

MEETING OF THE
TENDRING DISTRICT COUNCIL

11 FEBRUARY 2014

Present:- Councillor N R Stock (Chairman of the Council), Councillor V E Guglielmi (Vice-Chairman of the Council), Councillor D J Aldis, Councillor C D Amos, Councillor J Broderick, Councillor N Brown, Councillor R J Bucke, Councillor G J Caines, Councillor C Callender, Councillor R Callender, Councillor G W J Calver, Councillor D J Casey, Councillor S H Challinor, Councillor J B Chapman, Councillor A F W Colbourne, Councillor M A Cossens, Councillor P G De Vaux Balbirnie, Councillor T J Fawcett, Councillor A Goggin, Councillor C W Griffiths, Councillor G V Guglielmi, Councillor J Hawkins, Councillor R A Heaney, Councillor I J Henderson, Councillor J Henderson, Councillor P B Honeywood, Councillor S A Honeywood, Councillor I Johnson, Councillor D R Mayzes, Councillor S S Mayzes, Councillor D P McLeod, Councillor L A McWilliams, Councillor M D Miles, Councillor G L Mitchell, Councillor F H Nicholls, Councillor D Oxley, Councillor P J Oxley, Councillor M J Page, Councillor M R Patten, Councillor M E Platt, Councillor J A Powell, Councillor A R Pugh, Councillor P I Sambridge, Councillor G G I Scott, Councillor H A Shearing, Councillor K Simons, Councillor D C Skeels, Councillor G D Steady, Councillor M J Talbot, Councillor I P Tracey, Councillor N W Turner, Councillor J F White, Councillor C P Winfield, Councillor A I Wood

In Attendance:- Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Corporate Director (Life Opportunities) (Paul Price), Corporate Director (Public Experience) (June Clare), Legal Services Manager and Monitoring Officer (Lisa Hastings), Democratic Services Manager (Colin Sweeney), Finance and Procurement Manager (Richard Barrett), Management and Member Support Manager (Karen Neath) and Senior Democratic Services Officer (Ian Ford).

(7.30 p.m. - 10.31 p.m.)

82.. SILENT TRIBUTE

All persons present stood in a silent tribute in memory of the late Councillor Mitch Mitchell.

The Chairman of the Council and Councillor Sambridge each paid personal tribute. Members gave a round of applause in tribute to Mitch Mitchell.

83. APOLOGIES FOR ABSENCE

The Chairman informed Members that his wife, Councillor Sarah Candy, was unable to attend as she was extremely ill. On behalf of himself, and his family, the Chairman thanked Members for their kind words and messages of support which meant a huge amount at this very difficult time.

Apologies for absence were also submitted on behalf of Councillors Tom Howard, K T King and Giles Watling.

84. REPORT OF THE RETURNING OFFICER ON THE DISTRICT COUNCIL BY-ELECTIONS – PETER BRUFF WARD AND ST JOHNS WARD

Peter Bruff Ward

The Returning Officer reported that, at the by-election in the Peter Bruff Ward of the District

held on 6 February 2014, Sara Jane Richardson had been duly elected as a Councillor and that she had since made a Statutory Declaration of Acceptance of Office.

Councillor Richardson had also given notice that she wished to be treated as a member of the Conservative Group for the purposes of the Local Government and Housing Act 1989.

St Johns Ward

The Returning Officer further reported that, at the by-election in the St Johns Ward of the District also held on 6 February 2014, Michael John Daniel Skeels had been duly elected as a Councillor and that he had since made a Statutory Declaration of Acceptance of Office.

Councillor Skeels had also given notice that he wished to be treated as a member of the Conservative Group for the purposes of the Local Government and Housing Act 1989.

The Chairman formally welcomed Councillors Richardson and Skeels to the meeting and they received a round of applause from Members.

The Council noted the foregoing.

85. ELECTION OF LEADER OF THE COUNCIL

It was moved by Councillor P B Honeywood, seconded by Councillor Talbot and:-

RESOLVED that, in accordance with the Council's executive arrangements pursuant to Section 9I of Part 1A of the Local Government Act 2000 (as set out in Article 7 of the Council's Constitution) Councillor Page be elected Leader of the Council for a term of office ending on the day of the next post-election annual meeting (i.e. the Annual Meeting of the Council in May 2015).

Members congratulated Councillor Page on his election with a round of applause.

Councillor Page stated that he was pleased and proud to be elected Leader and he thanked his proposer and seconder and all Members who had supported him. Councillor Page recorded his thanks and appreciation for the hard work and achievements for the District of his predecessor in office, the former Councillor Peter Halliday and he also thanked Councillor Paul Honeywood who had stepped into the breach as interim Leader.

He announced that his aim in office was to provide excellent community leadership and close partnership working with all public sector bodies, the Government and the community and involve all Members in taking this forward. A good example of this was the new coastal protection scheme which had come together despite a lack of public funding but through partners working together more closely.

He also highlighted that, despite the much pressurised financial climate, the Council was achieving much, such as being voted the best landlord in the country, a fantastic coastal scheme which will support inward investment, the opportunities for economic growth in Harwich and the A120 corridor and in the renewable energy industry, the resumption of building council houses and bringing empty properties back into use.

Councillor Page also announced that in the forthcoming year the Council would deliver great initiatives such as the Women's Cycling Tour, the Clacton Air Show and improvements to Dovercourt Pool and Frinton and Walton Pool. He also undertook to challenge Harwich International Port to repay the Council's trust and support and the faith of the local community by working with the Council to exploit the opportunities now of the

renewable energy industry and unlock the economic potential of the Harwich area. He gave a commitment that the District was open for business.

The Council noted the foregoing.

86. MINUTES OF THE LAST MEETING OF THE COUNCIL

RESOLVED that the minutes of the meeting of the Council, held on Tuesday 26 November 2013, be approved as a correct record and signed by the Chairman.

87. DECLARATIONS OF INTERESTS

There were no declarations of interest received from Members at this time.

88. ANNOUNCEMENTS BY THE CHAIRMAN

1. Clacton Gas Explosion

The Chairman thanked all Council staff and the Emergency Services who had been involved in helping the victims of last week's gas explosion in Cloes Lane, Clacton. Staff – along with the Tendring community in general – had supported and assisted those residents who had been affected. He informed Council that a number of Council departments had been called upon in the aftermath of the blast and the Council's Emergency Plan had been immediately put into operation and the Emergency Planning Team had been heavily involved in working with the emergency services and other partners to do whatever was needed and also ensure that important messages were passed to the public via the media. A reception centre had been set up in the Town Hall to provide a safe haven for anyone who was unable to return to their home during that day. Other staff had been involved in helping to make the site of the explosion safe, in demolishing what was left of the two badly damaged properties and in providing accommodation for those who needed it.

The Chairman stated that it had been a real team effort and one the Council could be proud of collectively. He also praised those members of the public who were at the scene just after the explosion and put their own safety aside to rescue people who were trapped and the many people who had donated money and items to the victims. The Chairman applauded such an excellent community spirit in Tendring.

Councillor D R Mayzes, as a Ward Member also made a statement to the Council in which he praised the fantastic response of the emergency services and the local community. He informed Members that Coppins Hall Community Centre in Maldon Way was receiving donations of clothes, food, appliances and services.

2. Pride Of Tendring Awards Evening – Friday 7 February 2014

Further to the theme of community spirit the Chairman informed Members that the Pride of Tendring Awards on Friday 7 February had been a great success though he had been unable to attend for personal reasons. The evening had involved more than 20 unsung heroes from across the District being honoured for all that they did for others in the community. It had been the third ceremony of its kind to be staged by the Council and stalwarts from all walks of life – and all ages – had received official recognition and accolades for all their efforts.

The Chairman was pleased that the awards had once again been sponsored by Dong Energy with support from Tesco and the Clacton, Frinton and Walton Gazette and the Harwich and Manningtree Standard. He thanked those organisations for their tremendous support and the members of his Pride of Tendring Panel. The evening had been expertly

pulled together by the Chairman's Secretary, Mrs Sarah Creelman and members of the Princes Theatre staff. It had been a great credit to the Council.

89. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

Petition – Lease of Land at The Naze

The Chief Executive announced the receipt of a petition expressing opposition to the proposed lease of land at The Naze, Walton-on-the-Naze to The Essex Wildlife Trust. The issues raised in the petition would be investigated and the petition, together with a full report would be presented to the Council at its meeting on 25 March 2014.

Additional monies from Essex County Council to address highways with issues of flooding

The Chief Executive informed the Council that notification had been received from Essex County Council that it was making additional monies available to address flooding issues in relation to highways. To that end the County Council had asked this Council to notify it of its top five priorities. Officers were looking at representations received from TDALC, Members and others and would provide a suggested list of priorities to all Members the next morning. Officers would then collate any changes and make a final list for the Leader of the Council to approve on the morning of Friday 14 February for submission to the County Council to meet its deadline which was that same day. Members would be notified of the final five priorities submitted.

The Chief Executive also announced that there were further monies potentially available on a match funding basis which would be done through the Highways Panel.

90. STATEMENTS BY THE LEADER OF THE COUNCIL

Appointment of the Members of the Executive and Allocation of Portfolios

Subject to the provisions of sub-paragraphs 2(4) and (5) of Schedule A1 of the Local Government Act 2000 and in accordance with the Council's executive arrangements, the Leader of the Council, Councillor Page, appointed Councillor Turner to be the Deputy Leader of the Council for a term of office ending on the day of the next post-election annual meeting (i.e. the Annual Meeting of the Council in May 2015).

The Leader then formally appointed the members of the Cabinet and allocated Portfolios to them, as set out hereunder:-

Environment and Coast Protection Portfolio	-	Councillor Turner
Finance and Transformation Portfolio	-	Councillor Goggin
Housing, Benefits and Revenues Portfolio	-	Councillor P B Honeywood
Planning and Corporate Services Portfolio	-	Councillor G V Guglielmi
Regeneration, Inward Investment, Asset Management Portfolio	-	Councillor Page
Tourism, Events and Leisure Services Portfolio	-	Councillor Platt
Well-being and Partnerships Portfolio	-	Councillor McWilliams

In addition, the Leader also appointed Councillor P B Honeywood as an Assistant Deputy Leader of the Council.

The Deputy Leader of the Council and Portfolio Holders in turn made a formal oral declaration of acceptance of office.

The Leader thanked Councillor Sarah Candy and Councillor Stephen Mayzes for their respective contributions to the work of the Council during their terms of office as Portfolio Holders.

Proposed overview and scrutiny committee for Education and Skills

The Leader informed the Council that he would be requesting Officers to bring proposals to Cabinet and then the Council that would establish a new overview and scrutiny committee with a focus on Education and Skills in the District. He would also propose that two non-voting co-opted seats were included on the Committee in order to give a role to key local partners.

Review of the delivery of Regeneration and Inward Investment

The Leader stated that he would wish to see an officer post established with a full-time focus on the economic potential of Harwich and in particular the opportunities within the renewable energy industry. He further stated that that he would wish to see another officer post that would focus on supporting business development and growth across the District. To that end the Leader said that he would be asking the Chief Executive to carry out the necessary review to see how this could be achieved and that there would be a report to Members in due course.

Participation of Opposition Group Leaders at Cabinet Meetings

The Leader informed Members that an amendment to the Constitution would be brought to the next Council meeting which would enable Opposition Group Leaders or their Deputies would be invited to attend formal Cabinet meetings and further that the minutes of formal Cabinet meetings would record their opposition (if requested) to any decision taken.

Frinton and Walton Swimming Pool

The Leader stated that he would be requesting Officers to draw up proposals for improvements to the changing facilities at Frinton and Walton Swimming Pool and the options for funding them and which would be considered at Cabinet in the near future.

Big Society Fund

The Leader announced that he wanted to use his experience of running Essex County Council's Community Initiatives Fund to make this Council's Big Society Fund more accessible to community groups and to be more transparent, more flexible and to involve genuine cross-party working (for example, by allowing the Labour Group to appoint members of its own choosing to sit on the Leader's Big Society Working Party).

Crime and Disorder

The Leader stated that his administration would take a strong line on community safety and crime and the fear of crime. To that end he would be proposing that this Council fund three PCSOs, employed by the Police, for a two year period funded by the fact that the Police and Crime Commissioner had now decided not to claw back £60,000 from this Council combined with the Administration's decision not to reduce Council Tax by 0.5%.

One of the PCSOs (funded from the Housing Revenue Account) would focus on the Council's housing estates, one would focus on Clacton-on-Sea and one would be deployed wherever in the District the Police considered the need to be greatest.

Open Door Policy

The Leader encouraged all Members not to hesitate to come and discuss any issues that they had with him. He intended to be available one day a month to meet with Members and those dates would be published in due course by the Leader's Office.

The Leader then responded to questions on his statements put to him by Councillors Calver, I J Henderson and P J Oxley.

91. STATEMENTS BY MEMBERS OF THE CABINET

Councillor Goggin made a statement (including the presentation of a short film) on the Women's Cycle Tour 2014 which was an elite staged cycle race involving Olympic and World Champion cyclists. He was delighted to announce that the third stage would run from Felixstowe to Clacton-on-Sea on Friday 9 May 2014 and the fifth, final leg of the Tour would start on the morning of Sunday 11 May 2014 at Low Road, Dovercourt and would finish in Bury St Edmunds. The Women's Cycle Tour would also coincide with this year's Tour de Tendring.

He went on to say that this would be a terrific opportunity for a tourism legacy for the District. 400 athletes, supporting staff and officials together with thousands of spectators would all need accommodation and ITV would broadcast a one hour programme each day focusing on the host towns. The Tour itself would be broadcast to 84 countries and there would be extensive coverage in the print media.

Councillor Goggin also praised once more the excellent dedicated team of officers behind the award-winning Clacton Air Show including Paul Price, Michael Carran, Sarah Daniels, Jo Needham and Tim Sutton.

Councillor Goggin then responded to questions on his statement put to him by Councillors Broderick, Hawkins and Scott.

92. APPOINTMENT OF THE REPRESENTATIVE OF THE SOLE MEMBER OF TENDRING REGENERATION LIMITED

A.1 Appointment of the Representative of the Sole Member of Tendring Regeneration Limited

The Council gave consideration to the appointment of a Member as the representative of the Council as sole member of Tendring Regeneration Limited pursuant to Article 3.1 of its Articles of Association. A new appointment was necessary to replace former Councillor Peter Halliday.

It was moved by Councillor Page, seconded by Councillor Turner and RESOLVED that, with immediate effect, the Leader of the Council be appointed as the representative of the Council as sole member of Tendring Regeneration Limited.

93. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 14

There were none.

The remaining business was considered in the order recorded in these minutes.

94. EXECUTIVE'S PROPOSALS – BUDGET AND COUNCIL TAX 2014/2015

The Council gave consideration to the Cabinet's budget proposals for 2014/15 and the amount of Council Tax for District and Parish and Town Council services for the financial year 2014/15, for each category of dwellings within the District of Tendring to support the proposed level of expenditure.

Members were aware from Minute 123 (A.6) of the meeting of the Cabinet held on 24 January 2014, that the Corporate Director (Corporate Services), in consultation with the

Leader of the Council and Finance and Asset Management Portfolio Holder, had been authorised to submit a report to this meeting in respect of the formal draft resolutions necessary to implement the Cabinet's budget proposals together with any late information or notifications received from the Department for Communities and Local Government, as may necessarily affect the budget, which included the budget changes needed to correctly present the new requirements associated with the changes to the Local Government Finance Settlement, such as those concerning the new business rates retention approach and the Local Council Tax Support Scheme.

The Council was advised of all the resolutions made by the Cabinet on 24 January 2014 (Minutes 121 [A.2] and 123 [A.6]), together with the additional recommendations necessary to set the Council Tax levy. Those resolutions and recommendations were before the Council as contained within item A.2 of the Report of the Cabinet.

The Council was informed that the Cabinet's proposed budget had been subject to the full scrutiny process of the Council's Budget and Policy Framework Procedure Rules, which had included scrutiny by the Council's Corporate Management Scrutiny Committee.

The Leader of the Council (Councillor Page) commented on the Council's estimates and financial arrangements for the year ending 31 March 2015 and, in particular, that the proposed budget supported the objectives of the Council in 2014/15, which he outlined in detail to the Council. Those objectives included self-sufficiency and innovation in the face of the continued reduction in the amount of Government funding for local authorities, real on-going savings and inward investment and growth in the local economy. Examples where the Council would invest included the cremator replacement and crematorium refurbishment, delivering a garden waste kerbside collection service, investment in leisure facilities, office rationalisation and strategic IT investment and an additional three PCSOs for a two year period. The Leader also drew attention to the continuing challenges that would face the Council in the foreseeable future including the long term impact of the Local Council Tax Support Scheme and the local business rates retention model, further reductions in external funding and the state of the national economy.

Members were aware that the Parish and Town Councils within the District had met to set their precepts. The table set out in Appendix E showed the District Council services' and the Parish Councils services' precepts.

The Council was advised that the table set out above indicated that the average District and Parish Council Tax for a Band D property would increase to £178.18. It was reported that the actual Council Tax that liable persons would pay depended on the valuation bands into which their dwellings were placed. Where the text in the report referred generally to the Council Tax, Members were aware that this meant Council Tax expressed as a Band D equivalent.

Councillor Page moved, and Councillor P B Honeywood seconded, that the recommendations contained in item A.2 of the Report of the Cabinet be approved.

Councillor I J Henderson moved, and Councillor Hawkins seconded, that Councillor Page's motion be amended by the inclusion of the following amendment to the budget proposals, namely that:

"That £563,000 be allocated from the unallocated New Homes Bonus as listed below:

1. An additional £100,000 to Planning Enforcement for the purposes of taking action on untidy, unsecured and derelict sites;
2. £175,000 to employ a technical officer on a fixed term contract for a period of 5 years to address the issues of dog fouling, fly tipping, littering and general street scene issues;

3. £288,000 to fund the Jaywick Community Wardens along with the associated Community Development officer for the four years of the next administration (2015-2019)."

The Legal Services Manager and Monitoring Officer, Lisa Hastings, informed the Council that The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 required local authorities to hold a named vote on the Budget motion and all amendments thereto. She continued that, although the Regulations would not come into force until 25 February 2014, a letter had been received from the Department for Communities and Local Government stating that the Government expected local authorities to follow the intent of the Regulations immediately.

In the light of the above advice, the Chairman stated that he would hold a named vote on the Budget motion and all amendments thereto. He further stated that each part of Councillor Henderson's amendment would be put to the vote separately.

In respect of part 1 of Councillor Henderson's amendment the vote resulted as follows:

Councillors For

Aldis
Broderick
Brown
Bucke
Caines
Calver
Casey
Chapman
Hawkins
I J Henderson
J Henderson
Johnson
McLeod
D Oxley
P J Oxley
Powell
Scott
Shearing
Steady
Talbot
Tracey
White
Winfield

Councillors Against

Amos
C Callender
R Callender
Challinor
Colbourne
De-Vaux Balbirnie
Fawcett
Goggin
Griffiths
G V Guglielmi
V E Guglielmi

Heaney
P B Honeywood
S A Honeywood
D R Mayzes
S S Mayzes
McWilliams
Miles
Mitchell
Nicholls
Page
Patten
Platt
Pugh
Richardson
Sambridge
Simons
D C Skeels
M J D Skeels
Stock
Turner
Wood

Councillors Abstaining

Cossens

Councillors Not Present

Candy
Howard
King
Watling

Part 1 of Councillor Henderson's amendment was thereupon declared LOST.

In respect of part 2 of Councillor Henderson's amendment the vote resulted as follows:

Councillors For

Aldis
Broderick
Brown
Bucke
Caines
Calver
Casey
Chapman
Hawkins
I J Henderson
J Henderson
Johnson
McLeod
D Oxley
P J Oxley
Powell
Scott
Shearing

Steady
Talbot
Tracey
White
Winfield

Councillors Against

Amos
C Callender
R Callender
Challinor
Colbourne
Fawcett
Goggin
Griffiths
G V Guglielmi
V E Guglielmi
Heaney
P B Honeywood
S A Honeywood
D R Mayzes
S S Mayzes
McWilliams
Miles
Mitchell
Nicholls
Page
Patten
Platt
Pugh
Richardson
Sambridge
Simons
D C Skeels
M J D Skeels
Stock
Turner
Wood

Councillors Abstaining

Cossens
De-Vaux Balbirnie

Councillors Not Present

Candy
Howard
King
Watling

Part 2 of Councillor Henderson's amendment was thereupon declared LOST.

In respect of part 3 of Councillor Henderson's amendment the vote resulted as follows:

Councillors For

Aldis
Broderick
Brown
Bucke
Caines
Calver
Casey
Hawkins
I J Henderson
J Henderson
Johnson
McLeod
D Oxley
P J Oxley
Scott
Shearing
Steady
Talbot
White
Winfield

Councillors Against

Amos
C Callender
R Callender
Challinor
Colbourne
De-Vaux Balbirnie
Fawcett
Goggin
Griffiths
G V Guglielmi
V E Guglielmi
Heaney
P B Honeywood
S A Honeywood
McWilliams
Miles
Mitchell
Nicholls
Page
Patten
Platt
Pugh
Richardson
Sambridge
Simons
D C Skeels
M J D Skeels
Stock
Tracey
Turner
Wood

Councillors Abstaining

Chapman
Cossens
D R Mayzes
S S Mayzes
Powell

Councillors Not Present

Candy
Howard
King
Watling

Part 3 of Councillor Henderson's amendment was thereupon declared LOST.

Councillor P J Oxley moved, and Councillor Scott seconded, that Councillor Page's motion be amended by the inclusion of the following amendment to the budget proposals, namely that:

"That £2,000 per Member Small Schemes budget for 2014 be reintroduced and funded from the Big Society fund."

Councillor De-Vaux Balbirnie declared a disclosable pecuniary interest in respect of the amendment and withdrew from the meeting during the consideration thereof and the voting thereon.

In respect of Councillor Oxley's amendment the vote resulted as follows:

Councillors For

Aldis
Broderick
Brown
Bucke
Caines
Calver
Casey
Chapman
Cossens
Hawkins
I J Henderson
J Henderson
Johnson
McLeod
D Oxley
P J Oxley
Powell
Scott
Shearing
Steady
Talbot
Tracey
White
Winfield

Councillors Against

Amos
C Callender
R Callender
Challinor
Colbourne
Fawcett
Goggin
Griffiths
G V Guglielmi
V E Guglielmi
Heaney
P B Honeywood
S A Honeywood
D R Mayzes
S S Mayzes
McWilliams
Miles
Mitchell
Nicholls
Page
Patten
Platt
Pugh
Richardson
Sambridge
Simons
D C Skeels
M J D Skeels
Stock
Turner
Wood

Councillors Abstaining

None

Councillors Not Present

Candy
De-Vaux Balbirnie
Howard
King
Watling

Councillor Oxley's amendment was thereupon declared LOST.

In respect of Councillor Page's motion the vote resulted as follows:

Councillors For

Amos
C Callender
R Callender
Challinor
Colbourne
Cossens

De-Vaux Balbirnie
Fawcett
Goggin
Griffiths
G V Gugliemi
V E Guglielmi
Heaney
P B Honeywood
S A Honeywood
D R Mayzes
S S Mayzes
McWilliams
Miles
Mitchell
Nicholls
Page
Patten
Platt
Pugh
Richardson
Sambridge
Simons
D C Skeels
M J D Skeels
Steady
Stock
Talbot
Tracey
Turner
White
Wood

Councillors Against

Aldis
Brown
Caines
Calver
Casey
Hawkins
I Henderson
J Henderson
McLeod
Shearing
Winfield

Councillors Abstaining

Broderick
Bucke
Chapman
Johnson
D Oxley
P J Oxley
Powell
Scott

Councillors Not Present

Candy
Howard
King
Watling

Councillor Page's motion was declared CARRIED and it was therefore:-

RESOLVED (a) That, in respect of the Budget and Council Tax for 2014/15 and, having had regard to the Chief Finance Officer's (Section 151 Officer's) report on the robustness of estimates and adequacy of reserves, in accordance with the requirements under Section 25 of the Local Government Act 2003, and having taken account of the responses to the budget consultation process, the budget proposals (based on a 0% Band D Council Tax reduction for District services) be approved and that the following decisions be made:-

General Fund Budget Spending

(b)(i) That the total net revenue budget for 2014/15 be set at £16.361m and the revised net budget for 2013/14 be set at £17.570m (a council tax requirement of £6.419m and £6.272m respectively, excluding parish precepts).

(ii) That the Capital Programme, totalling £1.493m in 2014/15, be approved.

(iii) That the detailed budgets for 2014/15 be as per the Cabinet's budget proposals, approved at its meeting held on 24 January 2014, updated for the final Formula Grant Settlement received from the Government and adjusted against the Fit for Purpose Budget for 2014/15 accordingly.

(iv) That, if budget adjustments are required following the late notification of further external or grant funding then, in consultation with the Finance and Transformation Portfolio Holder, the related expenditure budgets be adjusted accordingly with no net impact on the budget requirement or Capital Programme as set out above.

Council Tax Levies for 2014/15

(c)(1) That it be noted that, at its meeting held on 26 November 2013, the Council determined, in accordance with the Local Government Act 2003 (Section 75), the discounts for second homes and long-term empty properties and that on 13 December 2013 the then Finance and Asset Management Portfolio Holder, in accordance with his delegated powers, agreed the following amounts for the year 2014/15 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992, taking into account the discounts determined by the Council at its meeting held on 26 November 2013:-

(i) 43,474.6 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012, as its Council Tax base for the year.

(ii) Part of the Council's Area

The amounts set out in Column (2) of Appendix D, against each area set out in Column (1) of that Appendix, being the amounts calculated by the Council, in accordance with Regulation 6 of the said Regulations, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items may relate.

(c)(2) That the expenses incurred by the Council (£490,113) in the performance of functions, being functions performed by the Council in a part of its area and by a Parish or

Town Council (or Parishes and Town Councils) elsewhere in its area, shall not be the Council's special expenses for the financial year 2014/15.

(c)(3) That the tax bases for calculating the burden of special expenses be as shown in Column (2) of resolution (c)(1)(ii) above.

(c)(4) That the following amounts be calculated by the Council for the year 2014/15, in accordance with Sections 31A to 36 of the Local Government Finance Act 1992:-

(i) £106,383,714 Being the aggregate of the amounts that the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act.

(ii) £98,637,480 Being the aggregate of the amounts that the Council estimates for the items set out in Sections 31A(3)(a) to (d) of the Act.

(iii) £7,746,234 Being the amount by which the aggregate at (c)(4)(i) above exceeds the aggregate at (c)(4)(ii) above, calculated by the Council in accordance with Section 31A(4) of the Act, as its Council Tax Requirement for the year.

(iv) £178.18 Being the amount at (c)(4)(iii) above divided by the amount at (c)(1)(i) above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year.

(v) £1,817,757 Being the aggregate amount of all special items referred to in Section 34(1) of the Act.

(vi) £136.37 Being the amount at (c)(4)(v) above less the result given by dividing the amount at (c)(4)(v) above by the amount at (c)(1)(i) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in the parts of its area to which no special items apply.

(vii) Part of the Council's area

The amounts set out in Appendix D column (10) for the areas as set out in column (1), being the amounts given by adding to the amount at (c)(4)(vi) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount (c)(1)(ii) above calculated by the Council, in accordance with Section 34(3) of the said Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

(viii) Part of the Council's Area – Valuation Bands

That the amounts set out in Appendix F being the amounts given by multiplying the amounts at (c)(4)(vii) (Council Tax for all District and Parish Services) above by the number which, in the proportion set out in Section 5(1) of the said Act, is applicable to dwellings listed in the particular valuation band divided by the number which, in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the said Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

95. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 15.2

The Council had received questions from Members in relation to:

1. Big Society Working Party – Labour Group Membership;
2. Prevention of Crime and Disorder in the District;
3. Percentage of both Council Tax and Housing Rents received so far this financial year as

compared to the same period in the last financial year;

4. Advising Ward Members of actions in their ward prior to public announcements; and

5. Financial safety net and Council resources for those struggling to cope with the Universal Credit system

Notice of the questions had been given in accordance with Council Procedure Rule 15.4(a).

The Chairman informed Members that due to the lateness of the hour and the amount of business still to be transacted he was requesting that the responders give written answers to the questioners with those responses copied to all Members.

In view of an undertaking given by the Leader of the Council earlier in the meeting, Councillor Calver withdrew his question in respect of the Labour Group's membership of the Leader's Big Society Working Party.

96. TO CONSIDER RECOMMENDATIONS FROM THE EXECUTIVE

Petitioning Scheme

The Planning and Corporate Services Portfolio Holder (Councillor G V Guglielmi) referred to the Cabinet minute of 24 January 2014, as set out in the Council agenda, and asked Council to approve the proposed scheme for dealing with petitions received by the Council.

It was moved by Councillor G V Guglielmi, seconded by Councillor Page and:

RESOLVED that the proposed scheme for dealing with petitions received by the Council be agreed and adopted.

97. MINUTES OF COMMITTEES

It was moved by Councillor Page, seconded by Councillor P B Honeywood and:

RESOLVED that the minutes of the following Committees, as circulated, be received and noted:

(a) Corporate Management Committee of Monday 2 December 2013;

(b) Community Leadership and Partnerships Committee of Monday 9 December 2013;

(c) Standards Committee of Thursday 12 December 2013;

(d) Service Development and Delivery Committee of Monday 16 December 2013;

(e) Corporate Management Committee of Monday 2 January 2014.

98. MOTIONS TO COUNCIL

There were none.

99. REPORTS SUBMITTED TO THE COUNCIL BY AN OVERVIEW AND SCRUTINY COMMITTEE

There were none.

100. THE LATE COUNCILLOR A J MITCHELL

A.3 The Late Councillor A J Mitchell

It was with sadness that the Chief Executive formally reported the death of Councillor Mitch Mitchell. Notice of the vacancy in the Peter Bruff Ward had been given and the by-election

had been held on 6 February 2014.

The Council noted the foregoing.

101. RESIGNATION OF COUNCILLOR PETER HALLIDAY

A.4 Resignation of Councillor P Halliday

The Chief Executive formally reported that on 17 December 2013 Councillor Peter Halliday had resigned as a Member of Tendring District Council. Notice of the vacancy in the St Johns Ward had been given and the by-election had been held on 6 February 2014.

The Council noted the foregoing.

102. MEMBERSHIP OF COMMITTEES

A.5 Membership of Committees

Service Development and Delivery Scrutiny Committee

The Chief Executive reported that, with effect from 3 January 2014 and in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to him, Councillor D R Mayzes had been appointed to serve on the Service Development and Delivery Committee in place of Councillor Wood.

He further reported that, with effect from 30 January 2014 and in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to him, Councillor Challinor had also been appointed to serve on the Service Development and Delivery Committee in place of Councillor Page.

Council Tax Committee

In addition, the Chief Executive reported that, with effect from 24 January 2014 and in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to him, Councillor Page had been appointed to serve on the Council Tax Committee in place of the former Councillor Halliday.

The Council noted the foregoing.

103. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

104. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Page, seconded by Councillor P B Honeywood 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 Item 21 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A, as amended, of the Act.

Chairman