
CABINET6 SEPTEMBER 2013

Present:- Councillor P B Honeywood - in the Chair (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)!Councillor L A McWilliams (Health and Community Safety)!Councillor N W Turner (Environment and Coast Protection)

Also Present:- Councillor J B Chapman, Councillor D R Mayzes and Councillor GD Steady

In Attendance:- Chief Executive (Ian Davidson), Chief Executive's Support Manager (Karen Neath), Corporate Director (Life Opportunities) (Paul Price) (items 53 (part) to 59), Finance and Procurement Manager (Richard Barrett), Monitoring Officer (Lisa Hastings), Streets and Seafront Manager (Ian Taylor), IT Manager (John Higgins), Environmental Services Manager (John Fox) and Democratic Services Officers (Janey Nice and Michael Pingram).

Also in Attendance:- Group Leader Present by Invitation: Councillor M J Talbot

(10.40 a.m. - 12.48 p.m.)

47.. APOLOGIES FOR ABSENCE

The Deputy Leader of the Council submitted apologies for absence on behalf of the Leader of the Council and Finance and Asset Management Portfolio Holder (Councillor Halliday) and the Leader of the Liberal Democrat Group (Councillor Shearing).

48. MINUTES OF THE LAST MEETING

The minutes of the meeting of the Cabinet, held on 12 July 2013, were approved as a correct record and signed by the Chairman.

49. DECLARATIONS OF INTEREST

Councillor Alan Goggin declared a non-pecuniary interest in relation to Agenda Item No. 7 (A.5 – Boundary Issues in Brightlingsea), by virtue of the fact he had a family interest in a beach hut in the area in question and that the sub-station referred to in the aforementioned report may have belonged to a Trust of which he was a Trustee.

50. ANNOUNCEMENTS BY DEPUTY LEADER OF THE COUNCIL

There were none.

51. ANNOUNCEMENTS BY CABINET MEMBERS

Maternity Services within Harwich and Clacton-on-Sea

Councillor McWilliams announced that the Clinical Commissioning Group's (CCG) proposals for consultation had now been deferred and there were currently no dates proposed as to when the consultation would take place.

Cabinet Members said that it had been a worthwhile exercise to invite Dr Shane Gordon of the CCG to the Cabinet meeting held on 12 July 2013 and highlighted the benefit of referring an item from Council to the Executive for further discussion.

Clacton Air Show

Councillor Goggin referred to the 22nd Annual Clacton Air Show, held on 22 and 23 August 2013, and was delighted to announce that it had been the biggest and best Air Show staged to date in spite of the inclement weather on the first day. He reported that estimates for the first day indicated around 40,000 to 45,000 had attended and braved the rain. On the second day, he said, the ideal weather attracted over 100,000 people which had been one of the highest attended events and one of the biggest events in the whole of East Anglia during 2013. He said he had many people to thank for their hard work organising such a successful event but, in particular, he wanted to name the Council's Officers Mike Carran, Sarah Daniels and Jo Needham and also Ian Shealing who was the Flight Director and who had given an excellent commentary. Councillor Goggin went on to say that while all of the costs of hosting the event were not yet available, it looked as if the Air Show had come in under budget with a cost to each resident of less than a quarter of the price of a second class stamp. He added that the bucket collection had been excellent, and that traders had also contributed with donations over and above their stand fees, and that it was not unrealistic to put the value of the Air Show to the Tendring District in excess of £4 million.

Councillor Turner added his thanks to all of his team for the presentation of the gardens along the front and the efficient way all of the rubbish had been collected throughout the two days and afterwards. He added that all of the car parks had been full and again was very pleased by all of the services from staff and the Park and Ride service had been very successful with long queues for the buses taking visitors from the Air Show to the Park and Ride Car Park.

Councillor Talbot expressed his thanks to Councillor Goggin for his contribution to the Air Show and for all of the hard work he had put into the event.

52. MATTERS REFERRED TO THE EXECUTIVE BY THE COUNCIL

There were none.

53. ESSEXFAMILY TENDRING PROTOTYPE - REVIEW OF PROGRESS

The Cabinet had before it a reference report from the Community Leadership and Partnerships Committee informing it of the EssexFamily Tendring Prototype review of progress. That Committee received a presentation which informed it of:

- What had been achieved so far
- The approach taken
- Key Achievements
- Intervention Timeline 2012/13 (Family A)
- Where was the Tendring Prototype now
- Family Outcomes
- Challenges
- What Next?

The Committee had also been informed that the Council was committed to the Prototype and was working closely with Family Solutions in Tendring and that EssexFamily was being immersed into the Family Solutions Service.

The Community Leadership and Partnerships Committee was told that other Councils had

been contacting this Council to learn from its good practice. Members of the Committee had also indicated that they were behind the EssexFamily scheme and said that the scheme gave great credit to this Council. Councillor Candy said that the community programme had been the best intervention of working with families which had proved that early intervention worked, making the outcome for those families and children successful.

The Chief Executive said that the Leader of the Council and he had spoken to a Parliamentary Committee and EssexFamily was universally recognised as a successful project which was now shaping a role out across Essex and now nationally. He added that the Council was now being asked by other Councils and partners across the county for more details.

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

- (a) The Community Leadership and Partnerships Committee's comments be noted; and
- (b) Tendring maintains its role as a lead authority and continues to work closely with other partners as the Community Budget Programme progressed.

54. FINANCIAL PLANNING - SPECIAL EXPENSES

The Cabinet had before it a reference report from the Corporate Management Committee which informed it of a presentation that Committee had received entitled "An Overview of Special Expenses".

The presentation to the Committee had addressed some issues and considerations with regard to special expenses, together with the pros and cons associated with them and possible alternatives to special expenses.

The Chairman of the Corporate Management Committee (Councillor Steady) informed Cabinet that Special Expenses was a very time-consuming project which other Councils had abolished. He gave details of how special expenses potentially avoided double taxation but that disadvantages included lack of transparency and that it was a complicated and technical area which was hard for the public to understand. He added that the explanation was difficult to get across with calculations based on assumptions and a lot of Officer time was taken up in producing figures.

During the discussion of special expenses, Cabinet members talked about the pros and cons of special expenses and it was felt that more information was needed before a decision could be made as to whether or not these should be abolished.

Having considered this matter it was moved by Councillor Candy, seconded by Councillor Goggin and RESOLVED that:

- (a) The views of the Corporate Management Committee be taken into account when the re-examination of special expenses, already requested of Officers, was considered as part of the 2014/15 Budget- setting process;
- (b) When the report regarding special expenses was produced, it be referred to the Corporate Management Committee for its comment; and
- (c) The Corporate Management Committee be requested to consider the implications of special expenses on non-parished areas of the District.

55. LEADER OF THE COUNCIL'S ITEMS

There were none.

56. CHANGING PLACES FACILITIES CLACTON-ON-SEA AND WALTON-ON-THE-NAZE

The Cabinet received a report, which reported the latest position with regard to the proposal for the introduction of changing place facilities in Tendring and which sought the Cabinet's approval for recommendations for the completion of the project.

Cabinet was informed that the Changing Place Project involved the provision of changing places on behalf of people with profound and multiple learning disabilities, as well as other serious impairments, such as spinal injuries, muscular dystrophy, multiple sclerosis or an acquired brain injury where people needed extra facilities to allow them to use the toilets comfortably. Councillor Turner showed Cabinet the proposed plans for the facilities and detailed the equipment that would be available for use by the public.

Cabinet was told that the provision of such facilities in tourist areas would widen the scope of services available, would afford an opportunity to improve and regenerate the appearance of existing Council buildings, or the site of existing buildings, and was likely to increase visitor numbers to the District.

The report provided Cabinet with the latest information and options available to the Council with regard to the provision of Changing Place facilities in the District and reported on a proposed new timetable for the Project and an offer to increase the number of facilities by the addition of a changing place to be built in Walton-on-the-Naze.

Cabinet was advised that both of the schemes would be funded entirely by means of a grant payable to the Council from Essex County Council (ECC) and that up to £80,000 had been agreed and set aside by ECC for each of the schemes, which needed to be completed by the end of March 2014.

In order for the Project to proceed, it was moved by Councillor Turner, seconded by Councillor McWilliams and RESOLVED that:

- (a) The construction of two Changing Places facilities in the District fully funded by way of a grant from ECC be supported;
- (b) The design and specific location of the Changing Places facilities be agreed by the Portfolio Holder for Environment and Coast Protection, in consultation with the Leader of the Council, following discussion with local ward member(s) for the area where a Changing Places facility was proposed;
- (c) The Council agree to take on the maintenance and security of the Changing Places facilities within existing budgets; and
- (d) The Corporate Director (Public Experience) be authorised to enter into a service level agreement with ECC for the respective locations, as set out in the document attached to the report as Appendices A(i) and A(ii).

57. POOLING OF NATIONAL NON-DOMESTIC RATES (NNDR)

The Cabinet considered a report giving details of the option for the Council to join a pool for National Non-Domestic Rates (NNDR) and which sought its approval, in principle, to the Council becoming a member of an Essex Pool which was currently being developed.

The Cabinet was informed that the Local Government Finance Act 2012 changed how local

authorities were financed by introducing a local retention of non-domestic rates. It was reported that, in previous years, any increase in non-domestic rates within an area had been paid into a central pool with no direct benefit to the local authority itself. Accordingly, the Government had felt it important to incentivise local authorities to pursue economic growth by allowing them to retain some of the benefit from growth in non-domestic areas.

The Finance and Procurement Manager provided Cabinet with details of the levy the Council paid and said that, if the Council joined the pool, the levy could be reduced to as low as 15% and that the only aspect would be of discussing how much of the savings would be retained in Tendring.

The report stated that by combining in a pool it was possible to retain more of the additional funds from growth in non-domestic rates within a county-wide area. Suffolk had implemented a pooling scheme and the modelling of those schemes currently indicated that £2.376 million funding would be retained in that county which would otherwise have been lost to the central pool.

The report also stated that the Suffolk scheme had been constructed on the basis that no local authority would be worse off as a result of joining the pool. It was proposed to develop a scheme for Essex that closely followed the Suffolk model and minimised the amount of growth in non-domestic rates that were paid to the Government via the central pool.

Cabinet was further informed that, in order for the Government to consider new pools for the 2014/15 financial year, local authorities would have to apply by 31 October 2013.

Having considered the report, it was moved by Councillor P B Honeywood, seconded by Councillor Candy and RESOLVED that:

- (a) The principle of joining a pool for non-domestic rates, on the basis that no local authority in the pool would be worse off had they not been in the pool, be agreed;
- (b) The Corporate Director (Corporate Services) undertake the necessary activities to support the development of an Essex-wide pool in partnership with other Essex Local Authorities; and
- (c) The Finance and Procurement Manager (S151 Officer), in consultation with the Leader of the Council be authorised to enter into an Essex NNDR Pooling Agreement for 2014/15.

58. BOUNDARY ISSUES IN BRIGHTLINGSEA

Cabinet was presented with a report, which sought to regularise several anomalies relating to land holdings in Brightlingsea which had been outstanding since local government reorganisation in 1974.

Cabinet was informed that the properties included:

- Bateman's Tower Café on the seafront and the land it stood on; and
- The Bayard Recreation Ground;

Where the Land Registry plans showed that the Council was the owner, but where the land actually belonged to Brightlingsea Town Council:

- The sub-station in Spring Chase, Spring Road; and
- The site of beach huts on the Pleasure Gardens land on the Western Promenade.

Where the Land Registry plans showed that Brightlingsea Town Council was the owner, but where the land actually belonged to this Council; and

The report also informed the Cabinet that the proposal to regularise the land holding anomalies in Brightlingsea would have no direct revenue or capital impact on either Brightlingsea Town Council or Tendring District Council.

In order that the transfer of the land holdings could be regularised, it was moved by Councillor Honeywood, seconded by Councillor Candy and:

RESOLVED that the transfer of land or regularisation of the Land Registry documentation to reflect the correct ownership of the beach huts on the Western Promenade, Spring Chase Close Sub-station, Batemans Tower Café and the Bayard Recreation Ground be authorised.

Councillor Alan Goggin declared a non-pecuniary interest in relation to the above item, details of which are recorded under Minute No.49 above.

59. BIG SOCIETY FUND

The Cabinet received a report which sought to update it on the Big Society funding allocated to date and the outcomes from the projects approved since January 2013.

Cabinet was informed that the Portfolio Holder Big Society Fund Working Party had met so far three times during 2013 in March, May and July and had considered 19 Stage One applications, of which, two had been awarded funding. Appendix A to the report of the Finance and Asset Management Portfolio Holder gave a summary of the applications that had been awarded funding by the Portfolio Holder Working Party and their progress to date.

The Cabinet was also informed that the summary of all applications awarded funding since April 2011 was attached as Appendix B to the aforementioned report.

Councillor Honeywood said that he was pleased with the way in which the Big Society Working Party was progressing and it would be worth thinking about the way the Council could help applicants, perhaps providing an asset rather than a direct cash grant and that this may encourage a broader type of application for assistance and in the hope that this would stretch the Big Society funds further. Councillor Honeywood said he was disappointed that there were empty seats on the Big Society Working Party and that certain political groups had decided not to attend the meetings.

Having considered the report, it was moved by Councillor Honeywood, seconded by Councillor Guglielmi and RESOLVED that:

- (a) The progress and outcomes for projects approved since January 2013 be noted;
- (b) The Working Party consider how to continue the ethos of the Big Society as the available funds decrease through use of the Council's resources and, potentially, other organisations' resources; and
- (c) The Leader of the Council write to the respective Group Leaders of those groups not represented requesting their representatives attend meetings of the Big Society Working Party.

60. CORPORATE BUDGET MONITORING REPORT FOR FIRST QUARTER 2013/2014

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 June 2013.

Having discussed the information provided in the report and the appendices attached thereto, it was moved by Councillor Honeywood, seconded by Councillor Turner and RESOLVED that:

- (a) The financial position as at the end of June 2013 be noted;
- (b) The £3 million Coast Protection and Enhancement Budget be moved from Corporate Services to Public Experience in order to start to bring together the various strands of funding to deliver this project;
- (c) £90,000 of training budgets currently held within services be reallocated as follows:
 - Corporate Qualification Training Budget - £16,000
 - Corporate Management Development and Training Budget - £34,000
 - Allocated to Services based on staff numbers - £40,000; and
- (d) Where income from Beach Huts was in excess of the net budget for that area, the excess be reinvested in additional beach huts and sites or other seafront amenities with delegation being given to the Corporate Director (Public Experience), in consultation with the Portfolio Holder for Environment and Coast Protection, to undertake any associated activity.

61. LEASE FOR NEW KIOSK 3A, KINGS PARADE, CLACTON-ON-SEA

The Cabinet received a report which sought its approval to the granting of a lease in respect of Kiosk 3A to the current tenant of Kiosk 3 at Kings Parade (Lower Promenade), Clacton-on-Sea, as shown on the plan attached as Appendix A to the joint report of the Environment and Coast Protection Portfolio Holder and Finance and Asset Management Portfolio Holder.

In order for the lease to be granted it was moved by Councillor Turner, seconded by Councillor Guglielmi and RESOLVED that a lease be granted in respect of Kiosk 3A, subject to terms in Part B of the joint report of the Environment and Coast Protection Portfolio Holder and Finance and Asset Management Portfolio Holder.

62. COUNCIL IT INFRASTRUCTURE STRATEGIC INVESTMENT

The Cabinet received a report which sought its approval for major strategic investment in the Council's IT infrastructure and services.

The Chairman highlighted areas of the report which gave details of what the investment would entail and that further details were provided in the Appendix attached to the report.

In order for this matter to progress it was moved by Councillor G V Guglielmi, seconded by Councillor Honeywood and RESOLVED that:

- (a) The strategic IT investment programme totalling £1,496,000 be approved, as set out in Appendix A to the report, and that this be funded by:
 - £995,000 one-off capital investment from the 'Fit for Purpose' budget;
 - £144,000 carried forward from 2012/13 IT capital budgets; and
 - £357,000 IT revenue and capital budget contributions over three years (2013 – 2016);
- (b) £300,000 one-off capital funding be made available with immediate effect to fund the

commencement of the Programme with the remainder being allocated as part of the Council's Financial Strategy;

(c) The programming of works be delegated to the Corporate Director (Corporate Services) in consultation with the Portfolio Holder for Planning and Corporate Services;

(d) The Corporate Director (Corporate Services), in consultation with the Portfolio Holder for Planning and Corporate Services, be authorised to grant such exemptions under the Council's Procurement Rules as he considered appropriate and reasonably necessary in order to secure value for money and the delivery of the IT investment programme; and

(e) The Portfolio Holder for Planning and Corporate Services establishes a cross-party working group to monitor delivery against the Business Plan.

63. NEW LEASE OF CLACTON BOWLS CLUB

The Cabinet had before it a report which asked it to consider the principle of granting a new lease to the Clacton Bowling Club.

The Cabinet was advised that the proposed new lease was in accordance with the framework set out in the Asset Management Plan and Capital Strategy and supported the Council's Medium Term Financial Strategy.

It was reported that detailed financial implications were set out in Part B of the report of the Housing, Benefits and Revenues and Sports Facilities Portfolio Holder.

In order for this matter to proceed it was moved by Councillor Honeywood, seconded by Councillor Turner and: **RESOLVED** that a new lease be granted to the Clacton Bowling Club subject to the terms as set out in Part B of the report of the Housing, Benefits and Revenues and Sports Facilities Portfolio Holder.

64. MANAGEMENT TEAM ITEMS

There were none.

65. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

66. EXCLUSION OF PUBLIC

The exempt minutes of the last meeting of the Cabinet, held on 12 July 2013, were approved as a correct record and signed by the Chairman.

67. EXEMPT MINUTES OF THE LAST MEETING HELD ON 12 JULY 2013

The exempt minutes of the last meeting of the Cabinet held on 12 July 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 4 October 2013 at 10.30 a.m. in the Essex Hall, Town Hall, Station Road, Clacton-on-Sea.

The meeting was declared closed at 12.48 p.m.

Chairman