
CABINET13 SEPTEMBER 2012

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)

Also Present:- Councillor D R Mayzes (Chairman of the Council), Councillor A Goggin, Councillor J Henderson, Councillor G L Mitchell and Councillor I P Tracey.

In Attendance:- Chief Executive, Strategic Director, Head of Life Opportunities, Head of Resource Management, Democratic Services Manager, Communications and Public Relations Manager, Democratic Services Officer (JCN) and Personal Assistant to the Leader of the Council.

(12.00 noon - 1.23 p.m.)

19.. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors P J Oxley, Shearing, Talbot (who, as Group Leaders, had been invited to attend the meeting) and Watling (Portfolio Holder for Benefits and Revenues).

20. MINUTES

The minutes of the meeting of the Cabinet held on 22 August 2012 were approved as a correct record and signed by the Chairman, subject to it being included therein, the request received by Councillor Candy when she asked that Officers prepare an audit of the possible development of land at Horsley Cross or elsewhere along the A.120 corridor.

21. MATTERS ARISING FROM THE MINUTES

Councillor Candy asked that an audit of all information held by the Council on Horsley Cross and the A.120, including confidential information held by the previous Administration, be shared with all Members.

22. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

1. Consultation on Leisure Centre Improvements

“You will recall that earlier this summer I announced that the Council was launching a major consultation exercise to find out where Tendring residents would like to see us put our money so as to improve the Leisure Centres across the District. I said at that time that ‘Public feedback would be very important and it would be interesting to see what comes out of it.’

I am delighted to say that nearly 200 responses were received from a combination of individuals, as well as groups telling us what they would like to see, and even more importantly, some of the respondents pledged to work with us to maximise the work of the Council in making improvements.

Following receipt of the responses I have asked the Chief Executive to fully consider each of the responses and to develop a combination of proposals to make best use of the funds we have available for the Administration to consider before any firm decisions are made.

Whilst I am very keen to get on with doing some of the works as quickly as possible some really interesting proposals were made during the consultation by groups who want to work with the Council to make a real difference to some of the Centres and these groups are prepared to put their money where their mouth is and to work with the Council to secure funding on top of that which the Council has already committed.

In addition, Officers had been meeting with other organisations such as Active Essex and Sport England to see if we can attract new capital and revenue funds from regional and national bodies to supplement what this Administration has already pledged to spend.

I would hope that all of the Council would support this ambition and ensure that Officers can use the feedback from the public and their continued work with funding bodies to secure the best outcome for developing our sports centres across the District and support the Council in this aim.

Finally the key message that I want to give today is that this Administration is committed to building on the Olympic and Paralympics' legacy to increase participation in sport, raise personal aspirations and to increase the awareness of sport opportunities within Tendring and by using the feedback we have received from the public I want to see the budget we have set aside to be used to deliver the maximum level of improvements to Tendring's sports facilities so as to benefit the greatest number of Tendring residents."

During the discussion that followed the Cabinet agreed it would be a good idea to ask Officers to carry out an audit of other sporting events that could benefit residents of Tendring and to bid, for example, for a leg of the Tour de Britain which would be held next year.

2. The Role of Local Ward Members in Council Decision-Making Processes

"I wish to announce that I am requesting Officers to bring forward a report to Cabinet outlining recommendations that will embed into the functioning of this Authority the rights of local Ward Members to have a greater and more meaningful involvement in issues affecting their Ward where the Council is involved.

I am concerned that there are too many instances where local Ward Members are completely unaware what is going on and have no opportunity to provide their input and knowledge.

A good example would be the issue of money that is available to spend on children's play areas in specific parts of the District that has been accumulated as a result of contributions from planning applications. It has emerged that the Council was not consulting with its own democratically elected Members who represent those areas which I do not believe can be good practice.

Local knowledge is an invaluable resource and on this Council we currently have 60 Members who I am sure are all passionate about and committed to the Wards they represent. Those Members will very often have an insight into problems and issues that is unique to them and could be vital to ensuring the right decisions are made. We need to be doing more to be using that resource and I look forward to bring that report forward very soon."

23. ANNOUNCEMENTS BY CABINET MEMBERS**(1) Air Show and Work of Seafront Staff**

The Leisure Portfolio Holder (Councillor S S Mayzes) asked to be noted, the excellent work that had been undertaken by the Seafront staff whilst under immense pressure, as they did a great job which was not always recognised.

He informed Members that the Air Show had been a great success this year and he would bring a full report on it to the next meeting of the Cabinet.

(2) Cars for Sale

The Technical Services Portfolio Holder (Councillor Sambridge) announced that;

As from today (13 September 2012), the Council would use its powers under Schedule 4 the Local Government Act 1982, (Street Trading) and Cleaner Neighbourhood and Environment Act 2005 to stop unauthorised motor traders plying their trade and causing problems in hot spot areas across the District.

Members of the Cabinet expressed their thanks for this as unauthorised motor traders had caused a problem across the District. Councillor Sambridge informed Members that if they wished a notice to be displayed in areas where they perceived there was a problem with illegal traders then to contact her so she could ask her Officers to ensure the notice was displayed.

(3) Recycling Update

The Environment Portfolio Holder (Councillor Turner) said that,

Residents would be pleased to know how staff in Environmental Services were taking forward the Council's promise to respond to the concerns expressed by many of the District's residents as the Council rolled out and operated the new waste collection and recycling system.

He said that the best lessons in life were always the hardest and that the Council had learnt. The Council was starting to respond and that he wished it remembered that the Council would like to ask and not dictate and tell residents what to do. The Council now had lids for the red boxes with spare boxes available and at some sites, compost bins were available for collection, one per household, without charge and with the Council's compliments. He added his thanks to residents for helping to achieve the Council's objectives of 5%+ increase in recycling, sending less tonnage to landfill and saving £450,000 year on year.

From this month (September) the Council would be holding four Road Shows, one each month. Any Councillor who would like the Road Show to visit their part of the Tendring District, were asked to get in touch with Councillor Turner or his Officers as soon as possible. The Road Shows would be in conjunction with other Services that the Council and the County offered. The Road Shows could also be themed to reflect particular local concerns.

The Council was planning in the near future to launch a Keep Tendring Tidy Campaign. Again, any Councillor who wished to get involved would be most welcome.

In addition it was hoped the Council would be successful in a bid to Government for monies to provide two Officers (more employment for Tendring) to help the Council and Residents to recycle more.

He further stated that Members may be aware that County would have their new recycling facility at Courtholds Road, Basildon operational by 2015, thereby allowing the Council to collect mixed recyclates. This would be as was done previously, but anything collected would be recycled. The service that was given to residents would be kept under constant review.

Councillor Turner thanked everyone for their patience and understanding over the Spring and Summer as the contractors Veiola and Environmental Services had learnt how best to implement the new Service and residents' co-operation had been much appreciated.

24. MATTERS REFERRED TO THE EXECUTIVE BY THE COUNCIL

There were none on this occasion.

25. MATTERS REFERRED TO THE EXECUTIVE BY A COMMITTEE

There were none on this occasion.

26. LEADER OF THE COUNCIL'S ITEMS

There were none on this occasion.

27. INITIAL FINANCIAL STRATEGY 2013/14

The Cabinet gave consideration to a comprehensive report of the Finance and Asset Management Portfolio Holder which set out the Initial Financial Forecast and Initial Financial Strategy for 2013/14 and Beyond.

The Regeneration Portfolio Holder (Councillor Candy) suggested that a letter be sent to all Members of the Council highlighting areas of concern in order that all Members could work together.

Having discussed the information provided in the report and the appendices attached thereto:-

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

RESOLVED

(a) that, the Initial Financial Strategy and Initial Financial Forecast for 2013/14 be agreed;

(b) that the comments to the cost pressures in Appendix 'A' to the Report, and any actions therein, be agreed;

(c) the Corporate Management Committee be consulted on these initial proposals, recognising that any further inclusion of cost pressures or other budgetary demands would require matching measures to ensure that the funding gap was not increased;

(d) subject to confirming that it was beneficial for Tendring District Council, authority to enter into a local authority business rates pool be delegated to the Head of Resource Management, in consultation with the Finance and Asset Management Portfolio Holder;

(e) the letter in Appendix 'C' to the report be sent to the Department for Communities and Local Government in response to the paper 'Business Rates Retention Scheme: Technical Consultation' and that authority be delegated to the Head of Resource

Management, in consultation with the Finance and Asset Management Portfolio Holder, to respond separately to the detailed questions contained within that paper;

(f) a high-level summary of the initial financial strategy and initial financial forecast for 2013/14 be sent to all Tendring District Councillors.

28. CORPORATE BUDGET MONITORING REPORT FOR THE PERIOD ENDING 31 JULY 2012

The Cabinet gave consideration to a detailed report of the Finance and Asset Management Portfolio Holder which provided it with an overview of the Council's actual financial position as at the end of July 2012.

Having discussed the information provided in the report and the appendices attached thereto, it was moved by Councillor Halliday, seconded by Councillor G V Guglielmi and:

RESOLVED

(a) that the financial position as at the end of July 2012 be noted.

(b) that, in respect of the Council's Treasury Management Practices:

(i) the necessary change relating to forward dealing, as set out within the report be approved.

(ii) that the Head of Resource Management be authorised, in consultation with the Finance and Asset Management Portfolio Holder, to amend the credit ratings criteria in order to reflect the revised definitions by one credit rating agency.

(c) that the budget adjustments to support the enhancements to the Street Cleansing and Waste Collection service be approved.

29. HARWICH: BARRACK LANE SUITE – POTENTIAL SURRENDER OF THE ROYAL BRITISH LEGION (HARWICH BRANCH) LEASE

The Cabinet gave consideration to a request by the tenant to surrender the lease of premises at Barrack Lane, Harwich.

It was reported that The Royal British Legion (Harwich Branch) had advised that it could no longer meet its obligations under the terms of the lease because of financial difficulties. The tenant under the lease were two nominated trustees. They had requested that the Council agree to the surrender of the lease, without conditions, in order that the Branch could move to alternative premises.

Cabinet was advised that, theoretically, the Council could refuse such terms, but there was little that could be done at a practical level to require the Branch to continue. The Council's remedy would therefore be to seek financial damages against the trustees in a Court action. Such a case was unlikely to be helpful to either party and it was therefore proposed that the Council agreed to the surrender of the lease.

The Leader of the Council (Councillor Stock) invited Mrs Betty Holbrook, a member of the Luney Club to address the meeting.

Mrs Holbrook gave information of how the funding was spent by the Luney Club on such things as providing Christmas lunches for the elderly in Harwich and other charitable works. She informed the Cabinet that the Luney Club would like to take over the lease of the above-mentioned premises so they could continue to carry on their good works.

To enable the Cabinet to make their decision, the Finance and Asset Management Portfolio Holder (Councillor Halliday) gave some further information on the lease which was to be surrendered.

Having considered all of the reported background information and potential legal and other implications of the decision, it was moved by Councillor Halliday, seconded by Councillor G V Guglielmi and:-

RESOLVED – that the surrender of the lease be accepted in return for full vacant possession of the building with no other conditions on each side in full and final settlement, subject to such other terms that were considered necessary by the Head of Resource Management.

30. HARWICH BARRACK LANE SUITE - POTENTIAL OPTIONS FOR THE FUTURE OF THE SITE

Further to the minute above Cabinet was aware that once the lease had been surrendered the property and the immediate responsibility for rates, repairs and insurance etc. would revert to the Council. This was a significant liability. In reacting to the situation the Council had seven main options, namely:-

1. The Council could opt to do nothing. In practice, this would be to mothball the building: disconnect services, securely board it up and periodically inspect for damage or break-ins.
2. Let the building on a short term basis on the proviso that the Council would not spend any money on the structure but close the building when necessary.
3. Let the building on condition that the new tenant addressed all of the repairing issues.
4. Carry out immediate structural repairs and let the building with the tenant picking up other refurbishment issues.
5. Fully refurbish the building before letting it to a new tenant.
6. Renew the building before letting it to a new tenant.
7. Demolish the building and provide additional parking on the site.

Having appraised the options available:-

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

RESOLVED – that the Cabinet allow a six week period to give opportunities to interested organisations to come up with business plans for the way forward for the building. As smaller organisations may not have the knowledge to prepare business plans Officer support be made available, where possible to assist in their preparation.

31. VARIATION OF LEASE: FRINTON AND WALTON SCOUTS, PARK PLAYING FIELDS, OFF ROYDON WAY, FRINTON-ON-SEA

The Cabinet's approval was sought to vary the size of the demised premises of the existing lease with Frinton and Walton Scouts in order to allow the Scouts to extend their building by 18m². Frinton and Walton Scouts currently held a 21 year lease which had commenced in April 2006 and they had obtained planning consent to extend the building to

provide extra storage.

Having considered the proposal:

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

RESOLVED – that the variation of the existing lease be approved, in principle.

32. EXCLUSION OF PRESS AND PUBLIC

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

RESOLVED – That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 12A of the Act.

Chairman