

CABINET26 OCTOBER 2011

Present:- Councillor N R Stock (Leader of the Council) (Chairman)!Councillor S Candy (Regeneration)!Councillor G V Guglielmi (Planning)!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)!Councillor P I Sambridge (Technical Services)!Councillor N W Turner (Environment)!Councillor G F Watling (Benefits and Revenues)

Also Present:- Councillor G L Mitchell.

In Attendance:- Chief Executive, Acting Strategic Director, Head of Resource Management, Communications and Public Relations Manager, Senior Democratic Services Officer, Personal Assistant to the Leader of the Council and Members' Support Manager.

Also in Attendance:- Group Leaders present by Invitation:- Councillor Talbot.

(Noon - 12.53 p.m.)

58.. APOLOGIES FOR ABSENCE

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

59. MINUTES

The minutes of the meeting of the Cabinet held on 28 September 2011 were approved as a correct record and signed by the Chairman.

60. MATTERS ARISING FROM THE ABOVE MENTIONED MINUTES - MINUTE 55 - ECC MINERALS DEVELOPMENT DOCUMENT: SITE ALLOCATIONS - ISSUES AND OPTIONS PAPER

Further to minute 55 of the meeting of the Cabinet held on 28 September 2011, the Planning Portfolio Holder (Councillor G V Guglielmi) informed Cabinet that further comments had been submitted to Essex County Council following a public meeting held in Ardleigh.

61. ANNOUNCEMENTS BY LEADER OF THE COUNCIL

The Leader of the Council (Councillor Stock) informed Cabinet that he was pleased to see that Douglas Carswell, the Member of Parliament for Clacton and Bernard Jenkin, the Member of Parliament for Harwich and North Essex were working hard on behalf of the residents of the District, as evidenced by their leading role in the recent debate in the House of Commons on the motion that sought to hold a national referendum on Britain's continued membership of the European Union.

62. ANNOUNCEMENTS BY CABINET MEMBERS

(1) Household Waste and Recycling Collection Arrangements for the Christmas and New Year Holiday period

The Environment Portfolio Holder (Councillor Turner) informed Cabinet of the

arrangements that would be put in place for household waste and recycling collection over the forthcoming Christmas and New Year Holiday period.

(2) Tendring Citizens Advice Bureau

The Finance and Asset Management Portfolio Holder (Councillor Halliday) was pleased to inform Cabinet that he had, that day, taken an executive decision to give a further grant of £50,000 to the Tendring Citizens Advice Bureau (CAB) following the successful completion of their latest Quality of Advice audit. The CAB was facing a large increase in calls on their services from the members of the public affected by the current poor economic climate and resulting financial pressures on households and individuals. This had led the CAB to take on more volunteers which had in turn increased the CAB's operating costs. The grant of £50,000 from the Council to the CAB would assist the CAB in this time of need and help them to continue to provide their core valuable service to the District's residents.

Councillor Halliday also informed Cabinet that he was investigating ways in which the Council's base budget contribution to the CAB could be increased as part of the Council's budget for 2012/13. Members congratulated the CAB on their hard work and success in turning their performance levels around.

(3) Proposed Civic Hub in Tendring

Councillor Candy declared a personal interest in this matter insofar as she was also a County Councillor.

The Finance and Asset Management Portfolio Holder read out the following statement:-

"I am pleased to announce that I have made a decision under my delegated powers to formally launch a programme of work with Essex County Council and other potential partners to explore the possibilities of sharing our office accommodation assets and in particular to explore the feasibility of establishing a Civic Hub in Tendring.

A key element of the cost of delivering public services and the quality of the customer service provided is the various buildings from which services are delivered. Along with other public service bodies the Council needs to examine the assets it uses and the way it uses them to deliver services. We need to look for opportunities to improve the way we work, improve how we engage residents and reduce our costs, as do all public services providers.

A Civic Hub would fundamentally improve the public's experience of how public services are delivered to them. It will bring together County and District services along with other service providers. The public are often not aware whether a service is delivered by District or County Councils. When people visit councils they want their problem resolved and receive a good service. The Civic Hub would be a fundamental change to our delivery approach where people would come in and be directed to the right person or people to address their needs, regardless of whether they are County or District staff.

The Hub will bring significant savings in operational costs both due to shared facilities costs and due to the rationalisation of the many, often not fit for purpose, assets. The initial feasibility study will provide details of costs and the range of partners prepared to work together under one roof. It will identify the potential costs compared to the existing operational costs and savings achievable.

Funding support of £150,000 for this project has been agreed by Improvement East as part of a wider programme of property related work across Essex.

The Leader, together with the Leader of the County Council, has signed a Memorandum of

Understanding to establish a shared commitment between them “to develop closer working arrangements between our Authorities” and with a number of specific objectives to rationalising and sharing the assets used to deliver services. This project will look to turn that commitment and vision into a reality.”

63. RECOMMENDATION FROM THE AUDIT COMMITTEE - REGENERATION AND TOURISM STRATEGIES

It was reported that the Audit Committee, at their meeting held on 22 September 2011 (minute 21 referred), had considered a report updating it on the progress made against recommendations made by the Audit Commission following their annual audit work and associated reporting. As a result of such consideration the Audit Committee had decided:-

“That Cabinet be informed that, in the opinion of the Committee, the Council's Regeneration and Tourism Strategies need to be updated to reflect the outcome of the restructuring of the Council.”

Having considered the recommendation made by the Audit Committee:-

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

RESOLVED – (a) That Cabinet thanks the Audit Committee for its comment, but without any reasons as to why a review may be needed it would be premature to review the Regeneration and Tourism Strategies at this time, particularly in light of the diminished financial resources and considering the fact that both strategies were only adopted last year. They set a direction for the work of the Council and reflect a changing environment of economic challenges and opportunities.

(b) That Cabinet takes this opportunity to re-affirm its commitment to improving the economic prosperity of the District as a Council priority. This Cabinet, through fundamental service reviews commits to ensuring that the Council has a sustainable and well resourced team that is capable of working effectively with our partners to take forward both the economic development of the District and to tackle the wider and deeper issues affecting the quality of life of some of our residents.

(c) That Cabinet requests that the Audit Committee add to their work programme an audit of the £45,000 that this Council paid towards the Disabled Go scheme in order to give an explanation and assurances to Members that this money was spent appropriately as well as transparently.

64. REVIEW OF THE PEST CONTROL CONTRACT

The Cabinet gave consideration to a report of the Environment Portfolio Holder which presented for its approval recommendations to secure a reduction in the cost to the Council of providing a district wide pest control service.

Members were made aware that the Council, whilst having no mandatory obligation to provide a pest control service, did have responsibilities under the Environmental Protection Act 1990 to deal with insect nuisances and to require property owners to control infestations of rats and mice under the Prevention of Damage by Pests Act 1949. It was felt that there were three main options available to the Council:-

- Cease the provision of the service completely;
- Continue with the existing service; or

- Implement a change to the existing service with a reduction in cost to the Council.

It was reported that discussions with the pest control contractor had identified service opportunities for a substantial reduction in costs to the Council of approximately £17,500 per annum which could be achieved whilst maintaining a full service and introducing a subsidised cost for services for residents on certain benefits.

In order to implement the proposed revisions to the contract which would be sufficient to control pests within the District whilst at the same time enabling people who are dependent on benefits the opportunity to secure pest control treatments at a reasonable price:-

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

RESOLVED – (a) That Cabinet agrees to the proposals whereby the fees for all pest treatments are amended in line with those set out in item A.2 of the Report of the Environment Portfolio Holder and with the Council paying an associated subsidy of £7.50 per rat and mice treatment when that service is provided to those residents in receipt of benefits. The revised charges will commence from 1 January 2012.

(b) That the Head of Public Experience be authorised to implement any necessary changes to the existing contract in order to secure the provisions set out in the aforementioned report, including an extension of the existing contract to 31 March 2015.

65. ANNUAL MINIMUM REVENUE PROVISION (MRP) POLICY STATEMENT FOR 2012/13

In accordance with the requirements of The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008, the Cabinet gave consideration to a proposed Annual Minimum Revenue Provision (MRP) Policy Statement for 2012/13 with a view to recommending to Council that such MRP Policy Statement be approved by Council at its meeting due to be held on 29 November 2011.

In order to allow this matter to be considered by the Council:-

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

RESOLVED – That Members be made aware of the legal advice received by the Portfolio Holder and/or Officers in producing the report.

RECOMMENDED TO COUNCIL – That the Annual Minimum Revenue Provision Policy Statement for 2012/13, as set out in Appendix 'A' to item A.3 of the Report of the Finance and Asset Management Portfolio Holder, be approved.

66. DOVERCOURT BOATHOUSE LEASE REVISIONS

It was reported that, following the decisions taken by the Cabinet at its meeting held on 9 March 2011 (minutes 143 and 147 referred), Officers had entered into negotiations with the prospective tenants of the Dovercourt Boathouse to agree a lease for a seven year period. However, given that the terms of the lease specifically excluded the Landlords and Tenants Act 1954 (thus giving the prospective tenants no security of lease after the lease expired) the prospective tenants were unwilling to agree a seven year lease on the basis that it would give them insufficient time to recoup their investment plan proposals and turn a profit.

In light of the above, the Tourism and Community Life Portfolio Holder was now recommending to Cabinet that the lease period be for 14 years.

To enable this matter to proceed to a satisfactory conclusion:-

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

RESOLVED - That the Head of Resource Management, in consultation with the Tourism and Community Life Portfolio Holder, be authorised to effect a legally binding lease for the Dovercourt Boathouse for a term of 14 years but otherwise in accordance with the Cabinet's decision of 9 March 2011 (minute 147 refers).

67. COUNCIL TAX: DISCRETIONARY DISCOUNTS FOR DOMESTIC PROPERTIES

The Cabinet had before it information to enable it to recommend to Council the Council Tax discounts for 2012/13 in respect of second homes, long-term empty properties and locally defined discounts.

Members were aware that the Corporate Management Committee had met on 18 July 2011 to, amongst other things, review the 100% charge on empty properties as it had been requested to do so by the Council (minute 80 – 7.12.10 referred). The Corporate Management Committee had decided to inform Cabinet that, in its opinion, the current policy not to grant a Council Tax discount on long-term empty properties should continue.

It was reported that currently Essex County Council (ECC) contributed towards the expenditure incurred by Tendring District Council (TDC) on concurrent functions by paying 60% of their increased share of the second homes charge to TDC. However, ECC had determined that this would end on 31 March 2012. ECC had suggested that they might offer a 40% contribution but following responses from Essex Authorities (including TDC) they had decided to increase that offer.

ECC had now written to confirm that a new three year agreement was on offer that would share their increased income from second homes on a 50:50 split.

Cabinet placed on record their appreciation to the County Council that they had proven willing to be flexible on this matter.

In order to allow this matter to be decided by the Council in accordance with the Local Government Act 2003:-

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

RECOMMENDED TO COUNCIL – That for 2012/13 the current discounts continue to apply, namely:-

- A 10% discount on second homes;
- No discount on empty properties; and
- No locally defined discretions be introduced.

68. KEN BROWN, ASSISTANT HEAD OF LEGAL SERVICES

The Chairman referred to the fact that this was the last meeting of the Cabinet that Ken Brown would be attending before he left the Council's employment after over 40 years local government service.

He extended his thanks to Mr Brown and wished him well for the future.

Members showed their support for the Chairman's comments with a round of applause.

69. EXCLUSION OF PRESS AND PUBLIC

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

Chairman