

CABINET14 DECEMBER 2011

Present:- Councillor N R Stock (Leader of the Council) (Chairman)!Councillor S Candy (Regeneration)!Councillor G V Guglielmi (Planning) (except items 88 and 89)!Councillor P Halliday (Finance and Asset Management)!Councillor P B Honeywood (Housing)!Councillor S S Mayzes (Tourism and Community Life)!Councillor L A McWilliams (Customer and Central Services) (except items 88 and 89)!Councillor P I Sambridge (Technical Services)!Councillor N W Turner (Environment)

Also Present:- Councillors R J Bucke, A Goggin, I J Henderson (items 78- 82 (part) only), A J Mitchell, G L Mitchell.

In Attendance:- Chief Executive, Strategic Director, Acting Strategic Director (except items 88 and 89), Head of Public Experience, Head of Resource Management, Legal Services Manager, Communications and Public Relations Manager (except items 88 and 89), Senior Democratic Services Officer.

Also in Attendance:- Group Leaders present by invitation:- Councillors H A Shearing, M J Talbot.

(Noon - 1.40 p.m.)

78.. APOLOGIES FOR ABSENCE

Apologies for absence were submitted from Councillors P J Oxley (who, as a Group Leader, had been invited to attend the meeting) and Watling.

79. MINUTES

The minutes of the meeting of the Cabinet held on 16 November 2011 were approved as a correct record and signed by the Chairman, subject to in minute 70 references to "Olympic Torch Procession Route" being changed to "Olympic Torch Relay Route" and to it being made clear that Lord Coe is the Chairman of the London Organising Committee of the Olympic and Paralympic Games (LOCOG).

The Finance and Asset Management Portfolio Holder (Councillor Halliday) stated, in clarification of minute 75 regarding the cessation of CAROS, that any organisation that was in receipt of CAROS funding now or during the next three years would have their overall rent limited to £150 in each of the next three years after which time the scheme would cease. The Council would make the necessary budgetary provision to fund CAROS in each of those three years.

80. ANNOUNCEMENTS BY LEADER OF THE COUNCIL

The Leader of the Council (Councillor Stock) informed Cabinet that he had issued a press release welcoming a report by retail expert Mary Portas into how to breathe new life into ailing High Streets which he felt would open a healthy debate and get people thinking about new ways of how to increase much-needed footfall in town centres. Councillor Stock was pleased that some of Mary Portas' suggestions, such as tackling parking issues, had already been taken up in Tendring with the introduction of free parking in the afternoons.

81. ANNOUNCEMENTS BY CABINET MEMBERS

(1) Atlanta Café Site by Clacton Pier

The Regeneration Portfolio Holder (Councillor Candy) informed Cabinet that negotiations had been brought to a successful resolution in respect of tenancy issues at the Atlanta Café site adjacent to Clacton Pier which would now enable that site to be renovated as part of the ongoing programme of improvement works in the vicinity of the Pier and Pier Gap. The aim was to redevelop the Atlanta Café into an iconic building which would reflect the aspirations for Clacton as a 21st Century resort. Initial drawings had already been commissioned which would also lead to 'face-lifts' to the other kiosks along the seafront.

(2) Olympic Torch Relay Route Petition

The Tourism and Community Life Portfolio Holder (Councillor S S Mayzes) reported that he was receiving a positive public response in respect of the Olympic Torch Relay Route petition and had already accrued 120 signatures. He thanked the local newspapers the Clacton Gazette, the Harwich and Manningtree Standard and the Coastal Gazette for their support. He had also, via a question put at a meeting of the whole County Council, sought and obtained the support of the Leader of Essex County Council.

(3) Parish of Ardleigh Village Design Statement

The Planning Portfolio Holder (Councillor G V Guglielmi) informed Cabinet that he had, that day, made an executive decision to approve the Village Design Statement document for the parish of Ardleigh. This document would now have a material weight in the planning process and he encouraged other parishes to follow suit.

Councillor McWilliams, Customer and Central Services Portfolio Holder, informed Cabinet that Great Bentley Parish Council was looking into the idea of producing a Neighbourhood Action Plan with the help of the Rural Community Council of Essex.

82. SIZE OF THE COUNCIL'S EXECUTIVE

The Cabinet was aware that, at the meeting of the Council held on 29 November 2011, the following motion had been moved by Councillor I J Henderson, seconded by Councillor Double and, in accordance with the provisions of Council Procedure Rule 16.4, stood referred to the Cabinet for consideration and report:-

"Following the recent re-organisation of the Management Structure of the Council, and in order both to secure the alignment of the Executive with that structure and to achieve considerable financial savings, the Council requests the Leader of the Council, as soon as possible, to reduce the number of the Executive to no more than 5 Portfolio Holders (in addition to himself)."

In accordance with the provisions of Council Procedure Rule 16.5 Councillor I J Henderson attended the meeting and explained the motion.

Following the explanation of the motion:-

It was moved by Councillor Stock, seconded by Councillor Candy and:-

RESOLVED – That Council be informed that, in the opinion of the Cabinet, Councillor I J Henderson's motion should be not supported and that instead the following alternative motion should be supported:-

"That this Council supports the Leader of the Council's previous announcement that he will address the make-up of the Cabinet at the earliest and most appropriate opportunity.

That this Council further supports the proposal that the Boundary Commission is asked to examine the size of our Council with a view to reducing the number of Tendring District Councillors."

83. FUTURE DELIVERY OF LEISURE SERVICES

The Cabinet was aware that, at the meeting of the Council held on 29 November 2011, the following motion had been moved by Councillor P J Oxley, seconded by Councillor Johnson and, in accordance with the provisions of Council Procedure Rule 16.4, stood referred to the Cabinet for consideration and report:-

"That this Council welcomes the Cabinet Decision made to call for a report on Leisure Services that Members had hoped would offer options on the future delivery of leisure provision in the Tendring area as well as a route map going forward.

Now the report has been completed the way forward appears to have been delayed, so in order to prioritise some action this Council instructs officers to prepare the detailed specification of the required level of service to allow for market testing of the service; to include the following key points:-

1. That the specification includes upgrading of Dovercourt Swimming Pool, Harwich Sports Hall and Frinton and Walton Swimming Pool.
2. Specification includes the present Leisure Centres (including joint use) with NO sites to close."

In accordance with the provisions of Council Procedure Rule 16.5 Councillor Shearing (on behalf of Councillor P J Oxley) attended the meeting and presented the motion.

Following discussion of the motion:-

It was moved by Councillor Halliday, seconded by Councillor Stock and:-

RESOLVED – That consideration of Councillor P J Oxley's motion be deferred for further reports to be carried out and considered by the Cabinet once the fundamental service review of the leisure services function has been completed and the full facts and costs are known.

84. REVISED FINANCIAL STRATEGY FOR 2012/13 AND BEYOND

The Cabinet had before it a report to enable it to consider the five year financial forecast for 2012-13 – 2016/17 and, in light of that, to agree the Financial Strategy approach for 2012-13 – 2016/17.

The Cabinet was aware that the Corporate Management Committee, at its meeting held on 24 October 2011 (minute 25 referred), had considered the Initial Financial Strategy and had decided:-

"That the Committee was aware of these difficult financial times for the Council and the need to be prudent, and was confident that the budget proposals and forecasts, as detailed in the Initial Financial Strategy, addressed the issue and therefore the contents of the Initial Financial Strategy 2012/13 be noted."

Having regard to the financial situation:-

It was moved by Councillor Halliday, seconded by Councillor Candy and:-

RESOLVED – (a) That the revised proposals for the Financial Strategy and Financial Forecast for 2012/13 and beyond, as detailed in item A.3 of the Report of the Finance and Asset Management Portfolio Holder, be agreed.

(b) That there be a 0.5% reduction in Council Tax for 2012/13.

(c) That if the final financial position is more or less advantageous to the Council (from either revised estimates or estimates for 2012/13) then any increase or decrease is adjusted against the Contingency Budget.

(d) That the Corporate Management Committee's comments be requested on the Revised Financial Strategy Proposals.

85. INITIAL BUDGET PROPOSALS FOR A REVISED BUDGET 2011/12 AND ORIGINAL BUDGET FOR 2012/13

The Cabinet considered a report which set out and sought approval of the initial proposals for a balanced General Fund Revenue Budget and Capital Programme for a revised budget for 2011/12 and original budget for 2012/13.

To enable the budget process to proceed:-

It was moved by Councillor Halliday, seconded by Councillor Stock and:-

RESOLVED – (a) That the initial budget proposals (including fees and charges) set out in the appendices to item A.4 of the Report of the Finance and Asset Management Portfolio Holder together with further proposals in respect of fees and charges not currently included in Appendix 'B' be agreed for consultation with the Corporate Management Committee.

The further proposals for fees and charges not currently included in Appendix 'B' are:-

- (i) Sports Facilities – no increase in 2012/13.
- (ii) Sports Pitches – no increase in 2012/13 except that there will be a Big Society Discount of 25% for hirers who take responsibility for erecting and de-erecting nets and corner flags and any other tasks associated with hire.
- (iii) Beach Huts – 6% increase for residents and 10% increase for non-residents with no increase in the transfer fee.
- (iv) Princes Theatre – no increase in 2012/13.
- (v) Licensing Committee charges – 5% increase in 2012/13 except where fees are statutory and in relation to the relative charges for Hackney Carriage vehicles and drivers.
- (vi) Car Parking – substantially no increase in 2012/13 but with some minor changes to some tariffs.
- (vii) Regulatory Committee charges – cost recovery basis in 2012/13.
- (viii) Land Charges – cost recovery basis in 2012/13.

(b) That the Finance and Asset Management Portfolio Holder be authorised to agree the special expenses report for consultation with the Corporate Management Committee.

(c) That all future expenditure in 2011/12 be in line with the proposed revised budget set out in the appendices to the aforementioned report as amended in light of the agreed Revised Financial Strategy, subject to final approval by Council on 7 February 2012 and

that the corporate financial system is amended accordingly to reflect these changes along with any amendments arising from revisions to the code of practise relating to the presentation of the Council's annual Statement of Accounts.

(d) That the use of up to £0.200m from the Contingency Reserve to support any additional costs arising from increases in Electricity and Gas prices and NNDR be delegated to the Head of Resource Management in consultation with the Finance and Asset Management Portfolio Holder.

86. SURRENDER OF LEASE, KIOSK 5, MARINE PARADE EAST, CLACTON-ON-SEA

The Cabinet's approval was sought to accept the surrender of the lease pertaining to Kiosk 5, Marine Parade East, Clacton-on-Sea.

The Cabinet was informed that the kiosk was let to tenants on a full repairing lease which was secured under the Landlord and Tenant Act 1954. The contractual term had ended and there were rent arrears and outstanding repairs. The tenants were agreeable to the surrender of the lease. External solicitors acting for the Council had advised that the surrender of the lease would be a prudent course of action given the risks of adverse publicity or uncertainty of seeking forfeiture by taking possession or court action.

In order to bring this matter to a satisfactory conclusion:-

It was moved by Councillor Halliday, seconded by Councillor S S Mayzes and:-

RESOLVED – That the surrender of the lease pertaining to Kiosk 5, Marine Parade East, Clacton-on-Sea be accepted.

87. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock, seconded by Councillor McWilliams and:-

RESOLVED - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

Chairman