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**MINUTES OF CABINET MEETING HELD ON FRIDAY 22 MARCH 2013**

**AT 10.40 A.M. IN THE ESSEX HALL, TOWN HALL, CLACTON-ON-SEA**

**PRESENT:**

Councillor Halliday (Chairman)  
 Councillor Candy  
 Councillor Goggin  
 Councillor P B Honeywood  
 Councillor S S Mayzes  
 Councillor McWilliams  
 Councillor Turner

**PORTFOLIO:**

Leader of the Council; Finance and Asset Management  
 Inward Investment and Growth  
 Tourism  
 Housing, Benefits & Revenues and Sports Facilities  
 Education and Skills  
 Health and Community Safety  
 Environment and Coast Protection

**Group Leaders Present by Invitation:** Councillor Talbot

**Also Present:** Councillors Steady and Tracey.

**In Attendance:** Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Corporate Director (Public Experience) (June Clare), Chief Executive's Support Manager (Karen Neath) (except item 94), Communications and Public Relations Manager (Nigel Brown), Senior Democratic Services Officer (Ian Ford), Democratic Services Officer (Janey Nice) and Legal Support Apprentice (Rachel Tappenden)

**94. APOLOGIES FOR ABSENCE**

An apology for absence was submitted on behalf of Councillor G V Guglielmi (Planning and Corporate Services Portfolio Holder). The Cabinet sent its best wishes to Councillor Guglielmi who was recuperating from a major operation.

The Leader of the Council informed Cabinet that the Leader of the Labour Group (Councillor I J Henderson) and the Leader of the Tendring First Group (Councillor P J Oxley) had both formally declined his invitation to attend this meeting.

**95. MINUTES OF THE LAST MEETING**

The minutes of the meeting of the Cabinet held on 1 March 2013 were approved as a correct record and signed by the Chairman, subject to in minute 86 – Education Plan the minuted announcement being amended so that after '22 March 2013' it reads as follows: "a discussion document on the Council's expectations for raising the attainment rates for pupils, maximising life opportunities for children and embedding the responsibilities of school governors in view of the recent announcement by the Chief Inspector of Ofsted."

**96. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this time.

**97. ANNOUNCEMENTS BY LEADER OF THE COUNCIL**

Reporting a Pot Hole Problem

The Leader of the Council (Councillor Halliday) reported that a number of people had recently made enquiries to the Council regarding pot holes. In order to assist the public with directing their enquiry to the correct place and to join up services for residents the Council had now added a 'Top Task' to the front page of its website

which would enable the public to link through to the Essex County Council website to report a pot hole problem and which also provided a contact telephone number.

## 98. ANNOUNCEMENTS BY CABINET MEMBERS

### Proposed GP Surgery in Holland-on-Sea

The Health and Community Safety Portfolio Holder (Councillor McWilliams) informed the Cabinet that the Council had facilitated the holding of a public exhibition in respect of the proposed GP surgery at Ipswich Road/Frinton Road, Holland-on-Sea. The exhibition would take place on 9 April 2013 between 10.00 a.m. and 2.00 p.m. and would be attended by Realise Health and its architects. Funding for the project had still to be confirmed but the exhibition was a further step forward.

### Coast Defence Regeneration Scheme

The Environment and Coast Protection Portfolio Holder (Councillor Turner) was pleased to inform Cabinet that the Council's coast protection scheme had won a special award for best appraisal work, seeing off competition from schemes at Robin Hood's bay in Yorkshire and in Southampton. He thanked June Clare, Corporate Director (Public Experience) and her Officers and the Council's consultant Mott Macdonald for their splendid work.

### Traffic Regulation Orders

The Cabinet welcomed the news that the North Essex Parking Partnership would shortly be consulting the public on 48 proposed changes to traffic regulation orders in the District which it was felt would have a positive impact on issues such as overnight parking along Clacton seafront by caravans and camper vans and 2 – 3 hour parking in Clacton town centre.

## 99. MATTERS REFERRED TO THE EXECUTIVE BY THE COUNCIL

There were none on this occasion.

## 100. MATTERS REFERRED TO THE EXECUTIVE BY A COMMITTEE

### A.1 - Comments to Cabinet from the Corporate Management Committee

The Cabinet had before it a reference from the Corporate Management Committee which presented it with comments from that Committee.

At its meeting held on 18 February 2013 the Corporate Management Committee had considered the following two requests from Cabinet that had been made in response to earlier comments put forward by the Committee as part of its scrutiny of the 2013/14 budget:

	CORPORATE MANAGEMENT COMMITTEE COMMENT ON GF BUDGET:	CABINET'S AGREED RESPONSE:
2.	The Committee supports the principle of maximising opportunities to introduce new fees and charges such as introducing a reasonable charge for pre-application advice on planning applications thereby both maximising income and assisting applicants though the planning	Cabinet request that Corporate Management Committee undertake a piece of work to look at the philosophy and policy behind the Council's fees and charges and to put forward specific proposals where they see opportunities for new fees and charges. A report back to Cabinet is requested once the piece of work is completed for inclusion in the Financial Strategy for

	process.	2014/15 and beyond.
5.	The Committee supports and would like to see expanded, partnership working with community organisations where additional funding may be on offer / available to further develop or enhance projects and initiatives undertaken by the Council.	Any opportunities to expand on current partnership arrangements would be welcomed, with services encouraged to explore all available opportunities to support the Council in delivery of affordable excellence within a sustainable financial position. This will form a 'strand' of the Financial Strategy 2014/15 and Cabinet request that the Committee leads on an audit of third sector provision in the District to support this 'strand' of work.

Cabinet was informed that in order to move the two requests forward, the Committee had decided to set up two separate informal working groups to enable the necessary outcomes to be 'fed' into the Financial Strategy process for 2014/15. In addition, amongst a number of other issues discussed by the Committee, consideration was given to 'reputational risk' and where, for example, the Council was working in partnership with an external organisation such as the ICE Energy scheme in Jaywick. The Committee had therefore decided that:

"Cabinet be informed that the Committee would be setting up the two working groups in response to the Cabinet's requests and also that when the Council undertook any form of partnership working with third party contractors (and their sub-contractors) which then directly involved the public, the Council's Officers carry out a service delivery audit in order to ensure a high quality of service provision thereby protecting both the public and, by extension, the Council's reputation."

In respect of the second point within the Committee's comments above, an update regarding the ICE Energy work that was currently being undertaken within the District was attached as an appendix to item A.1 of the Reference from the Corporate Management Committee.

Having considered the comments of the Corporate Management Committee:

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

**RESOLVED** that

- (a) Cabinet notes the excellent news that the Committee have set up two working groups and look forward to receiving the findings; and
- (b) Housing and Building Control officers have been mobilised and Appendix A to the report details the outcomes of our Officers' intervention and Cabinet asks that Officers submit a briefing note on this subject to the Corporate Management Committee.

**A.2 - Performance Dashboard Period Ending December 2012 (Quarter 3)**

The Cabinet had before it a reference from the Corporate Management Committee which set out that Committee's comment in regard to the corporate performance against the Performance Dashboard (including Corporate Goals) for the period October – December 2012 (Quarter 3).

Appendix A to the reference report contained the Performance Dashboard for the period up to the end of the third quarter of the reporting year. The Dashboard covered the current position of the 73 Performance Indicators and Projects that were

selected to reflect the Council's performance against its key objectives. As requested by Cabinet, an indicator detailing the number of fly-tipping incidents within the District had been included. Of the 73 indicators and projects reported on, 68 (93.2%) were on or above their respective target. There were 5 (6.8%) indicators that were currently not in line with the expected performance. Explanations of actions that were being taken to rectify this were included.

The Performance Dashboard had been reviewed by the Corporate Management Committee at its meeting held on 18 February 2013 and it had decided that:

- (a) "the Council's performance for the period October to December 2012 (Quarter 3) be noted;
- (b) the Corporate Director (Life Opportunities) be requested to attend a future meeting of the Committee to inform Members of the impact of the new Local Council Tax Support Scheme; and
- (c) Cabinet be informed that the Committee would like all Members informed of how they could report to the Council instances of empty homes in their respective wards to help the Council's efforts to reduce the number of empty homes in the District."

Cabinet was informed that a timetable for all Corporate Directors/Head of Department had been drafted and the Corporate Director (Life Opportunities) would attend Corporate Management Committee on 13 May 2013 when the Outturn report was presented. Other Corporate Directors/Head of Department would attend future meetings to coincide with the reporting of the Performance Report.

The Leader of the Council requested the Environment and Coast Protection Portfolio Holder to discuss with Officers including in future Performance Dashboard reports comparative financial cost figures from other local authorities in Essex in relation to their recycling schemes.

Councillor Candy recorded her thanks to Barnardo's, the Council's partners and the Council's officers for the hard work being undertaken in delivering the EssexFamily prototype.

Having considered the comment of the Corporate Management Committee:

It was moved by Councillor Halliday, seconded by Councillor McWilliams and:

**RESOLVED** that

- (a) the comment of the Corporate Management Committee and the contents of the Performance Dashboard be noted;
- (b) the position to the end of December 2012 be noted; and
- (c) Members are asked once again that if they have a property on their patch that is a possible empty or deserted home they please inform Officers. Officers are asked to contact Members with the details of what would be considered an empty home and whom to contact if they have any suggested sites.

A.3 - Comments to Cabinet from the Service Development and Delivery Committee – Free Parking Concession and Dog Fouling in the District

The Cabinet had before it a reference from the Service Development and Delivery Committee which set out that Committee's comments on the free parking concession and dog fouling in the District.

It was reported that at its meeting held on 28 January 2013, the Service Development and Delivery Committee had considered the issues of free parking concession and dog fouling in the District. In respect of the issue of free parking concession, the Committee had decided that:

"The Committee wished Cabinet to note it had received a report on the success of the Free Parking Concession and hoped that the Concession would be continued."

Cabinet recalled that at its meeting held on Friday 1 March 2013 it had decided, amongst other things, that the extension of the current free householder parking permit scheme beyond the current expiry date of 31 March 2013 be agreed.

In respect of the issue of dog fouling in the District, the Committee had decided that:

- (a) "the Committee, having received a report on dog fouling from the Environment and Coast Protection Portfolio Holder and Pollution and Environmental Control Manager, was pleased with the actions that had been taken to date but felt the subject of dog fouling, while a minor offence, was of major significance to the public; and
- (b) the Environment and Coast Protection Portfolio Holder liaise with the 27 Town and Parish Councils in the Tendring District to alert them to the problems associated with dog fouling, the Committee's concerns and the Council's responsibilities in dealing with the issue."

Cabinet was made aware that all Town and Parish Councils had been sent a letter under the banner of the Tidy Tendring campaign inviting them to contact the Council if they would like additional support in tackling the issue of dog fouling in their areas.

Having considered the comments of the Service Development and Delivery Committee:

It was moved by Councillor Turner, seconded by Councillor McWilliams and:

**RESOLVED** that Cabinet thanks the Chairman and the Committee for its views and recommendations and notes that the Committee's recommendation (b) in relation to dog fouling has already been implemented.

**101. LEADER OF THE COUNCIL'S ITEMS**

There were none on this occasion.

**102. CABINET MEMBERS' ITEMS**

A.4 - Tendring Potential

The Cabinet had before it a detailed report of the Education and Skills Portfolio Holder which set out the levels of educational attainment and worklessness in Tendring and the actions currently being undertaken by partners to drive improvement. This was the first stage in defining a community leadership role for Tendring District Council to shape its work with partners in supporting the delivery of

improved educational attainment and addressing unemployment in the District and one aspect of a review of the Council's approach to addressing skills, worklessness and educational attainment issues across the District. The review sought to underpin the Corporate Goal to "*Help children and adults achieve their full potential*" (Corporate Goal 3) and support the priority from the Corporate Plan 2010-2016 to "*Ensure people have the knowledge and skills to secure good employment*".

Having considered the information provided in the report:

It was moved by Councillor S S Mayzes, seconded by Councillor Halliday and:

**RESOLVED** that

- (a) Cabinet notes the current challenges set out in the report and as a direct result of the position it intends to establish an Education Improvement Board that will be chaired by the Education and Skills Portfolio Holder and a Cabinet Member's Working Party to be chaired by the Cabinet Member for Inward Investment and Growth in order to bring forward further actions and drive improvements; and
- (b) it is the expectation of Cabinet that educational attainment in the District be above the national average.

**A.5 - Potential Licence to run a Market at the Market Place in Manningtree**

The Cabinet had before it a report of the Finance and Asset Management Portfolio Holder seeking its approval in principle to grant a licence to run the market at the market place in Manningtree, following the return of tenders.

Having considered the matter:-

It was moved by Councillor Halliday, seconded by Councillor Turner and:-

**RESOLVED** that the granting of a licence to run the market be approved, in principle.

**A.6 - Potential Lease of Kiosk 5, Marine Parade East, Clacton-on-Sea**

The Cabinet had before it a report of the Finance and Asset Management Portfolio Holder seeking its approval in principle to grant a lease of Kiosk 5 below Marine Parade East, Clacton-on-Sea.

Having considered the matter:-

It was moved by Councillor Halliday, seconded by Councillor McWilliams and:-

**RESOLVED** that the granting of a lease of the kiosk be approved, in principle.

**A.7 - Programme of Meetings 2013/2014 Municipal Year**

The Cabinet had before it a report of the Planning and Corporate Services Portfolio Holder which set out the proposed programme of meetings for the 2013/14 municipal year.

Officers were requested to look at the venue of the Audit Committee to see if a more publicly accessible venue could be found.

To enable this matter to be considered at the Annual Meeting of the Council:-

It was moved by Councillor Halliday, seconded by Councillor McWilliams 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 Planning Committee and the Service Development and Delivery Committee, as set out in the Appendix to item A.7 of the Report of the Planning and Corporate Services Portfolio Holder, be approved and be submitted to the Annual Meeting of the Council for formal approval.

**A.8 - Proposed Cinema Facility at the Princes Theatre**

The Cabinet had before it a joint report of the Tourism Portfolio Holder and Housing, Benefits and Revenues and Sports Facilities Portfolio Holder which sought its approval to develop a cinema facility at the Princes Theatre, Town Hall, Clacton-on-Sea.

The Cabinet was aware that due to the closure of the 'Flicks' cinema facility in Clacton-on-Sea, there was no longer a cinema serving the town and a catchment of over 60,000 people. As such there was potential to make adaptations to the Princes Theatre and purchase appropriate projection equipment, in order to offer such a facility and maximise use of the Council's asset. It was felt that together with providing a community cinema for Clacton-on-Sea and the surrounding area, such a facility would enhance the local tourism offer and re-establish provision of a facility expected of a seaside tourist destination. A Cinema audience visiting the Town Centre, could also positively impact on local businesses both prior to and after movie showings. A Business Plan for the Cinema was attached as an Appendix to item A.8 of the Joint Report of the Tourism Portfolio Holder and Housing, Benefits and Revenues and Sports Facilities Portfolio Holder.

Having considered the proposal and the business plan:

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

**RESOLVED** that

- (a) the Corporate Director (Life Opportunities), in consultation with the Housing, Benefits and Revenues and Sports Facilities Portfolio Holder and the Tourism Portfolio Holder be authorised to extend use of the Princes Theatre to incorporate a Cinema but no financial commitment will be initiated until the current commercial discussions between Gala and a third party are resolved;
- (b) the capital outlay of £50,000, if needed, be funded from the Asset Refurbishment/Replacement Reserve with the opportunity to repay net surpluses from the project to this reserve on a repayment basis;
- (c) any further investment and development in the facility, as set out in the report and business plan, be delegated to the Corporate Director (Life Opportunities), in consultation with the Housing, Benefits and Revenues and Sport Facilities Portfolio Holder and the Finance and Asset Management Portfolio Holder;
- (d) the business case for the Princes Theatre cinema proposal be approved; and
- (e) Officers write to Gala requesting that the Council be kept informed of the outcome of those third party discussions.

**103. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT**

There were none.

**104. EXCLUSION OF PRESS AND PUBLIC**

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

**RESOLVED** that

“That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business to be considered below on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.”

**105. SPECIAL MINUTES OF THE LAST MEETING HELD ON 1 MARCH 2013**

The special minutes of the meeting of the Cabinet held on 1 March 2013 were approved as a correct record and signed by the Chairman.

**DATE AND TIME OF NEXT MEETING**

The next meeting of the Cabinet will be held on Friday 19 April 2013 at 10.30 a.m. in the Essex Hall, Town Hall, Station Road, Clacton-on-Sea.

The meeting was declared closed at 12.14 p.m.