

**Minutes of a meeting held on Thursday, 3 March 2022**

**PRESENT:**

**COUNCILLOR DADDS (Mayor)**

**COUNCILLORS: ADEMUYIWA, C ALLEN, S ALLEN, BAGGOTT, BLAKE, BROCKMAN, BROWN, BUCKLEY, CANHAM, FERGUSON, GREEN, A HARRISON, D HARRISON, HEDLEY, HENRY, HOLLIMAN, JEFFERY, LAWRENCE, MCDONALD, MOORE, D MORRIS, REID, ROBBINS, SARGENT, SCAROLA, SMITH, SULLIVAN, TERSON, TURNER, WEBB, WINGFIELD AND YAQUB**

**OFFICERS IN ATTENDANCE:**

**CHIEF EXECUTIVE, DIRECTOR OF STRATEGY & GOVERNANCE,  
HEAD OF LEGAL & DEMOCRACY AND SENIOR GOVERNANCE  
OFFICER**

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SCOTT LOGAN, CHIEF EXECUTIVE, THE BASILDON CENTRE, ST MARTIN'S SQUARE, BASILDON, ESSEX SS14 1DL. TELEPHONE (01268) 533333

**125. APOLOGIES FOR ABSENCE:**

Apologies for absence were received from Councillors Davies, Kettle, Kirkman, Mackenzie, Carole Morris, Rimmer and Schrader.

**126. DECLARATIONS OF INTEREST:**

Item 4 – Considerations for the Withdrawal of the Basildon Borough Local Plan (2014-2034)

The Mayor confirmed to all Members that he would take on block that all Members of the Council had been lobbied regarding Agenda Item 4.

Councillors Hedley, Henry, Moore, Brown, Buckley and Smith declared a

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non-pecuniary interest in Agenda Item 4 as Essex County Councillors.

Councillor Henry declared a non-pecuniary interest as Director of Sempra Homes and withdraw himself during consideration of the item.

Councillor Sargent declared a non-pecuniary interest as a member of Noak Bridge Parish Council who were currently developing a Neighbourhood Plan.

Councillor Buckley declared a non-pecuniary interest as his home backed on to site H15 in the Local Plan.

## **127. ANNOUNCEMENTS**

### The Mayor

The Mayor, on behalf of the Council, sent thoughts and prayers to the citizens of Ukraine following the recent invasion by Russia. The Mayor referred to the recent Holocaust Memorial Day and stressed the importance of learning from past history.

Members stood for a minute of clapping in solidarity to the citizens of Ukraine.

The Mayor notified members that Councillor Hedley would be taking the Chair of Deputy Mayor for the meeting, in Councillor Mackenzie's absence.

### The Leader of the Council

The Leader also echoed the Mayor's remarks and announced that the Basildon sign had been lit blue and yellow and the Ukrainian flag had also been raised at the Council Offices as a mark of solidarity. The Leader also announced the various humanitarian aid efforts that had currently been undertaken, in partnership with various organisations and stated that he would shortly be announcing details of a drop off point for supplies.

In response, the Leader of the Labour Group also spoke in solidarity of the citizens of Ukraine and offered any support from his administration.

In accordance with Council Procedure Rule 4, the Mayor proposed that Agenda Item 6 – Extension to the 6 Month Rule – Section 85 of the Local Government Act 1972, be taken before Agenda Item 4 – Considerations for the Withdrawal of the Basildon Borough Local Plan (2014-2034). Following a vote on the proposal, this was carried.

(For voting see Appendix, column 1).

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**128. EXTENSION TO THE 6 MONTH RULE – SECTION 85 LOCAL GOVERNMENT ACT 1972**

Members were advised that in accordance with Section 85 of the Local Government Act 1972, if a member of a local authority failed throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall cease to be a member of the authority. The only exception was if their non-attendance had been approved by the authority before the expiry of the six month period.

It was reported that Councillor David Kirkman had been unable to attend meetings recently due to ill health and it was proposed that the council approve his continuing absence for a period which exceeded 6 months up until 9 May 2022, which was the fourth day after the scheduled elections when his term of office was due to end.

**RESOLVED:**

That in accordance with Section 85 of the Local Government Act 1972, the Council approves Councillor David Kirkman's non-attendance at meetings until 9 May 2022 and that the council's best wishes be conveyed to him.

(For voting see Appendix, Column 2).

**129. CONSIDERATIONS FOR THE WITHDRAWAL OF THE BASILDON BOROUGH LOCAL PLAN (2014-2034)**

The Chairman of Strategic Planning and Infrastructure Committee presented a report that set out the full risks and implications around the withdrawal of the Local Plan, if Members were minded not to proceed with the submitted local plan, so that all Members of the Council had all relevant information before them as part of any decision-making process to proceed to withdraw the submitted local plan.

It was reported that at a meeting on 27 January 2022, it was recommended that Council approve proposed post-submission modifications to the Emerging Basildon Local Plan for public consultation. The item had been deferred to a future meeting as Members considered they needed further time to consider the relevant planning and legal issues.

Following the subsequent Extraordinary Council meeting held on Thursday 10 February 2022 to consider the proposed modifications, an emergency motion which resolved to withdraw the Emerging Basildon Local Plan was approved as follows:

*“The Council resolves to withdraw the Emerging Basildon Borough Council local plan (2014-2034), which is unadopted.*

*The reason for the withdrawal is based upon, in part, to the current Conservative Administration views and beliefs in placing a greater*

*emphasis on protecting the Greenbelt for current and future generations than the previous administration.*

*The withdrawal will in addition give the Full Council an opportunity to make a new plan, one which will seek to address other concerns, which includes, but not exclusively, the town centre regeneration and the high rise developments.”*

Furthermore, the Council did not approve proposed post-submission modifications to the Emerging Basildon Local Plan for public consultation.

At the meeting held on 10 February 2022 and subsequently, the Council's Monitoring Officer raised concerns and in response, the report now being presented set out the full risks and implications around the withdrawal of the Local Plan, if Members were minded not to proceed with the submitted local plan.

Members also received a letter from the Minister of State for Housing, circulated at the meeting, providing general comments ahead of the consideration of the the withdrawal of the Basildon Borough Local Plan.

**RESOLVED:**

That Council:

- 1) having given detailed consideration to the issues set out in this report are not minded to rescind the decision taken at Council on 10 February 2022, (namely not to approve the post-submission modifications for consultation and agree to proceed to undertake public consultation on the proposed modifications forthwith), confirms the principle of the motion passed at Council on 10 February 2022 and resolves to withdraw the submitted plan in accordance with s.22 of the Planning and Compulsory Purchase Act 2004 and instructs officers to take all necessary steps to implement withdrawal of the local plan including giving the requisite notice under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended);
- 2) approves the draft statement of withdrawal as set out in Enclosure No. 4 to the report; and
- 3) delegates authority to the Strategic Planning and Infrastructure Committee to consider the options and associated issues with the preparation of a new local plan and bring a report to a future meeting of the Council.

(For voting see Appendix, column 3).

**130. NOTICES OF MOTION:**

There were no emergency motions for debate.

MAYOR

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**COUNCIL MEETING RECORDING OF VOTES**

| Vote Number         | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|---------------------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|
| <b>CONSERVATIVE</b> |   |   |   |   |   |   |   |   |   |    |    |    |    |    |
| Ademuyiwa D         | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Adeshile Y          |   |   |   |   |   |   |   |   |   |    |    |    |    |    |
| Allen S             | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Allen C             | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Baggott A           | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Buckley M           | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Blake K             | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Canham G            | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Dadds D             | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Hedley A            | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Henry J             | F | F | O |   |   |   |   |   |   |    |    |    |    |    |
| Holliman P          | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Jeffery G           | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Lawrence D          | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Mackenzie L         |   |   |   |   |   |   |   |   |   |    |    |    |    |    |
| Moore R             | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Morris C            |   |   |   |   |   |   |   |   |   |    |    |    |    |    |
| Morris D            | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Rimmer C            | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Sargent T           | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Schrader A          |   |   |   |   |   |   |   |   |   |    |    |    |    |    |
| Sullivan S          | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Terson S            | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Turner P            | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| Wingfield K         | F | F | F |   |   |   |   |   |   |    |    |    |    |    |
| <b>LABOUR</b>       |   |   |   |   |   |   |   |   |   |    |    |    |    |    |
| Brown A             | F | F | A |   |   |   |   |   |   |    |    |    |    |    |
| Davies A            |   |   |   |   |   |   |   |   |   |    |    |    |    |    |
| Ferguson J          | F | F | A |   |   |   |   |   |   |    |    |    |    |    |
| Harrison A          | F | F | A |   |   |   |   |   |   |    |    |    |    |    |

| <b>Vote Number</b>           | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>8</b> | <b>9</b> | <b>10</b> | <b>11</b> | <b>12</b> | <b>13</b> | <b>14</b> |
|------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|
| Kirkman D                    |          |          |          |          |          |          |          |          |          |           |           |           |           |           |
| McGeorge M                   |          |          |          |          |          |          |          |          |          |           |           |           |           |           |
| Reid P                       | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| Scarola J                    | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| Webb T                       | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| Yaqub M                      | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| <b>WICKFORD INDEPENDENTS</b> |          |          |          |          |          |          |          |          |          |           |           |           |           |           |
| Brockman E                   | F        | F        | -        |          |          |          |          |          |          |           |           |           |           |           |
| Harrison D                   | F        | F        | -        |          |          |          |          |          |          |           |           |           |           |           |
| <b>INDEPENDENTS</b>          |          |          |          |          |          |          |          |          |          |           |           |           |           |           |
| Green H                      | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| Kettle P                     |          |          |          |          |          |          |          |          |          |           |           |           |           |           |
| Robbins V                    | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| Smith K                      | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| <b>NON-ALIGNED</b>           |          |          |          |          |          |          |          |          |          |           |           |           |           |           |
| McDonald E                   | F        | F        | A        |          |          |          |          |          |          |           |           |           |           |           |
| <b>Vote Number</b>           | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> | <b>8</b> | <b>9</b> | <b>10</b> | <b>11</b> | <b>12</b> | <b>13</b> | <b>14</b> |

**KEY:**

- F = In Favour
- A = Against
- = Abstain
- O = Not present for vote
- \* = Casting vote in favour
- ∅ = Casting vote against
- # = No vote cast