
CABINET16 NOVEMBER 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:- Councillors R A Heaney, G L Mitchell, F H Nicholls.

In Attendance:- Chief Executive, Strategic Director, Head of Public Experience, Head of Resource Management, Legal Services Manager, Communications and Public Relations Manager (except items 68-70), Senior Democratic Services Officer, Personal Assistant to the Leader of the Council and Members' Support Manager.

Also in Attendance:- Group Leaders present by invitation:- Councillors Shearing, Talbot.

(Noon - 1.22 p.m)

68.. APOLOGIES FOR ABSENCE

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

69. MINUTES

The minutes of the meeting of the Cabinet held on 26 October 2011 were approved as a correct record and signed by the Chairman, subject to in minute 62(3) a reference being inserted to the effect that Councillor S S Mayzes had also declared a personal interest.

70. ANNOUNCEMENTS BY LEADER OF THE COUNCIL

The Leader of the Council (Councillor Stock) welcomed to the meeting June Clare who had recently been appointed to the post of Head of Public Experience.

The Leader of the Council expressed concern that the Olympic Torch Procession route would not go through the District of Tendring. This was a particular disappointment given the fact that Tendring was the third largest District in Essex and that the Torch as a symbol of hope and aspiration would resonate particularly in Tendring as the District contained the most deprived neighbourhood in the country. Councillor Stock read out the contents of a letter of representation that would be sent to Lord Coe, London 2012 Organisation Committee Chair.

Councillor S S Mayzes, Tourism and Community Life Portfolio Holder, stated that he would be organising a petition calling for the Tendring District to be included in the Olympic Torch route.

71. ANNOUNCEMENTS BY CABINET MEMBERS

(1) Free Car Parking Scheme

The Technical Services Portfolio Holder (Councillor Sambridge) informed Cabinet that she would be taking an executive decision that would introduce on the Council's fee paying car parks free parking in the afternoons with the aim of encouraging residents to 'Shop Local, Spend Local'. The scheme would run until March 2012.

Councillor Candy, Regeneration Portfolio Holder, welcomed the fact that the NCP car park in Jackson Road, Clacton-on-Sea was offering two hours parking for the price of one hour for shoppers who visited the new 'pop up' shop, The Emporium, in that street. Councillor Candy also remarked on the very positive feedback that the 'pop up' shop was generating.

(2) Meeting with the PCT – Land at the corner of Ipswich Road and Frinton Road, Holland-on-Sea

Councillor Candy declared a personal interest in the subject matter of this item.

Further to the request made by the Community Leadership and Partnerships Committee at their meeting held on 31 October 2011 (minute 25 referred) the Finance and Asset Management Portfolio Holder (Councillor Halliday) informed Cabinet of the outcome of a meeting with the PCT that he had attended with the Leader of the Council and Officers in respect of the proposal for the building of a new GP's Surgery in Holland-on-Sea and the possible utilisation of land at the corner of Ipswich Road and Frinton Road, Holland-on-Sea for such purpose. The members of the Community Leadership and Partnerships Committee and the local Ward Members had also been informed.

Councillor Halliday announced that he had, that day, made an executive decision to initiate the Property Dealing Policy in respect of the afore-mentioned land which hopefully would lead to the creation of the much needed GP's Surgery in due course.

72. INFORMATION AND COMMUNICATIONS TECHNOLOGY STRATEGY 2011 - 2016

The Cabinet's approval was sought in respect of the Council's Information and Communications Technology (ICT) Strategy for 2011 – 2016.

It was reported that the main objectives of the Strategy were to:-

- * Develop our capacity in order to deliver change;
- * Identify where we are now, where we need to be and develop the Strategy to get us there;
- * Acquire and develop the skills needed to be successful;
- * Identify appropriate solutions by making better use of what we have or by investing in new technology where required;
- * Become smarter, adaptable and more efficient in our working; and
- * Manage the benefits and realise the savings.

In producing the Strategy consultation had taken place internally with each of the Council's Departments. External consultation had also been undertaken in order to identify the Council's future business requirements with other Essex Local Authorities in the Essex Online Partnership and Essex County Council. Other background research had included a thorough review of market trends, strategic publications, the Government's ICT Strategy and key publications produced by the Society of IT Managers.

The Cabinet was informed that the Strategy was designed to make the most effective use of technology in order to achieve the successful delivery of modern public services. Backing up the Strategy was an annual flexible and responsive operational programme of works which would focus on emerging business demands, target resources as necessary

and take advantage of technological advances as they came on-stream.

In order to move the Strategy forward and, in particular, to enable the Corporate Management Committee to be consulted on the contents of the Strategy:-

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

RESOLVED – (a) That the ICT Strategy 2011 – 2016, as set out in Appendix A1 to item A.1 of the Report of the Customer and Central Services Portfolio Holder (but to be subject in due course to annual reviews), be approved for consultation with the Corporate Management Committee.

(b) That the Priority One projects, as set out in Appendix A2 to the above-mentioned report, be approved and be funded from existing capital and revenue ICT budgets.

(c) That the Corporate Management Committee be also requested to consider whether the ICT Strategy should be removed from the Policy Framework and that the Officers produce a generic report highlighting the effects of such removal (particularly with regard to call-in and possible referral to full Council) which will assist the Committee in its deliberations.

73. THE PRIVATE WATER SUPPLIES REGULATIONS 2009

Further to minute 38 of the meeting of the Cabinet held on 7 July 2010 the Cabinet considered the progress made on the implementation of The Private Water Supply Regulations 2009 and the resource implications associated with their enforcement.

The Cabinet was aware that The Private Water Supply Regulations 2009 had come into force on 1 January 2010 and had imposed a number of new requirements on Local Authorities in respect of private water supplies. Private water supplies included all water supplies not provided by a water undertaker or licensed water supplier and also private distribution systems, where a site owner distributed water on site.

It was reported that enforcement of those regulations had now been undertaken with visits to a number of sites where work had included completing the annual return, risk assessment, water sampling, investigation and advice.

To ensure sufficient resources were available, Cabinet at its meeting held on 7 July 2010 had decided that the provision of this service be reviewed after 12 months. The Cabinet was now informed that following receipt of guidance from the Drinking Water Inspectorate and discussions with Veolia Water as to the actual status of some sites the overall workload had been less than expected. It had therefore been possible to undertake the work with existing staff and without the need for contractors.

Having considered the information submitted:-

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

RESOLVED - (a) That the contents of the report be noted.

(b) That enforcement of the Regulations continues.

74. CORPORATE BUDGET MONITORING REPORT FOR THE SECOND QUARTER OF 2011/12

The Cabinet gave consideration to a report of the Finance and Asset Management Portfolio Holder which provided it with an overview of the Council's actual financial position against the budget as at 30 September 2011.

The Cabinet was aware that the Corporate Management Committee would also scrutinise the overview in due course.

It was reported that following its review of the Budget Monitoring Report for the first quarter of 2011/12 (minute 18 – 5.9.11 referred) the Corporate Management Committee had submitted a comment to Cabinet in respect of the emerging position against the Council's Print Unit budget. Actions were already being taken in the third quarter of 2011/12 in response to the emerging Print Unit position. The comment in question had been:-

“That Cabinet be informed this Committee recommends that whilst the Council operates its own Print Unit and can satisfy itself that this is the most economic and efficient way to have Council documents printed that Heads of Department should ensure that it is used in preference to external suppliers.”

Having considered the information submitted:-

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

RESOLVED – (a) That the financial position as at the end of September 2011 be noted.

(b) That the budgetary adjustments set out in the report be approved.

(c) That the Cabinet wholeheartedly supports and agrees with the comment made by the Corporate Management Committee in respect of the Print Unit.

(d) That all departments of the Council use the Print Unit if they are able to produce the work required and that a mechanism be introduced whereby a Head of Department can seek a dispensation to this in the event that the Print Unit are unable to do the work.

75. COMMUNITY ASSETS RENTS OFFSETTING SCHEME: REVIEW

Councillor Halliday declared a personal interest in the subject matter of this item.

The Cabinet gave consideration to a report of the Finance and Asset Management Portfolio Holder which set out four main options for the future operation of the Community Asset Rents Offsetting Scheme (CAROS).

The Cabinet was aware that the Council was the freehold owner of a number of community and sports leisure premises that had been let in the past at low rents so that the clubs and organisations could improve and create a sustainable and stable environment. In order to balance its statutory duties with support for these community organisations, the Council had introduced CAROS in 2008/09. The underlying principle of CAROS was that organisations had leases at full open market rents meeting the Council's statutory obligations but that they could also apply for support in the form of a discretionary grant that left the net payment by the organisation of £150 per annum with no reference at all to the actual value of the premises.

The four options for consideration before Cabinet were as follows:-

(a) Continue the scheme as existing and increase the budget to suit.

(b) Discontinue the scheme and address any failing groups as the need arises.

- (c) A phased reduction in the level of support given over three years.
- (d) Rebalance the scheme to continue to support groups while reducing the financial impact on the Council:-
- (i) Increase the amount of the flat-rate scheme, if increased to £500 the estimated 2016 budget would be £101,925.
- (ii) Change the grant to a percentage of the open market rent, if set at 50% the estimated 2016 budget would be £60,296.
- (iii) Change the grant to a flat-rate with a percentage of the open market rent above that, if set at £500 and 50%, the estimated 2016 budget would be £50,713.

Having considered the four options and their potential financial effect on the Council:-

It was moved by Councillor Halliday, seconded by Councillor G V Guglielmi and:-

RESOLVED – (a) That Option C be chosen as the way forward for the Council.

(b) That budgetary provision be made to fund the phased reduction up to the end of 2014/15 i.e. 2012/13 £63,902; 2013/14 £43,307 and 2014/15 £21,760.

76. LEASES AT BARRACK LANE, HARWICH

The Cabinet gave consideration to a report of the Finance and Asset Management Portfolio Holder which informed it of the progress of lease renewals and rent reviews at Barrack Lane, Harwich.

The Cabinet recalled that, at its meeting held on 1 September 2010 (minute 59 referred), it had decided to proceed immediately with site improvement works, an overdue rent review and some renewals without serving any notices or requiring further decisions. In view of the progress made since by Officers it was now pertinent for Cabinet to re-consider the decisions made relating to the issues, the aforesaid improvement works having been completed earlier this financial year. The position of the five tenancies on the site at present was as summarised as below:-

Sea Scouts:

Pre-existing lease to August 2049. No action required.

Girl Guides:

Pre-existing lease to April 2017. The Guides Association has not been able to reply in substance to proposed further lease terms.

United Services Club:

New lease agreed and completed to March 2038. Action Completed.

Royal British Legion:

New lease agreed and completed to March 2038. Action Completed.

Harwich and District Community Association:

Rent review due since August 2004. Existing lease holding over since 31 July 2011. The Community Association has not been able to reply in substance to negotiation or proposed further lease terms.

Having considered the information submitted:-

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

RESOLVED – (a) That the renewal of two of the leases on site, namely with the United Services Club and the Royal British Legion, be noted.

(b) That no action be taken on the Girl Guides lease until due for renewal process in April 2016.

(c) That the relevant notices be issued and procedures followed in order to resolve the lease issues at the Harwich and District Community Association.

77. PROCUREMENT STRATEGY

The Cabinet gave consideration to an updated and refreshed Procurement Strategy.

It was reported that a review of the current Procurement Strategy had been undertaken set against the underlying principles of simplifying processes where possible and establishing a strategy to set out a high level framework in a readily accessible and transparent way. Subject to approval of the revised Strategy, the review was proposed to be extended to the Procurement Rules within the Council's Constitution along with establishing a complimentary and practicable guide to procurement based on the same principles as set out in the Strategy. That approach would be further supported by establishing a corporate or central point of "expertise" within the Resource Management Department where procurement could be co-ordinated through a central contact in order to maximise value for money/economies of scale along with associated efficiencies.

In order to enable the Procurement Strategy to be progressed:-

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

RESOLVED – (a) That the overall approach to procurement, as set out in item A.6 of the Report of the Technical Services Portfolio Holder, and the revised Procurement Strategy, as set out in the Appendix thereto, be approved.

(b) That authority be delegated to the Head of Resource Management, in consultation with the Technical Services Portfolio Holder, to refresh and keep the document up to date as appropriate.

(c) That Officers undertake a review of the Procurement Procedure Rules within the Council's Constitution along with implementing a complimentary internal guide to procurement in order to reflect the revised Strategy and approach to procurement.

(d) That the Corporate Management Committee be consulted on the contents of the revised Procurement Strategy and on whether the Procurement Strategy should be removed from the Policy Framework.

(e) That the generic report referred to in resolution (c) to minute 72 above be also submitted to the Corporate Management Committee to assist them in their consideration of this matter.

(f) That an interactive conference be arranged with local small businesses/suppliers in order to find ways to assist them in tendering/quoting for work from the Council and also to

assist them in making the Council aware of hindrances that prevent them from competing for Council work.

78. 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.

79. 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