

CABINET13 JUNE 2014

Present:- Councillor M J Page (Leader of the Council/Regeneration, Inward Investment and Asset Management) (Leader of the 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, Culture, Leisure and Events)

Stand-by Member:- Group Leaders Present by Invitation: Councillors J Broderick (Holland Residents), I Henderson (Labour Group) and M Talbot (Independent Group)

Also Present:- Councillors G Mitchell and A Wood.

In Attendance:- Chief Executive (Ian Davidson); Corporate Director (Public Experience) (June Clare); Monitoring Officer, (Lisa Hastings); Assets Manager (Andy White); Communications Manager (Nigel Brown); Democratic Services Manager (Colin Sweeney); Finance and Procurement Manager (Richard Barrett); Head of Planning (Catherine Bicknell) Management and Members' Support Manager (Karen Neath) and Democratic Services Officer (Michael Pingram)

(9.30 a.m. - 12.10 p.m.)

17. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor N W Turner (Deputy Leader of the Council and Environment and Coast Protection Portfolio Holder) and Group Leaders Councillor P Oxley and H Shearing.

18. MINUTES OF THE LAST MEETING HELD ON FRIDAY 9 MAY 2013

The minutes of the last meeting of the Cabinet, held on 9 May 2014, were approved as a correct record and signed by the Chairman.

19. DECLARATIONS OF INTEREST

There were no declarations of interest received from Members at this time. A declaration of interest was received during discussion of Agenda Item No.9 (Cabinet Members' Items) (A6) to which, minute number 25 below, refers.

20. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

There were no announcements made by the Leader of the Council.

21. ANNOUNCEMENTS BY CABINET MEMBERS

There were no announcements made by Cabinet Members.

22. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

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

23. PERFORMANCE REPORT - OUTTURN REPORT APRIL 2013 - MARCH 2014

A.1 Performance Report – Outturn Report: April 2013 to March 2014

There was submitted a report by the Corporate Management Committee, which, in presenting the Performance Outturn Report for 2013 to 2014, included the comments of the Corporate Management Committee, following its consideration of the report at its meeting held on 7 May 2014.

Accordingly, it was moved by Councillor Guglielmi, seconded by Councillor Page and RESOLVED that the Performance Outturn Report for 2013/14 and the comments of the Corporate Management Committee, be noted.

24. LEADER OF THE COUNCIL'S ITEMS

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

25. CARAVAN/CHALET SITES OCCUPANCY RESTRICTION REVIEW

A.2 Caravan and Chalet Sites' Occupancy Restriction Review

There was submitted a report by the Portfolio Holder for Planning and Corporate Services, which provided an update on the caravan and chalet sites' occupancy restriction review (reported to Cabinet on 13 December 2013 by way of a background paper) and, specifically, the actions agreed at that meeting.

At its meeting held on 13 December 2013, Cabinet considered a report, which outlined a review being undertaken of seasonal occupancy restrictions on holiday parks and homes across the district. It was reported that the review had highlighted inconsistencies in planning conditions and the decision was to progress the review and to take various actions as part of that review.

The report at A.2 set out an update on each of the recommendations that were agreed at that meeting.

Accordingly, it was moved by Councillor Guglielmi, seconded by Councillor Honeywood and RESOLVED that:

- a) The findings of the caravan and chalet sites' occupancy review be reported to the Local Plan Committee with recommendations relating to the review of policies in the Local Plan;
- b) The findings of the caravan and chalet sites' occupancy review be reported to the Planning Committee with recommendations relating to enforcement of planning controls;
- c) The positive engagement that was now taking place between the Council and the owners, through the Caravan and Chalet Forum, and through an Emergency Planning context, continue to be developed;
- d) Technical guidance on Flood Risk Assessments, flood response and evacuation plans and Habitats Regulation Assessments, be referred to, and made available on the Caravan, Camping and Chalet Forum webpage on the Council's Website; and
- e) Information obtained from monitoring caravan and chalet parks' compliance with occupancy conditions, be shared with the Council Tax Section to help ensure that, where necessary, occupants paid the correct amount of Council Tax and that the calculation of the New Homes Bonus be based on an accurate figure.

26. COMMUNITY ASSET TRANSFER POLICY

A.3 Community Asset Transfer Policy

There was submitted a report by the Portfolio Holder for Regeneration, Inward Investment and Asset Management, which asked Cabinet to consider the adoption of a policy on transfer of assets to community organisations.

It was reported that the Council could use its asset base as a driver for the enhancement of services, facilities and community benefits within the district and that the Government had urged Councils to take a positive approach to facilitating local delivery by transferring underused or redundant assets to the community.

It was further reported that, in addition to strict rules on prudent financial management, the Council had discretionary powers to dispose of assets at less than the highest price and that a policy was necessary to ensure that this power was exercised in a consistent way and in accordance with legislation and the Council's financial duties.

Accordingly, it was moved by Councillor Page, seconded by Councillor Guglielmi and RESOLVED that the Community Asset Transfer Policy, as detailed at Appendix A to the report at A.3, be adopted.

27. ECONOMIC DEVELOPMENT STRATEGY – DELIVERY OF KEY PROJECTS

A.4 Economic Development Strategy – Delivery of Key Projects

There was submitted a joint report, by the Portfolio Holders for (1) Regeneration, Inward Investment and Growth and (2) Finance and Transformation, which sought the Cabinet's agreement to arrangements for the commissioning of studies to assess the feasibility and deliverability of projects that related to the objectives of the Council's Economic Delivery Strategy.

The report gave details of:

- work, which was now ongoing to produce a delivery plan and to move forward on specific projects that directly responded to the Strategy's objectives;
- feasibility studies, option appraisals, viability assessments, economic impact assessments, strategic planning, land acquisition, lease negotiations and land, property and building surveys required to be undertaken in order to improve the district's chances of securing funding via the Single Local Growth Fund, Essex County Council and other funding streams for internally-generated projects;
- delegated authority sought to utilise funding within existing budgets to commission the necessary studies;
- An executive decision taken to commission and fund a feasibility study of the seafront from Clacton to Holland Haven, which had been moved forward more quickly because thinking was more advanced on projects that might be possible and so as not to lose the impetus from the coastal works;
- Two further projects, which were nearing the commissioning stage:
 - o Care and Assisted Living Innovation and Training Centre

- o Harwich Innovation and Incubation Centre; and
- How further projects would be developed and progressed, and studies commissioned, as these came forward.

Accordingly, it was moved by Councillor Page, seconded by Councillor Goggin and RESOLVED that authority be delegated to the Corporate Director (Public Experience), in consultation with the Portfolio Holders for Regeneration, Inward Investment and Asset Management and Finance and Transformation, to commission studies up to a funding limit of £250,000 to assess the feasibility of key projects that delivered against the objectives of the Economic Delivery Strategy.

28. COMMUNITY BUILDER PILOT UPDATE

A.5 Community Builder Pilot: Update

There was submitted a report by the Portfolio Holder for Well-being and Partnerships, which provided Cabinet with an update and the detailed outcomes, so far, in respect of the Community Builder Pilot (CBP).

It was reported that the CBP formed part of the Whole Essex Community Budget – Strengthening Communities’ work stream and that “Strengthening Communities” aimed to enable the development of stronger and more resilient communities by building a better understanding of community capacity, skills and assets and creating connections between individuals and across communities.

It was further reported that, in respect of the communities within Tendring, the project sought to deliver a reduction in social isolation; an increase in local people becoming active participants in improving their own health and well-being; low-level intervention for those that required it; improved support for local volunteers; local services transformed into sustainable, community-led services, where appropriate and communities and individuals being more resilient, knowledgeable and independent.

The report highlighted two successful initiatives which had been delivered. These were the regionally recognised Winter Warmers Project, in which, around 850 people in Clacton and Harwich were supplied with warm clothing and bedding that had been donated by the community and delivered by volunteers. Also, a food drive, as a result of the Winter Warmers Project, which resulted in over £1,200 worth of food directly benefiting 145 local families in need.

Accordingly, it was moved by Councillor McWilliams, seconded by Councillor Guglielmi and RESOLVED that the progress made by the Community Builder Pilot, be noted.

29. FINANCIAL OUTTURN 2013/14

A.6 Financial Outturn 2013/14

There was submitted a report by the Portfolio Holder for Finance and Transformation, which provided Cabinet with an overview of the financial outturn for the year 2013/14 and to seek its approval to:

- Revenue and capital commitments to be carried forward to 2014/15.
- Funding of the 2013/14 capital programme.
- The reserves position at the end of 2013/14.
- The allocation of the overall general fund variance for the year.
- The updated Capital Programme for 2014/15 to 2017/18 and associated funding.

Accordingly, it was moved by Councillor Goggin, seconded by Councillor Page and RESOLVED that:

- a) The financial outturn position for 2013/14, as set out in the report at A6, and its appendices, be noted;
- b) Against the background of the opportunity to reinvest increased income and the increasingly difficult financial environment faced by the Council, along with balancing the deliverability of key priorities and actions to support the budget in future years, the net General Fund variance for 2013/14 of £0.667m, be allocated as follows:
 - (i) £0.400m, be transferred to the Asset Refurbishment and Replacement Earmarked Reserve; and
 - (ii) £0.267m, be transferred to Austerity Earmarked Reserve.
- (c) The Revenue Commitments of £12.317m, being carried forward from 2013/14 to 2014/15, as set out in Appendix A to the report at A6, be approved;
- (d) The financing of capital expenditure for 2013/14, as detailed in Appendix E to the report at A6, be approved;
- (e) The capital budgets of £6.168m, being carried forward from 2013/14 to 2014/15 and the associated carry forward of the revenue contribution to capital of £0.783m, be approved;
- (f) The updated Capital Programme, and associated financing, as set out in Appendix G to the report at A6, be approved;
- (g) The movement in uncommitted and earmarked reserves for 2013/14, as set out in Appendix F to the report at A6, and any amendments arising from recommendation b), be approved;
- (h) The movement on Housing Revenue Account (HRA) balances for 2013/14, including the commitments, as set out in Appendix D to the report at A6, be approved; and
- (i) In respect of the £0.308m for Regeneration Capital Projects within the Capital Programme, the Corporate Director (Public Experience), in consultation with the Regeneration, Inward Investment and Asset Management Portfolio Holder and the Finance and Transformation Portfolio Holder, be authorised to allocate this £0.308m of funding to projects within the wider area of Jaywick.

Following advice given, Councillor Broderick declared a discloseable pecuniary interest (DPI) in relation to this matter, by virtue of the fact she owned a property close to the works to be undertaken by the Clacton and Holland-on-Sea Coast Defence Scheme. Under the Localism Act 2011, a dispensation had been granted by the Monitoring Officer permitting Councillor Broderick to participate in any discussion of, or in any vote, on a matter connected to the Clacton and Holland-on-Sea Coastal Defence Scheme until May 2015.

30. MANAGEMENT TEAM ITEMS

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

31. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were no items of urgency raised by the Chairman.

32. 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 9 May 2014.

Chairman