

CABINET15 APRIL 2016

Present:- Councillor G V Guglielmi (Asset Management and Corporate Services/Deputy Leader of the Council)!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)

In Attendance:- Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Legal Services Manager & Monitoring Officer (Lisa Hastings), Management and Members' Support Manager (Karen Neath), Planning and Regulation Manager (Simon Meecham), Communications Manager (Nigel Brown), Senior Democratic Services Officer (Ian Ford) and Democratic Services Officer (Janey Nice)

Also in Attendance:- Group Leaders Present by Invitation: Councillor J A Broderick (Leader of the Holland-on-Sea Residents' Group)

(10.36 a.m. - 11.01 a.m.)

164.. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors P Cawthron (Leader of the Leave The EU Group), I J Henderson (Leader of the Labour Group) and M E Stephenson (Leader of the UKIP Group).

165. MINUTES OF THE LAST MEETING HELD ON FRIDAY 18 MARCH 2016

The minutes of the last meeting of the Cabinet, held on Friday 18 March 2016, were approved as a correct record and signed by the Chairman.

166. DECLARATIONS OF INTERESTS

Councillors G V Guglielmi and Honeywood each declared an interest in the Leader of the Council's announcement on the Essex County Fire and Rescue Service's consultation on the future of that service, as detailed in Minute 167 below, insofar as they were both members of the Essex Fire Authority.

167. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

Essex County Fire and Rescue Service's Consultation on the Future of that Service

The Leader of the Council announced that:

"The second stage of the Essex County Fire and Rescue Service's consultation on the future of the service was launched on 5 February. The consultation was circulated to all Members and representatives from the Fire Service attended the Community Leadership and Partnerships Committee meeting on 6 April. At this meeting questions were taken from the Committee and from the audience.

The consultation ends on 25th April and, following on from comments received from Members and from the Community Leadership and Partnerships Committee meeting, the responses to be sent back are as follows:

1. That local residents oppose the withdrawal of the Pinzgauer appliance as this smaller engine can more easily access ancient narrow streets in Manningtree and Mistley. It is also useful for gaining access to fires on farmland which is essential for a rural community.
2. The Council work with Essex Fire Service to facilitate access to a small number of local schools the Fire Service have not currently accessed to allow them to undertake preventative work with school children.
3. The Council is not convinced that sufficient evidence has been provided that any of the three options would provide adequate cover in some parts of Tendring and that none of the options could be supported until it can be proven that the necessary recruitment for on-call coverage can take place
4. The Council embrace and support the ethos of all emergency services exploring working together.

The comments from the Community Leadership and Partnerships Committee will be formally reported back to Cabinet at the meeting on 13th May.

The Deputy Leader of the Council (Councillor G V Guglielmi) spoke in reference to this matter and expressed his concerns and reservations on the options proposed within the consultation document. He welcomed the Leader's announcement.

The Coastal Protection Portfolio Holder (Councillor Turner) expressed his concerns about the possible removal of a fire engine from Frinton-on-Sea which would have an adverse effect on the level of service and cover in the Frinton and Walton area.

Jaywick

The Leader of the Council also announced that on 12 April 2016 he had had a meeting at the Home Office with Mark Francois MP, Minister of State for Community Resilience at which he had made the Minister aware of the various initiatives being undertaken in Jaywick. The Minister had been very impressed with those initiatives and had fully endorsed them.

168. ANNOUNCEMENTS BY CABINET MEMBERS

There were no announcements by members of the Cabinet on this occasion.

169. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

There were no matters referred to the Cabinet by the Council on this occasion.

170. MATTERS REFERRED TO THE CABINET BY A COMMITTEE

There were no matters referred to the Cabinet by a Committee on this occasion.

171. NORTH AND CENTRAL ESSEX MEMORANDUM OF CO-OPERATION

There was submitted a report by the Leader of the Council & Portfolio Holder for Planning which:

(1) updated Cabinet with regards to the co-operation and collaboration on strategic planning matters between Braintree, Chelmsford, Colchester, Essex and Tendring Councils; and

(2) requested Cabinet to note and endorse that the Leader of the Council & Portfolio Holder for Planning had signed the 'Memorandum of Co-operation' for strategic planning with north and central Essex Authorities.

The Cabinet was aware that Members and Officers from Braintree, Chelmsford, Colchester, Essex, Maldon and Tendring Councils had been preparing joint evidence and collaborating on strategic development and infrastructure matters to inform their respective emerging Local Plans. As part of this, a Memorandum of Co-operation (MoC) had now been produced to identify and agree the key strategic priorities across north and central Essex.

It was reported that the MoC identified four key objectives which were:

- (i) to provide evidence on the Duty to Co-operate;
- (ii) to identify major strategic issues;
- (iii) to articulate the process and outcomes from the collaboration; and
- (iv) to ensure the alignment of strategic investment priorities and work together on the funding for such projects.

Having been informed of the background and current position with regard to this matter, it was moved by Councillor Stock, seconded by Councillor G V Guglielmi and:

RESOLVED that Cabinet notes and endorses that the Leader of the Council & Portfolio Holder for Planning, on behalf of this Council, has become a signatory to the 'Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex'.

172. HARWICH INNOVATION CENTRE PROJECT

There was submitted a report by the Portfolio Holder for Regeneration which:

(1) informed Cabinet of the work being undertaken to establish the demand and need for an Innovation Centre in Harwich, focussed on growth in the maritime, ports and logistics, offshore renewables and engineering sectors and to explore the opportunities afforded by Mermaid House (a vacant building on the quayside currently in the ownership of Trinity House); and

(2) requested Cabinet to endorse a Memorandum of Understanding; to initiate the Property Dealing Procedure; and to approve a range of necessary technical studies and viability/economic impact assessments being undertaken in order to fully inform the Council's position, and thereby enable it to determine whether to proceed with the delivery of the project.

Members were aware that in the East of England, major investment was planned in offshore wind, oil and gas, and decommissioning redundant rigs and platforms. All three sectors presented significant economic, employment and local growth opportunities for marine and offshore engineering hubs on the East Coast.

It was reported that those energy sub-sectors represented 65% of the forecast investment in the East of England energy sector to 2020, with the most significant investment opportunities for the supply chain in Harwich being in supporting the installation and operations and maintenance activities of the East Anglia One and Galloper offshore wind farms; the decommissioning of four offshore gas sites; and the further development of the Cygnus and Platypus oil and gas projects.

It was therefore considered that growth in those sectors presented a significant opportunity for Harwich, subject to the right infrastructure being in place to support the requirements of those industries and associated supply chain businesses. To that end Tendring District

Council and Essex County Council (the project partners) had been working to establish the demand and need for an Innovation Centre in Harwich, which would provide managed work space for businesses working in the maritime, ports & logistics, offshore renewables, and engineering sectors.

Cabinet was informed that in November 2015 Essex County Council had appointed Nautilus Associates to review and refresh an earlier demand and need study undertaken in 2013/14. Their assessment of current market conditions had concluded that there was a significant demand for managed work space in Harwich that could exceed supply in the medium to long term. As part of the study, 26 companies had expressed a firm interest in securing space within a managed office facility located in Harwich. Those respondents had a work space requirement to support up to 87 employees.

In addition, 20 respondents had expressed an interest in taking a “virtual tenancy” at the proposed Centre, and 35 had stated that they would use meeting rooms at the Centre and/or access Business Support Services, should those be available. Members were advised that at this stage the initial preferred option should the project proceed, would be that the management of the Centre would be awarded under contract to a third party provider that would have responsibility for: managing the facility; providing information, advice and guidance to the Centre’s users and occupiers; and providing more generic business support services across the District. The cost of providing this service would be met from the rental income received from the businesses using the Centre.

The Nautilus Associates Demand and Need Study was attached, for Cabinet’s information, as Appendix A to item A.2 of the Report of the Portfolio Holder for Regeneration.

Members were informed that, as part of their commission, Nautilus Associates had also been directed to explore the opportunities presented by Mermaid House, a currently under-utilised building in the ownership of Trinity House. Either project partner could acquire the leasehold interest in that property.

Having considered the report it was moved by Councillor Watling, seconded by Councillor Turner and RESOLVED that Cabinet:

(a) notes the scope, content, and recommendations of the Nautilus Associates Demand and Need Study, as shown in Appendix A to item A.2 of the Report of the Portfolio Holder for Regeneration;

(b) endorses the Council’s commitment to the project at this stage and authorises the Chief Executive, in consultation with the Regeneration Portfolio Holder, to finalise and sign the Memorandum of Understanding (as set out in Appendix B to the aforementioned report) in consultation with the signatory organisations;

(c) approves that the Property Dealing Procedure be initiated in order for the technical studies, valuations and negotiations to be carried out in order to inform the preparation of a business case and final decision, to be the subject of a future report; and

(d) approves the use of the Business Investment and Growth budget (up to a maximum of £40,000) to undertake the full range of technical studies, cost and viability assessments necessary to inform the Council’s position.

173. DETERMINATION OF A NOMINATION TO REGISTER AN ASSET OF COMMUNITY VALUE: THE BLACKSMITHS ARMS, 20 THE STREET, LITTLE CLACTON

The Leader of the Council informed Cabinet that he was deferring this item until a future meeting.

Cabinet noted the foregoing.

174. MANAGEMENT TEAM ITEMS

There were none.

175. DETERMINATION OF A NOMINATION TO REGISTER AN ASSET OF COMMUNITY VALUE: THE KINGS ARMS HOTEL, 78 HIGH STREET, DOVERCOURT, HARWICH

There was submitted a report by the Portfolio Holder for Well-being and Partnerships which sought Cabinet's decision on whether The Kings Arms Hotel, Dovercourt met the criteria set out in the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012 following its valid nomination as an Asset of Community Value by the Tendring CAMRA Branch. No other criteria were pertinent to the decision.

The Cabinet was informed that the Officers, taking the evidence provided into account, were of the opinion that the building nominated did meet the criteria set out in Section 88 of the Localism Act 2011 and, accordingly, were recommending that the building should be listed as an Asset of Community Value.

Having considered the report, the valid nomination and the advice of Officers, it was moved by Councillor McWilliams, seconded by Councillor Hughes and:

RESOLVED that Cabinet agrees that the Kings Arms Hotel, 78 High Street Dovercourt, Harwich, CO12 3AP meets the definition of an Asset of Community Value, as set out in Section 88 of the Localism Act 2011, and that the building be added to the Council's list of Assets of Community Value.

176. NEW PREVENT DUTY ON LOCAL AUTHORITIES

There was submitted a report by the Portfolio Holder for Well-being and Partnerships, which provided information on the new PREVENT duty and invited the Cabinet to agree a local authority PREVENT policy for Tendring District Council.

It was reported that the Counter Terrorism and Security Act 2015 required local authorities in the exercise of their functions, to have due regard to the need to prevent people being drawn into terrorism and that guidance had been published, which set out details of actions needed to fulfil responsibilities under this duty.

It was noted that local authorities were vital to PREVENT work and would be required to undertake a range of responsibilities under the following categories:

- Partnership
- Risk Assessment
- Action Plan
- Staff Training
- Use of Resources

An Impact Assessment had been published, in which, it had been estimated that associated costs for local authorities could range from between £4,000 and £40,000 and that this was aligned to the variable risk in different areas. It was reported that it was not possible to predict how much support the remaining areas would require until they had carried out their own risk assessments and, therefore, the Home Office had proposed to allocate all non-priority local authorities a £10,000 one-off payment to cover activity required to commence the duty. It was noted that, thereafter, most activity was likely to be mainstreamed into existing community safety and child safeguarding work.

Members were advised that Tendring District Council had entered into a grant agreement with the PREVENT Local Delivery Department at the Home Office to receive this funding.

Members were reminded that the proposed policy had been considered by the Community Leadership and Partnerships Committee at its meeting held on Monday 7 December 2015, at which, the Committee noted the duty and recommended to Cabinet that an all Member Briefing be arranged on the Council's responsibilities under PREVENT and, so far as possible, ensure that attendance by all Members was compulsory.

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

1. The new duty upon local authorities to have due regard to the need to prevent people being drawn into terrorism, be noted;
2. The proposed Tendring District Council PREVENT Policy, as set out at Appendix A to the report, be approved; and
3. The Portfolio Holder for Well-being and Partnerships supports the recommendation by the Community Leadership and Partnerships Committee, that an all Member Briefing be arranged on the Council's responsibilities under PREVENT.

177. REVIEW OF THE TENDRING CHILDREN AND YOUNG PEOPLE STRATEGY 2011 TO 2016

There was submitted a report by the Portfolio Holder for Well-being and Partnerships, which invited the Cabinet to approve the updated Children and Young People Strategy 2011 to 2016.

It was reported that, in March 2015, Cabinet resolved that the Tendring Children and Young People Strategy 2011 to 2016 (the Strategy) be reviewed and updated.

Members were advised that, in Essex, the overall responsibility and accountability for meeting the needs of children and young people rested with Essex County Council (ECC) as lead authority but that Tendring District Council (TDC), as community leader, played a crucial role in facilitating and supporting a partnership approach to meeting the needs of children and young people in the District.

It was further reported that the findings from the review indicated that whilst the vision for the TDC should remain unchanged, the revised Children and Young People Strategy should include:

- (i) Reference to the Council's Community Leadership role;
- (ii) A Partnership Delivery Plan with clear and measurable targets;
- (iii) Accountability for implementation of the Delivery Plan through established governance structures; and
- (iv) Four priority areas of Safeguarding, Education, NEETs (young people who were not in education, employment or training) and Child Poverty

Accordingly, it was moved by Councillor Turner, seconded by Councillor Skeels and RESOLVED that:

1. The findings of the Tendring Children and Young People Strategy 2011 to 2016 review, be noted;
2. The Draft Revised TDC Children and Young People Strategy, as detailed at Appendix A

to the report, be approved;

3. The Draft TDC Children and Young People Partnership Delivery Plan 2015/2015, as detailed at Appendix B to the report, be approved;

4. The implementation of the annual Children and Young People Partnership Delivery Plan be overseen by the Tendring Health and Well-being Board; and

5. In respect of comments and recommendations made by the Community Leadership and Partnerships and Education and Skills Committees, these be included within the reviewed Strategy and be reviewed periodically by the Tendring Health and Well-being Board.

178. ADOPTION OF AN UPDATED EMPTY HOMES STRATEGY

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[HREF="KAB163.PL?PHDNAME=PHD663&ARC=8&PHASE=TWO&CMTE=CAB&MEET=68&RETURN_PROG=KAB8.PL&OPERATION=DETAILS">DECISION 2624](#)

There was submitted a detailed report by the Portfolio Holder for Housing, which informed Cabinet about the current position in relation to empty homes in the District and which sought agreement for an updated Empty Homes Strategy.

Cabinet was reminded that the Council had first adopted an Empty Homes Strategy in 2009, with the three year strategy running until 2012. The Strategy had not been updated in 2012 but it was now felt that the strategic importance of privately owned empty homes in meeting housing need should be highlighted and strengthened by implementing a revised and updated strategy.

Having considered the report, it was moved by Councillor Honeywood, seconded by Councillor McWilliams and RESOLVED that the revised Empty Homes Strategy 2016 – 2018, as appended to item A.9 of the Report of the Housing Portfolio Holder, be approved.

179. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock, seconded by Councillor G V Guglielmi 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