

CABINET11 APRIL 2014

Present:- Councillor M J Page (Leader of the Council/Regeneration, Inward Investment and Asset Management) (Leader of the Council)!Councillor N W Turner (Deputy Leader of the Council/Environment and Coast Protection) (Deputy Leader of Council)!Councillor A Goggin (Finance and Transformation)!Councillor G V Guglielmi (Planning and Corporate Services)!Councillor P B Honeywood (Housing and Benefits and Revenues)!Councillor L A McWilliams (Well-Being and Partnerships)!Councillor M E Platt (Tourism, Events and Leisure Services)

Also Present:- Group Leaders Present by Invitation:

Councillors J A Broderick (Holland-on-Sea Residents) and M J Talbot (Independent Group)

Councillors D J Casey, T J Fawcett, T A Howard, D M Miles, G L Mitchell and A R Pugh.

In Attendance:- Chief Executive (Ian Davidson); Corporate Director (Public Experience) (June Clare); Monitoring Officer, (Lisa Hastings); Communications Manager (Nigel Brown); Democratic Services Manager (Colin Sweeney); Finance and Procurement Manager (Richard Barrett), Management and Members' Support Manager (Karen Neath); Assets Surveyor (Aileen Middleton) and Democratic Services Officers (Michael Pingram and Janey Nice)

(10.30 a.m. - 10.57)

167. APOLOGIES FOR ABSENCE

Apologies were submitted on behalf of Councillors I J Henderson (Leader of the Labour Group) and H A Shearing (Leader of the Liberal Democrat Group).

168. MINUTES OF THE LAST MEETING HELD ON FRIDAY 21 MARCH 2014

The minutes of the last meeting of the Cabinet held on 21 March 2014, were approved as a correct record and signed by the Chairman.

169. DECLARATIONS OF INTEREST

There were no declarations of interest received from Members.

170. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

There were no announcements by the Leader of the Council.

171. ANNOUNCEMENTS BY CABINET MEMBERS

Tendring Seafronts

Councillor M E Platt, Portfolio Holder for Tourism, Events and Leisure Services, drew Cabinet's attention to two pages within two local newspapers, which highlighted the tourism on offer within Tendring and which the Council played a major part in providing and, as part of the renaissance of Clacton Seafront, he advised Cabinet that the Council was working

very closely with local partners and providers and, with the culmination of the Women's Cycling Tour and the Clacton Air Show 2014, which were both on track, the seafronts within Tendring were becoming the sea fronts to be.

172. MATTERS REFERRED TO THE EXECUTIVE BY THE COUNCIL

There were no matters referred to the Executive by the Council.

173. CORPORATE BUDGET MONITORING REPORT THIRD QUARTER 2013-2014

A.1 Corporate Budget Monitoring Report Third Quarter 2013-2014

There was submitted a report from the Corporate Management Committee, following its consideration of the resolution of Cabinet, at its meeting held on 28 February 2014, when it considered the Corporate Budget Monitoring Report for the third quarter of 2013/2014.

Accordingly, it was moved by Councillor A Goggin, seconded by Councillor P B Honeywood and RESOLVED that

1. The responses of the Portfolio Holder for Finance and Transformation be as follows:

(a) The Council had, and would continue to work proactively to share services, wherever possible, with Town and Parish Councils;

(b) The level of recycling be closely monitored throughout the year by both Officers and Members by way of inclusion as an extra target within the Corporate Performance Report; and

2. The response of the Assistant Deputy Leader of the Council and Portfolio Holder for Housing, Benefits and Revenues be as follows:

"Councillor Honeywood confirmed that there was currently no mechanism to build council-owned property, which could be excluded from the Right to Buy Scheme directly within either the General Fund or the Housing Revenue Account. He said that some of the best lawyers in the country had been working since 1980 to find a mechanism to avoid right to buy and, to date, no one had succeeded.

Councillor Honeywood said that Cabinet understood that this recommendation arose from a wider debate about building good quality rented housing, utilising Council resources, which also touched on the possible use of a Local Authority owned company approach. Cabinet, he said, had asked officers to explore the possibility of building good quality rented housing via a standalone company where an environment existed, which made it financially beneficial for the Council to do so. Cabinet, he said, would welcome the Corporate Management Committee taking an active role in overseeing the development of a business model which takes took concept forward."

Councillor N W Turner, Portfolio Holder for Environment and Coast Protection, advised Cabinet of the extensive measures in place across the District to increase awareness in the importance of recycling and the hope that this would drive-up figures to those related targets which had not yet been achieved.

174. RURAL PROJECTS PANEL

A.2 Rural Projects Panel

There was submitted a report from the Corporate Management Committee, on a verbal

update it had received from the Chairman of the newly-established Rural Projects Panel, Councillor Nicholls, on the success of the inaugural meeting held on 10 March 2014.

The report gave details of the rural-related topics which the Panel would like to examine in more detail and these included the provision of gas, electricity and oil supplies; transport and, in particular, local bus routes; amenities and mains sewerage and broadband speeds.

Accordingly, it was moved by Councillor L McWilliams and RESOLVED that the response of the Portfolio Holder for Well-being and Partnerships be as follows:

“Councillor McWilliams said that she was very pleased that the Rural Projects Panel had already delivered some positive outcomes, including promoting the countywide energy saving scheme, and was working towards ensuring those that lived in rural communities were not disadvantaged. Councillor McWilliams also extended her grateful thanks to Essex County Council for its involvement.”

175. LEADER OF THE COUNCIL'S ITEMS

There were no items received from the Leader of the Council.

176. REVISED PROGRAMME OF MEETINGS 2014/2015 MUNICIPAL YEAR

A.3 Revised Programme of Meetings: 2014/2015 Municipal Year

There was submitted a report by the Planning and Corporate Services Portfolio Holder, inviting Cabinet to consider the revised programme of meetings for the 2014/2015 Municipal Year.

The revised programme of meetings was before Cabinet to accommodate meetings of the Standards Committee and the newly-established Local Plan Committee and Education and Skills Overview and Scrutiny Committee.

Accordingly, it was moved by Councillor G V Guglielmi, seconded by Councillor M J Page and RESOLVED that the programme of meetings for the Council, the Audit Committee, the Community Leadership and Partnerships Committee, the Corporate Management Committee, the Council Tax Committee, the Education and Skills Committee, the Local Plan Committee, the Planning Committee, the Standards Committee and the Service Development and Delivery Committee, as set out in the Appendix to report A3, be approved and be submitted to the Annual Meeting of the Council for formal approval.

177. POTENTIAL LEASE OF THE NAZE

A.4 Potential Lease of the Naze

There was submitted a report by the Leader of the Council and Portfolio Holder for Regeneration, Inward Investment and Asset Management, which asked the Cabinet to consider:

(i) Public comments received following the advertisement of the potential to grant a lease of the Naze to Essex Wildlife Trust (EWT) for the construction of an education and visitor centre there;

(ii) The views of the Council, at its meeting held on 25 March 2014, expressed through the debate on the petition received with regard to granting of a lease;

(iii) Subject to the previously mentioned, whether to grant a lease of all, or part, of the Naze to EWT; and

(iv) Subject to the previously mentioned, the terms for such a lease and to approve the establishment of a Naze Management Board, which would have the responsibility for overseeing and directing the day-to-day management of all maintenance and other activities on the Naze on behalf of the Council (TDC).

Accordingly, it was moved by Councillor M J Page, seconded by Councillor N W Turner that, having had regard to the responses received to the Public Notice and the content of the Petition, and the Council's recommendations in respect of the Petition, it was RESOLVED that:

(a) A lease be granted to Essex Wildlife Trust over the land shown in Appendix A to Report A4, subject to the Heads of Terms, as set out in Appendix B to Report A4, and that approval of the detail of the lease terms be delegated to the Corporate Director (Corporate Services) in consultation with the Leader of the Council;

(b) The composition of the Naze Management Board be approved and authority be delegated to the Leader of the Council to appoint three TDC Member representatives on the Board with a further officer representative being appointed by the Chief Executive;

(c) The Council meets the one-off cost of converting the existing toilet block into a store, at an estimated maximum cost of £10,000, to be funded from existing budgets;

(d) If required, an additional area of land, outside the land included in the proposed lease, be made available, under licence, to EWT on a fixed-term basis, for use as a compound during the construction period and for works to the access routes and parking, in accordance with the planning permission, such licence to be on terms to be agreed by the Corporate Director (Corporate Services);

(e) The schedule of everyday operations, which EWT would be permitted to carry out without specific agreement from the Naze Management Board, be as set out in Appendix G to Report A4; and

(f) The Council commits to ensuring that pedestrian access to the Naze for people and their dogs remains open at all times for residents and visitors to use and enjoy.

178. NEW LEASE FOR THE GENERATOR STORE ON THE NAZE

A.5 New Lease for the Generator Store on the Naze

There was submitted a report by the Leader of the Council and Portfolio Holder for Regeneration, Inward Investment and Asset Management, which asked the Cabinet to consider the principle of granting a new lease of the generator store on the Naze.

It was reported that the Council was the freehold owner of a former generator store within the larger area of the Naze, the location of which was as set out in Appendix A to Report A.5. The Council had received notice that the owners of the Naze Tower, and a local resident, wished to take out a lease of the building to enable it to be used for business-related storage and that both interested parties had submitted terms for such a lease, which were subject to further consideration under Part B to this meeting's agenda.

Accordingly, it was RESOLVED that the principle of granting a new lease of the store, be authorised.

179. MANAGEMENT TEAM ITEMS

There were no items received from the Council's Management Team.

180. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were no items of urgency raised by the Chairman.

181. EXEMPT MINUTES OF THE LAST MEETING HELD ON 21 MARCH 2014

The exempt minutes of the meeting of the Cabinet held on 21 March 2014, were approved as a correct record and signed by the Chairman, subject to the following amendments:

Members Present

(i) That Councillor G V Guglielmi, having intimated his apologies for absence, be removed from those members present at the meeting of the Cabinet held on 21 March 2014; and

(ii) That Councillor McWilliams Portfolio, as stated in the exempt minutes, be amended to read "Well-being and Partnerships."

182. EXCLUSION OF PRESS AND PUBLIC

As there was to be no discussion and consequently no need to exclude the press and public, the Cabinet resolved to confirm as a correct record, the exempt minutes of the last meeting of the Cabinet held on 21 March 2014, subject to two minor amendments with regard to attendance by Members at that meeting, and to agree the recommendations as contained within the exempt reports in relation to Agenda Item B.1 below.

Chairman