



**MINUTES of
COUNCIL
3 OCTOBER 2019**

PRESENT

Chairman	Councillor R G Boyce MBE
Vice-Chairman	Councillor Mrs P A Channer, CC
Councillors	E L Bamford, B S Beale MBE, M G Bassenger, V J Bell, R P F Dewick, M F L Durham, CC, M R Edwards, Mrs J L Fleming, A S Fluker, B E Harker, M S Heard, A L Hull, K W Jarvis, J V Keyes, K M H Lagan, C Mayes, C P Morley, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, Mrs J C Stilts, C Swain, Mrs M E Thompson and Miss S White

438. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

439. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Miss A M Beale and M W Helm.

440. DECLARATIONS OF INTEREST

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council for any items pertaining to that organisation.

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council should there be any matters arising relating to that organisation.

441. MINUTES - 12 SEPTEMBER 2019

RESOLVED

- (i) that the Minutes of the meeting of the Council held on 12 September 2019 be received.

Minute 397 – Questions to the Leader of the Council in accordance with Procedure Rule 1(3)(M)

Councillor W Stamp raised the following amendments to her question, as recorded in the Minutes, and these were duly agreed:

- The second sentence of the first paragraph should read "...Standards Public Life report by Lord Paul Bew pages 12 section 3.3 regarding...";

RESOLVED

- (ii) That subject to the above amendments, the Minutes of the Council meeting held on 12 September 2019 be adopted.

442. PUBLIC QUESTIONS

There were none.

443. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he had no announcements for this extraordinary meeting.

444. PLANNING AND LICENSING COMMITTEE - 5 SEPTEMBER 2019

RESOLVED that the Minutes of the Planning and Licensing Committee held on 5 September 2019 be agreed.

445. FINANCE AND CORPORATE SERVICES COMMITTEE - 24 SEPTEMBER 2019

RESOLVED that the Minutes of the Finance and Corporate Services Committee held on 24 September 2019 be approved.

446. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Wednesday 25 September 2019 for which Minutes had been published.

447. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6 (2) OF WHICH NOTICE HAS BEEN GIVEN

The Council noted that in accordance with Procedure Rule 6(2) two questions had been received from Councillor C Swain. A copy of the questions along with the responses from the Chairman of the Council were circulated prior to the meeting.

The questions and the responses are as follows:

Question one:

What has been the amount of identifiable expenditure attributable to the Transformation Programme (including redundancy payments) to date, and what is the eventual total expected to be?

Response from the Chairman of the Council:

The Section 151 Officer will be providing a budget up to the Transformation Board tomorrow (Friday 4 October 2019). The detail will then be available via the Minutes of the meeting which are made available to Members.

Question two:

How many officers and employees who were on the payroll when the Transformation Programme was initiated are still with the Council?

Response from the Chairman of the Council:

Originally 259 of which 174 are still on payroll.

448. APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL

The Council considered the report of the Head of Paid Service, circulated prior to the meeting.

Following the Officers' presentation of the report and in accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote.

Chairman put the three recommendations as set out in the report and voting was as follows:

For the recommendation:

Councillors E L Bamford, R G Boyce, Mrs P A Channer, R P F Dewick, M F L Durham, Mrs J L Fleming, A S Fluker, B E Harker, A J Hull, K W Jarvis, J V Keyes, C P Morley, R H Siddall, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors M G Bassenger, M S Beale, V J Bell, M R Edwards, M S Heard, K M H Lagan, C Mayes, C Morris, S P Nunn, N G F Shaughnessy, N Skeens, W Stamp, J Stilts and C Swain.

Abstention:

There were none.

The Chairman declared that the recommendations were agreed with the exception of the appointment of Councillor C Morris to the Strategy and Resources Committee.

Following a request from the Chairman, the Senior Legal Specialist advised that the suggested appointment of Councillor Morris (as per paragraph 4.3 of the report) to the Strategy and Resources Committee required a unanimous decision by the Council. It was explained that according to regulations and following the result of the recorded vote Councillor Morris was not able to sit on the Strategy and Resources Committee and

therefore the Independent Group were able to nominate another Member to sit on that Committee.

At this point Councillor Morris requested that it be recorded that he was an elected representative who was not allowed to speak at or sit on a Committee. He also asked why his request for a question under Rule 6 had been denied.

The Chairman advised that he was dealing with the matter of appointments to Committees and again referred to the Senior Legal Specialist who clarified that as the motion had been passed those Members (barring Councillor Morris) had been appointed to sit on the respective Committees.

The Chairman then asked Councillor M S Heard, Leader of the Opposition, if he wished to make a further nomination to the Strategy and Resources Committee. In response, Councillor Heard proposed that Councillor C Swain be nominated to this Committee. The Chairman put the proposal to the Council and this was duly agreed.

RESOLVED

- (i) that the Council notes the nominations of the Leader of the Conservative Group and the Leader of the Independent Group to the places allocated to their respective Groups;
- (ii) that the Council ratifies the existing arrangements for the District Planning Committees and Area Planning Committees (minus ex-officio membership) for the remainder of the current municipal year;
- (iii) that subject to Councillor C Swain being added to the Membership of the Strategy and Resources Committee, the Council agrees the membership of the following Committees of the Council for the remainder of the current municipal year:

<p>Strategy and Resources Committee (16 Members)</p>	<p>Councillors: R G Boyce MBE Mrs P A Channer CC M R Edwards Miss J L Fleming A S Fluker B E Harker A L Hull K M H Lagan C Mayes N G F Shaughnessy R H Siddall N Skeens J Stilts C Swain M E Thompson Miss S White</p>
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<p>Performance, Governance and Audit Committee (15 Members)</p>	<p>Councillors: E L Bamford Mrs P A Channer CC M F L Durham CC A S Fluker B E Harker M S Heard K W Jarvis J V Keyes K M H Lagan S P Nunn N Skeens W Stamp J Stilts C Swain Mrs M E Thompson</p>
<p>Licensing Committee (10 Members)</p>	<p>Councillors: M G Bassenger B S Beale MBE R G Boyce MBE Mrs P A Channer CC M F L Durham CC A S Fluker C Mayes R H Siddall J Stilts Mrs M E Thompson</p>
<p>Overview and Scrutiny Committee (8 Members)</p> <p><i>(including the Overview and Scrutiny Committee (meeting as the Crime and Disorder Committee))</i></p>	<p>Councillors: V J Bell R P F Dewick Mrs J L Fleming M S Heard M W Helm C P Morley S P Nunn R H Siddall</p>
<p>Joint Standards Committee (5 Members plus 2 Parish Councillors)</p>	<p>Councillors: R G Boyce MBE M W Helm S P Nunn R H Siddall Mrs M E Thompson</p> <p>Parish Councillors: J E Anderson P Stilts</p>
<p>Investigating and Disciplinary Committee (5 Members)</p>	<p>Councillors: M G Bassenger R G Boyce MBE M R Edwards M W Helm Mrs M E Thompson</p>

<p>Investigating and Disciplinary Panel (5 Members)</p> <p><i>Minimum of five Members drawn from a pool of ten, three of whom must not have participated in the initial investigation of a case by the Investigating and Disciplinary Committee.</i></p>	<p>Councillors: E L Bamford M G Bassenger R G Boyce MBE Mrs P A Channer CC M R Edwards A S Fluker M W Helm W Stamp C Swain Mrs M E Thompson</p> <p>Plus Independent Persons appointed by the Council to assist the Joint Standards Committee</p>
<p>Appointments Board (6 Members)</p> <p><i>Procedure Rule 16(8) provides for the Committee to consist of five Members drawn from those listed, politically balanced where possible.</i></p>	<p>Leader or Deputy Leader of the Council Leader or Deputy Leader of the Opposition</p> <p>Chairman or Vice-Chairman of the Strategy & Resources and Performance, Governance & Audit Committees</p> <p>Councillors V Bell M W Helm</p>

At this point in the meeting Councillor Morris again mentioned his earlier point about raising a question under Rule 6 of the Council’s Procedure Rules. In response, the Chairman read out Procedure Rule 6 (2)(b) relating to urgent questions and advised the Council that as Councillor Morris would not provide details as to the nature of his question as Chairman of the Council he had ruled that Councillor Morris could not ask a question under that Rule.

Councillor Morris responded to this ruling with several comments including reference to his rights to speak, during which he was reminded by the Chairman of the Council’s Constitution in respect of orderly conduct.

Councillor Morris continued without due regard to requests from the Chairman to refrain from further comment. In response, the Chairman then asked for a motion (in accordance to Procedure Rule 10) that Councillor Morris be not further heard. This was duly seconded and agreed by the Council. The Chairman advised Councillor Morris that this decision meant that if he was not silent he would be asked to leave the meeting.

Councillor Morris continued and in light of the motion agreed the Chairman requested that he leave the Chamber. Councillor Morris refused.

449. ADJOURNMENT OF THE MEETING

In light of Councillor Morris’ refusal to leave the meeting, the Chairman adjourned the meeting at 7:55pm.

RESOLVED that the extraordinary meeting of the Council be adjourned at 7:55pm.

450. RESUMPTION OF BUSINESS

RESOLVED that the extraordinary meeting of the Council resumes in open session at 8:19pm.

451. ADJOURNMENT OF THE MEETING

The Chairman advised that he was adjourning the meeting to a future date.

RESOLVED that the extraordinary meeting of the Council be adjourned to a future date at 8:19pm.

The meeting closed at 8.19 pm.

R G BOYCE MBE
CHAIRMAN