARY ACCOMODATION

(Exempt Information Paragraph 3 Local Government (Access to Information) (Variation) Order 2006)

The Cabinet considered a report seeking authority from Cabinet for negotiations to be undertaken to purchase a property identified in the report subject to all relevant legal, financial and probity issues being considered to the satisfaction of the Chief Executive.

Resolved:

To agree in principle to the purchase of the property for the purpose of acquiring temporary housing for homeless people subject to all relevant legal, financial and probity issues being considered to the satisfaction of the Chief Executive.

Chairman



ORDINARY COUNCIL MINUTES

22ND JULY 2015

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 22nd July 2015.

PRESENT:

Councillors A.G.Sheldon (Mayor), S.Cole, (Deputy Mayor), A.J .Acott, J. Anderson, A.J.Bayley, D.A. Blackwell, W.J.C. Dick, Mrs B. Egan, E. Egan, Mrs W.Goodwin, Mrs J.E.E.Govier, P.C.Grieg, S.Hart, R.C.Howard, A.J.Hudson, R.Hurrell, G.I.Isaacs, Mrs.J.King, N.E.Ladzrie, C.W.Letchford, C.A.Maclean, P.J.May C.E.Mumford, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, T.F. Skipp, N.G. Smith, M.J.A. Tucker, P.E.Varker, Mrs L. Wass, and B.S.Wood.

Apologies for absence were received from Councillors B.Campagna, D.T. Cross, N.R.Harvey, B.A.Palmer, J.A.Stanley, A.C.Walter, Mrs G.Watson and N. Watson.

13. MEMBERS' INTERESTS

Councillor Sheldon declared a personal interest by reason of the reference to his employer in the Notice of Motion under Item 14 (2) Minute 26 referred.

A number of Councillors having received advice from the Council's Monitoring Officer prior to the meeting declared interests regarding the Notice of Motion under Item 14 (2) Minute 26 referred:

- Councillor Hart declared an interest under Part 2 of the Code of Conduct for Councillors as his home address is adjacent to a (green belt) Housing Site.
- Councillor Mrs. King declared an interest under Part 2 of the Code of Conduct for Councillors in relation to grazing land for horses adjacent to a proposals site shown a business park (Roscommon Way South) in the draft New Local Plan
- Councillor Howard declared an interest under Part 2 of the Code of Conduct for Councillors as his daughter is the owner of a housing site in the new local plan and his home address is adjacent to the site.
- Councillor Mrs. Goodwin declared an interest under Part 2 of the Code of Conduct for Councillors by reason of her personal friendship with owners of a Housing Site.
- Councillor Hudson declared an Interest under Part 2 of the Code of Conduct for Councillors as his home address is adjacent to a (green belt) Housing Site.
- Councillor Sharp declared an interest under Part 2 of the Code of Conduct for Councillors by reason of his multiple known and recorded connections and personal friendships with landowners and developers of

(various)housing sites in the draft New Local Plan. In making his declaration he referred to his friendship and named a particular family.

- Councillor Riley declared an interest under Part 2 of the Code of Conduct for Councillors as his home address is adjacent to a (green belt) Housing Site.
- Councillor Wass declared an interest under Part 2 of the Code of Conduct for Councillors as her home address is adjacent to a (green belt) Housing Site.

14. MINUTES

The Minutes of the meeting of the Ordinary Council held on 25th March 2015 and the Annual Council meeting held on 20th May 2015 were taken as read and signed by the Mayor as a correct record.

15. MAYOR'S ANNOUNCEMENTS

The Mayor reported that he was enjoying his first months in office and was extremely impressed by the valuable work being undertaken by the various community groups across the Borough.

The Mayor was honoured to preside over the Armed Forces Event which took place at the Council offices on 22.6.2015 and was delighted to be part of the Armed Forces Day event held on Canvey Island on 27.6.2015.

Finally the Mayor thanked all those involved in the Castle Point Show held on 5.7.2015 for a successful and enjoyable day.

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

There were none.

17. PRESENTATION: VEOLIA NORTH THAMES TRUST

Robin Squire gave a presentation on the Veolia North Thames Trust. Castle Point Borough Council was a full trustee of the Trust a statutory scheme established under the landfill communities fund. The Trust had provided support to projects valued at over £12 million across the North Thames area. A list of schemes which had been funded by the Trust was circulated. Mr. Squire highlighted support for Council projects including the refurbishment of Waterside Farm and the repair of the skate board park. Other projects included funds to restore St Mary's at Benfleet; support for the Essex Marching Corps and funding for the Bay Museum.

Mr Squire advised that the landfill communities fund was under review and he requested the Councillors' assistance in taking every opportunity to promote the success of the Trust to secure continued benefit for the community. He invited Councillors to pass on details of projects worthy of support to the Trust.

In questioning Mr Squire a number of Councillors took the opportunity to thank the Trust for its support for various Castle Point projects.

The Mayor thanked Mr. Squire for his presentation.

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

There were none.

19. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING:

At the meeting of the Council on 25.3.2015 a Notice of Motion regarding a Local Plan was adjourned without discussion to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

The Cabinet meeting on the 17.6.2015 considered a report on the budget implications of the Motion. Cabinet decided to refer the report and the Notice of Motion to the New Local Plan Task and Finish Group for report back and consideration by Council with the recommendations of the Task and Finish Group on the response to consultation on the new Local Plan.

Resolved - to note the report.

20. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

**21. ANY REFERENCES FROM THE REGULATORY COMMITTEES:
GAMBLING ACT 2005- REVIEW OF GAMBLING LICENSING POLICY**

Council considered a recommendation from the Licensing Committee held on 30.4.2015 to adopt a revised Gambling Licensing Policy Statement.

Under the terms of the Gambling Act 2005, the Council's Gambling Licensing Policy had to be reviewed every three years. The third review was now due and had been undertaken by the Licensing Committee.

The Committee was mindful of the consultation being undertaken by the Gambling Commission on guidance to local authorities which was proposing significant changes. However there would be insufficient time to complete the review once the revised guidance was issued by the Gambling Commission.

Therefore Licensing Committee decided to adopt the current policy, with the addition of the amendments made by the Gaming Machine (Amendment) Regulations 2014 that came into force on the 15th January 2014. This new revised policy would then be valid for the next three year period (January 2016 to January 2019).

Resolved – to adopt the revised Gambling Licensing Policy Statement.

22. CHANGE OF MEMBERSHIP OF A POLITICAL GROUP

Notice had been received that Councillor Brian Wood had joined the Conservative Group on the Council. He was no longer an Independent member of the Council and was not entitled to the seat allocated to him on the Development Control Committee at the Annual Meeting.

Council was asked to appoint one of the two independent members Councillor Hurrell or Councillor Letchford to the vacant seat on the Committee

With regard to the political balance calculation of the Council there was a small adjustment. The seat allocated on the Wellbeing Policy and Scrutiny Committee to an Independent Member was now transferred to the Conservative Group. As Councillor Wood was appointed to the seat no change was necessary.

Resolved:

1. To appoint Councillor Hurrell (Independent) to the vacant seat on the Development Control Committee.
2. To note the adjustment to the political balance calculation of the Council.

23. REPORT OF THE LEADER OF THE COUNCIL

The Leader of the Council reported to the Council on the completion of the first round of Community Forum meetings where residents had received updates on recycling and street scene.

The Leader of the Council briefed Council on the recent meeting with the Minister of State for Housing and Planning Brandon Lewis MP and the intention to complete the work of the Task and Finish Group for consideration at the December Council meeting.

The Leader of the Council informed the Council that testing was being carried on the model contained in the Integrated Urban Drainage Study on Canvey Island which would be used to support bids for funding improvements to the drainage system. The Leader took the opportunity to thank officers for their work to assist residents to protect their properties from flooding.

The Leader of the Council brought the Council up to date of the progress being made on devolution and the regular meetings taking place to explore a combined authority for Greater Essex.

The Leader of the Council reported that he had revised with their agreement the Cabinet responsibilities for Councillors Stanley and Sharp.

The Leader of the Council took the opportunity to acknowledge the work of the voluntary services. Referring in particular to the CAB, the Leader gave an assurance that additional funding for a particular challenge faced by the CAB this year would be forthcoming after the August Cabinet meeting. As the Leader's Fund had already been used up through his commitment to help voluntary groups in the Borough.

24. LOCAL COUNCIL TAX SUPPORT SCHEME 2016/17 – OPTIONS AND CONSULTATION ARRANGEMENTS

Members were asked to consider a report setting out options for consultation in relation to the 2016/17 Local Council Tax Support Scheme. The financial implications associated with the scheme were highlighted in report before the Council. The final scheme was to be brought back to Council for approval later in the year.

Resolved:

1. To note the financial implications included in section 8, and the scheme models at Appendix B of the report.
2. To approve the elements set out in paragraph 6.1 of the report for consultation.

25. NOTICES OF MOTION

Councillor Howard had given notice of the following:

'Castle Point Council supports the completion of the final phase of Roscommon Way as a priority to improve the transport infrastructure on Canvey Island. Castle Point Council calls on Essex County Council, the Highways Authority to give priority to placing this scheme in a programme to be progressed and implemented as soon as possible.'

The Motion was MOVED and Seconded.

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

26. NOTICES OF MOTION

Councillor Dick has given notice of the following:

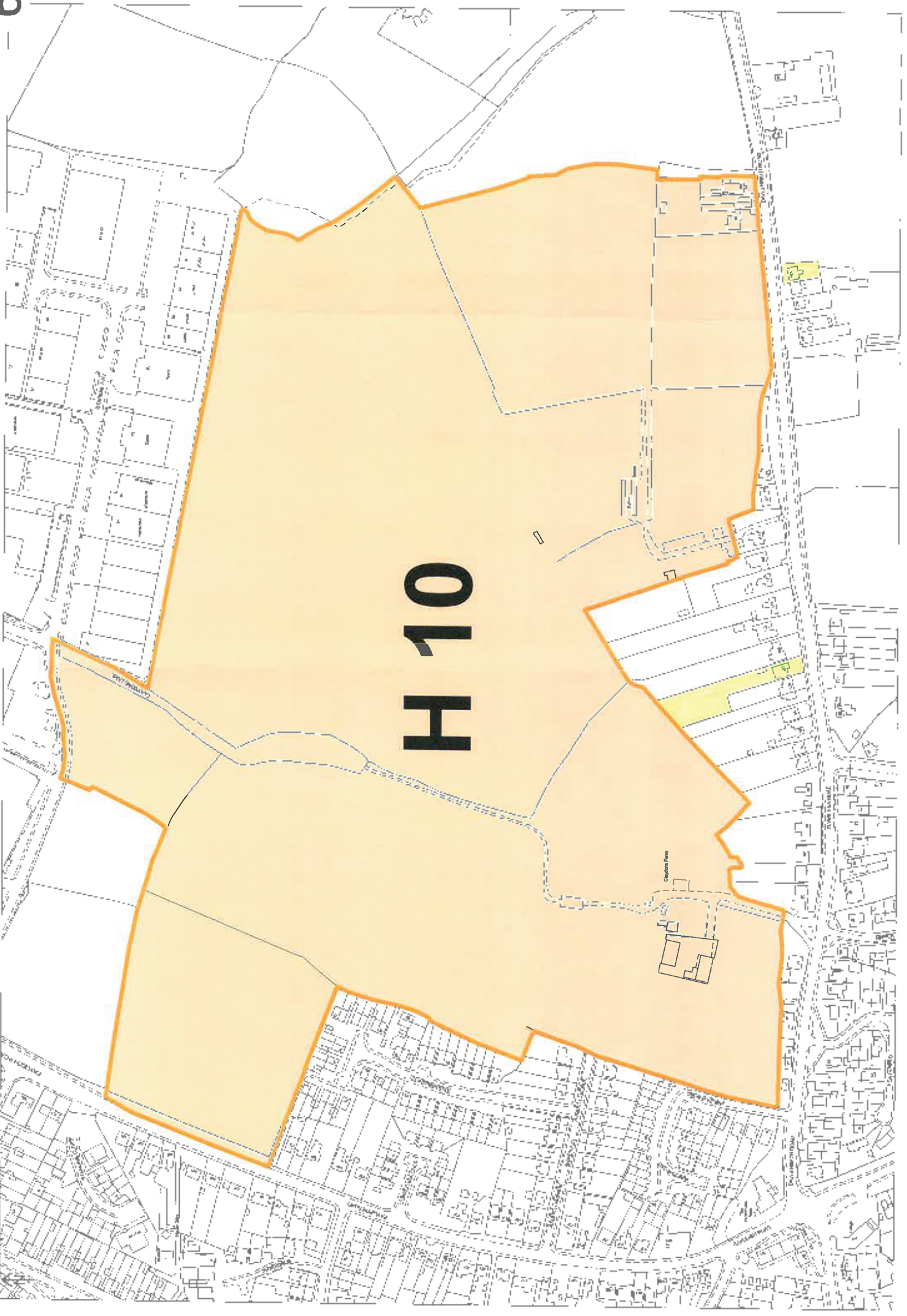
'This Council thanks the Member of Parliament for arranging the meeting with the Minister to clarify the issue with regard to green belt and housing numbers. With the clarified information this Council will need to reassess the present draft local plan to facilitate the new information gained at the meeting.'

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

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

There were none.

Mayor



Specified pecuniary interests

2. The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Act are the interests specified in the second column of the Schedule to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

Grant Shapps
Minister of State

6th June 2012

Department for Communities and Local Government

SCHEDULE

Regulation 2

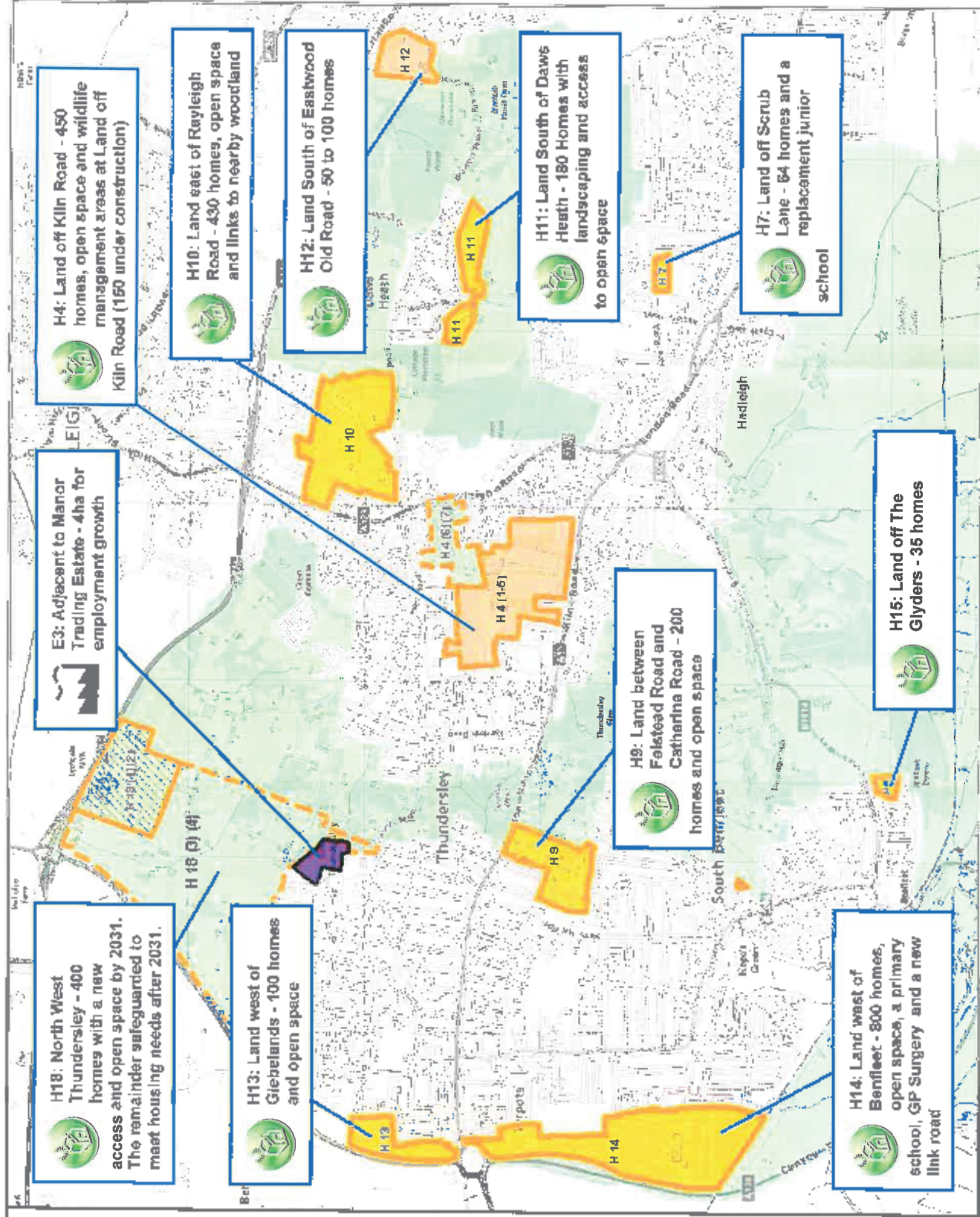
| <i>Subject</i> | <i>Prescribed description</i> |
|---|---|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(a). |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of |

(a) 1992 c. 52.

PROPOSALS FOR BENFLEET, HADLEIGH AND THUNDERSLEY

Benfleet, Hadleigh and Thundersley - Summary:

- Retention of 1,521ha of Green Belt
- 2,550 new homes in the period to 2031
- 4ha of new employment land
- Regeneration of Hadleigh Town Centre
- Route Improvements on the A129 Rayleigh Road
- A new link road from the A130 Carvey Way into the west of Benfleet (relieving pressure at the Tarpois)
- Dualling of Carvey Way from Sadlers Farm to the new link road
- Junction improvements on Kenneth Road
- A replacement school building for Hadleigh Junior School
- A new primary school in South Benfleet to support growth
- A new Sports and Community Hub at John H. Burrows Recreation Ground
- Around 50ha of open space made publicly accessible
- Ancient woodlands around Hadleigh and Daws Heath retained and protected from development
- Hadleigh Castle and Marshes retained as an important landscape area with enhanced public accessibility.







ITEM 4

Monitoring Officer Report

Dispensation from Section 31(4) Localism Act – Restriction on Voting

Request by Councillor Simon Hart

A written request for a dispensation (**Document 1**) has been made by Cllr Simon Hart to allow him to participate and vote in any matter related to the Draft New Local Plan presently being prepared by the Council and likely to be presented to Full Council on 9 December 2015.

This request made by Cllr Simon Hart dated 18 November 2015 was received by the Monitoring Officer as the proper officer of the authority on 18 November 2015 and an acknowledgment (**Document 2**) was sent to Cllr Hart on the same date.

In the Register of Members Interests Cllr Simon Hart has disclosed his home address as 107 Daws Heath Road, Thundersley, Benfleet, Essex (**Document 3**). This property is owned and occupied by Cllr Simon Hart and is next to a major housing land site shown in the Draft New Local Plan as site H10 – Land East of Rayleigh Road (**Document 4**). The back garden to 107 Daws Heath Road adjoins Site H10.

During the preparation of the Draft New Local Plan by the Council over the previous 3 years Cllr Simon Hart has declared his property / home address as a prejudicial / disclosable pecuniary interest on repeated occasions (as shown in the Minutes) and not participated or voted in any council business related to the Draft New Local Plan (**Document 5**).

Cllr Simon Hart continues to own and occupy the same property and site H10 remains a primary land site which is identified for housing purposes in the Draft New Local Plan (**Document 6**).

Dispensations

A dispensation will allow a Member to participate and / or vote at a council meeting where a pecuniary interest exists. A request for dispensation must be made to the proper officer of the authority setting out the grounds for the request.

A dispensation can only be granted under Section 33(2) a)-d) in the following circumstances:

- a) That so many Members of the decision-making body have a disclosable pecuniary interest (DPI) in a matter that it would impede the transaction of the council business. (This means that the decision-making body would be inquorate as a result).
- b) That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote.
- c) That the authority considers that the dispensation is in the interests of persons living in the Council's area.
- d) That, without a dispensation, no Member of the Cabinet would be able to participate and vote (on Cabinet business).
- e) That the authority considers that it is otherwise appropriate to grant a dispensation.

Any grant of a dispensation must specify how long it lasts for, up to a maximum period of 4 years.

All Members need to be aware that they must continue to ensure that they avoid the appearance of bias and predetermination notwithstanding any request which is made for a dispensation.

Delegations to the Monitoring Officer

The Monitoring Officer is delegated powers to grant dispensations pursuant to a), b) and d) above.

The Review Committee comprising 8 x Council Members can:

- (i) Grant dispensations after consultation with Independent Person (IP) under b), c) and e) above
- (ii) Determine appeals against refusal to grant dispensations by the Monitoring Officer under a) and d) above

The request made by Cllr Simon Hart is therefore directly referred to the Review Committee for consideration with a recommendation from the Monitoring Officer because the request is made under c) and e) above.

Disclosable Pecuniary Interest (DPI)

These are defined by Section 30(3) of the Localism Act 2011 and by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and include:

- Any beneficial interest in land which is within the area of the relevant authority **(Document 7)**.

A Member knowingly having a DPI in any matter to be considered at a meeting of the Council (or one of its committees, sub committees, joint committees or joint sub committee

or a Task and Finish Group) must not take part in any discussion or vote at the meeting under Section 31 of the Localism Act.

Cllr Simon Hart's DPI arises because of the closeness of his home address to a Site identified in the Draft New Local Plan (**Document 8**). The impact of site H10 on the home address is increased because the scheme proposed for the land, which is currently an open field green belt area of land, proposes the construction of over 400 houses and is immediately behind the house owned by Cllr Simon Hart and will adjoin the back garden to his property.

This can be shown on the proposal plan submitted by the developer Barratts Homes which was considered by the Task and Finish Group on 2 November 2015 (**Document 9**).

Cllr Simon Hart has previously declared an interest arising from his address and decided not to participate in council business related to the preparation of the Draft New Local Plan.

Cllr Simon Hart has been prohibited from being a member of the council's Task and Finish Group as a result of the DPI appertaining to his property and due to his links/connections to the Hands Off Our Green Belt group, formed to protect the land East of Rayleigh Road from development and inclusion in the Draft New Local Plan (**Document 10**).

Restriction on Voting

It is relevant to consider those Members on the Council who are restricted from voting on the Draft New Local Plan and below shows the proportions:

Conservative = 23 - 6 = **17 x Members not restricted**

Canvey IIP = 13 - 1 = **12 x Members not restricted**

UKIP = 3 - 1 = **2 x Members not restricted**

Independent = 2 Members = **None restricted**

Total eligible to Vote = 33 x Members

This proportion means that only 8 Members, including Cllr Simon Hart, are currently restricted from voting on the Draft New Local Plan due to a variety of different interests and relationships with outside parties. This means that 33 Members of the Council are entitled to participate and vote and shows that 80.5% of the Council is entitled to take part and vote in the council business related to the Draft New Local Plan.

Recommendation made by Monitoring Officer

In determining the request made by Cllr Simon Hart the Review Committee must take into consideration any statutory advice which is received from the Monitoring Officer in relation to Chapter 7 of Part 1 of the Localism Act 2011 and the Constitution, governance, conduct

and probity and the relevance of any Member interest which has been disclosed by Cllr Simon Hart in the Register of Interests or at any council meeting and must consult with the Independent Person before taking any decision.

The Review Committee should consider the following factors:

1. The home address of Cllr Simon Hart is next to H10 and will be impacted by any decision which is made to include or not include site H10 in the Draft New Local Plan.
2. This impact is increased by the location of site H10 adjoining the back garden of his home address at 107 Daws Heath Road.
3. Cllr Simon Hart has recorded the land forming his home address in the Register of Interests and declared a prejudicial/ disclosable pecuniary interest on previous occasions over the past 3 years and decided not to participate in any council business related to the Draft New Local Plan and Cllr Simon Hart is also the founder and previous vice-chairman of the Hands Off Our Green Belt group which is opposed to the development of site H10.
4. All Members must serve the public interest and uphold the law, and, a member of the public knowing all the relevant facts, would view the interest relating to his address as likely to prejudice his judgment of the public interest.
5. 80.5% of Council Members are not restricted from voting and there is no requirement for Cllr Simon Hart to make the request for a dispensation.
6. All Members are Councillors for the whole of the Borough of Castle Point and should act in the best interests of all residents living in the Council's area.
7. The principal duty placed on a Member is to observe Section 33(4) of the Localism Act and not participate in council business where there is a prejudicial / disclosable pecuniary interest, or other conflict of interest, and the power to grant a dispensation is ancillary to this principal duty and purely discretionary.
8. A Member should at all times avoid the appearance of bias or predetermination in the preparation of the Draft New Local Plan and any voting by a Member with a recordable interest, such as a home address next to a large housing land site identified in the Draft New Local Plan, will come under intense scrutiny by any interested parties including landowners, developers and objectors.
9. There is no appropriate or sufficient reason to exercise the discretion in the circumstances of this request.

The recommendation therefore is that this request should be declined for these reasons.

This report and accompanying documents together with the written request for dispensation will be made available for public inspection and form part of any request which is reported to the Review Committee for their consideration.

Andrew Roby Smith MA BA (Hons) Dip LG PG Cert LCGI

Solicitor to the Council / Monitoring Officer 24 November 2015



Addendum advisory consultation note by the Independent Person

I have read the written request submitted by Cllr Simon Hart for a dispensation and considered the recommendation made by the Monitoring Officer and concluded that:

1. The request has been submitted in the correct form and should be assessed in accordance with Section 33(2) c) and e) of the Localism Act.
2. Cllr Simon Hart has described his land in the Register of Interests and it is next to site H10 – Land East of Rayleigh Road with his rear garden abutting the site.
3. There is no doubt that should site H10 be included in the Draft New Local Plan that his enjoyment and use of the land as a garden and home will be impaired by the large scale housing development proposed for the site, and, if the restriction on voting is removed Cllr Simon Hart would be able to influence any decision in his personal favour.
4. Cllr Simon Hart has declared a prejudicial / disclosable pecuniary interest arising from his ownership and occupation of this land on frequent previous occasions when acting as a councillor and transacting council business and he was the founder / previous vice-chairman of the Hands Off Our Green Belt group.
5. There has been no significant change in this position except Cllr Simon Hart states he is no longer the vice-chairman of the Hands Off Our Green Belt group and he has not previously made any attempt to obtain a dispensation during the long and complex process of preparing the Draft New Local Plan.
6. The vast majority of the public knowing the relevant facts would rightly think that the judgment of any person with an address or landholding in such close proximity to such a major housing land site and with a known connection to the Hands Off Our Green Belt group would be swayed.
7. Council business is not impeded by the restriction placed on Cllr Simon Hart by his recorded interest in the land forming his home address as the overwhelming majority of Members can participate and vote at the Council meeting on 9 December 2015.

Accordingly, I am not persuaded that it is either necessary in the interests of residents living in the Council's area under Section 33(2)c or appropriate under Section 33(2)e to grant a dispensation in this instance.

Paul Ramsden BSc(Hons), DTS, DMS, MCTSI

Independent Person duly appointed under Section 28 Localism Act 2011

25 November 2015

LIST OF DOCUMENTS

Document 1



00206B99620815112
7153635.pdf

Document 2



00206B99620815112
7153648.pdf

Document 3



00206B99620815112
7153711.pdf

Document 4



00206B99620815112
7153757.pdf

Document 5



00206B99620815113
0140736.pdf

Document 6



00206B99620815112
7153822.pdf

Document 7



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7153835.pdf

Document 8



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7153845.pdf

Document 9



00206B99620815112
7153857.pdf

Document 10



00206B99620815112
7153915.pdf

Councillor Simon Hart

Member for Victoria Ward

1



LEGAL SERVICES

107 Daws Heath Road
Thundersley
Benfleet
Essex SS7 2TA

Telephone: 07740 707081
Email: cllrshart@castlepoint.gov.uk

14 8 NOV 2015

Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex. SS7 1TF

Telephone: 01268 882425
Fax: 01268 882394

14th November 2015

Monitoring Officer
Castle Point Borough Council
Kiln Road
Thundersley
Benfleet
Essex SS7 1TF

Dear Sir,

Request for Dispensation – Draft New Local Plan

As the Statutory Officer responsible for advising on Members' interests, I detail below the reasons for my request for a dispensation against the declarable interest made by myself in June 2015 under the Code of Conduct as "my home address, 107 Daws Heath Road, is adjacent to a (green belt) housing site" referred to as Land East of Rayleigh Road H10.

Having grown up around this area I know Castle Point very well, my home backs on to Claydons/Cooks Farm (Land East of Rayleigh Road) which is just one of over 400 sites listed in the SHLAA. The SHLAA has over 400 sites that are included in the draft local plan, many of these are in the green belt of which my property backs on to just one of these sites, a site with no current application.

The results of the two consultations on the Core Strategy and the Local Plan show that over 90% of the feedback stated green belt should not be developed on.

Turning to the changes in the Localism Act, the Government's intention for openness was to allow councillors to be able to fully represent residents who elected them on proposals of major importance. This was further reinforced by the localism minister Eric Pickle's in both Parliament and at public presentations.

In my duties as an active local Cllr my residents and even residents from other wards ask why I am excluded from representing them and the borough on major decisions like the Local Plan, public perception is that they are not being represented.

The Local Plan is one of the most important decisions the Council will be called upon to make in the next 20 years, which in itself means we need to ensure an even proportion of councillors are allowed to be included.

Of the 33 councillors currently eligible to vote on the Local Plan, 15 represent Canvey and 18 on the mainland. Regardless of the political representation this is a real imbalance and voting over representation on Canvey Island. In regard to my area and surrounding wards over 55% of the elected Cllrs are excluded. My inclusion will allow very active mainland councillor to represent his residents views.

I believe the current legislation allows a dispensation to be granted for up to four years, so that I can fully represent the residents in Victoria Ward who elected me for a further electoral term, without detriment to my current interest arising from my property address at 107 Daws Heath Road, so I formally request that my dispensation be considered on the preparation, discussion and votes on the Castle Point Local Plan.

Yours faithfully,

A handwritten signature in black ink, consisting of a stylized 'S' and 'H' followed by a horizontal line.

Cllr Simon Hart

To : Cllr Simon Hart

Date: 18 November 2015

BY HAND

Our Reference:

Your Reference:

Dear Cllr Hart

Dispensation from section 31(4) Localism Act – Restriction on Voting

I refer to your request for dispensation dated 14 November 2015 related to your disclosable pecuniary interest arising in connection with the Land East of Rayleigh Road identified as site H10 in the draft new local plan. I shall now consult with the Independent Person and prepare the necessary report. The circumstances under which the authority may grant a dispensation are contained in section 33(2) and your request will receive consideration in accordance with the relevant sections of the Act.

Please be advised that any report prepared by myself as the proper officer of the authority will be an accountable document and will be made available for public inspection as will your written request containing the details regarding your home address and the proximity of site H10.

Section 34(1) of the Localism Act makes it a criminal offence to participate in any discussion or vote in contravention of section 31(4) and a dispensation relieving a Member from criminal liability should only be granted exceptionally.

Should you have any questions regarding the action which is required to be taken under the Act please do not hesitate to contact me.

With kind regards

Yours sincerely



Andrew Roby Smith
Strategic Director and Monitoring Officer

01268 882433 (Direct line)
asmith@castlepoint.gov.uk

**CASTLE POINT BOROUGH COUNCIL
REGISTER OF MEMBERS' INTERESTS
GENERAL NOTICE OF REGISTERABLE INTERESTS**

I, Simon Hart

A member of Castle Point Borough Council, set out below under the appropriate headings my interests, which I am required to declare under the Localism Act 2011 and the Council's Code of Conduct and I have put "none " where I have no such interests under any heading.

Disclosable Pecuniary Interests

Members are required to register not only their own interests under this heading but also those of their husband or wife, civil partner or of any person with whom they are living as if husband and wife or as civil partners when such interests are known by them.

| | |
|--|---|
| Employment, Office, Trade, Profession or Vocation Your employment, office, trade, profession or vocation carried on by you or those persons referred to above for profit or gain (includes any payments or benefits in kind which are subject to Income Tax). | Wilmington Healthcare Ltd IT & Facilities Manager Medical Professional data base Beechwood house 2-3 Commercial Way Basildon Essex SS15 6EF Beverley Hart (Wife) is a GP in Rochford and part of the Consortium Group including Castle Point but is not on any committee |
| Sponsorship Any payment or provision of any other financial benefit (other than for your authority) made or provided within the last 12 months in respect of expenses your have incurred in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 | NONE |
| Contracts A description of any contract for goods, services or works made between your authority and you or the persons referred to above (or a body in which you or they have a beneficial interest) and which has not been fully discharged | NONE |
| Land Any land in your authority's area in which you have a beneficial interest | 43 Lynborne Court Benfleet Essex 107 Daws Heath Road Benfleet essex SS7 2TA |
| Licenses Any land in the authority's area for which you or the persons referred to above have a licence (alone or jointly with others) to occupy for a month or longer | |
| Corporate Tenancies Any tenancy where to your knowledge the landlord is your authority and the tenant is a body in which you or a person referred to above has a beneficial interest | |

| | |
|---|--|
| Securities The name of any person or body in which you or a person referred to above has a benefit interest in securities of that body where: | |
|---|--|

Other Pecuniary Interests

Members are only obliged to register their own interests under this heading and do not need to include the interests of husbands/wives/civil partners or others.

| | |
|--|---|
| The name of the person who employs or has appointed you, the name of any firm in which you are a partner, and the name of any company for which you are a remunerated director. | Wilmington Health Care part of the Wilmington Group |
| A description of any contract for goods, services or works made between your authority and you (or a body in which you or they have a beneficial interest) and which has been fully discharged within the last 12 months | |

Registerable Non-Pecuniary Interests

Members are only obliged to register their own interests under this heading and do not need to include the interests of husbands/wives/civil partners or others.

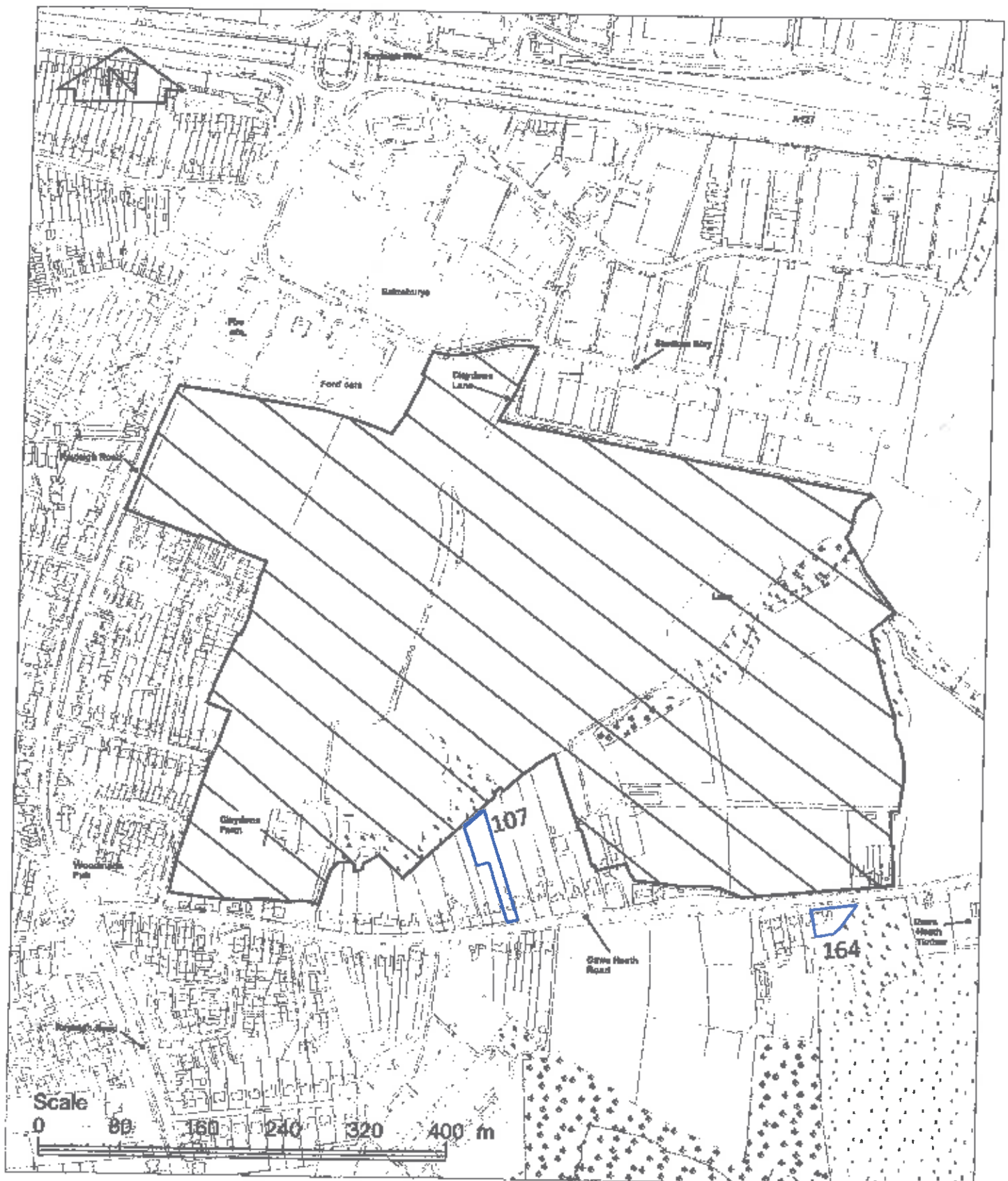
| | |
|---|--|
| Your membership of or the fact that you are in a position of general management and control of any body:- | Member of the Conservative Party Was but no longer Vice Chairman of the Hands Off Our Greenbelt (NOT REQUIRED but disclosed for transparency) On the board of Wyvern Community Transport as a trustee |
| The name of any person from whom you have received a gift or hospitality with an estimated value of at least £50 | None |

By Submitting this declaration I recognise that it may be an offence under the Localism Act 2011 to:-

- (1) omit information that ought to be given in this notice;
- (2) provide information that is materially false or misleading;
- (3) fail to give further notices in order to bring up to date information given in this notice after my re-election or reappointment or to fail to declare a disclosable pecuniary interest that I acquire after the date of this notice and have to declare under the provisions of s. 31 (2) Localism Act 2011.

I also acknowledge that it may be a breach of the Code of Conduct to:-

- (1) omit information that ought to be given in this notice;
- (2) provide information that is materially false or misleading;
- (3) fail to provide written notification to the authority's monitoring officer of any change in my interests contained in this notice within 28 days of my becoming aware of such change of circumstances.



Site location plan

H10 area outlined in red

Scale 1:5000

25th November 2015

**Councillor Hart****Schedule of Declaration of Interests**

| Minute No /Item No | Meeting | Item |
|---------------------------|--------------------------------|--|
| 39 | Ordinary Council 15.1.2014 | Members Interests |
| 44 | Ordinary Council 15.1.2014 | New Local Plan Draft for Consultation |
| Item 8 | Ordinary Council 23.7.2014 | Draft New Local Plan -Task &Finish Group |
| 22 | Ordinary Council 23.7.2014 | Consideration of Recommendation s from Cabinet :Draft New Local Plan - Task &Finish Group |
| 1 | Cabinet 17.6.2015 | Members Interests |
| 8 | Cabinet 17.6.2015 | Notice of Motion Local Plan |
| 13 | Ordinary Council 22.7.2015 | Members Interests |
| 26 | Ordinary Council. 22.7.2015 | Notice of Motion |



ORDINARY COUNCIL MINUTES

15TH JANUARY 2014

MINUTES of the Ordinary Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley on 15th January 2014.

PRESENT:

Councillors Mrs A.M. Iles (The Worshipful the Mayor), Mrs J.E.E.Govier, (Deputy Mayor), J. Anderson, L.J. Barrett, D.A. Blackwell, P.M. Burch, Mrs P.A. Challis, S.Cole, B.Campagna, D.T. Cross, , Mrs B. Egan, E. Egan, Mrs P.D. Freeman, Mrs W. Goodwin, P.C. Greig, S.Hart, R.C. Howard, G.I. Isaacs, Mrs.J.King N.E.Ladzie, J.A.Payne, Mrs.J.Payne, A. Partridge, C.G. Riley, A.G.Sheldon, T.F. Skipp, J.A. Stanley, N.G. Smith M.J.A. Tucker, A.C.Walter, Mrs L. Wass, Mrs G. Watson and N. Watson.

Apologies for absence were received from Councillors, Ms G.Barton, C.N. Brunt, A.R. Cole, W.J.C. Dick N.R. Harvey, Mrs J. Liddiard P.J. May and W.K.Sharp.

37. FORMER CHAIRMAN OF THE COUNCIL COUNCILLOR JOHN HACKLING

At the beginning of the meeting the Council stood in silence in tribute to the former Chairman of the Council and Councillor John Hackling who had died.

38. FORMER CHIEF EXECUTIVE BARRY ROLLINSON

At the beginning of the meeting the Council stood in silence in tribute to the former Chief Executive Barry Rollinson who had died recently.

39. MEMBERS' INTERESTS

Councillor Campagna declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 43 Recommendations from the Cabinet- Local Tax Support Scheme 2014/15.

Councillor Barrett declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Mrs King declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as she undertook equestrian activities including stabling and grazing of horses on land adjacent to an employment site in the Draft Local Plan.

Councillor Mrs. Wass declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as her home address was adjacent to a housing site in the Draft Local Plan.

Councillor Hart declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Riley declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Howard declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of Minute 44 New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan and a member of his family owned land forming part of a housing site in the Draft Local Plan.

40. MINUTES

The Minutes of the meeting of the Ordinary Council held on 25th September 2013 and the Special Council meeting on 20th November 2013 were taken as read and signed as a correct record. The Mayor signed the Minutes.

41. MAYOR'S ANNOUNCEMENTS

The Mayor made a short report on events, activities and visits undertaken since the last Council meeting. The Mayor took the opportunity to thank all those involved in arranging the Firework Spectacular; the working visit of the High Sheriff Julia Abel Smith to see work being undertaken on community safety in the Borough; those who contributed to the Mayor's Christmas Parcel Appeal in particular the school children for their Christmas cards and those who delivered the parcels. Finally the Mayor thanked her Chaplain for organising the community carols event to raise funds for Cancer Relief.

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

There were none.

41. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

42. ANY REFERENCES FROM THE POLICY AND SCRUTINY COMMITTEES/ REGULATORY COMMITTEES

There were none.

43. CONSIDERATION OF RECOMMENDATIONS FROM THE CABINET: LOCAL TAX SUPPORT SCHEME 2014/15

The Council considered a report which had been presented to the Cabinet which set out the results of the public consultation on proposed changes to the Council Tax Support Scheme and presented the un-prescribed elements of the Local Council Tax Scheme for approval by Council.

Resolved:

1. To note the summary of responses to the consultation.
2. That the Council approves the existing un-prescribed elements of the Local Council Tax Support Scheme for working age claimants to continue unchanged from 1.4.2014 onwards.

Councillor Campagna having declared a Discloseable Pecuniary Interest under the Council's Code of Conduct left the Chamber during consideration of this item and took no part in the discussion or vote.

44. NEW LOCAL PLAN - DRAFT FOR CONSULTATION

The Council was asked to approve the draft Local Plan for consultation only. In introducing the comprehensive report before the Council the Chief Executive reminded the Council that the draft plan must be based on sound evidence. The Chief Executive drew attention to the corporate implications set out at Section 26 pages 37 to 40 of the report before the Council and highlighted the serious issues and risks to be faced by the community and the Council should the Council fail to progress the Local Plan.

The Head of Regeneration and Neighbourhoods presented the report to the Council emphasising that in approving the plan for consultation this gave every one the opportunity to see and comment on the extensive evidence summarised in the report used to support the Local Plan.

Councillors would continue to be fully engaged in the local plan process with the creation of a Task and Finish group to evaluate the response to consultation and thereafter in master planning of the sites.

The report before the Council took forward two key decisions of the Council the agreed target of 200 new homes a year and the nine sites identified for the first five years housing land supply.

The draft plan had been prepared to comply with requirement of the National Planning Policy framework and was based on objectively assessed evidence summarised in the report.

The Council was reminded that the draft local plan not only addressed housing but also identified provision for new jobs, employment, improvements to infrastructure and the provision and protection of open space. Finally the new local plan would provide the Council with the opportunity to introduce the community infrastructure levy which would ensure that new developments would make proper contribution to improve the infrastructure.

Debate took place at the conclusion a vote was taken.

Resolved:

1. To note the position and implications on the draft Local Plan with regard to land at Glebelands as set out at paragraphs 13.47 to 13.49 of the report.
2.
 - a) To publish for consultation the draft New Local Plan, as attached at appendix 1 of the report, for a period of no less than 6 weeks from the end of January 2014.
 - b) Alongside the draft New Local Plan, publish for consultation the Preliminary Draft Community Infrastructure Levy Charging Schedule for a period of no less than 6 weeks from the end of January 2014.
 - c) Alongside the draft New Local Plan, publish for consultation the draft Reviewed Developer Contributions Guidance SPD for a period of no less than 6 weeks from the end of January 2014.
 - d) Alongside the draft New Local Plan, publish for consultation the draft Reviewed Statement of Community Involvement for a period of no less than 6 weeks from the end of January 2014.
 - e) Make available for public examination the evidence base and supporting documents prepared to inform and accompany the draft New Local Plan and associated documents.
 - f) Officers should undertake further additional work as necessary, in consultation with the Leader of the Council, to fulfil the Duty to Co-operate.
 - g) Officers to report back the results of consultation alongside a revised and finalised New Local Plan to the meeting of the Council in June/July 2014.
3. To agree a revised Local Development Scheme setting out the programme for preparing the New Local Plan and associated planning policy documents.
4. To appoint a Task and Finish Group to review the response to consultation on the draft Local Plan. Membership to reflect the political balance of the Council and to be chaired by the Cabinet Member for Economic Development and Business Liaison.
5. To request Counsel to review the consultation on the draft New Local Plan and advise on the final Local Plan.

6. To appoint a Master Plan Working Group for each site identified for master planning or planning briefs to work with officers, other service providers and developers to prepare a master plan or planning brief for report and formal agreement by the Cabinet. Membership to comprise the Chairman the Cabinet Member for Economic Development and Business Liaison together with Ward Councillors for each site.

Note Planning approval would still be required from the Development Control Committee to progress development in respect of each of the Master Plan sites)

Councillors Anderson and Mrs Watson requested that it be recorded in the Minutes that they had voted against the recommendations.

Councillors Barrett, Mrs King, Mrs Wass, Hart, Riley and Howard each having declared a Discloseable Pecuniary Interest under the Council's Code of Conduct left the Chamber during consideration of this item and took no part in the discussion or vote.

45. REPORT OF THE LEADER OF THE COUNCIL

Given the volume of business to be dealt with at the meeting no report was made to the meeting.

46. NOTICES OF MOTION

There were none.

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

There were none.

Mayor



ORDINARY COUNCIL MINUTES

23RD JULY 2014

MINUTES of the Ordinary Meeting of the Council of the Borough of Castle Point held in the Council Chamber, Council Offices, Kiln Road, Thundersley on 23rd July 2014.

PRESENT:

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

Apologies for absence were received from Councillors Mrs W. Goodwin, N.R. Harvey and J.A. Stanley.

15. MEMBERS' INTERESTS

Councillor Palmer declared a disclosable non pecuniary interest in respect of Minute 29 Notice of Motion as his wife was trustee of the Friends of Concorde Beach.

Councillor Sharp referred to his declaration of interest in the report at Minute 22 Consideration of Recommendations from the Cabinet: Draft New Local Plan – Task & Finish Group.

16. MINUTES

The Minutes of the meeting of the Ordinary Council held on 26th March 2014 and the Annual Meeting held on 4th June 2014 were taken as read and signed as a correct record. The Mayor signed the Minutes.

17. MAYOR'S ANNOUNCEMENTS

The Mayor on behalf of the Council expressed sorry and sympathy to all Castle Point residents suffering as a result of the severe floods which affected the Borough on Sunday 20th July 2014.

The Mayor made no other announcements other than to bring forward the following item for consideration.

18. REPORT ON MAJOR FLOOD INCIDENT – SUNDAY 20TH JULY 2014

The Mayor had agreed to consider this item as urgent business under Section 100B(4)(b) Local Government Act 1972 in order that the Council could be briefed on the major flood incident which affected the Borough on Sunday 20th July and subsequent action.

The Council received a report on the severe storm which had affected the Borough when in excess of 60mm of rain fell in a short time.

The worst areas of the Borough affected were on Canvey Island but property in Hadleigh was also affected. Some of the properties had been flooded by a similar incident in August 2013.

Efforts were currently in hand to establish the total number of properties affected but it was anticipated that this could exceed 200 in total.

The report before the Council described the action taken by the Emergency Services and other agencies including the Environment Agency, Anglian Water and Essex County Council. The Council's Emergency Team had continued to operate and manage the Council's response to the flooding.

Pinnacle PSG had been requested to redirect their resources to cleaning up the areas affected by flooding.

The Council was offering a free special collection service for any resident that wanted to dispose of goods damaged by the flood. Council Housing officers had visited the flood affected areas to ensure that any problems with council tenants were dealt with as soon as possible and the Council's maintenance contractor Kier and electrical contractor JP.Taylor were assisting with this work.

Further advice about whom and how to contact the emergency services had been updated on the front page of the Council's website.

High level discussions had already taken place with Essex Police, Environment Agency and ECC to assess the next steps once the immediate emergency response has subsided. Following discussions with the Leader and Cabinet Member for Flooding and Canvey Island a further multi agency meeting had been called by the Chief Executive and was to take place on 28.7.2014.

Rebecca Harris MP had been briefed during the event. The Leader of the Council reported to Council on the arrangements made through the efforts of Rebecca Harris MP for the Government's Chief Scientific Officer Sir Mark Walcott to investigate this flooding event. Members would be kept informed

Members spoke to describe their personal experiences of the event and its consequences. Members paid tribute to the actions of all those who had assisted the community during the event and its aftermath.

All Members were keen to see action being undertaken to ensure the necessary investment was made in the Borough to prevent the major inundation of property by flood water happening again.

Resolved – To note the report and the action being taken.

19 QUESTIONS FROM MEMBERS OF THE PUBLIC OF WHICH NOTICE HAD BEEN RECEIVED

There were none.

20. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

21. ANY REFERENCES FROM THE POLICY & SCRUTINY COMMITTEES /REGULATORYCOMMITTEES

There were none.

22. CONSIDERATION OF RECOMMENDATIONS FROM THE CABINET: DRAFT NEW LOCAL PLAN – TASK & FINISH GROUP

At the beginning of consideration of this item, Councillor Hart made a personal statement withdrawing from membership of the Task & Finish Group. Councillor Isaacs was nominated to take up the place allocated to the Conservative Group. Council considered and discussed the report before Council.

At the Cabinet meeting on 18.6.2014, Cabinet agreed to refer both the nominations to the Draft Local Plan Task & Finish Group and appointment of the Chairman to Full Council.

Details of the nominations to the Task & Finish Group made at Cabinet were before the Council. The report before Council also contained Terms of Reference for the Task & Finish Group set out below.

A draft programme of work for the Task & Finish Group was attached to the report. The Task & Finish Group would be a formally constituted meeting of the Council and reflect the political balance of the Council. Members' attention was drawn in the report to the legal implications which rehearsed the personal risks for Councillors and the risk of legal challenge of the Council's decision on the draft new Local Plan if the Council failed to appoint a properly constituted Task & Finish Group.

**Draft New Local Plan
Consultation Responses Task & Finish Group
Terms of Reference**

Introduction

The Draft New Local Plan was issued for consultation from 24th January to 31st March 2014.

Responses to that consultation need to be considered by the Council to determine whether changes, if any, are required to the Draft New Local Plan.

Council has agreed that a Consultation Responses Task & Finish Group shall be established for this purpose.

Consultation Responses Task & Finish Group - Composition

The Chairman of the Task & Finish Group shall be appointed by Council.

It will comprise 10 Members of the Council selected to reflect the political balance of the Council.

No Member of the Council having a Disclosable Pecuniary Interest with respect to the New Local Plan shall participate in the Task & Finish Group or take part in any deliberations.

The Head of Regeneration and Neighbourhoods and/or his appointed officer(s) will attend to provide technical and expert advice.

The Head of Governance and/or her appointed officer(s) will prepare the agenda for all meetings and take minutes of any relevant discussions.

The Head of Regeneration and Neighbourhoods and the Head of Governance will prepare a written report of the Task & Finish Group's deliberations and final recommendations to Council on completion of the work of the Group

The Task and Finish Group is a properly constituted Sub-committee of the Council and normal Council Procedure Rules will apply.

Consultation Responses Task & Finish Group – Role

The Task & Finish Group will be provided with an agenda prepared for each meeting.

In reviewing the consultation responses it shall be guided by the vision and objectives in the Draft New Local Plan and all relevant policies contained in the Plan.

In reviewing the consultation responses it shall be also guided by the National Planning Policy Framework (and in particular the tests of soundness for a local plan) together with the national Planning Practice Guidance.

Its remit will be to ensure that appropriate consideration has been given to all the consultation responses to the Draft New Local Plan as received from all consultees.

It shall report the outcome of its considerations together with any recommendations for changes to the Draft New Local Plan which may be appropriate and supported with evidence to Council, which shall then decide on the Council's final response to the consultation.

It will not be necessary for the Task & Finish Group to reach a unanimous view, since differing views can be reported for final analysis by Council.

The Consultation Responses Task & Finish Group – other matters

The Task & Finish Group shall meet in the Council Offices at a time agreed with the Chairman.

The meetings of the Task & Finish Group and any agenda and minutes shall be made publicly available, and the Access to Information Rules shall apply. It is intended to web cast all meetings of the Task and Finish Group to enable residents to view the proceedings and to record all comments and discussions.

Resolved:

1. To appoint the Draft New Local Plan Task & Finish Group membership to comprise 10 Members (5 Conservative Group members Cllrs Dick, Isaacs, Ladzrie, Sheldon & Smith; 4 Canvey Island Independent Group members Cllrs Anderson, Blackwell, Tucker & N.Watson; 1UKIP member Cllr Varker)
2. To appoint Councillor Smith to be the Chairman of the Draft New Local Plan Task & Finish Group.
3. To approve the Terms of Reference of the Draft New Local Plan Task & Finish Group.
4. To note the draft work programme of the Draft New Local Plan Task & Finish Group.

23. LOCAL COUNCIL TAX SUPPORT SCHEME OPTIONS AND CONSULATION ARRANGEMENTS

Council considered options for consultation in relation to the 2015/16 Local Council Tax Support Scheme. These were set out in paragraph 5.5 of the report and included:

- a) Working age residents can currently receive support with up to 70% of their Council Tax liability. Should this % be reduced so that they receive less support and are required to pay more themselves? Yes/No.
- b) If you answered 'Yes' to question 'a', how much should the % of support be reduced to? 68%, 65%, 63%, 60%.
- c) Support is currently calculated on Band D for any working age residents who live in a property of Council Tax Band E, F, G, or H. Should this be reduced so that those living in a property with a Band of D, E, F, G, or H, would have their support calculated on Council Tax Band C? Yes/No.
- d) The length of time someone has resided in the borough is not currently a factor in entitlement for support. Should the scheme include a residency rule so that people who have not been resident in the borough for a certain period of time are not entitled to support? Yes/No.
- e) If you answered 'Yes' to question 'd', how long should a person be resident to qualify for support? 1 year, 3 years, 5 years, 7 years.
- f) Should people who can't work due to sickness or disability be protected from all of these proposed changes to the scheme? Yes/No.
- g) Should people who can't work because they provide care for a sick or disabled relative be protected from all of these proposed changes to the scheme? Yes/No.

Council also considered the financial implications associated with the scheme detailed in the report.

Resolved:

1. To note the financial implications included in section 8 and the scheme models at Appendix B of the report and

2. To approve the elements set out in paragraph 5.5 of the report for consultation.

24. CORPORATE PLAN

The Corporate Plan was an important document for the Council setting out the strategic direction for the organisation as well as how the Council would achieve its aims and priorities through appropriate action planning.

The Council had adopted a five year Corporate Plan back in 2007 which had been refreshed annually. The plan came to the end of its useful life in 2012 and had been subject to further development during 2013 following a Cabinet decision to re-develop a new Corporate Plan.

The draft Corporate Plan had been subject to detailed consideration by Councillors through the Policy and Scrutiny process and had been subject to wide consultation.

The results of the consultation had resulted in the development of four proposed new aims as well as medium term targets and annual objectives. The four new aims, known under the acronym 'PETE' were to replace the current priorities known under the acronym of 'ERIC' and were based on analysis of the issues facing the Borough as well as the results of the consultation. They were:

Public Health & Wellbeing
Environment
Transforming our Community
Efficient and Effective Customer Focussed services

Cabinet had approved the draft Corporate Plan for submission to Council for approval. Discussion took place on the plan a copy of which was before all Councillors.

Resolved –

To approve and adopt the Castle Point Borough Council Corporate Business Plan 2014-2017 'Turning Opportunity into Reality.'

25. REPORT OF THE LEADER OF THE COUNCIL

The Leader of the Council updated Council on pledges made by him on his appointment at the Annual Council. The Leader was meeting with the Chief Executive and senior officers to understand the challenges facing the Council. The new Local Plan Task and Finish Group had now been established. Work was in progress to develop the five new community forums. The Health and Wellbeing Policy and Scrutiny Committee was to commence work on responding to consultation on the delivery of primary health care in Castle Point and obesity.

The Leader was also meeting with the leaders of Essex County Council and neighbouring Councils to develop relationships.

The Leader reaffirmed his wish to be open and transparent and to work with Leaders of the two other political groups on the Council.

26. NOTICES OF MOTION

This notice of Motion was brought forward by the Mayor for consideration as the Motion had cross party support and the Chairman of Scrutiny was already in discussion with officers as to how to progress a review of the Constitution.

Councillor Hart had given notice of the following:

'That the Constitution of Castle Point Borough Council be referred to the Overview and Scrutiny of Castle Point Borough Council for it to be scrutinised by the Councillors of that Committee'

The Motion was Moved and Seconded .A vote took place which was CARRIED and RESOLVED accordingly.

27. NOTICES OF MOTION

Councillor Blackwell had given notice of the following:

'Canvey Independent Party calls upon this administration to help local businesses at the Furtherwick Road Shopping Centre by abolishing the Oak Road car park charges.'

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

28. NOTICES OF MOTION

Councillor Anderson had given notice of the following:

'We, the Canvey Island Independent Party Councillors would propose that this Council put back into working order the running track behind Waterside Farm, for the benefit of all residents and running clubs, in Castle Point. This would enable the Council to make good its promise to put in place facilities to help our residents keep fit in order to raise the health and Wellbeing in the Borough

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

Arising from a Point of Order under this item the Council congratulated Jessica Judd on her selection to represent England at the Commonwealth Games and wished her good luck.

29. NOTICES OF MOTION

Councillor Watson had given notice of the following:

Regarding the New Tidal Pool on Canvey Sea Fronts Concorde Beach in South Ward.

'We the Canvey Independent Party call upon Castle Point Borough Council to complete the long overdue works to make the new Tidal Pool safe.

The previous concreting of the pool bed has already been identified as unsafe and Cabinet has already agreed the funds needed to rectify it, 18 months on why has nothing been done.

The Motion was **MOVED** and **Seconded** by Councillor Campagna. Debate took place during which Members were informed of arrangements to complete the works in October. At the conclusion a vote was taken which was **CARRIED** and **RESOLVED** accordingly.

30. NOTICES OF MOTION

Councillor Mrs. Grace Watson had given notice of the following:

'We the Canvey Independent Party call upon Castle Point Borough Council to write to Essex County Council and bring the case for Castle Point to have its Street lights turned back on after 12am thus taking away our residents fear and actual crime'

The Motion was **MOVED** and **Seconded** by Councillor Neville Watson. Debate took place during which an amendment was **MOVED** and **Seconded**

'That Castle Point Borough Council writes to Essex County Council and brings the case for Castle Point to have its Street lights turned back on after 12am thus taking away our residents fear and actual crime'

The Proposer and Seconder accepted the amendment which became the substantive Motion on which debate took place. At the conclusion a vote was taken which was **CARRIED** and **RESOLVED** accordingly.

31. NOTICES OF MOTION

Councillor Neville Watson had given notice of the following:

'We the Canvey Independent Party request to have it explained to us why there is a delay, in the setting up of the Task and Finish Group tasked to evaluate the consultation responses emanating from the Draft New Local Plan.

It is not unreasonable to suggest that the monitoring officer's judgement should be supported by this Chamber with regard to the suitability of those members on this committee '

Ordinary Council 23.7.2014

The Notice of Motion was withdrawn as the appointment of the Draft New Local Plan Task & Finish Group had been dealt with under Minute 22.

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

There were none.

Mayor



CABINET

17TH JUNE 2015

PRESENT:

| | |
|----------------------------|------------------------------------|
| Councillor Riley, Chairman | Leader of the Council |
| Councillor Stanley | Responding to Challenge |
| Councillor Dick | Health and Wellbeing |
| Councillor Skipp | Environment & Leisure |
| Councillor Mrs Egan | Homes and Customer Engagement |
| Councillor Howard | Waste, Floods and Water Management |
| Councillor Sharp | Finance |
| Councillor Smith | Regeneration and Business Liaison |

APOLOGIES:

Councillor Isaacs.

ALSO PRESENT:

Councillors: Acott, Anderson, Blackwell, Campagna, Mrs.Govier, Greig, Hart, Hurrell, Ladzrie, Letchford, Maclean, Walter, Mrs G.Watson N.Watson and Wood.

1. MEMBERS' INTERESTS

The following Cabinet Members made declaration of interests pursuant to Part 2 of the Code of Local Conduct for Councillors under Minute 8 Agenda item 7(b) Notice of Motion - Local Plan:

Councillor Howard – home address adjacent to a housing site and daughter is an owner of a housing site

Councillor Riley – home address is adjacent to a (Green Belt) housing site.

Councillor Sharp – Multiple known connections and personal friendships with land owners and developers of (various) Housing Sites in New Local Plan

These members of Cabinet left the meeting for this item and took no part in the vote or discussion. Councillor Stanley chaired the meeting for this item.

A number of Members present at the meeting made declaration of interest as follows:

Councillor Hart declared an interest pursuant to Part 2 of the Code of Local Conduct for Councillors under Minute 8 Agenda item 7(b) Notice of Motion - Local Plan as his home address is adjacent to a (Green Belt) housing site. He left the chamber during consideration of this item.

Councillor Letchford declared an interest pursuant to Part 2 of the Code of Local Conduct for Councillors under Minute 6 Agenda item 6(b) 'New 'Paddling Pool, Concord Beach as Chairman of the Friends of Concord Beach. He left the chamber during consideration of this item.

Councillors Anderson declared an interest under the Code of Local Conduct for Councillors under Minute 5 Item 6(a) Linden Way Recreation Land Request for Allotments as a member of the Big Lottery Committee.

2. MINUTES

The Minutes of the Cabinet meeting held on 18.3.2015 were approved and signed by the Chairman as a correct record.

3. FORWARD PLAN

To comply with regulations under the Localism Act 2011, the Leader of the Council presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter 2015. The plan was reviewed each month.

Under this item the Chairman announced the dates of the first round of Community Forum meetings as follows:

July 8th Thundersley
July 13th Hadleigh
July 20th Benfleet
July 21st Canvey East
July 27th Canvey West

Resolved – To note and approve the Forward Plan.

4. FOOD SAFETY SERVICE PLAN

Cabinet considered a report seeking approval of the Council's Food Safety Service Plan for 2015/2016

Resolved:

To approve the Food Safety Service Plan for 2015/16

5. LINDEN WAY RECREATION LAND – REQUEST FOR ALLOTMENTS

Cabinet considered a request from the Big Lottery Committee to use part of the Council owned recreation land in Linden Way, Canvey Island for allotments.

Resolved:

To give in principle support to the disposal of part of the recreation land in Linden Way including the gun site for allotments to Canvey Town Council and that consultation on the proposal be undertaken through the Community Forum meetings for Canvey East and Canvey West.

6. "NEW PADDLING POOL, CONCORD BEACH

Cabinet considered a report advising of the outcome of the independent safety audit of the "new" paddling pool at Concord Beach commissioned by the Council following completion of its pre-season works.

Resolved:

1. To note the recommendations in the QLM report; and that
2. Officers explore the feasibility and indicative cost of designing and installing a pontoon style walkway and report back to Cabinet at the earliest opportunity.
3. The above Cabinet decisions together with the reports are presented as evidence to the Scrutiny Committee in its review to provide public reassurance of the safety of the Concord Beach Paddling Pool.

7. HOUSING REPORT

The Cabinet received a progress report on the Housing Service. Members were pleased to acknowledge the progress and achievements of the Service and expressed their gratitude to staff for their efforts.

Resolved:

1. To note the progress and achievements of the Housing Service.
2. To authorise the procurement of contractors to clear the garage site at St Christopher's Close and to construct the properties in accordance with the planning permission dated the 12th December 2014 and for the Council to enter into a contract upon such terms and conditions as considered appropriate by the Head of Law with the successful contractors
3. To authorise the progression of a procurement process to identify a suitable architect to work with the Council on the next phases of housing land development and for the Council to enter into a contract with the successful consultant as further detailed in paragraph 6.6.
4. To authorise the procurement of a new Housing Management system and for the Council to enter into a contract upon such terms and conditions as considered appropriate by the Head of Law with the successful contractor

8. MOTION TO COUNCIL – NEW LOCAL PLAN

Councillor Stanley chaired the meeting for this item.

The Cabinet considered a report on the Motion put to Council on 25th March regarding the Local Plan.

Resolved:

To refer the report and the Notice of Motion to the New Local Plan Task and Finish Group for report back and consideration by Council with the recommendations of the Task and Finish Group on the response to consultation on the new Local Plan.

Councillors Howard, Riley, Sharp and Hart having declared interests see Minute 1 were not present during consideration of this item.

**9. REGENERATION OF HADLEIGH TOWN CENTRE -
HADLEIGH TOWN CENTRE ISLAND SITE**

The Cabinet received a report seeking approval to the selection of Hollybrook Ltd as the preferred partner in taking forward the redevelopment of the Hadleigh Town Centre Island site, and to commence negotiations regarding the disposal of relevant Council assets.

Resolved: To note the content of this report and

1. Approve the selection of Hollybrook Ltd as the preferred partner in taking forward the redevelopment of the Hadleigh Town Centre Island site
2. Approve commencement of negotiations with the preferred partner to dispose of the Council's interest in the Former Crown Public House and any associated nearby assets necessary to bring forward a successful redevelopment scheme.
3. Authorise the Chief Executive following consultation with the Leader, Deputy Leader of the Council and the Cabinet Member for Regeneration and Business Liaison to enter into a Contract with Hollybrook Ltd upon such terms and conditions as considered appropriate by the Head of Law.

10. EQUALITY SCHEME REVIEW

The Cabinet considered an Annual Report on how the Council was meeting its equality objectives set out in the Council's Equality Scheme 2014 to 2019.

Resolved: to note the contents of the report.

11. FINANCIAL UPDATE

The Cabinet received a report presenting the latest position in relation to the General Fund financial forecast for the period 2015/20.

Resolved: To note the report.

12. ANNUAL REFRESH OF KEY STRATEGIES (RESOURCES)

The Cabinet received a report seeking approval of the Human Resources (HR) Strategy and Workforce Plan and the Asset Management Plan (AMP).

Resolved: To approve and adopt the strategies referred to in the report.

13. CORPORATE SCORE CARD QUARTER 4 2014/15

The Cabinet considered a report setting out the cumulative performance figures for the Corporate Performance Scorecard for quarter 4, 1st January 2015 to 31st March 2015. The report also set out proposals for performance indicators to be monitored for this financial year.

Resolved:

1. To note the report and continue to monitor performance.
2. To agree the proposed indicators for performance monitoring for this financial year as set out in Appendix 2.

14. MATTERS TO BE REFERRED FROM/TO POLICY SCRUTINY COMMITTEES

There were none.

15. MATTERS TO BE REFERRED FROM /TO THE STATUTORY COMMITTEES

There were no matters.

16. EXCLUSION OF THE PUBLIC

Resolved:

To exclude the press and public from the meeting to allow the following item of business to be transacted as it contained exempt information under Paragraph 3 of the Local Government Access to information Variation order 2006

17. TEMPORARY ACCOMODATION

(Exempt Information Paragraph 3 Local Government (Access to Information) (Variation) Order 2006)

The Cabinet considered a report seeking authority from Cabinet for negotiations to be undertaken to purchase a property identified in the report subject to all relevant legal, financial and probity issues being considered to the satisfaction of the Chief Executive.

Resolved:

To agree in principle to the purchase of the property for the purpose of acquiring temporary housing for homeless people subject to all relevant legal, financial and probity issues being considered to the satisfaction of the Chief Executive.

Chairman



ORDINARY COUNCIL MINUTES

22ND JULY 2015

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 22nd July 2015.

PRESENT:

Councillors A.G.Sheldon (Mayor), S.Cole, (Deputy Mayor), A.J .Acott, J. Anderson, A.J.Bayley, D.A. Blackwell, W.J.C. Dick, Mrs B. Egan, E. Egan, MrsW.Goodwin, MrsJ.E.E.Govier, P.C.Grieg, S.Hart, R.C.Howard, A.J.Hudson, R.Hurrell,G.I.Isaacs,Mrs.J.King,N.E.Ladzrie,C.W.Letchford,C.A.Maclean,P.J.May C.E.Mumford, Mrs.J.Payne, A. Partridge, C.G. Riley, W.K.Sharp, T.F. Skipp, N.G. Smith, M.J.A. Tucker, P.E.Varker, Mrs L. Wass, and B.S.Wood.

Apologies for absence were received from Councillors B.Campagna, D.T. Cross, N.R.Harvey,B.A.Palmer,J.A.Stanley, A.C.Walter, Mrs G.Watson and N. Watson.

13. MEMBERS' INTERESTS

Councillor Sheldon declared a personal interest by reason of the reference to his employer in the Notice of Motion under Item 14 (2) Minute 26 referred.

A number of Councillors having received advice from the Council's Monitoring Officer prior to the meeting declared interests regarding the Notice of Motion under Item 14 (2) Minute 26 referred:

- Councillor Hart declared an interest under Part 2 of the Code of Conduct for Councillors as his home address is adjacent to a (green belt) Housing Site.
- Councillor Mrs. King declared an interest under Part 2 of the Code of Conduct for Councillors in relation to grazing land for horses adjacent to a proposals site shown a business park (Roscommon Way South) in the draft New Local Plan
- Councillor Howard declared an interest under Part 2 of the Code of Conduct for Councillors as his daughter is the owner of a housing site in the new local plan and his home address is adjacent to the site.
- Councillor Mrs. Goodwin declared an interest under Part 2 of the Code of Conduct for Councillors by reason of her personal friendship with owners of a Housing Site.
- Councillor Hudson declared an interest under Part 2 of the Code of Conduct for Councillors as his home address is adjacent to a (green belt) Housing Site.
- Councillor Sharp declared an interest under Part 2 of the Code of Conduct for Councillors by reason of his multiple known and recorded connections and personal friendships with landowners and developers of

(various)housing sites in the draft New Local Plan. In making his declaration he referred to his friendship and named a particular family.

- Councillor Riley declared an interest under Part 2 of the Code of Conduct for Councillors as his home address is adjacent to a (green belt) Housing Site.
- Councillor Wass declared an interest under Part 2 of the Code of Conduct for Councillors as her home address is adjacent to a (green belt) Housing Site.

14. MINUTES

The Minutes of the meeting of the Ordinary Council held on 25th March 2015 and the Annual Council meeting held on 20th May 2015 were taken as read and signed by the Mayor as a correct record.

15. MAYOR'S ANNOUNCEMENTS

The Mayor reported that he was enjoying his first months in office and was extremely impressed by the valuable work being undertaken by the various community groups across the Borough.

The Mayor was honoured to preside over the Armed Forces Event which took place at the Council offices on 22.6.2015 and was delighted to be part of the Armed Forces Day event held on Canvey Island on 27.6.2015.

Finally the Mayor thanked all those involved in the Castle Point Show held on 5.7.2015 for a successful and enjoyable day.

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

There were none.

17. PRESENTATION: VEOLIA NORTH THAMES TRUST

Robin Squire gave a presentation on the Veolia North Thames Trust .Castle Point Borough Council was a full trustee of the Trust a statutory scheme established under the landfill communities fund .The Trust had provided support to projects valued at over £12 million across the North Thames area. A list of schemes which had been funded by the Trust was circulated .Mr. Squire highlighted support for Council projects including the refurbishment of Waterside Farm and the repair of the skate board park. Other projects included funds to restore St Mary's at Benfleet; support for the Essex Marching Corps and funding for the Bay Museum.

Mr Squire advised that the landfill communities fund was under review and he requested the Councillors' assistance in taking every opportunity to promote the success of the Trust to secure continued benefit for the community. He invited Councillors to pass on details of projects worthy of support to the Trust.

In questioning Mr Squire a number of Councillors took the opportunity to thank the Trust for its support for various Castle Point projects .

The Mayor thanked Mr. Squire for his presentation.

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

There were none.

19. TO DEAL WITH ANY BUSINESS FROM THE LAST COUNCIL MEETING:

At the meeting of the Council on 25.3.2015 a Notice of Motion regarding a Local Plan was adjourned without discussion to enable Cabinet to consider whether it wished to report on the matter. Council Procedure Rule 13 Motions on Expenditure applied.

The Cabinet meeting on the 17.6.2015 considered a report on the budget implications of the Motion. Cabinet decided to refer the report and the Notice of Motion to the New Local Plan Task and Finish Group for report back and consideration by Council with the recommendations of the Task and Finish Group on the response to consultation on the new Local Plan.

Resolved - to note the report.

20. ANY EXPLANATIONS FOR URGENT DECISIONS TAKEN BY CABINET

There were none.

21. ANY REFERENCES FROM THE REGULATORY COMMITTEES:

GAMBLING ACT 2005- REVIEW OF GAMBLING LICENSING POLICY

Council considered a recommendation from the Licensing Committee held on 30.4.2015 to adopt a revised Gambling Licensing Policy Statement.

Under the terms of the Gambling Act 2005, the Council's Gambling Licensing Policy had to be reviewed every three years. The third review was now due and had been undertaken by the Licensing Committee.

The Committee was mindful of the consultation being undertaken by the Gambling Commission on guidance to local authorities which was proposing significant changes. However there would be insufficient time to complete the review once the revised guidance was issued by the Gambling Commission.

Therefore Licensing Committee decided to adopt the current policy, with the addition of the amendments made by the Gaming Machine (Amendment) Regulations 2014 that came into force on the 15th January 2014. This new revised policy would then be valid for the next three year period (January 2016 to January 2019).

Resolved – to adopt the revised Gambling Licensing Policy Statement.

22. CHANGE OF MEMBERSHIP OF A POLITICAL GROUP

Notice had been received that Councillor Brian Wood had joined the Conservative Group on the Council. He was no longer an Independent member of the Council and was not entitled to the seat allocated to him on the Development Control Committee at the Annual Meeting.

Council was asked to appoint one of the two independent members Councillor Hurrell or Councillor Letchford to the vacant seat on the Committee

With regard to the political balance calculation of the Council there was a small adjustment. The seat allocated on the Wellbeing Policy and Scrutiny Committee to an Independent Member was now transferred to the Conservative Group. As Councillor Wood was appointed to the seat no change was necessary.

Resolved:

1. To appoint Councillor Hurrell (Independent) to the vacant seat on the Development Control Committee.
2. To note the adjustment to the political balance calculation of the Council.

23. REPORT OF THE LEADER OF THE COUNCIL

The Leader of the Council reported to the Council on the completion of the first round of Community Forum meetings where residents had received updates on recycling and street scene.

The Leader of the Council briefed Council on the recent meeting with the Minister of State for Housing and Planning Brandon Lewis MP and the intention to complete the work of the Task and Finish Group for consideration at the December Council meeting.

The Leader of the Council informed the Council that testing was being carried on the model contained in the Integrated Urban Drainage Study on Canvey Island which would be used to support bids for funding improvements to the drainage system. The Leader took the opportunity to thank officers for their work to assist residents to protect their properties from flooding.

The Leader of the Council brought the Council up to date of the progress being made on devolution and the regular meetings taking place to explore a combined authority for Greater Essex.

The Leader of the Council reported that he had revised with their agreement the Cabinet responsibilities for Councillors Stanley and Sharp.

The Leader of the Council took the opportunity to acknowledge the work of the voluntary services. Referring in particular to the CAB, the Leader gave an assurance that additional funding for a particular challenge faced by the CAB this year would be forthcoming after the August Cabinet meeting. As the Leader's Fund had already been used up through his commitment to help voluntary groups in the Borough.

24. LOCAL COUNCIL TAX SUPPORT SCHEME 2016/17 – OPTIONS AND CONSULTATION ARRANGEMENTS

Members were asked to consider a report setting out options for consultation in relation to the 2016/17 Local Council Tax Support Scheme. The financial implications associated with the scheme were highlighted in report before the Council. The final scheme was to be brought back to Council for approval later in the year.

Resolved:

1. To note the financial implications included in section 8, and the scheme models at Appendix B of the report.
2. To approve the elements set out in paragraph 6.1 of the report for consultation.

25. NOTICES OF MOTION

Councillor Howard had given notice of the following:

'Castle Point Council supports the completion of the final phase of Roscommon Way as a priority to improve the transport infrastructure on Canvey Island. Castle Point Council calls on Essex County Council, the Highways Authority to give priority to placing this scheme in a programme to be progressed and implemented as soon as possible.'

The Motion was MOVED and Seconded.

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

26. NOTICES OF MOTION

Councillor Dick has given notice of the following:

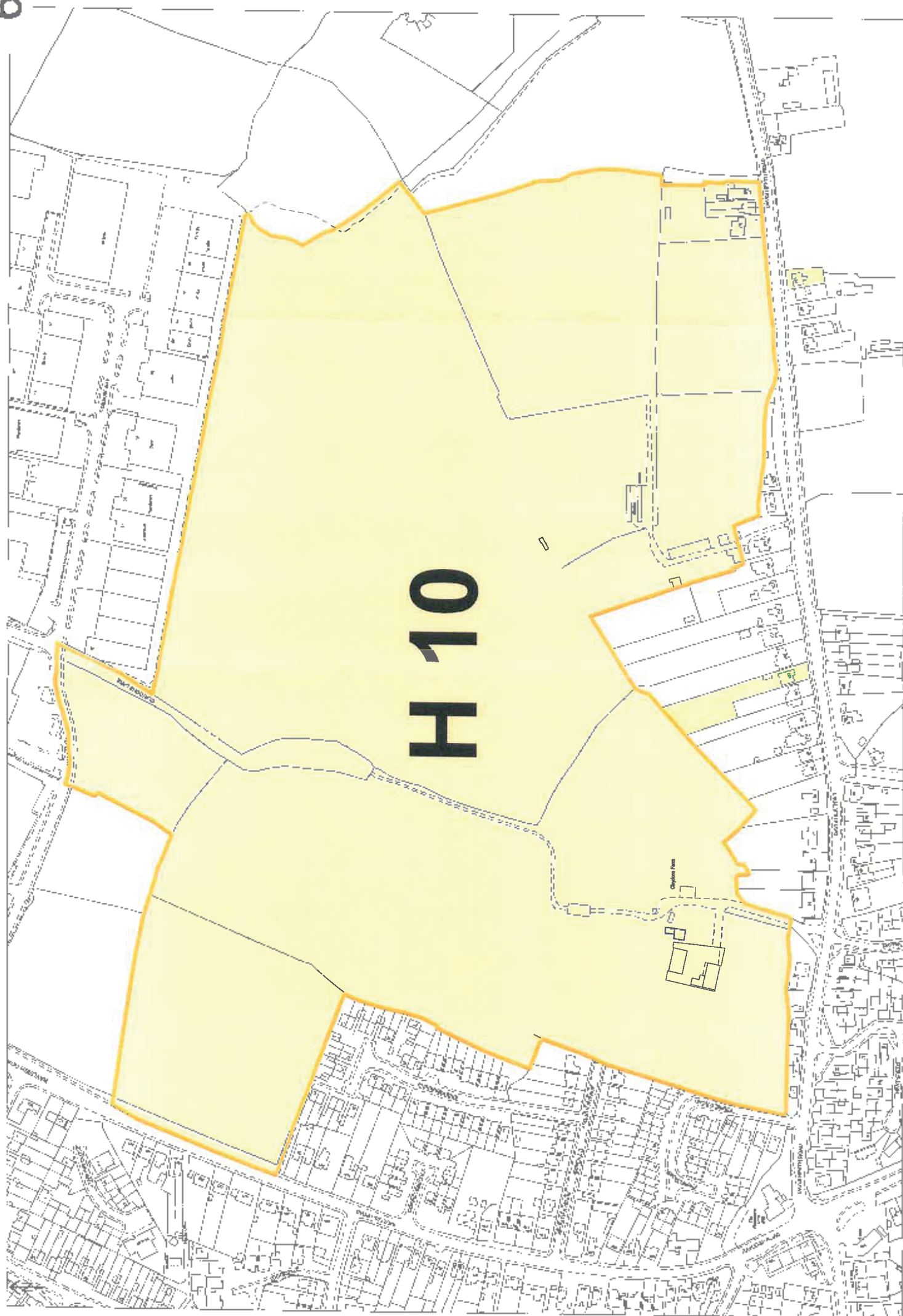
'This Council thanks the Member of Parliament for arranging the meeting with the Minister to clarify the issue with regard to green belt and housing numbers. With the clarified information this Council will need to reassess the present draft local plan to facilitate the new information gained at the meeting.'

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

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

There were none.

Mayor



Specified pecuniary interests

2. The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Act are the interests specified in the second column of the Schedule to these Regulations.

Signed by authority of the Secretary of State for Communities and Local Government

6th June 2012

Grant Shapps
Minister of State
Department for Communities and Local Government

SCHEDULE

Regulation 2

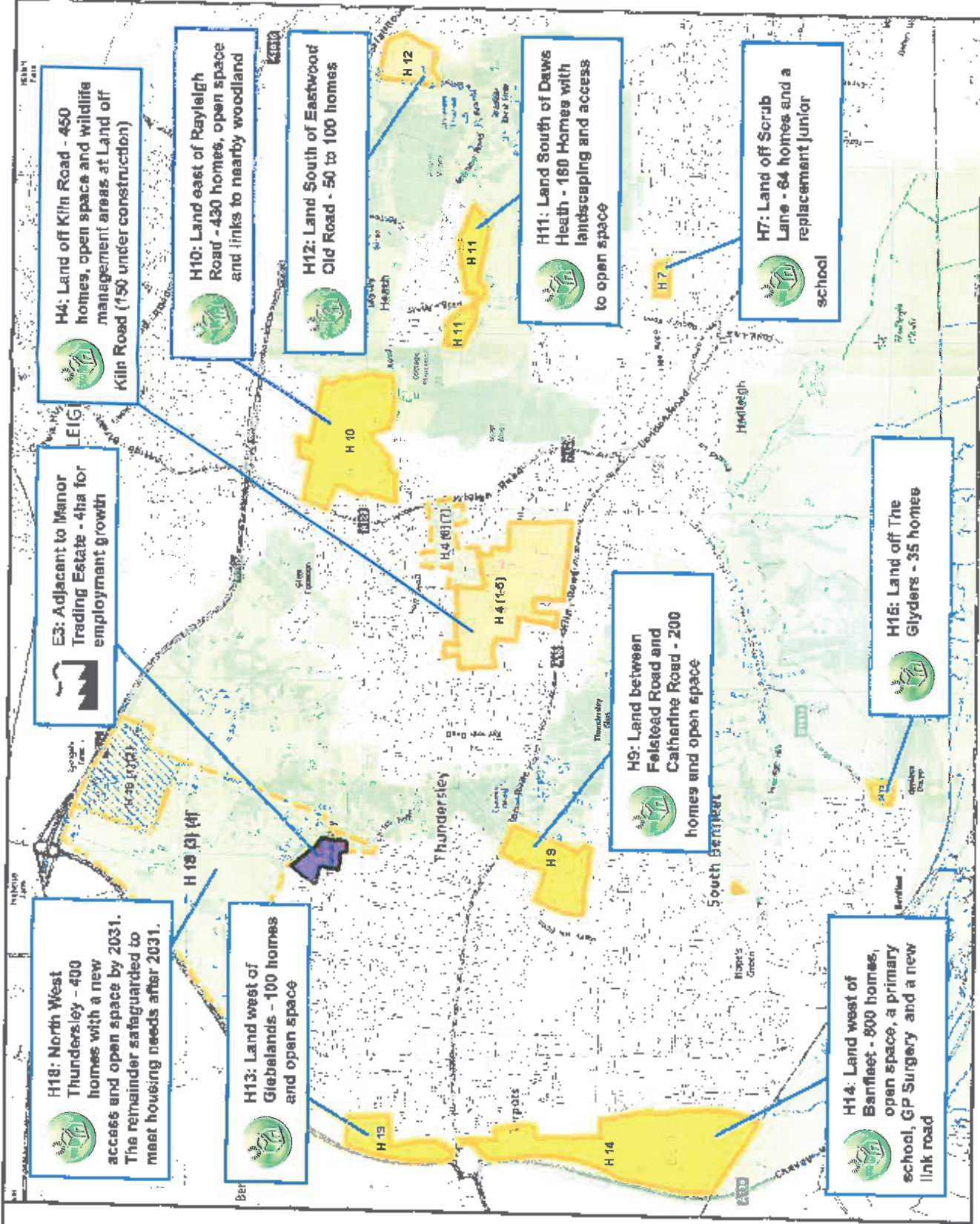
| <i>Subject</i> | <i>Prescribed description</i> |
|---|---|
| Employment, office, trade, profession or vacation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(a). |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of |

(a) 1992 c. 52.

PROPOSALS FOR BENFLEET, HADLEIGH AND THUNDERSLEY

Benfleet, Hadleigh and Thundersley - Summary:

- Retention of 1.52ha of Green Belt
- 2,550 new homes in the period to 2031
- 4ha of new employment land
- Regeneration of Hadleigh Town Centre
- Route improvements on the A129 Rayleigh Road
- A new link road from the A130 Canvey Way into the west of Benfleet (relieving pressure at the Tarpoons)
- Ducting of Canvey Way from Sadlers Farm to the new link road
- Junction improvements on Kenneth Road
- A replacement school building for Hadleigh Junior School
- A new primary school in South Benfleet to support growth
- A new Sports and Community Hub at John H. Burrows Recreation Ground
- Around 50ha of open space made publicly accessible
- Ancient woodlands around Hadleigh and Daws Heath retained and protected from development
- Hadleigh Castle and Marshes retained as an important landscape area with enhanced public accessibility.





ORDINARY COUNCIL

23rd July 2014

Subject: Draft New Local Plan – Task & Finish Group

1. Purpose of Report

At the Cabinet meeting on 18.6.2014, Cabinet agreed to refer both the nominations and appointment of the Chairman of the Group to Full Council.

2. Links to Council's priorities and objectives

The Draft New Local Plan is directly linked to the Council's Regeneration & Homes priority – more local employment and the creation of business opportunities.

3. Recommendations

That the Council agrees to

- 1. The nominations of 10 (ten) Members of the Council to the Draft New Local Plan Task & Finish Group.**
- 2. The appointment of a Chairman of the Draft New Local Plan Task & Finish Group.**
- 3. To approve the Terms of Reference of the Task & Finish Group**
- 4. To note the draft programme of the Task and Finish Group**

4. Background

- 4.1 At its meeting on 15th January 2014, Council agreed to publish a Draft New Local Plan for public consultation. That consultation took place from 24th January 2014 until 28th March 2014.
- 4.2 Council also agreed to appoint a Task and Finish Group to review the response to consultation on the Draft New Local Plan. It was agreed that membership should reflect the political balance of the Council and should be chaired by the Cabinet Member for Economic Development and Business Liaison.
- 4.3 In order to reflect the political balance of the Council, the Task and Finish Group should comprise 10 (ten) Members of the Council, with the following composition;
- | | |
|---------------------------|---|
| Conservative | 5 |
| Canvey Island Independent | 4 |
| UKIP | 1 |
- 4.4 The Leaders of the Political Groups on the Council were invited to nominate members of their Groups to serve on the Task & Finish Group.
- 4.5 At the Cabinet meeting on 18th June 2014, the Chairman, the Leader of the Council announced the nominations for membership received from the Leaders of the respective Political Groups on the Council.
- 4.6 Cabinet agreed the nominations of 10 (ten) Members of the Council to the Draft New Local Plan Task & Finish Group to comprise (5 Conservative Group members Cllrs Dick, Hart, Ladzrie, Sheldon & Smith; 4 Canvey Island Independent Group members Cllrs Anderson, Blackwell, Tucker & N.Watson; 1UKIP member Cllr Varker) .
- 4.7 Cabinet also agreed also to refer both the nominations and appointment of the Chairman of the Group to the meeting of Council on 23rd July 2014 for final approval.
- 4.8 Following the meeting attention was drawn to the nomination of Cllr Hart to serve on the Task & Finish Group. For the reasons rehearsed under the legal implications of this report Cllr Hart is not eligible to serve on the Task & Finish Group.
- 4.9 A further meeting has been arranged to take place with Cllr Hart to discuss this appointment and his disclosable pecuniary interest arising from his home address adjoining a housing site at land East of Rayleigh Road as a consequence of the provisions contained in Chapter 7 of the Localism Act 2011 and the Relevant Authorities (Discloseable Pecuniary Interests) Regulations 2012. Council will be updated on the outcome of that meeting.

5. Proposals

- 5.1 Terms of Reference for the Task and Finish Group have been prepared and are attached to the report.
- 5.2 A draft Programme of Work for the Task and Finish Group has been prepared and is also attached.

6. Corporate Implications

(a) Financial Implications

There are no new financial implications.

(b) Legal Implications

The Task & Finish Group will be a formally constituted meeting of the Council and so should observe the political balance of the Council and its requirements concerning interests.

As a consequence Members who have disclosable pecuniary interests are unable to be a member of or take part in the deliberations of the Task and Finish Group on the New Local Plan.

The following Members have previously made declarations at meetings of the Council in relation to the draft New Local Plan and been prohibited from taking part in the Council business related to the New Local Plan as a consequence of the provisions contained in Chapter 7 of the Localism Act 2011 and the Relevant Authorities (Discloseable Pecuniary Interests) Regulations 2012.

Councillor Barrett declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of the New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Hart declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of the New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.



(Cllr Hart has been advised of a separate recordable interest under paragraph 10.2 of the Code as the founder supporter of the Save Our Green Belt Group which would lead a member of the public with knowledge of the relevant facts to reasonably believe to be so significant as that it is likely to prejudice his judgment.)

Councillor Howard declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of the New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan and a member of his family owned land forming part of a housing site in the Draft Local Plan.

Councillor Mrs King declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of the New Local Plan – Draft for Consultation as she undertook equestrian activities including stabling and grazing of horses on land adjacent to an employment site in the Draft Local Plan.

Councillor Riley declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of the New Local Plan – Draft for Consultation as his home address was adjacent to a housing site in the Draft Local Plan.

Councillor Sharp has received advice of a Discloseable Pecuniary Interest under the Council's Code of Conduct the New Local Plan – Draft for Consultation in relation to his known connections with a number of landowners/site developers in relation to six sites identified for housing.

Councillor Mrs. Wass declared a Discloseable Pecuniary Interest under the Council's Code of Conduct in respect of the New Local Plan – Draft for Consultation as her home address was adjacent to a housing site in the Draft Local Plan.

Councillors are reminded that it is a criminal offence under Section 34 of the Localism Act 2011 to fail to comply with an obligation to make a disclosure or to participate in any discussion or vote in contravention of this part of the Act which is punishable upon conviction to a fine not exceeding £5000 and or disqualification from being a Councillor for a period of up to 5 years.

(c) Human Resources and Equality Implications

Human Resources

The Task and Finish Group will be supported by the Head of Regeneration and Neighbourhoods and/or his appointed officer(s) together with the Head of Governance and/or her appointed officer(s).

Equality Implications

An Equality Impact Assessment is undertaken as part of the work undertaken on the draft Local Plan

(d) IT and Asset Management Implications

It is proposed to web cast the meetings of the Task & Finish Group.

7. Timescale for implementation and Risk Factors

A draft programme is attached. Councillors are referred to the legal implications which rehearse the personal risks for Councillors.

If the Council fails to appoint a properly constituted Task and Finish Group the Council could face a legal challenge of its decision on the New Local Plan.

8. Background Papers

Report item 6(b) Cabinet 18.6.2014
Minute 39 Ordinary Council 15.1.2014

Report Author:

Ann Horgan – Head of Governance

