
CABINET12 JULY 2013

Present:- Councillor P Halliday (Leader of the Council/Finance and Assets) (Leader of the Council)!Councillor P B Honeywood Group Leader Present by Invitation: Councillor Talbot (Independent Group).) (Deputy Leader of the Council/Housing, Benefits & Revenues and Sports Facilities)!Councillor S Candy (Inward Investment and Growth)!Councillor A Goggin (Tourism)!Councillor G V Guglielmi (Planning and Corporate Services)!Councillor S S Mayzes (Education and Skills) (items 39 part - 44 only)!Councillor L A McWilliams (Health and Community Safety)!Councillor N W Turner (Environment and Coast Protection)

Also Present:- Group Leader Present by Invitation: Councillor Talbot (Independent Group). Councillors N W Brown, I J Henderson (items 32 - 37 only), T A Howard and D R Mayzes (items 32 - 40 (part) only).

In Attendance:- Chief Executive (Ian Davidson), Chief Executive's Support Manager (Karen Neath), Communications Manager (Nigel Brown), Corporate Director (Life Opportunities) (Paul Price), Corporate Director (Public Experience) (June Clare), Democratic Services Manager (Colin Sweeney), Democratic Services Officer (Janey Nice), Environmental Services Manager (John Fox)(items 32 – 39 only), Finance and Procurement Manager (Richard Barrett), Legal Services Manager (Lisa Hastings) and Streets and Seafront Manager (Ian Taylor) (items 32 – 40 only).

Also in Attendance:- Chief Executive Officer (Clinical Commissioning Group) (Dr Shane Gordon GP).

(10.30 a.m. - 12.45 p.m.)

32.. APOLOGIES FOR ABSENCE

The Leader of the Council submitted apologies for absence on behalf of the Leader of the Liberal Democrat Group (Councillor Shearing) and the Leader of the Tendring First Group (Councillor P J Oxley).

33. MINUTES OF THE LAST MEETING HELD ON 14 JUNE 2013

The minutes of the meeting of the Cabinet, held on 14 June 2013, were approved as a correct record and signed by the Chairman.

34. DECLARATIONS OF INTEREST

Councillor Lynda McWilliams declared a non-pecuniary interest in relation to Agenda Item No.6 (A.1 – Maternity Services within Clacton and Harwich), by virtue of the fact she was a Governor with the Hospital Trust in Colchester.

Councillor Nick Turner declared a non-pecuniary interest in relation to Agenda Item Nos.9 and 14 (A.8 and B.1 – Proposed Acquisition: Block of Six Flats at Walton-on-the-Naze), by virtue of the fact he was a friend of the seller of the property in question.

35. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

(i) Proposed GP Surgery at Holland-on-Sea – Meeting with Health Providers

Councillor Halliday advised Members that he had attended a meeting with health providers and local Ward Members on Monday 8 July 2013, at which, a lengthy discussion was held with regard to the provision of a GP Surgery at Holland-on-Sea.

Following discussion with Richard Warren from Realise Health, Councillor Halliday announced that he was happy for subsequent meetings with local health providers to be handed over to local Ward Members at the delivery stage to see the project through to fruition.

In conclusion, Councillor Halliday said that both he and the Portfolio Holder for Health and Community Safety (Councillor Lynda McWilliams) would be available to take decisions in respect of land etc. and that he looked forward to local Ward Members there delivering a GP Surgery at Holland-on-Sea.

(ii) The Late Councillor Gill Downing

The Leader led Cabinet in expressing its condolences to the family of Councillor Gill Downing who passed away at the weekend. Councillors McWilliams and Turner also added their personal condolences.

36. ANNOUNCEMENTS BY CABINET MEMBERS

Seasonal Weather

Councillor Turner announced that, with the warm weather forecast to continue over the next weekend, his Department was fully prepared to cope with all emergencies and eventualities that may occur, particularly in and around the seafront.

Clacton Air Show

Councillor Goggin announced that a lot more interest had been shown towards the Air Show in August, since he confirmed that the Vulcan aircraft would again be making an appearance. He said that British Rail was laying-on extra trains and that the Clacton Shopping Village would be offering late-night shopping on both days and a Park-and-Ride Scheme to the seafront. He thanked everyone for all the help and work they had put into the preparations for the Air Show.

37. MATERNITY SERVICES WITHIN CLACTON AND HARWICH

The Chairman invited Councillor Ivan Henderson to address Cabinet and to explain his motion, which had been presented to Council on 2 July 2013. Councillor Henderson gave a full and detailed explanation of his motion and explained how important it was to retain maternity services at both Harwich and Clacton. He said that it was important too that women of child-bearing age should have a choice as to where they had their babies and that a 40-mile round trip was not a suitable option. Councillor Henderson confirmed that once he had gone through the papers he had before him he would share any relevant information with Members and Dr Gary Sweeney of the Clinical Commissioning Group (CCG).

Dr Shane Gordon, Chief Executive Officer of the CCG introduced himself as a General Practitioner at the Bluebell Surgery at Highwoods and that he had been the Chief Officer for the CCG since April. He explained that the consultation on maternity care was not just about Harwich and Clacton but for all women in Colchester and Tendring and that he would

like all maternity care to be of the same standard as provided at Harwich. He said that, over the last ten years, there had been a growth in the birth rate, with no extra midwives being made available, and that there was clear guidance from the Midwifery Council about maternity care needs and the ratio of midwives to women needing maternity care.

Dr Gordon said that no decision had been made yet, that the planned consultation would be about clear choices across Colchester and Tendring and that the consultation was not about removing choice as this was an important part of the giving birth experience. He added that firstly, the principle aim was of improving ratios of having one-to-one care in labour, particularly as most vulnerable people came from Clacton and Harwich. The second aim was, he said, to make best use of resources, with the third aiming to ensure that all options would be based on clear evidence and that hospital evidence would be verified with robust checking to make sure data was correct and ensuring options would not disadvantage any groups concerned.

During questions from Members, concern was raised that the consultation was all about saving money and Dr Gordon reiterated it was about improving local services for local women, however he did confirm that £9 million of NHS funds needed to be saved in the coming year and beyond. Dr Gordon, when asked, confirmed that the consultation process was not due to start until the autumn and the pre-consultation process would make sure the right questions were asked. He confirmed that the Council would have an input into the consultation process, however, the Council would not be able to see the results before publication to all stakeholders and the public. Dr Gordon also added, when asked, that the round trip journey of 40 miles between Harwich and Colchester would be taken into consideration.

Concern was also raised about the consultation only being for women of a child-bearing age as it was felt that women who had never had children would not be able to give a proper opinion and that women past child-bearing age should also be able to add their comments as their experiences could be relevant.

When asked by a Member about the make-up of the commissioning board, Dr Gordon confirmed that just over half of the board of 15 members had a medical background with the others being senior managers with professional experience of commissioning services. He added that the CCG covered a wide area with 43 general practices representing around 323,000 people.

The Chairman thanked Dr Gordon for attending the meeting.

In deliberating over what Dr Gordon had said, Members still felt that the consultation was about cutting costs, even though there had been a 25% increase in births, and that it was about the levelling of services rather than increasing the standards to the level of the Harwich Maternity Unit.

The Chairman summed-up and agreed that Cabinet Members all seemed to be in agreement on the issues and said it had been the correct move to have the original motion to Cabinet as the consultation had not commenced yet.

Having considered this matter, it was moved by Councillor Candy, seconded by Councillor McWilliams and:

RECOMMENDED TO COUNCIL that:

1. This Council expresses grave concern that patient safety and patient choice could be negatively affected by the possible changes to the maternity services provided in Tendring;

2. The Council therefore commits to lobby at all levels and to use its response to the forthcoming consultation on maternity services to secure an improved service that delivers the best patient choice and patient safety for Tendring families; and

RESOLVED that

3. When the consultation was announced, the Clinical Commissioning Group be invited to attend a meeting of the Community Leadership and Partnerships Committee to help formulate the Council's response to it.

Councillor Lynda McWilliams declared a non-pecuniary interest in relation to the above item, details of which are recorded under Minute No.34 above.

38. REVIEW OF THE NEW POLICING STRUCTURE AND ITS IMPACT ON THE COMMUNITY

The Cabinet had before it a reference report from the Community Leadership and Partnerships Committee informing it that the new Police and Crime Commissioner (PCC), Mr Nick Alston, had attended a recent meeting of the Committee to talk about his responsibilities and key roles of holding the Chief Constable of Police to account on behalf of the residents of Essex.

The Chairman informed Cabinet that he had attended the meeting and that one of the new PCC's targets had been to reduce all crime across Essex and another to reduce domestic abuse. He added that Mr Alston had said they had a difficult challenge ahead to meet the Community Safety Partnership's (CSP) targets but that Mr Alston had the sanction of the electorate.

Councillor C V Guglielmi confirmed that he had also attended the meeting and said the item had been very well scrutinised by the Committee and only time would tell if crime was reduced.

It was recognised that the CSP and PCC would continue to work towards their own priorities which the Council was confident would jointly show an improvement in community safety in Tendring.

Having considered the report, it was RESOLVED that:

1. It be noted that Tendring's CSP had its own priorities, which closely aligned to the priorities in the PCC's Police and Crime Plan; and

2. The CSP and PCC would continue to work towards their own priorities, which the Cabinet was confident would jointly show an improvement in community safety within Tendring.

39. ENGAGEMENT OF MEMBERS IN THE WORK OF THE COUNCIL

The Cabinet had before it a report which asked it to consider potential ways for Ward Members to be more aware of, able to have input into, decisions which directly and specifically affected their Wards.

Councillor Halliday said that this issue had come from a Member saying that not all Ward Members were engaged fully and were not consulted on matters that affected their Wards. He went on to say that Ward Members were fully engaged and gave examples of the Group Leaders being formally invited to attend meetings of the Cabinet, Ward Members

being allowed to speak at planning meetings, participation in Portfolio Holder led working groups and were able to feed ideas into the review of the Constitution.

Having considered the report, It was moved by Councillor Halliday, seconded by Councillor G V Guglielmi and RESOLVED that:

1. The following enhanced opportunities for the engagement of Ward Members be implemented:

(a) That Portfolio Holders be required to communicate with individual Ward Members – before making a decision themselves – which had a direct and specific impact on the Member's Ward, and recording that the communication had taken place on the written record of the decision, with immediate effect;

(b) That officers be required to consult local Ward Members when drawing-up proposals to spend Section 106 monies and that the possibility of involving Ward Members when seeking to negotiate Section 106 agreements be explored with immediate effect;

(c) That the possibility (through the review of the Constitution) of introducing a process whereby a single Ward Member could call-in a decision which had a direct and specific impact solely on their Ward be explored; and

2. The ongoing development of the Council's decision-making arrangements, and the increased opportunities for wider member engagement, be noted.

40. ELECTORAL REVIEW

The Cabinet considered a report, which asked it to consider a request that the Local Government Boundary Commission for England (LGBCE) conduct an electoral review of the Council.

In order for the matter to proceed it was RECOMMENDED TO COUNCIL that:

1. It was agreed that an electoral review for the Council was necessary; and

2. The LGBCE be approached with the intention of submitting a formal request for an electoral review to be carried out.

41. PARKING STRATEGY FOR TENDRING

The Cabinet considered a proposed Parking Strategy for Tendring, which sought its approval for implementation.

Members expressed their concern of the intention by Essex County Council, as Highways Authority, to end its Service Level Agreement (SLA) at the end of March 2014 and its intention to enforce on-street parking charges.

Cabinet discussed the possibility of leaving the North Essex Parking Partnership (NEPP) to manage its own on-street parking. The Chairman confirmed that talks were already in place about leaving the NEPP.

Having discussed this matter, it was moved by Councillor Turner, seconded by Councillor Halliday and RESOLVED that:

1. The Parking Strategy for Tendring be adopted;

2. It be noted that no deficit position for the NEPP was being budgeted for; and

3. The Cabinet, whilst a partner in the NEPP, would fight the introduction of on-street parking charges within Tendring.

42. INITIAL FINANCIAL BASELINE 2014/15

The Cabinet had before it a report which presented the initial financial baseline for 2014/15 against which, the Financial Strategy would be built upon over the course of the year.

The Chairman highlighted areas of the report and after a discussion by Members, it was moved by Councillor Halliday, seconded by Councillor P B Honeywood and RESOLVED that:

1. The initial financial baseline for 2014/15 be agreed and officers be requested to report back to Cabinet with an updated position as part of the Financial Strategy process later in the year;

2. The Corporate Management Committee be consulted on the initial financial baseline for 2014/15 and be requested to form a view on the funding of the Local Council Tax Support Scheme (LCTSS) and Town and Parish Council LCTSS grant in 2014/15; and

3. The £0.159m, previously allocated to fund a freeze in Council Tax beyond 2013/14, be contributed to the Leisure Capital Projects' Reserve.

43. TREASURY MANAGEMENT PERFORMANCE 2012/13

The Cabinet had before it a report which gave details of the Council's treasury management activities and Prudential Indicators for 2012/2013.

It was reported that borrowing and investments had been undertaken in accordance with the 2012/2013 Annual Treasury Strategy, which had been approved by Council at its meeting held on 27 March 2012, and that no external borrowing had been undertaken in 2012/2013 for either the General Fund or Housing Revenue Account.

It was noted that the amount of interest earned from investments remained low because of the continuing unprecedented low interest rates existing throughout the year and that, due to maximising investment opportunities and cash flow advantages during the year, interest returns had been greater than the amount budgeted.

Accordingly, it was moved by Councillor Halliday, seconded by Councillor G V Guglielmi and RESOLVED that the Treasury Management performance position and Prudential and Treasury Indicators for 2012/2013, be noted.

44. PROPOSED ACQUISITION: A BLOCK OF SIX FLATS, WALTON-ON-THE-NAZE

The Cabinet had before it a report which sought its approval to the acquisition of a block of six flats, at Walton-on-the-Naze, in accordance with the terms of the proposed acquisition of the site and subject to approval of the purchase price and conditions, as detailed in Report B.1 to the Agenda.

Having considered this matter, it was moved by Councillor Honeywood, seconded by Councillor Candy and RESOLVED that, subject to Cabinet's approval of the purchase price and conditions, as detailed in Report B.1 to the Agenda, the acquisition of the units, be approved.

Councillor Nick Turner declared a non-pecuniary interest in relation to the above item, details of which are recorded under Minute No.34 above.

45. MANAGEMENT TEAM ITEMS

There were none.

46. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT.

There were none.

47. EXCLUSION OF THE PRESS AND PUBLIC

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

48. EXEMPT MINUTES OF THE LAST MEETING OF THE CABINET

The exempt minutes of the last meeting of the Cabinet, held on 14 June 2013, were approved as a correct record and signed by the Chairman.

DATE AND TIME OF NEXT SCHEDULED MEETING

The next scheduled meeting of the Cabinet is to be held on Friday 6 September 2013 at 10.30 a.m. in the Essex Hall, Town Hall, Station Road, Clacton-on-Sea.

The meeting was declared closed at 12.45pm.

Chairman