

**Minutes of the meeting of the Planning and Environment Committee held at 7pm, Monday 21<sup>st</sup> March 2016 in the Council Chamber, Town Hall Buildings, 31 St. Mildred's Road, Westgate-on-Sea.**

**Present: Councillors King (Chairman), Ashbee, Charlton, Cornford, Morrish, Nightingale, Rickett, Rolfe and Scott**

**Also present: Clare Wheeler (CAAG) and Roy Wade (Interim Town Clerk)**

**247. CHAIRMAN'S WELCOME**

**The Chairman opened the meeting and gave the usual "housekeeping" instructions.**

**248. APOLOGIES FOR ABSENCE**

**Apologies for absence were received from Cllr. Pennington.**

**249. DECLARATIONS OF INTEREST**

**No declarations of interest were made.**

**250. MINUTES**

**It was moved by Cllr. Rickett and seconded by Cllr. Charlton and**

**RESOLVED: That the minutes of the meeting held on 22<sup>nd</sup> February 2016 be approved and signed by the Chairman.**

**251. PLANNING DECISIONS**

**Committee noted that no decisions had been made by TDC since the last meeting.**

**252. PLANNING APPLICATIONS**

**Committee considered the under-mentioned application received since the last meeting and submitted the following observations:**

**TH/16/0280 – 45/51 Sea Road – Change of use and extension of 45 Sea Road to 9 x 2 bed flats and 2 x 1 bedroom flats. Committee noted that the application had been called in by Cllr. Partington because of over development of the site and Cllr Ashbee said she would follow through Clare Wheeler said that the original application had been approved in 2010 and asked for time to allow her to identify the changes from the original approval. It was agreed to defer this application for further consideration at the meeting to be held on 18<sup>th</sup> April 2016.**

## **253. PLANNING & ENVIRONMENTAL COMMITTEE – PROPOSED TERMS OF REFERENCE**

Committee considered the terms of reference of the Committee which had been drafted by the Vice Chairman, Cllr. Morrish, in consultation with the Interim Town Clerk.

**RECOMMENDED:** That the draft terms of reference, as amended and attached at Appendix A, be approved.

## **254. FUTURE CLEANSING ARRANGEMENTS FOR WESTGATE-ON-SEA (Ref. Minute 228/2015-16)**

The Chairman read to Committee his notes on the meeting he had attended at TDC with the Vice Chairman of the Council and the Interim Town Clerk to discuss the possible undertaking of enhanced street cleaning and other environmental activities within Westgate. The Chairman also set out a list of equipment that TDC would make available to the Town Council at a peppercorn payment of £1. Members were also advised that TDC would make available a repairs and maintenance service for this equipment, the garaging of it, until the Town Council put in place its own arrangements together with the ability to dispose of rubbish and any items illegally tipped.

The Interim Town Clerk also reported upon the meeting and that the first question asked of TDC was were these services to be undertaken as an agency arrangement under section 101 of the Local Government Act 1972. TDC was reluctant to enter into an agency agreement preferring to enter into a Memorandum of Understanding and this could be achieved under Section 137 of the Act. Members were also given the advice of the KALC which was that ideally the agreement should be entered into under section 101 of the act but that section 137 would suffice. The KALC also undertook to scrutinise the draft MOU and, if necessary, to refer it to the NALC.

Cllr Morrish refused to accept the advice given and on 3 occasions suggested that the Interim Town Clerk was proposing that the Town Council should enter into an illegal agreement for which no statutory power existed. The Interim Town Clerk tried to reassure Cllr. Morrish that it was unreasonable to suggest that TDC would enter into an illegal with the Town Council and indeed that the Town Council would countenance such an agreement. This advice was not accepted by Cllr. Morrish.

Finally Members were advised that subject to an agreement being entered into it would be necessary to investigate the insurance issues and the terms and conditions of employment of the staff to be engaged.

It was moved by Cllr. Ashbee and seconded by Cllr. Rolfe and

**RESOLVED:** That (A) the proposals set out by Cllr. King following the discussions with Mssrs. Gavin Waite and Geoff Dunne be accepted; and

(B) the agreement or MOU negotiated with TDC be placed before Council for its ratification.

The vote was carried; 5 votes for the proposition and 3 against: Cllr Morrish voted against the proposition and Cllr. Cornford abstained.

Cllr. Charlton left the meeting at 8.45pm following discussion of the above item.

#### **255. DUSTBIN COLLECTION SERVICE BY TDC**

Council received representations from a resident in Harold Avenue on behalf of 225 residents of the road concerning missed refuse collection due in part because large vehicles could not access the road. The residents wanted the Town Council to ask TDC for the small TDC refuse collection vehicle to be sent to the road instead of the large refuse vehicle each week.

Cllr. Ashbee undertook to refer this matter to TDC and report back.

#### **256. KINGDOM SECURITY**

Council Rickett circulated a document from Kingdom Security setting out the services the Company could offer to the Town Council. Cllr Ashbee reminded Members that the Company were undertaking a contract within the TDC area.

It was moved by Cllr. Rickett and seconded by Cllr. Nightingale and

**RESOLVED:** That (A) Kingdom Security be invited to give a presentation to a future meeting of the Council; and

(B) the Interim Town Clerk makes enquiries of the Section 151 officer at TDC in respect of the services the Company offer and undertake.

#### **257. WESTGATE-ON-SEA – N.H.S. PRACTICE**

Cllr. Morrish reported that he had been in in contact with Mr. Chantrill-Smith of TDC and was awaiting a reply. He would report further to a future meeting.

Signed:

Chairman of the Council

Dated: 4<sup>th</sup> April 2016

**Time concluded: 8.55pm.**