



Leigh-on-Sea Town Council

71-73 Elm Road, Leigh-on-Sea, Essex SS9 1SP | Tel: 01702 716288
council@leighonseatowncouncil.gov.uk | www.leighonseatowncouncil.gov.uk

Chairman: Cllr Bernard Arscott | **Vice Chairman:** Cllr Sandra McCurdy

Town Clerk: Helen Symmons PSLCC



MINUTES OF EXTRAORDINARY COUNCIL MEETING
HELD AT LEIGH COMMUNITY CENTRE
MONDAY 10TH JULY

Present: Cllrs: Agdeve; Bernard Arscott; Dr. Bowry; Cartey (from minute 34); Garston; Gilson; Hart; Lambert; Lloyd; McCurdy; Dr. Robinson and Suttling

Also in attendance: Helen Symmons (Town Clerk); Ingmar Lindberg-Jones (Council Admin Assistant) and 17 members of the public

Absent: Cllrs Rosemary Arscott; Flewitt; Mulroney and Watt

MINUTES

30. HOUSEKEEPING ANNOUNCEMENT

The Chairman provided the appropriate notices with regard to housekeeping, recording of meetings and public representation

31. APOLOGIES FOR ABSENCE

Cllrs Rosemary Arscott; Mark Flewitt; Carole Mulroney and Craig Watt

32. DECLARATIONS OF INTEREST

There were no declarations of interest

33. APPROVAL OF THE MINUTES OF THE ANNUAL COUNCIL MEETING 23RD MAY 2023

Following a proposal (Cllr Bernard Arscott, seconded Cllr McCurdy) Council **RESOLVED** under Standing Order 11 a iii to defer Agenda item 4 Approval of minutes to the Council meeting 25th July 2023

Following a proposal (Cllr Arscott, seconded Cllr McCurdy) Council **RESOLVED** under Standing Order 11 a vii to change the order of business on the agenda and bring forward Agenda item 8 (Motion submitted by Cllr Flewitt, seconded Cllr Lambert)

34. MOTION SUBMITTED BY CLLR FLEWITT, SECONDED CLLR LAMBERT

The Chairman advised that he had received a letter from Cllr Flewitt that afternoon and from the letter (dated 7th July) read the request to withdraw the motion. In the letter Cllr Flewitt stated he was also aware that Cllr Lambert had withdrawn her support as seconder to the motion.

Cllr Cartey joined the meeting

The Chairman advised that under Standing Order 1c 'a motion of the agenda that is not moved by its proposer or another Councillor present may be treated by the Chairman of the meeting as withdrawn. The Chairman confirmed the motion as withdrawn.

35. PUBLIC REPRESENTATIONS

There were none

36. PUBLIC QUESTIONS (for which written notice had been received)

The Town Clerk read out the public questions that were still relevant following the withdrawal of the motion regarding councillor allowances. Appendix 1

The Chairman advised that a written response will be provided to those that had written in.

37. QUESTIONS FROM COUNCILLORS (for which written notice had been received)

There were none

COUNCILLOR MOTIONS SUBMITTED TO CHAIRMAN OF COUNCIL
--

38. MOTION SUBMITTED BY CLLR WATT, SECONDED CLLR McCURDY **Agenda item 9**

Cllr Watt was not in attendance to move the motion. The Chairman did not call on any other Councillor to move the motion.

The Chairman asked Council to vote on the first part of the motion. Council **RESOLVED** to suspend standing orders as follows:

10b - No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days (as per the definition in Standing Order 3b) before the meeting.

10c - A motion may not go direct to Council, unless the Proper Officer and the Chairman agree that the matter is of such urgency that it cannot go through the committee process

10e – If the Proper Officer considers the wording of a motion received in accordance with standing order 10(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting (as per the definition in Standing Order 3b).

10f - If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected

10g - The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final

The Chairman asked Council to vote on the second part of the motion. Council **RESOLVED** that a full staffing review covering all aspects of work, roles and financing thereof, cover all staff members, be carried out by an independent reviewer. The town clerk was instructed to put this in place at the earliest reasonable time.

The Town Clerk advised that the motion was so poorly worded that independent reviewers were unable to provide quotes for the work until a full brief was submitted.

Following a proposal (Cllr Bernard Arscott, seconded Cllr Gilson) Council **RESOLVED** to refer the wording to the next Council meeting.

39. MOTION SUBMITTED BY CLLR McCURDY, SECONDED CLLR CARTEY **Agenda item 10**

Cllr McCurdy was not called upon to move the motion. No other Councillor was called upon to move the motion.

Council **RESOLVED** to review Standing Orders and all Council Policy documents.

Following a proposal (Cllr Bernard Arscott, seconded Cllr McCurdy) Council **RESOLVED** that Standing Orders and all policies are to be reviewed by full Council.

The meeting closed at 7.55 pm

APPENDIX 1
AGENDA ITEM 6 – PUBLIC QUESTIONS

Before any decision is made to the current allowance rate, can council please confirm that they will commit to form an independent remuneration panel to review the want from Cllr Flewitt's motion seconded by Cllr Lambert to increase Cllr allowances and that council will commit to standing by the recommendation from the independent remuneration panel once received.

Response:

Answer from Town Clerk relating to the forming of an independent remuneration panel:

The legislation surrounding Members' allowances is The Local Authorities (Members' Allowances) (England) Regulations 2003. For Parish and Town Councils Part 5 provides the governance.

There are two types of allowance:

Parish Basic Allowance (PBA) – to the Chairman only; or to each member

Parish Travelling and Subsistence Allowance

The amount of allowance payable to the Chairman may differ from that of other members.

To have the Parish Basic Allowance reviewed, Leigh Town Council need to request of Southend City Council to set up a Parish Remuneration Panel (PRP). Leigh Town Council could set their own level of travelling and subsistence allowance but the view of the National Association of Local Council's of which Leigh Town Council is a member, is to take the view of the PRP into account regarding this allowance too.

The PRP will express its recommendation as to the level of PBA as a percentage of the sum that an independent remuneration panel has recommended as the level of basic allowance for the Southend City Council. The percentage can be up to one hundred per cent. The PRP shall also express its recommendation as to the level of PBA as a monetary sum being a monetary sum equivalent to the percentage expressed.

The PRP shall consist of those persons who are also members of the independent remuneration panel for Southend City Council. Leigh Town Council would be responsible for paying the expenses incurred by the panel.

The PRP would produce a report making recommendations as to:

- The amount of PBA
- Travelling and subsistence allowance
- Whether PBA payable only to the Chairman or all members
- Whether a higher amount paid to the Chairman
- The responsibilities or duties in respect of which members would receive parish travelling and subsistence allowance

Once Leigh Town Council received the report it would have to:

- Ensure copies are available for inspection by the public
- Arrange for publication of a notice in a conspicuous place or places for at least 14 days which states:
 - It has received recommendations from PRP

- And describes the main features of the recommendations and specifies amounts of each allowance
- States that copies of the report are available for inspection

Leigh Town Council must have regard to the recommendations which have been made by the PRP. As soon as reasonably practical after setting the levels at which any allowance is to be paid and to whom, Leigh Town Council has to publish in a conspicuous place or places for at least 14 days, a notice containing the following information:

- Any recommendation in respect of allowances made
- The level or levels at which Leigh Town Council have decided to pay and to which members; and
- A statement that in reaching the decision on the matters Leigh Town Council has had regard to the recommendation of the PRP.

Response from Council relating to whether it will commit to standing by the recommendation from the PRP once received:

Following the withdrawal of the motion prior to Public questions, this question was no longer relevant to Council business.

I wish to submit the following questions to the Council with reference to Cllr Flewitt's motion regarding a review of Councillors annual allowance.

- 1) How many LTC Councillors have claimed and received the £85 annual allowance in each year from 2013 to 2023?

Response:

A Freedom of Information request has already been submitted to the Town Clerk with regard to this and the information will be published on the next Council agenda. That said the Town Clerk is aware that from April 2017 to date that no Councillor has claimed nor received the £85 annual allowance.

- 2) LTC Councillors are volunteers who, I understand, may claim out of pocket expenses to cover costs they incur in their role, for example travel costs. Personal printing of copious agenda and minute papers should no longer be an issue given the recent proposal to provide all Councillors with electronic tablets to assist with their duties. Accordingly what is the purpose of the Councillors annual allowance?

Response

LTC Councillors are elected members. No decision was made to provide Councillors with electronic tablets. Councillors are able to access their council emails through a secure system on their personal devices. A Parish Basic Allowance is a discretionary allowance to cover the expenses that are normally associated with the basic duties of being a local councillor. It is not for travel and subsistence as per those categories under Regulation 26 of the Local Authorities (Members' Allowances) (England) Regulations 2003 Part 5 Parish

Council. Leigh Town Council does have a Expenses/Travel costs budget for those Councillors that attend training. It is £250 in total for the financial year.

- 3) Are LTC Councillors required to attend a specific or minimum number of Council meetings and/or events to justify their receipt of the annual allowance? Are they required to return the allowance if they do not ?

Response

If a member fails throughout six consecutive months to attend any meetings of the council or of its committees or sub-committees of which they are a member they cease automatically to be a member of council unless either they have a statutory excuse (e.g. military service) or if their failure is due to a reason approved by the council before the end of the period or they attended as a formally appointed representative of the local council at a meeting of any body of persons to which they have been appointed a representative by the council.

There are no conditions attached to the annual allowance other than those in legislation e.g. ceases to be a member. The Town Clerk would ensure due process is followed and such part of the allowance as relates to any such period be repaid.

- 4) Why is an increase in the annual allowance from £85 to £500 considered appropriate? According to the Consumer Price Index inflation data from the Office of National Statistics, goods and services costing £85 in 2013 would now cost approximately £115 - considerably less than the £500 proposed for the increased allowance - how is this justified?

Following the withdrawal of the motion prior to Public questions, this question was no longer relevant to Council business.

I would like to ask the councillors who submitted some of the motions specific questions about those motions:

Motion submitted by Cllr Flewitt, seconded Cllr Lambert

1. Why do you think that your motion is so urgent that it warrants suspension of Standing Orders 10b; 10c, 10e, 10f, 10g?"

Following the withdrawal of the motion prior to Public questions, this question was no longer relevant to Council business.

2. Are you attempting to influence the outcome of the review that you have requested of the allowance which Leigh Town Councillors can chose to claim by asking the Town Clerk to share costings based on £500 per year per councillor?

Following the withdrawal of the motion prior to Public questions, this question was no longer relevant to Council business.

Motion submitted by Cllr Watt, seconded Cllr McCurdy

1. Why do you think that your motion is so urgent that it warrants suspension of Standing Orders 10b; 10c, 10e, 10f, 10g?"

The Chairman advised that a written response would be sent to the question.

2. What is the business justification for asking the town clerk to incur unbudgeted spend on an independent review that includes a full staffing review covering all aspects of work, roles and financing thereof, covering all staff members?"

The Chairman advised that a written response would be sent to the question.

message: On behalf of residents in Leigh I'd like to ask the council members what is the purpose of raising the allowance from £85 to £500 per annum? An additional cost of £8,000, taking account that councillors haven't previously claimed their allowance on the Town Council, and how would the newly reformed council benefit Leigh residents - what manifesto are they proposing and what are the medium and long term plans for the community centre?

The Chairman advised that a written response would be sent to the question.

1. I understand a number of past and current Town Councillors have not taken the allowance. Do any of the current councillors also intend to decline any proposed increase allowance?

Following the withdrawal of the motion prior to Public questions, this question was no longer relevant to Council business.

2. What services or staff roles do Councillors propose cutting in order to fund a 590% increase in Councillors allowances? Do councillors feel it is appropriate for services to be reduced or staff morale to decrease in order to fund this exorbitant and unjustified rise?

Following the withdrawal of the motion prior to Public questions, this question was no longer relevant to Council business.

3. I have seen no explanation or justification as to why Councillors feel a 590% increase in allowances at this financially difficult time is appropriate and seems little more than taking public money to line their own pockets. Would any Councillor care to explain what additional work or engagement residents can expect from them to account for this rise?

Following the withdrawal of the motion prior to Public questions, this question was no longer relevant to Council business.