

## Extraordinary Council - 4 September 2001

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Minutes of the meeting of **Extraordinary Council** held on **4 September 2001** when there were present:

Cllr R S Allen

Vice-Chairman in the Chair

Cllr R Adams

Cllr J R F Mason

Cllr R A Amner

Cllr G A Mockford

Cllr C I Black

Cllr C R Morgan

Cllr T G Cutmore

Cllr P J Morgan

Cllr Mrs J E Ford

Cllr R A Pearson

Cllr Mrs J M Giles

Cllr S P Smith

Cllr Mrs H L A Glynn

Cllr M G B Starke

Cllr J E Grey

Cllr Mrs W M Stevenson

Cllr D R Helson

Cllr Mrs M S Vince

Cllr Mrs J Helson

Cllr Mrs M J Webster

Cllr A Hosking

Cllr P F A Webster

Cllr Mrs L Hungate

Cllr Mrs M A Weir

Cllr V H Leach

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs R Brown, PA Capon, G Fox, K A Gibbs, Mrs J Hall, C C Langlands, Mrs S J Lemon, T Livings, Mrs L I V Phillips, R E Vingoe and D A Weir.

### **OFFICERS PRESENT**

P Warren - Chief Executive  
R J Honey - Corporate Director (Law, Planning & Administration)  
R Crofts - Corporate Director (Finance & External Services)  
J Bourne - Leisure & Contracts Manager  
J Bostock - Principal Committee Administrator

### **301 DECLARATIONS OF INTEREST**

Councillor Mrs J M Giles declared an interest in the item on Leisure Management Contract by virtue of being a user of the Mill Hall.

### **302 SEATS ON COMMITTEES AND WORKING GROUPS**

#### **Resolved**

That Members be appointed to Committee and Working Group seats (including the role of Chairman/Vice-Chairman where appropriate) currently held by Councillor Mrs S J Lemon as follows:-

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<b>Body</b>	<b>Replacement Appointee</b>
Appeals Panel	Cllr D R Helson
Community Services	Cllr Mrs J Hall
Housing Management Sub-Committee	Cllr V H Leach
Leisure Sub-Committee	Cllr Mrs J Helson
Street Trading Sub-Committee	Cllr Mrs J Helson
Environmental Health Sub-Committee	Cllr Mrs J M Giles
Planning Policy Sub-Committee	Cllr C I Black
Park School Working Group	Cllr C I Black
Windmill Working Group	Cllr Mrs J Helson
Housing Best Value Review Working Group	Cllr Mrs H L A Glynn

### **EXCLUSION OF THE PRESS AND PUBLIC**

Responding to Member questions, the Chief Executive advised that the report on Blatches Farm/Park School had been produced as an exempt item as it contained the details of terms to be proposed by the Authority in the course of negotiations relating to property, one of the grounds categorised as exempt information within Part 1 of Schedule 12A of the Local Government Act 1972. Once negotiations had been concluded, there would be opportunity to release information into the public domain in accordance with the Council's policy of maintaining an open approach.

### **Resolved**

That the Press and Public be excluded from the meeting for the remaining business on the grounds that exempt information as defined in Paragraph 9 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

### **303 BLATCHES FARM/FORMER PARK SCHOOL**

Note: Councillors R A Pearson and Mrs M J Webster each declared non-pecuniary interests in this item by virtue of being Members of Essex County Council.

Council considered the exempt report of the Chief Executive which provided details of the outcome of negotiations with Essex County Council relating to the Blatches Farm/former Park School sites.

The principal elements of the negotiated package were:-

- The early transfer of the freehold interest in Blatches Farm from the County Council to the District Council with a covenant restricting its use to Country Park or agricultural use.

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- The District Council surrendering its legal interests in the former Park school site in terms of dual use, the squash courts and car park from April 2002.
- Agreement to the following mix of uses on the former Park School site:
  - 6 acres net of residential development not including the 1 acre 'low cost' housing outlined below
  - 1 acre net of low cost housing for key workers
  - 4 acres reserved for a primary school
  - 9.5 acres of land for public open space and provision of a leisure/sports facility
  - An area of development for mixed commercial uses, potentially including private children's day nursery, health centre, neighbourhood shops, pub/hotel, etc. The actual area of this allocation to be the balance of the site following appropriate spine road, frontage greensward and school site provision (not to exceed 4 acres)
- The County Council submitting an outline planning application in connection with the above at the earliest opportunity, with the District Council undertaking to determine the application with a minimum of delay
- Subject to any planning application on the former Park School being agreed, the County Council transferring the 9.5 acres of public open space/leisure facilities identified above to the District Council, together with a contribution of £500,000 towards a new leisure facility on site and a contribution of £50,000 as a commuted sum towards the maintenance of the open space.
- The District Council being involved in the joint promotion of the mixed commercial part of the former Park School site for a fixed term period.

The Chief Executive reported that the County Council had now indicated that the financial contribution within the proposed Section 106 Agreement would be made one month after commencement of construction and that vehicular access would be made available for the proposed leisure facilities. It was confirmed that any further change to the proposals as set out would need to be the subject of further negotiations with the County Council.

The following motion detailing amendments to proposals was moved by Councillor C I Black and seconded by Councillor V H Leach :-

“(1) That the mix of uses be as follows:-

4 acres net of residential development not including the two acres of “low cost” housing outlined below.

2 acres net of low cost housing for key workers.

5 acres reserved for a primary school.

11.5 acres of land for public open space and provision of a leisure/sports facility.

An area of development for mixed commercial uses (not to exceed 2 acres) potentially for uses as outlined in the report.

(2) That with the exception of the necessary roads, sewers etc, the construction of the residential part of the site not commence until the primary school is completed and ready for use.

(3) That consideration be given to using some of the funds from the package to improving the surface water drainage in the existing Sweyne Park.”

In favour of the motion, reference was made to the possibility that the proposals could exacerbate housing over-development which was already a feature of the Rawreth Lane area. Reference was also made to previous experience whereby allocations had been agreed for community facilities (school/health) that had not materialised. There was also a concern that, in reality, the introduction of certain use restrictions to a location may not preclude future house building. In terms of location, comment was made that Blatches Farm bordered the Southend-on-Sea Borough boundary and could perhaps be seen as a facility more suited to Borough residents.

In favour of agreeing to the proposals as set out in the report, reference was made to the considerable work undertaken by the Park School Working Group and the Cherry Orchard Working Party in reaching this stage. Measured against earlier expectations, the proposed package was particularly favourable and unlikely to be improved. Given possible uncertainties about the future of the sites, now was an opportune time for the proposals to be endorsed. Should no action be taken, there would be no guarantee that both sites would not be targetted for development. The availability of grant aid for Blatches Farm was also dependent on early decision making. In terms of location, the Blatches Farm site could be easily accessed from many parts of the District and proposals would introduce a country park facility to the District of Rochford for the first time.

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Responding to Member questions, the Chief Executive advised on the role of the District as the planning authority for aspects of County Council proposals and to the typical unit numbers which could be associated with types of residential development/associated land values. Reference was made to the consultation elements of the Local Plan process and associated planning rationale. The Chief Executive also advised on the nature of agricultural tenancies and aspects of safeguards built into the proposals by both parties. The Country Park Management Plan had set out access proposals. In addition, it was understood that an easement existed to enable site access. Should proposals be agreed, there would need to be early detailed discussions between the parties about next stage arrangements.

Members also raised issues around the current condition of Sweyne Park and the potential offered through its extension in the Open Space element now offered as part of the former Park School package. In particular, some Members expressed concerns around the drainage of Sweyne Park. Members noted that, whilst initial costings associated with surface water drainage schemes may be low, funding could be quite significant over time. Should Council wish to address surface water drainage in the Sweyne Park area, this could be considered by the Member Budget Monitoring Sub-Committee as part of the budget development process.

Councillor Black's Motion was lost on a show of hands.  
(Note: Pursuant to Standing Order 24(4), Councillor C I Black wished to be recorded as voting for the Motion).

Council then turned to the proposals set out in the report. An additional proposal relating to Sweyne Park, Rayleigh was moved by Councillor Mrs J Helson and seconded by Councillor V H Leach.

On a requisition pursuant to Standing Order 24(2), a recorded vote was taken on the proposals as follows:-

**For (25)**

Cllrs R Adams, R S Allen, R A Amner,  
T G Cutmore, Mrs J E Ford, Mrs J M Giles,  
Mrs H L A Glynn, J E Grey, D R Helson,  
Mrs J Helson, A Hosking, Mrs L Hungate,  
V H Leach, J R F Mason, G A Mockford,  
C R Morgan, P J Morgan, R A Pearson,  
S P Smith, M G B Starke, Mrs W M Stevenson,  
Mrs M S Vince, Mrs M J Webster,  
P F A Webster, Mrs M A Weir.

**Against (1)**

Cllr C I Black

**Abstentions (Nil)**

The proposals were declared carried and it was:-

### Resolved

- (1) That the Council accepts the package as negotiated with Essex County Council in relation to both Blatches Farm and the former Park School site as outlined above.
- (2) In consideration of the District Council surrendering its legal interests in the former Park school site in terms of dual use, the squash courts and car park from April 2002, the County Council to transfer the freehold interest in Blatches Farm to the District Council with a covenant restricting its use to country park or agricultural use and on such other terms and conditions as the Head of Legal Services thinks fit.
- (3) That officers approach Southend Borough Council with a view to seeking that Authority's formal position with regard to some form of joint funding arrangement in connection with the management, development and operation of the Country Park, such an approach to be time limited to one month to ensure that the momentum regarding Blatches is not unduly delayed.
- (4) That the necessary amendments be made to the Leisure Contract Tender Documentation in respect of the former Park School site and the outstanding works ordered in respect of the squash courts be cancelled.
- (5) That the Country Park designation in respect of Blatches Farm be approved and the mix of uses as outlined within the package negotiated for the former Park School site be included in the First Deposit Draft of the new District Local Plan which is currently being prepared.
- (6) That Essex County Council be invited to submit an outline planning application in respect of the former Park School site at the earliest opportunity to enable a speedy resolution of the future of the site and end the current uncertainty."
- (7) That the handling of the initial publicity surrounding the Joint Agreement with the County Council be delegated to the Chief Executive in consultation with the Council's Spokesperson.  
(CE)
- (8) That officers submit a report into the Committee budget development process on the potential for integrating the open space element now offered as part of the former Park School package with Sweyne Park, Rayleigh, including the possibilities for addressing the surface water drainage problems at Sweyne Park. (CE)

**304 LEISURE MANAGEMENT CONTRACT**

Council considered the exempt report of the Corporate Director (Finance & External Services) on the proposed Leisure Management Contract specification.

The Corporate Director confirmed that the legal document on which the tenderers would be invited to make comments (Volume 3) would be available shortly and circulated to all Members for the incorporation of any views at an early stage.

**Resolved**

That, subject to amendment to accord with decisions made under Minute 302 above, the invitation to negotiate as attached to the exempt report of the Corporate Director (Finance & External Services) be agreed. (CD(F&ES))

The meeting closed at 9.02pm.

Chairman.....

Date .....