

Public Document Pack

TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on Tuesday, 3 July 2018

Prayers

1 Summons to Council (Pages 1 - 2)

2 Apologies for Absence

The Council is asked to note any apologies for absence received from Members.

3 Minutes of the Last Meeting of the Council (Pages 3 - 10)

The Council is asked to approve, as a correct record, the minutes of the Council Meeting held on Tuesday 15 May 2018.

4 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

5 Announcements by the Chairman of the Council

The Council is asked to note any announcements made by the Chairman of the Council.

6 Announcements by the Chief Executive

The Council is asked to note any announcements made by the Chief Executive.

7 Statements by the Leader of the Council

The Council is asked to note any statements made by the Leader of the Council.

Councillors may then ask questions of the Leader on his statements.

8 Statements by Members of the Cabinet

The Council is asked to note any statements made by Members of the Cabinet (Portfolio Holders).

Councillors may then ask questions of the Portfolio Holders on their statements.

9 Petitions to Council

The Council will consider any petition(s) received in accordance with the Scheme approved by the Council.

There are none on this occasion.

10 Questions Pursuant to Council Procedure Rule 10.1

Subject to the required notice being given, members of the public can ask questions of the Leader of the Council, Portfolio Holders or Chairmen of Committees.

The Chairman shall determine the number of questions to be tabled at a particular meeting in order to limit the time for questions and answers to half an hour.

There are none on this occasion.

11 Questions Pursuant to Council Procedure Rule 11.2 (Pages 11 - 12)

Subject to the required notice being given, Members of the Council can ask questions of the Chairman of the Council, the Leader of the Council, Portfolio Holders or Chairmen of Committees or Sub-Committees.

The time allocated for receiving and disposing of questions shall be a maximum of 45 minutes. Any question not disposed of at the end of this time shall be the subject of a written response, copied to all Members unless withdrawn by the questioner.

Three questions have been received, on notice, from Members.

12 Report of the Leader of the Council - Urgent Cabinet or Portfolio Holder Decisions

The Council will receive a report on any Cabinet decisions taken as a matter of urgency in accordance with Access to Information Procedure Rule 16.2, Budget and Policy Framework Procedure Rule 6(b) and/or Overview and Scrutiny Procedure Rule 18(i).

There is no such report on this occasion.

13 Minutes of Committees (Pages 13 - 22)

The Council will receive the minutes of the following Committees:

- (a) Resources and Services of Monday 21 May 2018; and
- (b) Community Leadership of Monday 4 June 2018.

NOTES: (a) The above minutes are presented to Council **for information only**. Members can ask questions on their contents to the relevant Chairman but questions as to the accuracy of the minutes **must** be asked at the meeting of the Committee when the relevant minutes are approved as a correct record; and

(b) There is a Recommendation to Council contained within Minute 4 of the minutes of the meeting of the Community Leadership Overview and Scrutiny Committee held on 4 June 2018. This recommendation will be taken in conjunction with Agenda Item 16 below.

14 Motions to Council

The Council will consider motions, notice of which has been given in accordance with Council Procedure Rule 12.

There are none on this occasion.

15 Motion to Council - Renewal and Dualling of the A120 between Harwich and Horsley Cross (Pages 23 - 24)

The Council will further consider the following motion, which was moved by Councillor I J Henderson and seconded by Councillor Calver at the meeting of the Council held on 15 May 2018 and which stood referred to the Cabinet for consideration and report:

“Following confirmation in writing from Martin Fellows, Regional Director Operations East Highways England, that the Wix By-pass is approaching the end of its anticipated life and that the long term aim is to renew this section of road, Tendring District Council writes to Essex County Council to advise ECC that it fully supports calls for the renewal and dualling of the A120 between Harwich and Horsley Cross and requests that ECC engages in the process of securing the necessary Government funding through the second Roads Investment Strategy Period 2020/25.”

NOTE: Cabinet considered Councillor Henderson’s motion at its meeting held on 15 June 2018. The relevant Cabinet Minute and the Cabinet’s recommendation to Council are contained within the Council Book.

16 Motion to Council - Additional Flag Raising Days at the Town Hall

The Council will further consider the following motion, which was moved by Councillor Pemberton and seconded by Councillor Porter at the meeting of the Council held on 15 May 2018 and which stood referred to the Community Leadership Overview and Scrutiny Committee for consideration and report:

“That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George’s Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day.”

NOTE: The Community Leadership Overview and Scrutiny Committee considered Councillor Pemberton’s motion at its meeting held on 4 June 2018. The relevant Committee Minute and the Committee’s recommendation to Council are contained within the Council Book.

17 Motion to Council - Former Public Conveniences at Ipswich Road, Holland-on-Sea (Pages 25 - 26)

The Council will further consider the following motion, which was moved by Councillor Winfield and seconded by Councillor Broderick at the meeting of the Council held on 15 May 2018 and which stood referred to the Cabinet for consideration and report:

“That this Council hereby requests the Executive to rescind the previous decisions taken by the Cabinet and the Finance and Corporate Services Portfolio Holder to close and lease out the public conveniences at Ipswich Road, Holland-on-Sea and instruct the Corporate Director (Operational Services) to restore and re-open for public use the aforesaid public conveniences.”

NOTE: Cabinet considered Councillor Winfield’s motion at its meeting held on 15 June 2018. The relevant Cabinet Minute and the Cabinet’s recommendation to Council are contained within the Council Book.

18 Recommendations from the Cabinet

The Council is asked to consider any recommendations submitted to it by the Cabinet.

There are none on this occasion.

19 Reports Submitted to the Council by an Overview and Scrutiny Committee

The Council is asked to consider any reports submitted to it by an Overview and Scrutiny Committee.

There are none on this occasion.

20 Report of the Chief Executive - A.1 - Change of Name of a Political Group on Tendring District Council (Pages 27 - 28)

The Council is asked to note the change of name of a political group on Tendring District Council and the change of Group Leader and Deputy Group Leader of that Group.

21 Report of the Head of Leadership Support and Community - A.2 - Community Governance Reviews (Pages 29 - 32)

To enable Council to approve the final recommendations arising from the outcome of Community Governance Reviews undertaken in Harwich and in St Osyth.

22 Urgent Matters for Debate

The Council will consider any urgent matters submitted in accordance with Council Procedure Rules 3(xvi), 11.3(b) and/or 13(q).

Date of the Next Scheduled Meeting of the Council

Tuesday, 11 September 2018 at 7.30 pm - Princes Theatre, Town Hall, Clacton-on-Sea, CO15 1SE

INFORMATION FOR VISITORS

PRINCES THEATRE FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the four fire exits in the auditorium and follow the exit signs out of the building.

Please follow the instructions given by any member of staff and they will assist in leaving the building.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

The assembly point for the Princes Theatre is in the car park to the left of the front of the building as you are facing it. Your calmness and assistance is greatly appreciated.

PUBLIC ATTENDANCE AT TENDRING DISTRICT COUNCIL MEETINGS

Welcome to this evening's meeting of Tendring District Council.

This is an open meeting which members of the public can attend to see Councillors debating and transacting the business of the Council. However, please be aware that, unless you are included on the agenda to ask a public question, members of the public are not entitled to make any comment or take part in the meeting. You are also asked to behave in a respectful manner at all times during these meetings.

Members of the public do have the right to film or record council meetings subject to the provisions set out below:-

Rights of members of the public to film and record meetings

Under The Openness of Local Government Bodies Regulations 2014, which came into effect on 6 August 2014, any person is permitted to film or record any meeting of the Council, a Committee, Sub-Committee or the Cabinet, unless the public have been excluded from the meeting for the consideration of exempt or confidential business.

Members of the public also have the right to report meetings using social media (including blogging or tweeting).

The Council will provide reasonable facilities to facilitate reporting.

Public Behaviour

Any person exercising the rights set out above must not disrupt proceedings. Examples of what will be regarded as disruptive, include, but are not limited to:

- (1) Moving outside the area designated for the public;
- (2) Making excessive noise;
- (3) Intrusive lighting/flash; or
- (4) Asking a Councillor to repeat a statement.

In addition, members of the public or the public gallery should **not** be filmed as this could infringe on an individual's right to privacy, if their prior permission had not been obtained.

Any person considered being disruptive or filming the public will be requested to cease doing so by the Chairman of the meeting and may be asked to leave the meeting. A refusal by the member of the public concerned will lead to the Police being called to intervene.

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Agenda Item 1

TENDRING DISTRICT COUNCIL

Committee Services
Town Hall
Station Road
Clacton-on-Sea
Essex
CO15 1SE

25 June 2018

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea at 7.30 p.m. on Tuesday 3 July 2018 when the business specified in the accompanying Agenda is proposed to be transacted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ian Davidson', followed by a horizontal line.

Ian Davidson
Chief Executive

To: All members of the
Tendring District Council

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**MINUTES OF THE MEETING OF THE COUNCIL,
HELD ON TUESDAY, 15TH MAY, 2018 AT 7.30 PM
PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Platt (Chairman), Yallop (Vice-Chair), Alexander, Amos, Baker, Bennison, Bray, Broderick, BBrown, JBrown, MBrown, Bucke, Bush, Callender, Calver, Cawthron, Chapman, Chittock, Coley, Cossens, Davis, Everett, Fairley, Fowler, Griffiths, CGuglielmi, VGuglielmi, Heaney, I Henderson, JHenderson, PHoneywood, SHoneywood, Khan, King, Land, Miles, Nicholls, Pemberton, Poonian, Porter, Raby, Scott, Skeels Jnr, Skeels (Snr), Steady, Stephenson, Stock OBE, Talbot, Watson, White, Whitmore and Winfield
In Attendance:	Ian Davidson (Chief Executive), Martyn Knappett (Deputy Chief Executive (Corporate Services)), Lisa Hastings (Head of Governance and Legal Services), Ian Ford (Committee Services Manager) and William Lodge (Communications Manager)

13. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Ferguson, Gray, McWilliams and Turner.

14. MINUTES

RESOLVED, that the minutes of the ordinary meeting of the Council, held on Tuesday 27 March 2018 and the minutes of the annual meeting of the Council, held on 24 April 2018 be approved as correct records and signed by the Chairman, subject to a minor correction in the minutes of the meeting of the Council held on 27 March (Motion to Council – “Members Attendance at Meetings”).

15. DECLARATIONS OF INTEREST

The Monitoring Officer (Lisa Hastings) informed Council that those Members who were also parish/town councillors within the District were not required to declare an interest in relation to Agenda Item 19 (Community Governance Reviews) as their membership of a parish/town council was already in the public domain.

16. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

The Chairman congratulated Martyn Knappett, the Council's Deputy Chief Executive upon completing the Tour de Tendring cycle ride and raising over £500 in the process for the Autism Anglia charity.

The Chairman informed Members that he would be supporting the Tree of Hope charity in aid of a young boy suffering from cerebral palsy.

17. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

Membership of the Community Leadership Overview and Scrutiny Committee

The Chief Executive formally reported that, in accordance with the wishes of the Leader of the Non-Aligned Group and the authority delegated to him, Councillor Pemberton had been appointed to serve on the Community Leadership Overview and Scrutiny Committee in place of Councillor Cawthron.

Council noted the foregoing.

18. STATEMENTS BY THE LEADER OF THE COUNCIL

The Leader of the Council paid tribute to the memory of Beth Chatto, the renowned garden designer, horticulturalist and writer who had recently died at the age of 94. Beth Chatto was respected for her extensive knowledge of plants and her expertise in gardening in the most inhospitable conditions, as exemplified in the Beth Chatto Gardens at Elmstead Market. Indeed, Beth Chatto, from 1977, had won Gold Medals ten years in succession at the Chelsea Flower Show.

19. STATEMENTS BY MEMBERS OF THE CABINET

The Leisure and Tourism Portfolio Holder (Councillor Skeels Snr.) informed Council that over 500 riders had participated in the 25th running of the Tour de Tendring and that once more it had been a great event.

20. PETITIONS TO COUNCIL

There were none on this occasion.

21. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

No questions had been received, on notice, from members of the public on this occasion.

22. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Subject to the required notice being given, Members of the Council could ask questions of the Chairman of the Council, the Leader of the Council, Portfolio Holders or Chairmen of Committees or Sub-Committees.

Two questions had been submitted as set out below:

Question One

From Councillor Talbot to Councillor Nicholls, Portfolio Holder for Corporate Enforcement:

"Since I last asked you a question on the 5th September 2017 on the subject of the Planning Enforcement Notices served on my residents and owners of properties in Point Clear Bay, further notices have been served.

May I ask the total number of enforcement notices now extant in Point Clear Bay?

Am I correct in assuming that Tendring District Council will only be obliged to rehouse those occupiers if they remain in their homes, on which such an enforcement notice has been served, until a Court enforces their eviction, thereby avoiding any suggestion by

TDC that they left their homes voluntarily and therefore are not entitled to housing support from this District Council?"

Councillor Nicholls replied as follows:

"The Council has served a total of 67 Enforcement Notices in Point Clear in the period 2017-2018. Other cases remain under investigation and further Enforcement Notices may yet be issued.

In each case the Notice relates to a breach of planning conditions preventing occupation of chalets during the winter period. I understand that approximately 50 Enforcement Notice appeals have been submitted and that a combined Public Inquiry into these is likely to take place in Autumn 2018.

Once a decision is made by the Planning Inspector the Council will then determine any action which requires to be taken. It is possible that the Planning Inspector will agree with the residents and grant planning permissions allowing all year round occupancy. Should the appeal decision uphold the Council position then there would be a commitment from the Council, to support residents through any transition needed and that action taken would be within a reasonable timescale.

As regards the re-housing position of individuals, any person can apply to be registered on the Council's housing register provided that they have lived here for at least three years (members of the armed forces excepted) and have a housing need. Rehousing will depend on their priority, the choices they make and the supply and demand for accommodation.

Individual circumstances will determine priority need and as such I feel it would be inappropriate to make any blanket statement as regards housing support or otherwise.

In terms of homelessness, it would be a case of evaluating each case on its merits. If people own their properties, we will look into why they gave up something settled (if so) for something unsettled and this may lead to an intentional decision (provided they get through the priority need stage). If they are tenants and have a priority need, we are likely to owe them a duty unless something else leads to an intentional decision. As our homelessness duty can now be ended by providing a six month Assured Shorthold Tenancy it is unlikely that this will place a significant demand on resources."

Question Two

From Councillor Griffiths to Councillor Skeels Snr., Portfolio Holder for Leisure and Tourism:

"During main events such as motor rallies, air shows and cycle races etc., a number of residents on Martello Bay and Marine Parade West face severe disruption which sees some roads such as Marine Parade West completely closed off, and others such as St Vincent Road, Collingwood Road, Trafalgar Road and Nelson Road blocked off at one end by concrete blocks.

This means that on-street parking for residents is either lost or restricted which causes massive disruption for those trying to get to work or have home helps etc.

Would it be possible to make provision for allocated residential parking during the period that these events take place and give prior notification to residents living in the immediate vicinity?"

Councillor Skeels replied as follows:

"I would like to thank Councillor Griffiths for his question. I would agree that this is an excellent suggestion and I will ask the responsible officers to work with the parking team to find a way to help residents who have always been so accommodating of such events to have access to better parking options during such events.

I will work with both Ward Councillors to ensure that what measures are put in place can be effectively communicated to residents as I know that they have already opened really good lines of communication with these residents."

Councillor Griffiths then asked the following supplementary question:-

"Well it's a step in the right direction but it's not exactly what we were quite hoping for. Could we have some type of time scale for this? As I can foresee this dragging on until next year's Air Show when we really would like to have this sorted out by this year's Air Show if possible."

Councillor Skeels then replied as follows:-

"I'll chase up the relevant Officers and they'll do it as quickly as they can."

23. REPORT OF THE LEADER OF THE COUNCIL - URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

There was no such report on this occasion.

24. MINUTES OF COMMITTEES

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

- (a) Standards of Monday 19 March 2018;
- (b) Community Leadership and Partnerships of Monday 19 March 2018;
- (c) Audit of Thursday 22 March 2018; and
- (d) Service Development and Delivery of Wednesday 4 April 2018.

Further to minute 24 of the meeting of the Service Development and Delivery Committee held on 4 April 2018, Councillor I J Henderson asked if the new Resources and Services Overview and Scrutiny Committee would be scrutinising the procurement process across the Council and, in particular, the awarding of the Waste Management and Recycling Contract. The Chairman of the Resources and Services Overview and Scrutiny Committee (Councillor Stephenson) replied that this would be taken into consideration and that he would respond to Councillor Henderson in due course.

25. MOTION TO COUNCIL - RENEWAL AND DUALLING OF THE A120 BETWEEN HARWICH AND HORSLEY CROSS

Council had before it the following motion, notice of which had been given, pursuant to Council Procedure Rule 12, by Councillor I J Henderson:-

“Following confirmation in writing from Martin Fellows, Regional Director Operations East Highways England, that the Wix By-pass is approaching the end of its anticipated life and that the long term aim is to renew this section of road, Tendring District Council writes to Essex County Council to advise ECC that it fully supports calls for the renewal and dualling of the A120 between Harwich and Horsley Cross and requests that ECC engages in the process of securing the necessary Government funding through the second Roads Investment Strategy Period 2020/25.”

Councillor Henderson formally moved the motion and Councillor Calver formally seconded the motion.

The Chairman informed Council that, pursuant to Council Procedure Rule 12.4, he would refer the motion to the Cabinet.

Councillor Henderson’s motion thereupon stood referred, without speeches or discussion, to the Cabinet for its consideration and report.

26. MOTION TO COUNCIL - ADDITIONAL FLAG RAISING DAYS AT THE TOWN HALL

Council had before it the following motion, notice of which had been given, pursuant to Council Procedure Rule 12, by Councillor Pemberton:-

“That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George’s Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day.”

Councillor Pemberton formally moved the motion and Councillor Porter formally seconded the motion.

The Chairman informed Council that, pursuant to Council Procedure Rule 12.4, he would refer the motion to the Community Leadership Overview and Scrutiny Committee.

Councillor Pemberton’s motion thereupon stood referred, without speeches or discussion, to the Community Leadership Overview and Scrutiny Committee for its consideration and report.

27. MOTION TO COUNCIL - FORMER PUBLIC CONVENIENCES AT IPSWICH ROAD, HOLLAND-ON-SEA

Council had before it the following motion, notice of which had been given, pursuant to Council Procedure Rule 12, by Councillor Winfield:-

“That this Council hereby requests the Executive to rescind the previous decisions taken by the Cabinet and the Finance and Corporate Services Portfolio Holder to close and lease out the public conveniences at Ipswich Road, Holland-on-Sea and instruct the

Corporate Director (Operational Services) to restore and re-open for public use the aforesaid public conveniences."

Councillor Winfield formally moved the motion and Councillor Broderick formally seconded the motion.

The Chairman informed Council that, pursuant to Council Procedure Rule 12.4, he would refer the motion to the Cabinet.

Councillor Winfield's motion thereupon stood referred, without speeches or discussion, to the Cabinet for its consideration and report.

28. RECOMMENDATIONS FROM THE CABINET

There were none on this occasion.

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

There were none on this occasion.

30. REPORT OF THE HEAD OF LEADERSHIP SUPPORT AND COMMUNITY - A.1 - COMMUNITY GOVERNANCE REVIEWS

Council recalled that, at its meeting held on 21 November 2017 (Minute 93 referred), it had considered a report of the Head of Leadership Support and Community and it had been agreed that –

"a) the terms of reference attached at Appendix A to item A.5 of the Report of the Head of Leadership Support and Community, for a Community Governance Review for the land in the St Osyth District Council area but not in the St Osyth parish area, be agreed and that this Community Governance Review be now commenced;

b) a Community Governance Review of the number of seats on Harwich Town Council be undertaken and that terms of reference be brought back to the next Council meeting for approval;

c) no Community Governance Review be taken forward at this time for the following Town / Parish Councils: Bradfield, Brightlingsea, Frinton and Walton, Great Bromley, Manningtree, Mistley, Thorrington, Weeley and Wix;

d) a Community Governance Review to merge Lawford, Manningtree and Mistley Parish Councils be undertaken only if all three parish councils ask for one; and

e) Community Governance Reviews for areas of the Tendring District not mentioned in a) to d) above be further considered by the Electoral Review Working Group following the receipt of further information and that their recommendations be brought to a future Council meeting."

Council further recalled that, at its meeting held on 23 January 2018 (Minute 115 referred), it had considered a further report of the Head of Leadership Support and Community and it had been agreed that -

“the terms of reference attached at Appendix A to item A.5 of the Report of the Head of Leadership Support and Community, for a Community Governance Review for the number of seats on Harwich Town Council, be approved.”

Council was informed that the consultation for both the St Osyth and Harwich Community Governance Reviews had ended on 31 March 2018.

It was reported that the Electoral Review Working Group had considered the responses to the two consultations at its meeting held on 30 April 2018 when it had been noted that:-

- in relation to the Harwich Community Governance Review, Harwich Town Council had requested an increase in the number of Councillors from 16 to 17 to even out the representation across the wards. 26 replies had been received, of which 6 (24%) supported an increase in Councillors and 19 (76%) did not.

Having considered the outcome of the public consultation, the Working Group had agreed to recommend to Council that the number of Harwich Town Councillors should remain at 16 with the existing ward distribution.

- the St Osyth Community Governance Review had been implemented because there was currently a small area of land that, following the District Boundary Review, sat within the St Osyth District Council boundary but was not within the St Osyth Parish boundary. The review had asked whether this section of land should be brought within the St Osyth Parish boundary. Eight responses had been received, of which five (62%) agreed with the proposed boundary change and three (38%) did not.

Having considered the outcome of the public consultation, the Working Group had agreed to recommend to Council that the boundary change should be implemented, in order to make the Parish and District boundaries coterminous.

- in relation to other Community Governance Reviews, as set out above, it had been agreed by Council at its meeting on 21 November 2017 that for some Town and Parish Councils further information would be gathered. This further information had also been considered by the Working Group at its meeting held on 30 April 2017.

Having considered the additional information (and following a further update provided to the Working Group after the meeting in relation to Thorpe-le-Soken Parish Council) the Working Group had agreed to recommend to Council that no further Community Governance Reviews be undertaken. This was on the basis that:-

- (1) no other request for a Community Governance Review had been received from any Town or Parish Council;
- (2) no other member of the public had raised any relevant issues; and
- (3) the additional information had not provided any overriding indication that any other Community Governance Review needed to be undertaken.

Having considered the Working Group's recommendations, it was moved by Councillor P B Honeywood, seconded by Councillor G V Guglielmi and:

RESOLVED that -

- (a) in relation to the two Community Governance Reviews for which public consultation has been undertaken:-
 - i. the number of Harwich Town Councillors will remain at 16 with the existing parish ward distribution; and
 - ii. a boundary change be implemented in order to make the St Osyth Parish and District boundaries coterminous.
- (b) draft recommendations as set out in (a) be made available for public comment in line with the previously agreed timetable; and
- (c) no Community Governance Reviews be taken forward at this time for the following Parish Councils: Alresford, Ardleigh, Beaumont-cum-Moze, Elmstead, Frating, Great Bentley, Great Oakley, Lawford, Little Bentley, Little Bromley, Little Clacton, Little Oakley, Ramsey and Parkeston, Tendring, Thorpe-le-Soken and Wrabness.

31. URGENT MATTERS FOR DEBATE

There were none on this occasion.

The Meeting was declared closed at 7.56 pm

Chairman

Questions pursuant to Council Procedure 11.2

The following questions have been received, on notice, from Members:

Question One

From Councillor Andy Pemberton to Councillor Michael Talbot, Portfolio Holder for the Environment:

“Brook Farm Retail Park

Is there anything this Council can do to encourage the retail shops to clean the car parks around this area as this is becoming a bit of a mess lately?

Is there any way these businesses could sponsor someone to do this?”

Question Two

From Councillor Chris Griffiths to Councillor Mick Skeels Snr, Portfolio Holder for Leisure and Tourism:

“The closure of the toilets in the High Street in Clacton Town Centre has been the subject of a number of enquiries. The facility was used by a number of older residents using shops in the High Street, and concerns have been raised, that some of our retired community no longer enjoy good health or mobility, and struggle to get to the toilets in Rosemary Road. The High Street car park is often the first stop for those visiting the town and it would make sense to have a toilet in a car park that visitors can use.

Could the Portfolio Holder tell us what action he intends to take to address the concerns of some of our older residents, and if it is his intention to reinstate or reopen a much needed toilet at this location?”

Question Three

From Councillor Michael Talbot to Councillor Nicholls, Portfolio Holder for Corporate Enforcement:

“With reference to the question I asked you on the 15th May to which you gave me a complete answer to the points I raised, I now wish to ask the following:

The Planning Enforcement Notices served on the freehold properties in Point Clear Bay refer to a breach of the planning permission granted to them in the late 1950's, with the deaths suffered in the East Coast Floods of 1953, still very fresh in planners' minds.

The occupation restriction prevented residence in properties for the period between 31st of October and 1st March in the following year, when flooding was thought most likely.

The current Enforcement Notices state, inter alia, that the service of these notices is to protect the owners from the risk of flooding during the above period of time.

In the late 1980's Tendring District Council were prepared, on payment of a planning fee by the applicant, to vary the occupation conditions to allow occupation during the restricted period from midday on Friday to midday on the following Monday and in addition legal occupation for a continuous period of ten days to include Christmas Day and New Year's Day in any year. This to me seems inconsistent with the original restriction and prompts the questions:-

- *Are you satisfied with the continued service of enforcement notices to selected homes in the Bay area knowing that:-*

**One home can have the original 50 year old condition forbidding occupation from 31st October to the following 1st March.*

**Their neighbour next door in identical property can have totally unrestricted occupation granted by means of a legal determination endorsed by this Council.*

**Next door whilst they may still have restrictions, they have in addition to the original condition, permission to occupy their property at specific times during the winter season (as set out above)*

**Their next door Chalet may have a 'Personal Permission' granted to the owner by an Inspector, to occupy without restriction 365 days per year, but this personal permission ceases when the owner leaves the property as it does not alter the extant planning permission?*

I think this situation is grossly unfair to those with restricted occupation where they suffer the same 'Flood Risk' as those next door who have not been served with Enforcement Notices. There are rumours that the Planning Inspectorate is to call for a Public Inquiry and so therefore:

- *Can the Portfolio Holder inform us of any date set for this Inquiry and will individual residents be advised by the Inspectorate in due course?"*

**MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW
AND SCRUTINY COMMITTEE,
HELD ON MONDAY, 21ST MAY, 2018 AT 7.30 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors Stephenson (Chairman), Alexander (Vice-Chairman), Baker, Broderick, Everett, Miles, Pemberton, Scott and Steady
Also Present:	None
In Attendance:	Ian Davidson (Chief Executive)(except item 7), Anastasia Simpson (Head of People, Performance and Projects), Richard Barrett (Head of Finance, Revenues and Benefits Services), Ian Ford (Committee Services Manager) and Katie Wilkins (Human Resources and Business Manager)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence and consequently there were no substitutions on this occasion.

2. MINUTES OF THE FINAL MEETING OF THE CORPORATE MANAGEMENT COMMITTEE HELD ON 12 MARCH 2018

The Minutes of the final meeting of the Corporate Management Committee, held on 12 March 2018, were approved as a correct record and signed by the Chairman.

3. MINUTES OF THE FINAL MEETING OF THE SERVICE DEVELOPMENT AND DELIVERY COMMITTEE HELD ON 4 APRIL 2018

The Minutes of the final meeting of the Service Development and Delivery Committee, held on 4 April 2018, were approved as a correct record and signed by the Vice-Chairman.

4. DECLARATIONS OF INTEREST

There were none.

5. THE ROLE OF THE RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

The Chief Executive (Ian Davidson) attended the meeting to discuss with Members the role of the Committee and that of scrutiny generally within the new committee structure.

In his address to the Committee the Chief Executive –

- (1) emphasised the importance of the ‘overview’ role of the Committee as well as that of ‘scrutiny’ and mentioned the work being done in the areas of waste

management and recycling as an example of where the Committee could offer a different perspective;

- (2) stated that the new overview and scrutiny committee structure with its 'internal' and 'external' facing split offered the Council an important opportunity to reset the overview and scrutiny function;
- (3) drew attention to the Council's agreed Priorities and projects for 2018/19 which could form the basis of the Committee's future work;
- (4) informed Members that following discussions with the respective Chairmen of the two new overview and scrutiny committees Officers would be looking into providing training on overview and scrutiny matters through an external provider in order to assist Members in developing their skills and expertise; and
- (5) outlined potential ways (both formal and informal) the task and finish working groups could operate and the importance of their having precise terms of reference and tight, but realistic timescales to carry out their reviews.

The Chief Executive then responded to Members' questions on his address and other matters.

6. REPORT OF THE DEPUTY CHIEF EXECUTIVE - A.1 - PERFORMANCE REPORT - 2017/18 OUTTURN REPORT

The Committee had before it a report of the Deputy Chief Executive (A.1) which presented the performance outturn report for the period 2017/2018 including the Corporate Plan and Priorities and Projects 2017/18. Appendix A to that report contained details of the 16 indicators and projects where performance was measured. Of those, 13 (81%) were on, or above, their expected target and 3 (19%) were not in line with the expected performance. Three of the indicators and projects highlighted in the report were deemed 'non-measurable' as this Council's role was that of 'influence' only.

Members were informed that the performance report had been submitted to Cabinet at its meeting held 18 May 2018. Any feedback from the Committee would be presented to a future meeting of the Cabinet as a separate reference report.

The Head of People, Performance and Projects (Anastasia Simpson) explained the purpose of the "advance question sheet" which had been sent to Members of the Committee ahead of the meeting.

The Human Resources and Business Manager (Katie Wilkins) gave a verbal update in respect of several indicators and projects.

The Chief Executive gave further updates to the Committee in respect of the Mayflower 400 and Garden Communities projects.

Officers responded to other questions raised by Members on various topics and where an answer was not immediately available, the Human Resources and Business Manager undertook to respond to Members as soon as possible after the meeting.

It was **RESOLVED** that -

- (a) the contents of the report be noted, subject to the sickness figures being removed from future performance update reports to the Committee; and
- (b) the Cabinet be informed that the Committee will be undertaking overview and scrutiny reviews on waste management and recycling rates and will inform Cabinet in due course of the outcome of such reviews. The relevant Officer(s) will be requested to attend the Committee in the first instance and the Environment Portfolio Holder will be asked to attend the Task and Finish Working Group, if required.

7. WORK PROGRAMME 2018/2019

Members were requested to consider the items that would be looked at by the Committee; those that should be looked at by a Task and Finish Working Group; and those items that should be the subject of an All Member Briefing.

Members were also requested to decide the size, composition and terms of reference for any Task and Finish Working Group that it decided to set up at this meeting

The 2018/2019 Work Programme for the Committee that was approved at the Annual Meeting of the Council held on 24 April 2018 was Members for their reference. The Committee was made aware that two additional items had been provisionally added to its work programme with respect to its meeting due to be held on 25 June 2018 namely –

- 1) Update on Transformation Project; and
- 2) LGA Peer Challenge Action Plan - Reference from Cabinet.

The Committee was also informed that, at the final meeting of the Service Development and Delivery Committee held on 4 April 2018, Committee Members had considered, amongst other things, what items, if any, to put forward for inclusion in the 2018/2019 Work Programme for the new Resources and Services Overview and Scrutiny Committee.

One of those items put forward had been “Review of Tendring Closed Road Rally 2018”. That item had duly been included in the 2018/2019 Work Programme for the Resources and Services Overview and Scrutiny Committee that was submitted to, and approved by, the Annual Meeting of the Council on 24 April 2018.

The Monitoring Officer had subsequently pointed out that this item, due to the fact that the Road Rally was not a Council run event, should actually be on the Work Programme for the Community Leadership Overview and Scrutiny Committee as the Rally involved the Council working with external bodies (Essex Police, rally organisers, public etc.) on matters such as community safety. Therefore that item had now been removed from this Committee’s Work Programme and reallocated to the Community Leadership Overview and Scrutiny Committee’s Work Programme.

Having discussed the above it was –

RESOLVED that the following amendments be made to the Committee's Work Programme for 2018/2019:-

- (1) 25 June 2018 – the update on Careline and the Lifting Service be deleted and instead submitted to an All Member Briefing;
- (2) 25 June 2018 – the LGA Action Plan Reference from Cabinet be moved from this meeting to the meeting on 30 July 2018;
- (3) 25 June 2018 – the review of environmental issues in the light of the waste contract changes item to also now include a review of recycling rates;
- (4) 30 July 2018 – an item updating the Committee on the production of a new District wide Tourism Strategy to be included; and
- (5) 17 September 2018 – an item to enable the Committee to review how the new overview and scrutiny arrangements are bedding in to be included.

The meeting was declared closed at 9.35 pm

Chairman

Public Document Pack

Community Leadership Overview and
Scrutiny Committee

4 June 2018

**MINUTES OF THE INAUGURAL MEETING OF THE COMMUNITY LEADERSHIP
OVERVIEW AND SCRUTINY COMMITTEE,
HELD ON MONDAY, 4TH JUNE, 2018 AT 7.30 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors Land (Chairman), V Guglielmi (Vice-Chairman), Bush, Chittock, Griffiths, I Henderson, Newton, Raby, Pemberton and Yallop
Also Present:	Councillor McWilliams – Health and Education Portfolio Holder, Councillor Davis and Councillor Cawthron
In Attendance:	Martyn Knappett (Deputy Chief Executive (Corporate Services), Karen Neath (Head of Leadership Support and Community),) and Anastasia Simpson (Head of People, Performance and Projects)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Coley (with no substitute)

2. MINUTES OF THE FINAL MEETING OF THE COMMUNITY LEADERSHIP AND PARTNERSHIPS COMMITTEE

The minutes of the final meeting of the Community Leadership and Partnerships Committee held on 19 March 2018 were approved as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST

There were no declarations of interest made on this occasion.

4. REFERENCE REPORT FROM COUNCIL - A.1. ADDITIONAL FLAG RAISING DAYS AT THE TOWN HALL

The Committee recalled that, at the meeting of the Council held on 15 May 2018, the following motion had been moved by Councillor Pemberton and seconded by Councillor Porter and, in accordance with Council Procedure Rule 12.4, had stood referred to the Cabinet for consideration and report:

“That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George’s Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day.”

Members were informed that the Council currently raised flags for Armed Forces Day, Merchant Navy Day and Commonwealth Day. The Council was invited by the Ministry of Defence, Seafarers UK and The Commonwealth Pageantmaster respectively each year to raise those flags and the Council then accepted those invitations to take part in those nationwide events. At present the Council did not raise any flags based on a local policy decision so consideration could need to be given by the Committee to the parameters of local flag raising when considering the motion.

In accordance with Council Procedure Rule 12.5, Councillor Pemberton explained the motion.

Having debated and discussed the motion at length, it was resolved that the Committee supported the motion with an amendment. It was therefore:-

RECOMMENDED TO COUNCIL that Councillor Pemberton's motion be amended as follows:-

"That this Council approves that, in addition to Armed Forces Day, Merchant Navy Day and Commonwealth Day, St George's Day be added as a flag raising day at the Town Hall and that the national flag of England be flown on that day subject to a protocol being prepared by officers and agreed by Council and that the protocol includes the ability to fly more than one flag on any one day."

5. REPORT OF HEAD OF LEADERSHIP SUPPORT AND COMMUNITY - A.2.TASK AND FINISH GROUPS AND WORK PROGRAMME 2018/19

The Committee had before it a report of the Head of Leadership Support and Community (A.2) which sought its agreement with regard to the topics, scope and membership of Task and Finish Groups for the Committee for 2018/19 and its agreement with regard to any changes to the Work Programme for 2018/19.

Members were aware that an item to review the recent closed road rally in Tendring had now been added to its Work Programme rather than that of the Resources and Services Overview and Scrutiny Committee as the Council had not been the organiser for this event. It was suggested by Officers that this item could be looked at by a task and finish working group.

The Committee was also aware that an informal meeting of committee members had been held on 11 May 2018 in order to give some consideration to possible task and finish topics though the final topics and membership needed to be formally considered and agreed by the Committee. Not all members of the Committee had been able to attend the informal meeting. However, to inform the formal discussion the essence of the informal consideration was set out in the Officer's report.

It was reported that the informal discussion had focussed on considering the overarching main issues for the Committee in accordance with its terms of reference, topics that fell within those issues and focussed questions that could be taken forward as task and finish topics. Those Members who had been present at the informal discussion had expressed a preference for areas that they would be willing to be involved in.

Therefore, the Committee was now asked to consider the above and to determine:-

- the topics and scope of the focussed task and finish groups; and
- the membership of each task and finish group.

After due consideration and discussion it was agreed to commence work on two task and finish reviews around the Road Rally and Alcohol Abuse. The Head of Leadership

Support and Community undertook to engage with these two groups to take this work forward.

Topics that were identified for possible future task and finish reviews were Adult Literacy and Numeracy, Communication and Transportation (particularly with reference to the recent withdrawal of routes by First Buses). The Chairman undertook to engage with members of the Committee to draw up scoping documents on those topics for future consideration.

With regard to the work programme, the Committee agreed to leave this unchanged but the Chairman undertook to review the situation closer to the meeting on 3 September in order to consider the likely workload for that meeting and whether an additional meeting would be required.

It was **RESOLVED** that:-

a) The Terms of Reference for Task and Finish Reviews be agreed as follows:-

Review Topic: Tendring Road Rally
How does the topic fit with the Committee's Terms of Reference: Community Safety
What question is the review aiming to answer: What recommendations would the Committee make in relation to any future road rally event held in Tendring?
Aim / Objectives: To review the Road Rally event which took place in Tendring in April 2018, speak with the relevant parties and put forward recommendations in relation to any future road rally event held in Tendring.
Scope: The review will consider:- Management process and event planning; Health and safety aspects; Communication and public engagement; Impact and benefit on residents and TDC; Advertising and marketing; and Future recommendations
Membership (including officer support): Councillor Mike Bush Councillor Chris Griffiths Councillor Karen Yallop

Councillor Andrew Pemberton
Head of Leadership Support and Community

Timescale:

Final recommendations to be presented to the meeting of the Committee on 3 September 2018.

Review Topic:

Research into Alcohol Abuse within Tendring

How does the topic fit with the Committee's Terms of Reference:

Health and Wellbeing

What question is the review aiming to answer:

What issues are indicated by data on alcohol usage and abuse and how can these issues be tackled?

Aim / Objectives:

To undertake research into alcohol usage and abuse and assess the outcomes to determine further work to be undertaken.

Scope:

It is proposed that areas for data research can include:-

- Number of premises licenced for alcohol on and off sales;
- Number of Street Sleepers;
- GP numbers of Registered Alcoholics per population percentage;
- Alcohol related hospital admissions;
- Alcohol related incidents of Domestic Violence;
- Number of Drink Driving arrests;
- Accidents in the Home connected to alcohol consumption;
- Shoplifting where alcohol was stolen.

Membership (including officer support):

Councillor Alan Coley
Councillor Roy Raby
Councillor Val Guglielmi
Councillor Mary Newton
Councillor John Chittock

Councillor Ivan Henderson
Head of Leadership Support and Community

Timescale:

Final recommendations to be presented to the meeting of the Committee on 3
December 2018 or 4 March 2019

b) The Work Programme 2018/19 remains unchanged at this time.

6. CONSIDERATION OF ITEMS FOR THE SEPTEMBER MEETING

The Committee gave due consideration to the speakers / topics in relation to Health and Well-being to be considered at its next meeting due to be held on 3 September 2018.

It was **RESOLVED** that:-

Dr Mike Gogarty, Director of Public Health, Essex County Council be invited to speak at the meeting on 3 September.

The meeting was declared closed at 8.50 pm

Chairman

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17. **MATTERS REFERRED TO THE CABINET BY THE COUNCIL - REFERENCE FROM COUNCIL - A.1 - RENEWAL AND DUALLING OF THE A120 BETWEEN HARWICH AND HORSLEY CROSS**

Cabinet was aware that, at the meeting of the Council held on 15 May 2018, the following motion had been moved by Councillor I J Henderson, seconded by Councillor Calver and, in accordance with Council Procedure Rule 12.4, had stood referred to the Cabinet for consideration and report:

“Following confirmation in writing from Martin Fellows, Regional Director Operations East Highways England, that the Wix By-pass is approaching the end of its anticipated life and that the long term aim is to renew this section of road, Tendring District Council writes to Essex County Council to advise ECC that it fully supports calls for the renewal and dualling of the A120 between Harwich and Horsley Cross and requests that ECC engages in the process of securing the necessary Government funding through the second Roads Investment Strategy Period 2020/25.”

In accordance with Council Procedure Rule 12.5, Councillor Henderson explained the motion.

During the consideration of this item the Leader of the Council, on behalf of the Cabinet, placed on record its congratulations to The Honourable Sir Bernard Jenkin MP (for the Harwich and North Essex Parliamentary Constituency) on his being awarded a Knighthood in Her Majesty The Queen’s Birthday Honours List.

Having considered and discussed the motion:-

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

RESOLVED that Cabinet supports the spirit of Councillor I J Henderson’s motion but cannot support its wording in its original format and therefore it is:-

RECOMMENDED TO COUNCIL that Councillor I J Henderson’s motion be amended to read as follows:-

“(1) This Council recognises:

- ***The national and international significance of the A120 strategic highway.***
- ***That the A120 connects Stansted Airport to the international ports at Harwich and is a key economic corridor essential to the economic success and vitality of much of the East of England.***
- ***That the A120 is one of the country’s only East-West highways.***
- ***That the A120 from Braintree to Marks Tey is wholly inadequate and should be upgraded to dual carriageway as soon as possible.***
- ***That the A120 from Hare Green to Harwich is wholly inadequate and should be upgraded to dual carriageway as soon as possible.***

(2) This Council notes and welcomes Essex County Council’s support for the dualling of the A120 from Braintree to Marks Tey, but this Council –

- ***Questions why no route option was even considered that would run north of the existing route.***
- ***Questions the logic of favouring a new route which connects to the A12 so far south, actually closer to Chelmsford than to Colchester, as such an option will lead to far more traffic on the A12 which is already beyond capacity and will lengthen considerably journey times on the A120.***

(3) This Council welcomes and supports the announcement by Highways England Regional Director – Eastern Region, Martin Fellows that the A120 between Harwich and Horsley Cross is at last being proposed for upgrade and dualling and this Council will actively seek support as a matter of urgency from –

- ***Our Members of Parliament;***
- ***Essex County Council, including those Members elected to represent Tendring; and***
- ***All key stakeholders in both the public and the private sector –***

to help make the case that the upgrade, renewal and dualling of the A120 between Harwich and Hare Green is vital not just to the economic prosperity and well-being of the District of Tendring but that it will also positively impact a much wider area.

(4) This Council specifically requests that Essex County Council ensures that the necessary Government funding is secured through the RIS2 (Road Investment Strategy 2) 2020/25 and the A120 is made fit for purpose and upgraded to dual-carriageway status as soon as possible.”

It was further RESOLVED that the Leader of the Council works with Councillor I J Henderson to review the final wording of the proposed amended motion, prior to the full Council meeting on 3 July 2018, in order to make it as effective as possible.

18. **MATTERS REFERRED TO THE CABINET BY THE COUNCIL - REFERENCE FROM COUNCIL - A.2 - FORMER PUBLIC CONVENIENCES AT IPSWICH ROAD, HOLLAND-ON-SEA**

Cabinet was aware that, at the meeting of the Council held on 15 May 2018, the following motion had been moved by Councillor Winfield, seconded by Councillor Broderick and, in accordance with Council Procedure Rule 12.4, had stood referred to the Cabinet for consideration and report:

"That this Council hereby requests the Executive to rescind the previous decisions taken by the Cabinet and the Finance and Corporate Services Portfolio Holder to close and lease out the public conveniences at Ipswich Road, Holland-on-Sea and instruct the Corporate Director (Operational Services) to restore and re-open for public use the aforesaid public conveniences."

In accordance with Council Procedure Rule 12.5, Councillor Winfield attended the meeting and explained the motion.

Having considered and discussed the motion:-

It was moved by Councillor Stock OBE, seconded by Councillor Fairley and:-

RECOMMENDED TO COUNCIL that Councillor Winfield's motion be not supported.

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COUNCIL

3 JULY 2018

REPORT OF CHIEF EXECUTIVE

A.1 **CHANGE OF NAME OF A POLITICAL GROUP**

(Report prepared by Ian Ford)

I formally report that, pursuant to Regulation 8(5) of the Local Government (Committees and Political Groups) Regulations 1990, Councillors Robert Bucke and Gary Scott on 15 May 2018, served formal notice on the Council that they wished to change the name of the Tendring First / Liberal Democrats Group to instead be the Liberal Democrats / Tendring First Group

In addition, pursuant to the aforementioned Regulation, Councillors Bucke and Scott served notice that the Leader of the Liberal Democrats / Tendring First Group is to be Councillor Bucke and the Deputy Leader is to be Councillor Scott.

This item is submitted for **INFORMATION ONLY**.

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

3 JULY 2018

**BACKGROUND PAPERS LIST FOR
REPORT OF CHIEF EXECUTIVE**

A.1 CHANGE OF NAME OF A POLITICAL GROUP

Notices under Regulation 8(5) of the Local Government (Committees and Political Groups) Regulations 1990, of the change of name of a Political Group and designation of a change of Group Leader and Deputy Group Leader signed by Councillors Bucke and Scott dated 15 May 2018.

COUNCIL

3 JULY 2018

REPORT OF HEAD OF LEADERSHIP SUPPORT AND COMMUNITY

A.2 Community Governance Reviews

(Report prepared by Karen Neath)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To agree the final recommendations for two Community Governance Reviews within the District.

EXECUTIVE SUMMARY

- At the meeting of Full Council on 15th May 2018 a report was considered on Community Governance Reviews and it was agreed that:-
 - (a) *in relation to the two Community Governance Reviews for which public consultation has been undertaken:-*
 - i. *the number of Harwich Town Councillors will remain at 16 with the existing parish ward distribution; and*
 - ii. *a boundary change be implemented in order to make the St Osyth Parish and District boundaries coterminous.*
 - (b) *draft recommendations as set out in (a) be made available for public comment in line with the previously agreed timetable; and*
 - (c) *no Community Governance Reviews be taken forward at this time for the following Parish Councils: Alresford, Ardleigh, Beaumont-cum-Moze, Elmstead, Frating, Great Bentley, Great Oakley, Lawford, Little Bentley, Little Bromley, Little Clacton, Little Oakley, Ramsey and Parkeston, Tendring, Thorpe-le-Soken.*
- The draft recommendations at a) above were advertised in the local press and on the Council's website.
- No comments were received on the draft recommendations other than confirmation from St Osyth Parish Council of their original comments. This consultation closed on 15th June.
- The Electoral Review Working Group were advised by email that no additional comments had been received and that the draft recommendations would now be put forward to Council as the final recommendations.
- Council is therefore now asked to agree the final recommendations i.e. that
 - The number of Harwich Town Councillors remains at 16 with the existing parish ward distribution, for the following reasons:-

Harwich Town Council had requested an increase in the number of

Councillors from 16 to 17 to even out the representation across the wards. There were 26 replies to the public consultation of which 6 (24%) supported an increase in Councillors and 19 (76%) did not. This was a requested change and there is no other factor that would require an increase in Councillors. No comments were received on the draft recommendations. Therefore, given the responses received, it is agreed that the number of Harwich Town Councillors remains at 16 with the existing ward distribution.

- A boundary change be implemented in order to make the St Osyth Parish and District boundaries coterminous, for the following reasons:-

This review was implemented because there is currently a small area of land that, following the District Boundary Review, sits within the St Osyth District Council boundary but is not within the St Osyth Parish boundary. The review asked whether this section of land should be brought within the St Osyth Parish boundary. There were 8 responses of which 5 (62%) agreed with the proposed boundary change and 3 (38%) did not. No comments were received on the draft recommendations other than confirmation from St Osyth Parish Council of their original comments. This is not a requested change but a change that would neaten an overhanging anomaly and assist with the implementation of new electoral arrangements. Given this and the small number of respondents against, it is agreed that the boundary change does go ahead to make the Parish and District boundaries coterminous.

- A delegation is sought from Council to allow the Head of Legal and Governance to take the steps to implement the recommendations. No further action would be required in relation to Harwich as the recommendation is to leave the number of councilors and wards unchanged. However, a reorganisation order will be required to effect the recommendation in relation to St Osyth. A model order and the procedure to be followed is set out in the Guidance on Community Governance Reviews issued jointly by the then Communities of Local Government and the Local Government Boundary Commission for England. The reorganisation order will need to be made available at the Council Offices together with a map showing the effect of the boundary change. Certain organisations (the Ministry for Housing, Communities and Local Government, the Local Government Boundary Commission for England, the Office of National Statistics, the Director General of the Ordnance Survey, Essex County Council and our external auditors) need to be informed when the order has been made. The reasons for the decisions, as set out above, will also need to be published.

RECOMMENDATION

It is recommended that:-

- a) The final recommendations, in relation to the two Community Governance Reviews for which public consultation has been undertaken, are:-**
 - i. the number of Harwich Town Councillors remains at 16 with the existing parish ward distribution; and**
 - ii. a boundary change should be implemented in order to make the St Osyth Parish and District boundaries coterminous.**

b) Delegation be granted to the Head of Legal and Governance to implement a) above, in accordance with the Guidance on Community Governance Reviews issued jointly by the then Communities of Local Government and the Local Government Boundary Commission for England, including:-

- i. Drawing up, publicising and disseminating the necessary reorganisation order to implement a)ii);
- ii. Publication of a map showing the effect of the reorganisation order for a)ii); and
- iii. Publication of the reasons for the decisions taken in a).

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council is encouraged to periodically consider whether Community Governance Reviews are undertaken.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Some cost is incurred in undertaking Community Governance Review consultations but this is not expected to be significant and can be met from existing budgets.

Risk

Community Governance Reviews would need to be carefully considered and undertaken in line with statute and guidance to ensure that the outcome is the best one for local residents.

LEGAL

The Local Government and Public Involvement in Health Act 2007 sets out the legal responsibility and arrangements for undertaking Community Governance Reviews.

OTHER IMPLICATIONS

There are none.

PART 3 – SUPPORTING INFORMATION

BACKGROUND PAPERS FOR THE DECISION

There are no background papers.

APPENDICES

There are none.

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