

CABINET23 OCTOBER 2015

Present:- Councillor P B Honeywood (Housing)!Councillor T A Howard (Finance and Transformation)!Councillor M J Hughes (Revenues and Benefits)!Councillor L A McWilliams (Well-being and Partnerships)!Councillor M J D Skeels (Leisure)!Councillor N R Stock (Leader of the Council/Planning)!Councillor M J Talbot (Environment)!Councillor N W Turner (Coastal Protection)!Councillor G F Watling (Regeneration)

Also Present:- Councillors A E Massey and M E Platt

In Attendance:- Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Head of Planning (Catherine Bicknell), Legal Services Manager and Monitoring Officer (Lisa Hastings), Finance and Procurement Manager (Richard Barrett), Operations Manager (Michael Carran), Revenues and Benefits Manager (Harry Bates), Management and Members' Support Manager (Karen Neath), Communications Manager (Nigel Brown), Senior Democratic Services Officer (Ian Ford) and Democratic Services Officer (Janey Nice)

Also in Attendance:- Group Leaders Present by Invitation:

Councillors J A Broderick (Leader of Holland Residents' Group), I J Henderson (Leader of the Labour Group) and R E Raby (Deputy Leader of the UKIP Group)

(10.32 a.m. - 11.30 a.m.)

74.. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors G V Guglielmi (Deputy Leader of the Council and Asset Management and Corporate Services Portfolio Holder) and M E Stephenson (Leader of the UKIP Group).

75. MINUTES OF THE LAST MEETING HELD ON FRIDAY 25 SEPTEMBER 2015

The minutes of the last meeting of the Cabinet, held on 25 September 2015, were approved as a correct record and signed by the Chairman.

76. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

77. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

There were no announcements by the Leader of the Council on this occasion.

78. ANNOUNCEMENTS BY CABINET MEMBERS

The relevant Portfolio Holders made announcements as follows:

Clacton Air Show 2015 – Update

The Leisure Portfolio Holder (Councillor M J D Skeels) informed the Cabinet that the total cost to the Council of putting on the 2015 Clacton Air Show had been £30,000, which was

£6,000 less than in 2014. At the same time, the Council had received income from programme sales and bucket collections in 2015 of £49,000, which was £6,000 more than in 2014.

SME Growth Fund

The Regeneration Portfolio Holder (Councillor Watling) was pleased to announce that Essex County Council's Capital Project Board had endorsed this Council's SME Growth Fund scheme and had agreed to contribute £250,000 to the Fund from April 2016.

The Chief Executive informed Members that the Council had received a number of enquiries and three companies were going forward with a submission for funding.

79. PERFORMANCE REPORT - QUARTER ONE 2015 (APRIL TO JUNE 2015)

Cabinet was informed that, at its meeting held on 28 September 2015, the Corporate Management Committee (CMC) had received the Performance Report for Quarter One 2015 (April to June 2015), which had contained details of 18 key project areas, as well as 12 performance indicators and which had given details of business-critical areas of the Council's work. The report had also contained details of sickness levels, complaints handling and a number of approved surveillances. The report had previously been presented to Cabinet at its meeting held on 4 September 2015.

The CMC had noted that, of the 30 indicators and projects reported, 27 (90%) were on, or above, their expected target, with three (10%) not in line with the expected performance.

Officers responded to questions from Members in respect of:

- The Council's recycling targets
- The Committee's role in delivering the Essex Rally Stage
- The Portfolio Holder for Finance and Transformation Rural Infrastructure Working Party (FTRIWP)

With regard to the FTRIWP, Members had requested details as to its membership and whether this was subject to the rules of proportionality as required by the Widdicombe Rules. It was reported that, whilst working parties were not required to be "Widdicombed", the Leader of the Council, in announcing the establishment of it, and other Portfolio Holder Working Parties, had instructed that they be so.

Whilst recognising that the appointment of Members to the Working Parties rested with respective Group Leaders, given that there was no formal requirement for Working Parties to comply with the Widdicombe Rules and that all such Working Parties were being led by specific Members of the Cabinet, the Committee decided to comment to Cabinet on the make-up of the FTRIWP as follows:

"That the membership be reviewed to reflect rural Members on bodies discussing rural matters."

Cabinet had before it the Portfolio Holder for Finance and Transformation's written response to the CMC's comment as follows:

"I thank the Corporate Management Committee for its comment regarding the membership of the RIWP. While working parties are not required to be "Widdicombed", I have been advised that the constitution requires them to be broadly "Widdicombed". While I understand concerns expressed regarding the structure, it is not possible to make the working party broadly Widdicombed and only contain councillors from rural wards.

To this end, I put considerable thought into the writing of the Terms of Reference (ToR) for the Rural Infrastructure Working Party in order to make it as inclusive as possible while also maximising rural membership.

I have ensured that all political groups (and ungrouped members who represent parties with only one member) are invited to join. I have also defined members in terms of the emerging Local Plan to identify whether they are a 'Rural' member or not, and have indicated that preference should be given to choosing these 'Rural' members when group leaders nominate their members.

It is important to remember that group leaders are entitled to put forward their representatives and while I have provided guidelines in the ToR as to what constitutes a rural member, I have no wish to interfere with the freedom of group leaders in their selections of who they wish to represent their group on this or any other working party.

I am satisfied that the group leaders have made reasonable efforts to put forward the most rural members that they have to represent them.

As mentioned by the leader of the council when this working party was announced, Tendring is a rural district and therefore all members are to some extent representative of a rural area.

I am to some extent disappointed that the CMC have felt the need to comment on a working party that has not yet met, particularly when I suspect that they have not yet read the Terms of Reference which address the rural make up of the working party in some depth. I note that the original recommendation that was put to me even got the name of the working party wrong, and perhaps indicates that there is a misunderstanding that it is a straight continuation of the Rural Panel set up by the previous administration, which it is not.

While many of the issues to be examined are the same (as defined in the ToR for the RIWP), I am keen for this working party to be more open than it's predecessor, and to this end any councillor representing a ward that contains a smaller rural settlement or a key rural service centre will be welcome to attend and participate in meetings of the Rural Infrastructure Working Party. Voting will however be limited to those who are members of the working party.

In order to further enhance the rural make up of the Rural Infrastructure Working Party, I shall increase the membership by one member and will join the Working Party myself, and I will chair the RIWP."

In addition, the Portfolio Holder for Finance and Transformation (Councillor Howard) stated that Councillor Fairley had now been appointed to the RIWP in place of Councillor Watson which now meant that 80% of the working party's membership represented a rural ward. Councillor Howard also informed Members that the first meeting would take place in early December 2015.

Cabinet noted the comment of the Corporate Management Committee and the Portfolio Holder for Finance and Transformation's written and oral response thereto.

80. DEVOLUTION - PROGRESS AND NEXT STEPS

Cabinet had before it a detailed report of the Leader of the Council which set out progress to date on preparing a draft submission for a Greater Essex Devolution bid; and considered the next steps necessary to move the process forward.

Members were aware that the fifteen local Councils of Greater Essex (Essex County

Council, Essex District, Borough and City Councils and Southend-on-Sea and Thurrock Councils) had been working together to explore devolution ideas and draft high level proposals which could see the transfer of powers and funding from central Government to the Greater Essex authorities. It was felt that devolution could bring many benefits such as growing the local economy, greater control over skills funding to ensure training matches business need now and in the future, creating new jobs, increasing inward investment and tackling some of the transport and infrastructure challenges of the area.

It was reported that work had commenced on the devolution programme in December 2014 and an expression of interest had been made to Government in March 2015 by the Greater Essex partnership. A high-level submission had then been made to Government on 4 September 2015 to confirm the Greater Essex Partnership's continued interest in a devolution deal. That letter had been signed by all fifteen Leaders across Greater Essex and the submission had received positive feedback from civil servants, with the Government interested in working with the Greater Essex partnership to develop the proposals further.

Cabinet was made aware that this next phase of work and negotiation with Government had continued during September and October 2015 and it was envisaged that most of the elements of a devolution deal would be in place by the end of the calendar year, subject to political agreement both locally and nationally. Therefore the aim now was to make a further submission to Government in December 2015 and dependent upon how developed it was that submission could need sign-off by each authority. After this phase, it was envisaged that a devolution deal submission would be finalised in early 2016 which would require sign off by each local authority.

Members were advised that various working groups on workstreams such as "Fiscal", "Economic Growth, Infrastructure and Connectivity", "New Homes and Communities", "Employability and Skills" and "Governance", each led by one of the Council Leaders, had been established to look at the detail of a submission. The Governance Group was led by this Council's Leader, Councillor Stock.

Cabinet was therefore requested to continue to support the devolution programme and the emerging shape of the devolution deal for further development the primary focus of which was about developing a different relationship with Government, particularly around fiscal policy and delivery of ambitious and deliverable programmes. It was felt that if Greater Essex was accepted into the devolution process all Councillors would have a vital role in helping to shape what this would mean to the District of Tendring and how Tendring could exploit whatever levers were provided to help deliver positive outcomes for residents through increased control and certainty.

In order to enable this matter to progress further it was moved by Councillor Stock, seconded by Councillor Honeywood and RESOLVED that:

- (a) the progress of the options being developed be noted;
- (b) authority be delegated to the Leader of the Council to agree the evolving submission so that it can be sent to Government in December 2015;
- (c) it is noted that the final decision on signing up to any devolution deal will be made by Council; and
- (d) a contribution of £10,000 be approved to support the devolution programme.

81. REGENERATING THE CLACTON TO HOLLAND HAVEN COASTLINE - A POSITIVE VISION FOR OUR SEAFRONT

There was submitted a joint report by the Portfolio Holder for Regeneration and the Portfolio Holder for Coastal Protection which sought Cabinet's approval to develop a range of regeneration projects in order to capitalise on the opportunities afforded by the Clacton Coastal Defence Scheme. The detailed report set out the vision, impact on tourism and the current and future projects.

In order to allow the year one projects and other matters to progress it was moved by Councillor Watling, seconded by Councillor Turner and RESOLVED that

(a) Cabinet approves in respect of the projects to be taken forward in year 1, that:

- 1) In principle, 12 new beach huts be constructed along the seafront with further details being reported to the next meeting of the Cabinet;
- 2) The Corporate Director (Coastal and Seafronts), in consultation with the relevant Portfolio Holders, undertakes the necessary design phase for a seafront café and applies for associated planning permission, and once completed brings a report back to Cabinet for further decisions;
- 3) Arrangements be made to clear the Pond at Holland Haven Country park (funded from within existing Open Spaces budgets);
- 4) Investigations are undertaken into a 'hide' type building at the Holland Haven Country Park to facilitate bird watching and other nature related activities, with the outcome being reported back to Cabinet for further decisions;
- 5) An investor event be held, funded from within the Regeneration budget;
- 6) A review of existing, empty/redundant seafront assets be undertaken with a view to marketing new opportunities for businesses, with the outcome being reported back to Cabinet for further decisions;

(b) Officers examine the business case for an aerial trekking facility as a year 1-2 project, with the outcome being reported back to Cabinet for further decisions if necessary;

(c) Cabinet authorises the Corporate Director (Coastal and Seafront Projects), in consultation with the Portfolio Holders for Regeneration and Coastal Protection, to develop a programme of seafront regeneration projects for delivery in 2017 and beyond, to be submitted to a future meeting of the Cabinet for consideration; and

(d) A sum of £1,000,000 be set aside within the 2015/16 New Homes Bonus budget to support the costs associated with delivering seafront regeneration projects, with up to £20,000 of this budget committed to support resolution (a) 2) above.

82. THE LOCAL COUNCIL TAX SUPPORT SCHEME - COUNCIL TAX EXEMPTIONS AND DISCOUNTS FOR 2016/2017 AND ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT

There was submitted a report by the Portfolio Holder for Revenues and Benefits, which sought Cabinet's to agree the Local Council Tax Support Scheme 2016/2017; the Council Tax Exemptions and Discounts for 2016/2017 and the Annual Minimum Revenue Policy Statement for 2016/2017 all for recommendation to Council.

Accordingly and in order to allow these matters to progress to Council it was moved by Councillor Hughes, seconded by Councillor Turner and:

RECOMMENDED TO COUNCIL that

(a) The Local Council Tax Support Scheme (LCTS) remains the same as the current year, as set out as Appendix A and that therefore:

i) the LCTS be approved with the maximum LCTS award being 80% for working age

claimants; and

ii) delegation be given to the Corporate Director (Life Opportunities), in consultation with the Revenues and Benefits Portfolio Holder, to undertake the necessary steps and actions to implement the LCTS scheme from 1 April 2016.

(b) The proposed Council Tax exemptions and discounts, as set out in Appendix B, be approved and that delegation is given to the Corporate Director (Life Opportunities), in consultation with the Revenues and Benefits Portfolio Holder, to undertake the necessary steps and actions to implement the Council Tax exemptions and discounts for 2016/2017.

(c) The Annual Minimum Revenue Provision (MRP) Policy Statement for 2016/17, as set out in Appendix C, be approved.

83. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock, seconded by Councillor Turner and RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Items 12 and 13 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.

Chairman