

Public Document Pack

TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on Tuesday, 28 May 2019

Prayers

1 Summons to Council (Pages 1 - 2)

2 Report of the Returning Officer on the District Council Elections - 2 May 2019 - Schedule of Elected Members (Pages 3 - 4)

The Council is asked to note the schedule of Members elected to Tendring District Council at the elections held on 2 May 2019.

3 Apologies for Absence

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

4 Retiring Chairman's Announcements

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

5 Election of the Chairman of the Council for the 2019/2020 Municipal Year

The Council will elect its Chairman for the 2019/20 Municipal Year.

6 Election of the Vice-Chairman of the Council for the 2019/2020 Municipal Year

The Council will elect its Vice-Chairman for the 2019/20 Municipal Year.

7 Announcements by the Chairman of the Council

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

8 Announcements by the Chief Executive

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

9 Report of the Chief Executive - A.1 - Membership of Political Groups (including their Leaders and Deputy Leaders) (Pages 5 - 8)

The Council is asked to note the membership (including the Leaders and Deputy Leaders) of the political groups on Tendring District Council which have been formed in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

10 Election of Leader of the Council

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), the Council is asked to elect the 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 2023).

11 Appointment of Deputy Leader of the Council

Subject to the provisions of sub-paragraphs (4) and (5) of Schedule A1 of the Local Government Act 2000, (as set out in Article 7 of the Council's Constitution), the Leader of the Council may at this time appoint 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 2023).

12 Appointment of the Members of the Cabinet

Pursuant to the provisions of Section 9C of Part 1A of the Local Government Act 2000, (as set out in Article 7 of the Council's Constitution), the Leader of the Council may at this time appoint the Members of the Cabinet and allocate portfolios to them.

13 Report of the Head of Democratic Services and Elections - A.2 - Review of the Scheme of Members' Allowances by the Independent Remuneration Panel (Pages 9 - 22)

The Council will consider the outcome of the Review of the Scheme of Members' Allowances undertaken by the Independent Remuneration Panel.

14 Size of membership of Committees etc.

The Council will note the size of membership of the Council's Committees and Sub-Committees as follows:-

| <u>Committee/Sub-Committee</u> | <u>No. of Members</u> |
|---|-----------------------|
| Audit | (7) |
| Community Leadership Overview & Scrutiny | (9) |
| Human Resources & Council Tax | (9) |
| Licensing and Registration | (9) |
| Planning Policy & Local Plan | (11) |
| Planning | (9) |
| Resources and Services Overview & Scrutiny | (9) |
| Standards | (7) |
| Miscellaneous Licensing Sub-Committee | (5) |
| Town & Parish Councils Standards Sub-Committee | (3) |

NOTE: With the exception of the Town and Parish Councils Standards Sub-Committee, the membership of the above Committees and Sub-Committees are subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

15 Allocation of seats on Committees and Sub-Committees to the Political Groups formed on Tendring District Council

Following a meeting of Group Leaders held to discuss and decide the matter, Council will note the allocation to the political groups formed on Tendring District Council of seats on those bodies that are subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

16 Appointment of the Membership of Committees etc. for the 2019/2020 Municipal Year

In accordance with the wishes expressed by Group Leaders, Council will appoint Members to serve on those bodies that are subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

17 Appointment of the Town and Parish Councils Standards Sub-Committee for the 2019/2020 Municipal Year

Council will appoint Members to serve on the Town and Parish Councils Standards Sub-Committee.

NOTE: The Town and Parish Councils Standards Sub-Committee's membership **must** be chosen from the membership of the Standards Committee.

18 Election of Chairmen and Vice-Chairmen of Committees etc. for the 2019/2020 Municipal Year

With the exception of the Town and Parish Councils Standards Sub-Committee, Council will elect the Chairmen and Vice-Chairmen of the bodies listed under Agenda Item 14 above.

NOTE: The elected Chairman of the Resources and Services Overview & Scrutiny Committee must be a Member appointed to that Committee who is also a member of a Political Group that is not represented on the Council's Cabinet.

19 Report of the Monitoring Officer - A.3 - The Council's Constitution

Members are reminded that, in accordance with Council Procedure Rule 1.1 (xii), it is normal practice at the annual meeting of the Council to formally reaffirm the Council's current Constitution.

The full text of the Council's Constitution can be found on the Council's website and Members have previously been provided with a booklet containing those sections of the Constitution most relevant to the work of Councillors.

RECOMMENDED – That the Council's Constitution be reaffirmed.

20 Recommendations from the Cabinet - A.4 - Programme of Meetings: 2019/2020 Municipal Year (Pages 23 - 30)

The Council will consider the proposed programme of meetings for the 2019/20 Municipal Year.

21 References from the Overview and Scrutiny Committees - A.5 - Overview and Scrutiny Committees: Proposed Work Programmes for 2019/2020 and a review of the work carried out during the period May 2018 to April 2019 (Pages 31 - 58)

The Council will consider the proposed work programmes for the two overview and scrutiny committees (i.e. the Community Leadership Overview and Scrutiny Committee and the Resources and Services Overview and Scrutiny Committee) for the 2019/20 Municipal Year and will note the work carried out by those committees during the 2018/19 Municipal Year.

Appointment of Member Authority Representatives to serve on/at the General Assembly of the Local Government Association

In accordance with Council Procedure Rule 1.1 (xv) the Council will appoint up to four Members, with each Member being a Member Authority Representative to serve on/at the General Assembly of the Local Government Association.

NOTE: Two of the Members appointed must be the Leader and Deputy Leader of the Council. Up to two further names can be put forward to Council by the Leader of the Council and/or by the other Group Leaders.

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

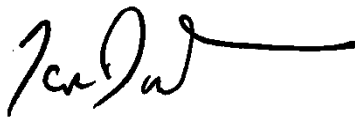
Committee Services
Town Hall
Station Road
Clacton-on-Sea
Essex
CO15 1SE

17 May 2019

Dear Councillor

I HEREBY SUMMON YOU to attend the Annual 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 28 May 2019 when the business specified in the accompanying Agenda is proposed to be transacted.

Yours faithfully



Ian Davidson
Chief Executive

To: All members of the
Tendring District Council

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Agenda Item 2

REPORT OF THE RETURNING OFFICER

ANNUAL MEETING OF THE COUNCIL

28 MAY 2019

SCHEDULE OF MEMBERS ELECTED TO THE COUNCIL ON 2 MAY 2019

| | |
|--------------------------------|--------------------------------|
| Maurice John Michael Alexander | Ivan John Henderson |
| Edward Thomas Allen | Joanne Henderson |
| Christopher David Amos | Paul Bernard Honeywood |
| Michael Barry | Susan Ann Honeywood |
| Jeffrey Dennis Bray | Kanagasundaram Thevakumar King |
| Joyce Ann Broderick | Fiona Knowles |
| Michael Bush | Daniel James Land |
| Garry William John Calver | Lynda Ann McWilliams |
| Daniel John Casey | Margaret Delyth Miles |
| Peter Cawthron | Pamela June Morrison |
| Jayne Beverley Chapman | Mary Catherine Newton |
| John Chittock | Nicola Jayne Overton |
| Paul Clifton | Georgina Rose Placey |
| James Codling | Alex Oliver James Porter |
| Alan David Coley | Gary Gordon Ian Scott |
| William John Davidson | Michael John Skeels |
| Anne Hilary Davis | Graham David Steady |
| Zoe Jacqueline Fairley | Gemma Louise Stephenson |
| Maria Fowler | Mark Edward Stephenson |
| Christopher William Griffiths | Neil Robin Stock OBE |
| Giancarlo Valeriano Guglielmi | Nicholas William Turner |
| Valerie Edna Guglielmi | Rosemary Anne Wiggins |
| Peter James Harris | Colin Paul Winfield |

Members will be aware that, due to the death of a candidate, the poll in the St Osyth Ward of the District had to be countermanded. That election took place on Thursday 23 May 2019.

I will give a verbal update at the meeting as to the names of the candidates who were successful in that election.

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

IAN DAVIDSON
RETURNING OFFICER

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ANNUAL MEETING OF THE COUNCIL

28 MAY 2019

REPORT OF CHIEF EXECUTIVE

A.1 **MEMBERSHIP OF POLITICAL GROUPS ON TENDRING DISTRICT COUNCIL (INCLUDING THEIR LEADERS AND DEPUTY LEADERS)**

(Report prepared by Ian Ford)

Following the District Council Elections held on 2 May 2019 I formally report that, pursuant to Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the following political groups have been formed on Tendring District Council:-

Conservative Group

Maurice Alexander
Chris Amos
Jeff Bray
John Chittock
Alan Coley
Zoe Fairley
Chris Griffiths
Carlo Guglielmi (Deputy Group Leader)
Val Guglielmi
Paul Honeywood
Sue Honeywood
Dan Land
Lynda McWilliams
Mick Skeels
Neil Stock OBE (Group Leader)
Nick Turner

Holland-on-Sea Group

Joy Broderick (Group Leader)
K T King
Colin Winfield (Deputy Group Leader)

Independent Group

Mick Barry
Jayne Chapman (Group Leader)
Anne Davis
Graham Steady (Deputy Group Leader)

Labour Group

Bill Davidson
Garry Calver (Deputy Group Leader)
Maria Fowler
Ivan Henderson (Group Leader)
Jo Henderson
Pam Morrison

Liberal Democrats Group

Gary Scott (Group Leader)
Ann Wiggins (Deputy Group Leader)

Tendring First Group

Terry Allen (Group Leader)
Paul Clifton
Fiona Knowles
Gina Placey

Tendring Independents Group

Mike Bush (Deputy Group Leader)
Dan Casey
Peter Harris
Delyth Miles
Gemma Stephenson
Mark Stephenson (Group Leader)

United Kingdom Independence Party (UKIP) Group

James Codling
Mary Newton (Group Leader)
Nicola Overton (Deputy Group Leader)
Alex Porter

Members will be aware that the election of Councillors for the St Osyth Ward was postponed (due to the death of a candidate) from 2 May 2019 to 23 May 2019. I will give a verbal update at the meeting as to which political group(s), if any, those elected Councillors have joined.

In addition, it is anticipated that Councillor Peter Cawthron will join the UKIP Group but he will not be signing his statutory declaration of acceptance of office and other notices until 28 May 2019 and so again I will give a verbal update at the meeting as to which political group, if any, Councillor Cawthron has joined.

In accordance with Section 15(1)(e) of the Local Government and Housing Act 1989 and Regulation 17 of the Local Government (Committees and Political Groups) Regulations 1990 a review of the allocation of seats on Committees etc. to political groups has been carried out based on the available information. The outcome of that review will be considered by Council later in the Annual Meeting.

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

IAN DAVIDSON
CHIEF EXECUTIVE

ANNUAL MEETING OF THE COUNCIL

28 MAY 2019

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

**A.1 MEMBERSHIP OF POLITICAL GROUPS ON TENDRING DISTRICT COUNCIL
(INCLUDING THEIR LEADERS AND DEPUTY LEADERS)**

Notice of Constitution of a Political Group (Conservative) dated 4 May 2019

Notice of Constitution of a Political Group (Holland-on-Sea) dated 5 May 2019

Notice of Constitution of a Political Group (Independent) dated 3 May 2019

Notice of Constitution of a Political Group (Labour) dated 13 May 2019

Notice of Constitution of a Political Group (Liberal Democrats) dated 7 May 2019

Notice of Constitution of a Political Group (Tendring First) dated 12 May 2019

Notice of Constitution of a Political Group (Tendring Independents) dated 7 May 2019

Notice of Constitution of a Political Group (UKIP) dated 10 May 2019

Notice of Wish to Join a Political Group (Conservative) signed by Councillor Bray, counter-signed by the Group Leader and dated 13 May 2019

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ANNUAL MEETING OF THE COUNCIL

28 MAY 2019

REPORT OF HEAD OF DEMOCRATIC SUPPORT AND ELECTIONS

A.2 Annual Review of the Scheme of Members' Allowances by the Independent Remuneration Panel (IRP)

(Report prepared by Karen Neath and Keith Simmons)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To agree a Scheme of Members' Allowances for 2019/20.

EXECUTIVE SUMMARY

Scheme of Members' Allowances 2019/2020

- A new Independent Remuneration Panel was appointed at the meeting of Council held on 27th November 2018. This Panel has undertaken a review of the Scheme of Members' Allowances for 2019/20. This review has taken account of the fact that the total number of Councillors reduced from 60 to 48 following the elections held on 2 May 2019 and the associated impact on Committee size and Councillor work load that ensues from this.
- The Independent Remuneration Panel recommendations to the Council for the Scheme of Allowances will apply with effect from 1st May 2019. The IRP's report is attached at Appendix A to this report.
- The IRP's recommendations have been advertised in the local press in accordance with the Regulations.
- Council must now have regard to the recommendations of the IRP in determining a Scheme of Allowances for 2019/20. The Council may depart from the IRP recommendations provided it can demonstrate good reasons for doing so, having taken all relevant matters into account.
- Given the substantial change in the size of the Council it is proposed that a high level and light touch review be undertaken after three months to ensure that there are no significant anomalies in the Scheme of Allowances proposed. It is further proposed that a full review be undertaken early in 2020 to enable recommendations for a scheme for 2020/21 to be put forward to Annual Council in 2020.
- The HMRC has issued new benchmark subsistence rates and the IRP recommend that these be adopted as part of the scheme for 2019/20.

RECOMMENDATION(S)

It is recommended that:-

- (a) Council approves the allowances recommended by the IRP as set out in its report attached at Appendix A or proposes alternative allowances to be approved;**
- (b) in the event that Council adopts alternative allowances to those recommended in the IRP's report, reasons for the variations be given and minuted;**
- (c) the IRP undertakes a high level and light touch review after three months;**

- (d) the IRP undertakes a further full review for 2020/21 and makes recommendations to Annual Council in May 2020; and
- (e) subject to a) and b) above, the Scheme of Members' Allowances in Part 7 of the Constitution be amended to reflect the agreed allowances and expenses.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The adoption of a published Scheme of Members' Allowances, having regard to the recommendations of an Independent Remuneration Panel, is consistent with the Council's core values of integrity and openness.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The budget for 2019/20 for Members' Basic and Special Responsibility Allowances and for the Chairman and Vice Chairman Allowances totals £402,890. This reflects a reduction of £60,000 to recognise the decrease in the number of Councillors. The cost of the proposed scheme is within budget based on the current council and committee structure. However, Members should be aware that this could change.

Risk

The crucial feature of the Panel is that it is composed of people unconnected with the local authority. This degree of independence is designed to secure that the Council is directly accountable to the electorate in respect of the payments made to the Members and that the risk of any lack of transparency is mitigated.

LEGAL

The Local Authorities (Members' Allowances) (England) Regulations 2003 set out the arrangements to be followed in relation to Members' allowances and expenses. The Regulations set out that regard must be had to the recommendations of an IRP before determining or amending the Scheme of Allowances. Consideration of this report and its appendix will enable the Council to meet those statutory requirements.

The Local Government Act 1972 (sections 3 and 5) allows the payment of an allowance to the Chairman and Vice Chairman.

OTHER IMPLICATIONS

The guidance in relation to the new benchmark subsistence rates is as follows:-

The rate of subsistence shall not exceed :-

One meal (5-hour) rate **£5.00**

The rate may be paid where the qualifying travel exceeds 5 hours and the Councillor has incurred the cost of a meal.

Two meal (10-hour) rate **£10.00**

The rate may be paid where the qualifying travel exceeds at least 10 hours and the Councillor has incurred the cost of a meal or meals.

Late meal (on-going at 8pm) rate **£25.00****

The rate may be paid where the Councillor is staying away and has to buy a meal before the qualifying journey ends which they would usually have at home.

HMRC approved Benchmark scale rate payments must be limited to 3 meal rates on one day or 24-hour period. A meal is defined as a combination of food and drink and would take a normal dictionary meaning.

****Where a scale rate of £5 or £10 is paid and the qualifying journey in respect of which it is paid lasts beyond 8pm, a supplementary rate of £10 can be paid to cover the additional expenses necessarily incurred as a result of working late.**

Qualifying conditions – HMRC Benchmark scale rates must only be used where all the qualifying conditions are met. The qualifying conditions are:

- travel must be in the performance of qualifying duties on a journey that is not substantially ordinary commuting.
- the Councillor should be absent from his normal place of work or home for a continuous period in excess of five hours or ten hours.
- and should have incurred a cost on a meal (food and drink) after starting the journey and retained **receipts/appropriate evidence of their expenditure**.

A Councillor can only be reimbursed for a meal once. If the cost of an evening meal or breakfast is reimbursed on an actual basis, because it is included in the cost of an overnight stay, then you are not also be entitled to a benchmark rate in respect of those meals.

Members' Responsibility For Reporting Receipt of Allowances

Members are advised to declare the receipt of a members allowance if **any form** of benefit such as income support or housing benefit is being claimed. The rules on how members' allowances are treated may vary depending on the benefit claimed and advice should be sought from the relevant administrating body. For example the rules for those in receipt of Housing Benefit and Council Tax Support state that "basic members allowance, special responsibility allowance and conference attendance allowance are treated as earnings except for any expenses which have been wholly, exclusively and necessarily incurred in the performance of their duties". Members are therefore advised that in order to claim expenses in these circumstances receipts and records to justify the expenses incurred must be kept.

Wards Affected

All.

PART 3 – SUPPORTING INFORMATION

BACKGROUND PAPERS FOR THE DECISION

There are no background papers.

APPENDICES

Appendix A –Report of the Independent Remuneration Panel

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Tendring
District Council



INDEPENDENT REMUNERATION PANEL

REPORT TO

TENDRING DISTRICT COUNCIL

May 2019

Recommendations on the Level of Members'

Allowances to Be Paid in the Municipal Year 2019/2020

1. INTRODUCTION

i. Legislation

The requirement for an Independent Remuneration Panel (IRP), how it operates, and regulations governing the payment of Members' Allowances are set out in the Local Authorities (Members' Allowances) (England) Regulations 2003.

Part 4 regulation 19(1) states that "*Before an authority.....makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel*"

ii. Independent Remuneration Panel

At Council on 27th November 2018 the following were appointed to the Independent Remuneration Panel:-

▽ **Jane Watts (Chair)**

She has worked in education for 30 years; within independent, mainstream and special education schools. Her last post was as head of mathematics and data analysis at a teaching school in Surrey. Presently, she is a self-employed educational consultant involved with projects for both schools and the Autism Education Trust. Previously, she has also been a parent governor and secretary of a school fundraising committee.

▽ **Sue Gallone**

A qualified accountant and auditor who worked in the public sector for most of her career to 2016. She sits on conduct committees; the General Osteopathic Council and the Association of Chartered Certified Accountants. She is also a Board member for Breast Cancer Now and the Health and Care Professions Council, and is an independent member of the Audit and Risk Assurance Committee at the Office of the Immigration Services Commissioner. Since moving to Clacton in 2003 she has been involved with local organisations and charities on a voluntary basis

▽ **David Irvine**

A retired agronomist (specialist arable crops advisor) of UNILEVER, he has, over the best part of 40 years, been respected in his industry to become an examiner for the professional standards organisation (BASIS), training and maintaining the agronomic standards of new entrants. He is active within the Anglican church becoming a Lay Elder and a Bishops Officer and Churchwarden of a church in Bury St Edmunds, where he lives. He has established a community project that assists struggling start-up businesses with cheap office accommodation. He has a keen interest in public life.

▽ **Clarissa Gosling**

She has served as an independent Member, Conciliator, Chair, and Adviser; dealing with complaints, service quality and discrimination for the last 25 years for various public bodies- NHS, Police, and the Office for National Statistics. As a Non-Executive Director of Suffolk Health NHS Trust, she sat on the Audit and Service committees among others, and until recently served as a Board Member on the Orwell Housing Association. She was also an independent chair of the Standards Committee of Ipswich Borough Council and is an Associate Member of the Ombudsman's Society.

iii. Existing Scheme

The existing scheme was agreed at the meeting of Full Council on 24 April 2018.

iv. The Council and Committee Structure

The structure of the Council and the roles of its members currently in place are:-

- **Full Council** consisting of 48 elected Members. Up until the local elections held on 2 May 2019, the Council consisted of 60 elected Members. Following an Electoral review by the Local Government Boundary Commission for England the number of members elected on 2 May was 48 with the number of wards in the district being reduced from 35 to 32.
- **A Cabinet** consisting of the Leader of the Council and up to nine Portfolio Holders. It has responsibility for Community Leadership in Tendring and takes a lead on the preparation of policies and strategies and recommends and implements the budget;
- **Overview and Scrutiny** functions are provided by 2 committees: Community Leadership Overview and Scrutiny Committee and Resources and Services Overview and Scrutiny Committee both comprising of 9 members and each committee having separate and defined responsibilities;
- **Audit Committee** comprising 7 members whose duties include provision of independent assurance on the adequacy of the risk management framework, independent scrutiny of the Council's financial and non-financial performance and overseeing the financial reporting process;
- **Standards Committee** that consists of 7 members whose role is to promote and maintain high standards of conduct by Members and Co-opted members of the authority. It operates a Town and Parish Council' Standards Sub Committee;
- **Planning Committee** comprising 9 members. This committee meets monthly to handle the significant volume of planning applications that officers cannot determine under delegated authority;
- **Planning Policy and Local Plan Committee** has 11 members and oversees the preparation of the Local Plan and the setting of planning policy;
- **Licensing and Registration Committee** that undertakes the quasi-judicial determination of personal licensing matters including Hackney Carriage, Private Hire, Public Entertainment, Liquor and Gaming licences. It has 9 members and operates 2 licensing sub-committees;
- **Human Resources and Council Tax Committee** that deals with general staffing matters and agrees annually the overall council tax for the District. It has 9 members.

v. Review 2019

The Panel recognises the dedication and public spirit of Councillors, their enthusiasm for the work they do and their determination that public service comes before personal gain. The first review of Members' Allowances under the current regulations, undertaken in 2001, established the principle that an important part of being a Councillor is the desire to serve the public and, therefore, not all of what a Councillor does should be remunerated; a portion of a Councillor's time should be given voluntarily. It is therefore the case that the members' Allowances

Scheme has, since then, included a 40% Public Service Discount.

The Panel is grateful to members who took the time to respond to the Chair's introductory letter, completed the questionnaire or met with us. Those who engaged with the Panel had varying views, all of which we considered before making our Recommendations.

The Panel have considered whether they wish to recommend any changes to the Scheme for 2019 and their proposals are set out below. In particular, the Panel has considered workload implications of changes to Councillor numbers from 1 May 2019, the relative workloads and requirements of Committees and comparability with the allowances paid by similar Councils. The proposal for Basic Allowance is equivalent to 15 hours work per week, using the average Tendring full-time wage of £11.88 per hour and a 40% Public Service Discount.

The Panel proposes that all allowances continue to be set as a proportion of Basic Allowance, and rounded to be divisible by 12 for ease of payment monthly. Where a Councillor attracts more than one SRA, only the higher SRA (plus their Basic Allowance) will be paid.

The proposed SRA for Cabinet Members is set assuming seven Cabinet Members (excluding the Leader). If more Cabinet Members are appointed (i.e. eight or nine Cabinet Members), the total proposed SRA for seven Cabinet Members should be divided between them.

HMRC has recently issued revised benchmark subsistence rates and the IRP propose that these be adopted by Tendring District Council. The rates and conditions are as follows:-

The rate of subsistence shall not exceed :-

One meal (5-hour) rate **£5.00**

The rate may be paid where the qualifying travel exceeds 5 hours and the Councillor has incurred the cost of a meal.

Two meal (10-hour) rate **£10.00**

The rate may be paid where the qualifying travel exceeds at least 10 hours and the Councillor has incurred the cost of a meal or meals.

Late meal (on-going at 8pm) rate **£25.00****

The rate may be paid where the Councillor is staying away and has to buy a meal before the qualifying journey ends which they would usually have at home.

HMRC approved Benchmark scale rate payments must be limited to 3 meal rates on one day or 24-hour period. A meal is defined as a combination of food and drink and would take a normal dictionary meaning.

**Where a scale rate of £5 or £10 is paid and the qualifying journey in respect of which it is paid lasts beyond 8pm, a supplementary rate of £10 can be paid to cover the additional expenses necessarily incurred as a result of working late.

Qualifying conditions – HMRC Benchmark scale rates must only be used where all the qualifying conditions are met. The qualifying conditions are:

- travel must be in the performance of qualifying duties on a journey that is not substantially ordinary commuting.

- the Councillor should be absent from his normal place of work or home for a continuous period in excess of five hours or ten hours.
- and should have incurred a cost on a meal (food and drink) after starting the journey and retained **receipts/appropriate evidence of their expenditure.**

A Councillor can only be reimbursed for a meal once. If the cost of an evening meal or breakfast is reimbursed on an actual basis, because it is included in the cost of an overnight stay, then you are not also be entitled to a benchmark rate in respect of those meals.

Given the change in number of Councillors and seats on Committees, the Panel recommends that a high level and light touch review be undertaken after three months of the new scheme to consider if any urgent changes are required to the scheme of allowances. Otherwise, the Panel recommends that the scheme be reviewed in early 2020 for recommendation of a scheme for 2020/21 to the Annual Council meeting on 28th April 2020. The panel would actively support the Council in the implementation of a system to ensure that all members contribute fully to their role as Ward and District Councillor.

The Panel's recommendations will be considered at the Annual Council meeting on 21 May 2019, to commence from 1 May 2019, the start of the 2019/20 Municipal Year.

2. RECOMMENDATIONS

The Panel make the following recommendations in respect of Members basic allowance, special responsibility allowances (SRAs) and expenses.

- **Chairman and Vice Chairman Allowances**

The SRA for Chairman is set at 1.14 times the Basic Allowance and the SRA for Vice Chairman is set at 0.32 of the Basic Allowance, reflecting the nature of the roles, giving a recommended amount payable from 1 May 2019 of:-

Chairman's allowance - £6,348 (previously £6,329)
Vice Chairman's allowance - £1,788 (previously £2,231)

- **Basic Allowance**

Increase by 7.5% to reflect additional work from ward changes and increased numbers of constituents, which is more comparable to the mean and median of Basic Allowance paid by other Councils, giving a recommended amount payable from 1 May 2019 of:-

Basic allowance - £5,556 (previously £5,173)

- **Leader of the Council SRA**

Change so that the SRA for Leader is set at 3.4 times the Basic Allowance, maintaining approximately the current level of allowance to reflect workload, giving a recommended amount payable from 1 May 2019 of:-

Leader of the Council - £18,900 (previously £18,622)

- **Cabinet Members SRA**

Change so that the SRA for a Cabinet Member (excluding the Leader) is set at 1.63 times the Basic Allowance, giving a recommended amount payable from 1 May 2019 as below. If there are more than seven Cabinet Members then the total of £63,504 (7 x £9,072) is to be shared

between them.

Cabinet Member - £9,072 (previously £8,939)

- **Chairman of Audit Committee SRA**

Change so that this SRA is set at 0.7 times the Basic Allowance, giving a recommended amount payable from 1 May 2019 of :-

Chairman of Audit Committee - £3,900 (previously £4,343)

- **Chairman of Community Leadership Overview and Scrutiny Committee**

Change so that this SRA is set at 0.7 times the Basic Allowance giving a recommended amount payable from 1 May 2019 of:-

Chairman of Community Leadership Overview and Scrutiny Committee - £3,900 (previously £4,343)

- **Chairman of Resources and Services Overview and Scrutiny Committee**

Change so that this SRA is set at 0.7 times the Basic Allowance, giving a recommended amount payable from 1 May 2019 of:-

Chairman of Resources and Services Overview and Scrutiny Committee - £3,900 (previously £4,343)

- **Chairman of Human Resources and Council Tax Committee**

Change, so that this SRA is set at 0.5 times the Basic Allowance, reflecting the amount of business compared to other committees, giving a recommended amount payable from 1 May 2019 of:-

Chairman of Human Resources and Council Tax Committee - £2,784 (previously £3,838)

- **Chairman of Planning Policy and Local Plan Committee SRA**

Introduce a new allowance set at 0.5 times the Basic Allowance, reflecting the amount of business compared to other committees, giving a recommended amount payable from 1 May 2019 of:-

Chairman of Planning Policy and Local Plan Committee - £2,784 (previously £0)

- **Chairman of Planning Committee SRA**

Increase so that this SRA is set at 1.19 times the Basic Allowance, reflecting the amount of business compared to other committees, including site visits and statutory training, giving a recommended amount payable from 1 May 2019 of:-

Chairman of Planning Committee - £6,600 (previously £6,331)

- **Vice Chairman of Planning Committee SRA**

Remove this SRA, in light of increases to Members of Planning Committee, giving a recommended amount payable from 1 May 2019 of-

Vice Chairman of Planning Committee – £0 (previously £2,049)

- **Member of Planning Committee**

Increase so that this SRA is set at 0.16 times the Basic Allowance, reflecting the amount of business, including site visits and statutory training, giving a recommended amount payable from 1 May 2019 of:-

Member of Planning Committee - £900 (previously £505)

- **Chairman of Licensing and Registration Committee**

Change, so that this SRA is set at 0.5 times the Basic Allowance, reflecting the amount of business compared to other committees, giving a recommended amount payable from 1 May 2019 of:-

Chairman of Licensing and Registration Committee - £2,784 (previously £4,343)

- **Chairman of Miscellaneous Licensing Sub Committee**

Change so that this SRA is set at 0.13 times the Basic Allowance, reflecting the need for site visits and statutory training, giving a recommended amount payable from 1 May 2019 of:-

Chairman of Miscellaneous Licensing Sub Committee - £720 (previously £657)

- **Member of Licensing and Registration Committee**

Introduce a new allowance set at 0.05 times the Basic Allowance, reflecting the need for site visits and statutory training, giving a recommended amount payable from 1 May 2019 of:-

Member of Licensing and Registration Committee - £276 (previously £0)

- **Opposition Group Leader**

Change, giving a recommended amount to an Opposition Group Leader (where there are 4 or more members in the Group), payable from 1 May 2019 of:-

| | |
|--|---------------------------------|
| Amount for being a Group Leader | £900 (previously £1,010) |
| Plus for each Member of the Group | £96 (previously £90) |

- **Childcare Allowance**

The Panel recommends a rate of the voluntary living wage increasing to £9.00 per hour (previously £ 8.75 per hour) for a maximum of 15 hours per week.

- **Dependent Carer Allowance**

The Panel recommends a rate of the voluntary living wage increasing to £9.00 per hour (previously £ 8.75 per hour) for a maximum of 15 hours per week.

- **Conference Allowance – subsistence rates are changing -**

| | |
|-------------------------------|--------------|
| One meal (5-hour) rate | £5.00 |
|-------------------------------|--------------|

| | |
|---|---------------|
| Two meal (10-hour) rate | £10.00 |
| Late meal (on-going at 8pm) rate | £25.00 |
| (subject to conditions set out above) | |

The Panel **recommends that the new HMRC benchmark rates should be adopted.**

- **Maximum Subsistence Allowances**

The Panel **recommends that the existing rates should continue to be paid.**

- **Mileage Allowance**

The Panel **recommends continuation of the HMRC non-profit rate.**

3. REVIEW OF ALLOWANCES FOR 2020/2021

The Panel strongly recommends a further review of allowances be undertaken in respect of the municipal year 2020/2021.

4. SUMMARY OF PROPOSED ALLOWANCES 2019/2020

| Allowances | £ |
|--|----------|
| Basic Allowance | 5,556 |
| Leader of the Council | 18,900 |
| Cabinet Member (where there are eight or nine Cabinet Members the total allowances for seven Cabinet Members to be divided between them) | 9,072 |
| Opposition Group Leaders (with 4 or more members in the Group) | |
| – Amount for being a Group Leader | 900 |
| - Amount per Group Member | 96 |
| Chairman – Planning Committee | 6,600 |
| Members – Planning Committee | 900 |
| Chairman – Licensing and Registration Committee | 2,784 |
| Chairman – Miscellaneous Licensing Sub Committees | 720 |
| Members of Licensing and Registration Committees | 276 |
| Chairman - Audit Committee | 3,900 |
| Chairman – Community Leadership Overview and Scrutiny Committee | 3,900 |
| Chairman – Resources and Services Overview and Scrutiny Committee | 3,900 |
| Chairman – Human Resources and Council Tax Committee | 2,784 |
| Chairman – Planning Policy and Local Plan Committee | 2,784 |
| Chairman of the Council | 6,348 |
| Vice Chairman of the Council | 1,788 |

Expenses

| | |
|---|---|
| Childcare allowance | Voluntary Living Wage (currently £9.00) per hour |
| Dependent Carer allowance | Voluntary Living Wage (currently £9.00) per hour |
| Conferences – outside London | £120 maximum per day |
| Conferences – within London | £140 maximum per day |
| Use of a motor car – first 10,000 miles | HMRC rate (currently 0.45p per mile) |
| Use of a motor car – over 10,000 miles | HMRC rate (currently 0.25p per mile) |
| Use of a motor cycle | HMRC rate (currently 0.24p per mile) |
| Use of a bicycle | HMRC rate (currently 0.20p per mile) |
| Passenger | HMRC rate (currently 0.05p per mile) |
| Subsistence – one meal (5 hour) rate | £5.00 |
| Subsistence – two meal (10 hour) rate | £10.00 |
| Subsistence – late meal (ongoing at 8pm rate) | £25.00 |

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ANNUAL MEETING OF THE COUNCIL

28 MAY 2019

REFERENCE FROM CABINET

A.4 PROGRAMME OF MEETINGS: 2019/2020 MUNICIPAL YEAR

(Report prepared by Ian Ford)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To enable Council to give consideration to the programme of meetings for the 2019/2020 municipal year.

EXECUTIVE SUMMARY

This report will enable Council to, as required by the Constitution, agree a programme of meetings for the 2019/2020 Municipal Year.

RECOMMENDATION(S)

- (a) That the programme of meetings for the Council and Committees, as set out in the Appendix to this report, be approved; and**
- (b) That the proposed dates for All Member Briefings and Planning Training for Members be noted.**

PART 2 – SUPPORTING INFORMATION

BACKGROUND

Further to minute 132 of the meeting of the Cabinet held on 8 March 2019 a draft programme of meetings is set out as an Appendix to this report. At that meeting Cabinet decided that :-

“(a) the programme of meetings for the Council and Committees, as set out in the Appendix to item A.3 of the Report of the Resources and Corporate Resources Portfolio Holder, be approved, in principle, and be submitted to the Annual Meeting of the Council on 21 May 2019 for formal approval;

(b) the dates for the meetings of the Resources and Services Overview and Scrutiny Committee in December 2019 and January 2020, where the budget is considered, be reviewed with any proposed amendments to be submitted to the Annual Meeting of the Council on 21 May 2019; and

(c) the proposed dates for All Member Briefings and Members’ training on planning matters be noted.”

Further to resolution (b) the date of the Resources and Services Overview and Scrutiny Committee in January 2020 has been changed from Monday 6 January 2020 to Wednesday 8 January 2020.

The meetings of the Full Council, the Audit Committee, the Community Leadership Overview and Scrutiny Committee, the Human Resources and Council Tax Committee, the Licensing and Registration Committee and the Resources and Services Overview and Scrutiny Committee will normally commence at 7.30 p.m.

Meetings of the Planning Committee and the Planning Policy and Local Plan Committee will normally commence at 6.00 p.m.

Meetings of the Standards Committee will normally commence at 10.00 a.m.

Meetings of the Full Council will usually be held in the Princes Theatre, at the Town Hall, Clacton-on-Sea. Meetings of the above-mentioned Committees will usually be held in the Council Chamber at the Council Offices, Weeley (though please refer to the section on the Council Offices, Weeley included below).

Cabinet meetings are fixed by the Leader of the Council in accordance with Article 7.08 Cabinet Procedures Rule sub-section 1.1 of the Council's Constitution and therefore the scheduling et cetera may change. The public meetings of the Cabinet listed are scheduled to commence at 10.30 a.m. in the Essex Hall, at the Town Hall, Clacton-on-Sea.

The programme does not show meetings of the Sub-Committees, which are arranged either at meetings of the relevant Sub-Committee or from time to time when required.

A new feature this year is the inclusion of dates for All Member Briefings in order to assist Members in keeping their diaries up-to-date. Dates for Planning Training for Members are also included.

Changes to the Programme of Meetings since it was agreed at Cabinet on 8 March 2019 due to circumstance

Members will note that the date of the Planning Training for Members originally agreed at Cabinet on 8 March 2019 for Tuesday 28 May 2019 has been moved to Thursday 30 May 2019. This change resulted as a consequence of the Chairman of the Council's decision to move the Annual Meeting of the Council from 21 May to 28 May 2019 which in turn was a consequence of the postponement (due to the death of a candidate) of the election of Councillors for the St Osyth Ward from 2 May 2019 to 23 May 2019.

There were a number of 'knock-on' consequences from the above including:-

- (1) the Community Leadership Overview and Scrutiny Committee has moved from 3 June to 1 July 2019;
- (2) the Planning Committee has moved from 4 June 2019 to 11 June 2019;
- (3) the Resources and Services Overview and Scrutiny Committee has moved from 10 June to 24 June 2019; and
- (4) the Members' Induction Day was moved from 9 May to 10 June 2019.

A number of further changes or additions to the programme have been incorporated as follows:-

- (a) on 5 June 2019 in the afternoon training on chairing meetings will be provided by an external trainer to the Chairman and Vice-Chairman of the Council and the Chairmen and Vice-Chairmen of Committees;

- (b) in the evening of 5 June 2019 that external trainer will provide training on the overview and scrutiny functions of the Council to all Members but with particular emphasis on members of the Overview and Scrutiny Committees;
- (c) the meeting of the Human Resources and Council Tax Committee due to have been held on 3 July 2019 has been removed from the programme as there will be no business to transact at that meeting;
- (d) the meeting of the Standards Committee due to have been held on 31 July has been brought forward to 3 July 2019 at the request of the Monitoring Officer and in order to correct an error in the previous programme submitted to Cabinet;
- (e) the meeting of the Audit Committee due to have been held on 25 July has been brought forward to 24 July as the Council's External Auditor was not available on that original date;
- (f) the meeting of the full Council due to have been held on 6 August 2019 in order to enable Members to authorise a public consultation on updated evidence for the Local Plan will need to be rescheduled; and
- (g) the meeting of the Standards Committee due to have been held on 8 July 2020 has been changed to 29 July 2020 at the request of the Monitoring Officer and in order to correct an error in the previous programme submitted to Cabinet.

Closure of the Council Offices at Thorpe Road, Weeley

Council will be aware that, as part of the "Transforming Tendring" project, the Council Offices at Weeley will be closed and the site disposed of, with the departments currently based at Weeley being moved to Clacton-on-Sea. This will obviously mean that the current Council Chamber at Weeley would then no longer be available for Committee etc. meetings.

In preparation for this disposal a phased programme of office accommodation works is underway at the Town Hall, Clacton-on-Sea. Included within these works is the provision of a new Council Chamber within the Town Hall in Clacton and it is currently anticipated that the new Council Chamber will be operationally available from Autumn 2019. At that time a graduated transition of Committee etc. meetings from Weeley to Clacton will take place.

BACKGROUND PAPERS FOR THE DECISION

None.

APPENDICES

Programme of Meetings for the 2019/2020 Municipal Year.

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TIMETABLE OF MEETINGS – 2019/2020 MUNICIPAL YEAR

2019

| Body | Time | Day | Date | Notes |
|--|-------------|------------|-------------|--------------|
| ANNUAL COUNCIL (Already agreed) | 7.30 p.m. | Tuesday | 28 May | Note 1 |

| | | | | |
|--|---------------------|-----------|---------|---------|
| PLANNING TRAINING FOR MEMBERS | 6.00 p.m. | Thursday | 30 May | |
| MEMBER TRAINING | Afternoon & Evening | Wednesday | 5 June | Note 10 |
| MEMBERS' INDUCTION DAY | 10.00 a.m. | Monday | 10 June | |
| Planning Committee | 6.00 p.m. | Tuesday | 11 June | |
| Cabinet | 10.30 a.m. | Friday | 14 June | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 19 June | |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 24 June | |
| PLANNING TRAINING FOR MEMBERS | 6.00 p.m. | Tuesday | 25 June | |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 1 July | |
| Planning Committee | 6.00 p.m. | Tuesday | 2 July | |
| Standards Committee | 10.00 a.m. | Wednesday | 3 July | |
| COUNCIL | 7.30 p.m. | Tuesday | 9 July | |

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|--|------------|-----------|--------------|--------|
| Licensing & Registration Committee | 7.30 p.m. | Wednesday | 10 July | |
| Cabinet | 10.30 a.m. | Friday | 12 July | |
| Planning Policy & Local Plan Committee | 6.00 p.m. | Tuesday | 16 July | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 17 July | |
| Audit Committee | 7.30 p.m. | Wednesday | 24 July | |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 29 July | |
| Planning Committee | 6.00 p.m. | Tuesday | 30 July | |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 5 August | |
| Cabinet | 10.30 a.m. | Friday | 9 August | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Tuesday | 13 August | |
| Planning Committee | 6.00 p.m. | Wednesday | 28 August | Note 2 |
| COUNCIL | 7.30 p.m. | Tuesday | 10 September | |

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|--|------------|-----------|--------------|--|
| Cabinet | 10.30 a.m. | Friday | 13 September | |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 16 September | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 18 September | |
| Planning Committee | 6.00 p.m. | Tuesday | 24 September | |
| Audit Committee | 7.30 p.m. | Thursday | 26 September | |
| PLANNING TRAINING FOR MEMBERS | 6.00 p.m. | Tuesday | 1 October | |
| Standards Committee | 10.00 a.m. | Wednesday | 2 October | |
| Planning Policy & Local Plan Committee | 6.00 p.m. | Thursday | 3 October | |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 7 October | |
| Cabinet | 10.30 a.m. | Friday | 11 October | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 16 October | |
| Planning Committee | 6.00 p.m. | Tuesday | 22 October | |
| Human Resources & Council Tax Committee | 7.30 p.m. | Wednesday | 23 October | |
| Licensing & Registration Committee | 7.30 p.m. | Wednesday | 6 November | |
| Cabinet | 10.30 a.m. | Friday | 8 November | |
| PLANNING TRAINING FOR MEMBERS | 6.00 p.m. | Tuesday | 12 November | |
| Planning Committee | 6.00 p.m. | Tuesday | 19 November | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 20 November | |

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|--|------------|-----------|-------------|--------|
| COUNCIL | 7.30 p.m. | Tuesday | 26 November | |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Thursday | 28 November | Note 3 |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 2 December | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Tuesday | 10 December | |
| Planning Policy & Local Plan Committee | 6.00 p.m. | Wednesday | 11 December | |
| Cabinet | 10.30 a.m. | Friday | 13 December | |
| Resources and Services Overview & Scrutiny Committee | 9.30 a.m. | Monday | 16 December | Note 4 |
| Planning Committee | 6.00 p.m. | Tuesday | 17 December | |

2020

| | | | | |
|--|-----------|-----------|------------|--------|
| Resources and Services Overview & Scrutiny Committee (PROVISIONAL) | 9.30 a.m. | Wednesday | 8 January | Note 4 |
| ALL MEMBER BRIEFING | 6.00 p.m. | Thursday | 9 January | |
| Planning Committee | 6.00 p.m. | Tuesday | 14 January | |
| Licensing & Registration Committee | 7.30 p.m. | Wednesday | 15 January | |
| COUNCIL | 7.30 p.m. | Tuesday | 21 January | |

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|--|------------|-----------|-------------|--------|
| Cabinet | 10.30 a.m. | Friday | 24 January | |
| PLANNING TRAINING FOR MEMBERS | 6.00 p.m. | Tuesday | 28 January | |
| Standards Committee | 10.00 a.m. | Wednesday | 29 January | |
| Audit Committee | 7.30 p.m. | Thursday | 30 January | |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 3 February | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 5 February | |
| COUNCIL | 7.30 p.m. | Tuesday | 11 February | Note 5 |

| | | | | |
|--|------------|-----------|-------------|--------|
| Planning Committee | 6.00 p.m. | Wednesday | 12 February | Note 6 |
| Planning Policy & Local Plan Committee | 6.00 p.m. | Thursday | 13 February | |
| Cabinet (PROVISIONAL) | 10.30 a.m. | Friday | 14 February | Note 7 |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 17 February | |
| COUNCIL (PROVISIONAL) | 7.30 p.m. | Thursday | 20 February | Note 8 |
| Cabinet | 10.30 a.m. | Friday | 21 February | |
| Human Resources & Council Tax Committee | 7.30 p.m. | Monday | 24 February | Note 9 |
| Planning Committee | 6.00 p.m. | Tuesday | 10 March | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 18 March | |
| Cabinet | 10.30 a.m. | Friday | 20 March | |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 23 March | |
| Audit Committee | 7.30 p.m. | Thursday | 26 March | |
| COUNCIL | 7.30 p.m. | Tuesday | 31 March | |

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|--|------------|-----------|----------|--|
| Human Resources & Council Tax Committee | 7.30 p.m. | Wednesday | 1 April | |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 6 April | |
| Planning Committee | 6.00 p.m. | Tuesday | 7 April | |
| Standards Committee | 10.00 a.m. | Wednesday | 8 April | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 15 April | |
| Licensing & Registration Committee | 7.30 p.m. | Wednesday | 22 April | |
| Cabinet | 10.30 a.m. | Friday | 24 April | |
| ANNUAL MEETING OF THE COUNCIL | 7.30 p.m. | Tuesday | 28 April | |

2020/2021 MUNICIPAL YEAR

(Provisional dates for early cycles of meetings in 2020/2021 – for information only, subject to change)

| | | | | |
|--|-----------|-----------|--------|--------|
| Planning Committee | 6.00 p.m. | Wednesday | 6 May | Note 2 |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 11 May | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 14 May | |
| COUNCIL | 7.30 p.m. | Tuesday | 19 May | |

| | | | | |
|--|------------|-----------|---------|--|
| Cabinet | 10.30 a.m. | Friday | 22 May | |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 1 June | |
| Planning Committee | 6.00 p.m. | Tuesday | 2 June | |
| Planning Policy & Local Plan Committee | 6.00 p.m. | Thursday | 4 June | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Thursday | 11 June | |
| Cabinet | 10.30 a.m. | Friday | 19 June | |
| Planning Committee | 6.00 p.m. | Tuesday | 30 June | |
| Human Resources & Council Tax Committee | 7.30 p.m. | Wednesday | 1 July | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Thursday | 9 July | |
| COUNCIL | 7.30 p.m. | Tuesday | 14 July | |

| | | | | |
|--|------------|-----------|--------------|--|
| Cabinet | 10.30 a.m. | Friday | 17 July | |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 20 July | |
| Licensing & Registration Committee | 7.30 p.m. | Wednesday | 22 July | |
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 27 July | |
| Planning Committee | 6.00 p.m. | Tuesday | 28 July | |
| Standards Committee | 10.00 a.m. | Wednesday | 29 July | |
| Audit Committee | 7.30 p.m. | Thursday | 30 July | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 19 August | |
| Planning Committee | 6.00 p.m. | Tuesday | 25 August | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 9 September | |
| Cabinet | 10.30 a.m. | Friday | 11 September | |
| COUNCIL | 7.30 p.m. | Tuesday | 15 September | |

| | | | | |
|--|------------|-----------|--------------|--|
| Resources and Services Overview & Scrutiny Committee | 7.30 p.m. | Monday | 21 September | |
| Planning Committee | 6.00 p.m. | Tuesday | 22 September | |
| Community Leadership Overview & Scrutiny Committee | 7.30 p.m. | Monday | 28 September | |
| Audit Committee | 7.30 p.m. | Thursday | 1 October | |
| ALL MEMBER BRIEFING | 6.00 p.m. | Wednesday | 7 October | |
| Cabinet | 10.30 a.m. | Friday | 9 October | |
| Standards Committee | 10.00 a.m. | Wednesday | 14 October | |
| Planning Committee | 6.00 p.m. | Tuesday | 20 October | |
| Human Resources & Council Tax Committee | 7.30 p.m. | Wednesday | 21 October | |

Notes

1. Annual Meeting of the Council later than usual as a result of the District Council Elections being held on Thursday 2 May 2019.
2. Meeting scheduled to be held on the Wednesday as the Monday of that week is a Bank Holiday.

3. Meeting scheduled to be held on the Thursday due to the Full Council meeting earlier in the week.
4. Meeting arranged on 16 December 2019 to allow the Resources and Services Committee to consider and then formally comment on the Cabinet's Financial Forecast and initial budget and special expenses proposals. Monday 6 January 2019 meeting provisionally arranged to allow the Committee to discuss those proposals with Portfolio Holders (if so desired).
5. Meeting of the Council to approve the Cabinet's budget proposals and set the Council Tax but excluding County, Fire and Police Council Tax calculations.
6. Meeting scheduled to be held on the Wednesday due to the Full Council meeting on the Tuesday.
7. Provisional extra meeting of the Cabinet arranged in order to allow the Cabinet to meet and consider any objections the Council has to the Cabinet's budget proposals (which may have been made at the Council meeting on 11 February 2020).
8. Provisional extra meeting of the Council arranged in order to allow the Council to meet and consider the Cabinet's revised budget proposals or the Cabinet's disagreement with the Council's budget objections (which may arise from the Cabinet meeting referred to in note 7 above.)
9. Meeting to formally confirm the implications of the County, Fire and Police precepts on the Council's Collection Fund and for each Council Tax band in the parished and unparished areas of the District.
10. Afternoon training in relation to chairing meetings to be provided by an external trainer to the Chairman and Vice-Chairman of the Council and Chairmen and Vice-Chairmen of Committees.

ANNUAL MEETING OF THE COUNCIL

28 MAY 2019

REFERENCE FROM OVERVIEW AND SCRUTINY COMMITTEES

A.5 OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMME FOR 2019/2020 AND REVIEW OF WORK UNDERTAKEN FROM MAY 2018 TO APRIL 2019 (Report prepared by Karen Neath, Anastasia Simpson, Katie Sullivan and Ian Ford)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Council's approval to proposed work programmes for the Community Leadership Overview and Scrutiny Committee and the Resources and Services Overview and Scrutiny Committee for 2019/20 and to note the work undertaken by those Committees in the period May 2018 to April 2019.

EXECUTIVE SUMMARY

Under the Overview and Scrutiny Procedure Rules, the Constitution states, in relation to the Work Programme (Rule 7), that:

“Each Overview and Scrutiny Committee will submit a work programme for the year ahead and a review of the previous year’s activities to the Annual Meeting of the Council for approval. In addition, it will be responsible for coordinating and prioritising its work programme on an ongoing basis.

In preparing, coordinating and prioritising its programme, each Overview and Scrutiny Committee will take into account:-

- *the General Role and Principles of undertaking its functions, as set out in Part 2, Article 6 of the Constitution;*
- *the planned work on the preparation of elements of the Budget and Policy Framework, as set out in the Council’s Business Plan;*
- *the need for statutory timetables to be met;*
- *the wishes of all members of the committee;*
- *requests from the Cabinet to carry out reviews; and*
- *Requests from Group Leaders in accordance with Rule 8.”*

The Resources and Services Scrutiny Committee shall perform the role of overview and scrutiny and its functions in relation to the effective use of the Council's resources including approval of discrete researched and evidenced reviews on the effectiveness of:

- Financial forecast
- Budget setting and monitoring (including the General Fund and the Housing Revenue Account)
- Service Delivery and Performance (where not delegated to the Community Leadership Overview and Scrutiny Committee)
- Procurement and Contract Management

- Transformation and Digital Strategies
- Customer Service and Standards

Meetings of task and finish groups can be called as required following the terms of reference being agreed by the Committee.

The Community Leadership Overview and Scrutiny Committee shall perform the role of overview and scrutiny and its functions in relation to:

- Community Leadership developing the external focus of overview and scrutiny on ‘district-wide issues’ (and where appropriate sub-regional, regional and national issues), in particular through collaborative work with local partner authorities, providers, stakeholders and members of the public.
- Approval of discrete researched and evidenced reviews on the effectiveness of partnership operating in the area with particular focus on:
 - Community Safety
 - Health and Well-being
 - Economy, Skills and Educational Attainment
- Community engagement, development and empowerment
- Leisure and Tourism (except matters relating to budgets)
- Housing Strategy and Homeless Service (except the Housing Revenue Account)
- Emergency Planning

Meetings of task and finish groups can be called as required following the terms of reference being agreed by the Committee.

The overview and scrutiny committees each reviewed the work carried out during 2018/2019 and considered items for inclusion in the proposed work programmes for 2019/2020 as follows:

Community Leadership Overview and Scrutiny Committee – 25 February 2019 (Minute 46 refers); and
 Resources and Services Overview and Scrutiny Committee – 18 March 2019 (Minute 68 refers).

A copy of the proposed work programmes for the overview and scrutiny committees and a summary of the main issues addressed by the overview and scrutiny committees during the last municipal year are attached as Appendices “A.5A” and “A.5B” respectively to this report for the Council’s approval.

RECOMMENDATIONS

That Council –

- (a) approves the proposed work programmes for the Community Leadership Overview and Scrutiny Committee and the Resources and Services Overview and Scrutiny Committee for the 2019/20 Municipal Year, as set out in Appendix “A.5A”; and**
- (b) notes the work carried out by those Committees in the last municipal year, as set out in Appendix “A.5B”.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The General Role of the Overview and Scrutiny Committees is to:-

1. Review or scrutinise executive decisions made by the Cabinet (including delegated to Portfolio Holders and Officers) or are due to be made by the Cabinet or a Portfolio Holder including performance in relation to individual decisions over a period of time;
2. Act as a consultee on policy development and review of policies;
3. Submit to Full Council for approval an annual overview and scrutiny work programme;
4. Make reports or recommendations to the Cabinet or the Council as appropriate, with respect to the discharge of any Council function or on any matter affecting the authority's area or its inhabitants.
5. Prepare and present an annual performance report to Full Council covering the outcomes of the overview and scrutiny functions by each committee;
6. Deal with any Call-in of Cabinet decisions (including those delegated to Portfolio Holders and Officers); and
7. Consider requests for scrutiny reviews under the Councillor Call for Action process and petitions as referred under the Petitions Scheme and Council Procedure Rules.

In undertaking the General Role the following principles apply:-

- (i) The focused co-ordination of all overview and scrutiny functions on behalf of the Council including the performance reporting on the Corporate Plan, Priorities and Projects;
- (ii) Appoint, where appropriate, and in accordance with its agreed work programme, a group to undertake researched and evidenced reviews on a specific topic, on a task and finish basis. The terms of reference of any Task and Finish group must be agreed by the relevant Overview and Scrutiny Committee prior to its commencement; and
- (iii) Consideration of the Council's priorities and resources when making researched and evidenced recommendations and referral decisions as an outcome of the scrutiny and prioritising those referrals in a timely manner.

FINANCE, OTHER RESOURCES AND RISK

Finance and Other Resources

There are no significant financial or other resource implications arising from the contents of the report.

Risk

If the work of overview and scrutiny committees is ineffective, the Council will have an increased risk of poor decision-making and lack focus on the key priorities.

LEGAL

The actions proposed are within the Council's statutory powers.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below (Crime and Disorder; Equality and Diversity; Health Inequalities; Area or Ward affected; Consultation and Public Engagement).

The Committees' work focuses on the many key aspects that impact upon the community of Tendring, including Crime and Disorder, Education and Skills, Equality and Diversity and Health Inequalities.

PART 3 – SUPPORTING INFORMATION

BACKGROUND PAPERS FOR THE DECISION

There are none.

APPENDICES

A.5A Proposed Work Programmes, along with the schedule to consider the items during the year.

A.5B Review of the work carried out by the overview and scrutiny committees in the period May 2018 to April 2019.

A.5 - APPENDIX A

OVERVIEW AND SCRUTINY COMMITTEES

PROPOSED WORK PROGRAMMES ALONG WITH THE SCHEDULE TO CONSIDER THE ITEMS DURING THE YEAR

COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE

| <i>Meeting Dates</i> | <i>Topic</i> |
|-----------------------------|--|
| 1 July 2019 | <ul style="list-style-type: none"> • Opportunity for the new Committee to refine the work programme • Scrutiny of the North Essex Garden Communities Five Year Business Plan • Update on the Children and Young People Strategy • Revisit Task and Finish work on Research into Alcohol Abuse within Tendring • Performance Report – Quarter 4 Outturn 2018/19 • Consideration of aims and purpose of next meeting |
| 5 August 2019 | <ul style="list-style-type: none"> • Speaker(s) with a focus on Housing Strategy and the Homeless Service • Consideration of aims and purpose of next meeting |
| 7 October 2019 | <ul style="list-style-type: none"> • Speaker(s) with a focus on Education, Economy and Skills • Performance Report – Quarter 1 2019/20 • Consideration of aims and purpose of next meeting |
| 2 December 2019 | <ul style="list-style-type: none"> • Scrutiny of the North Essex Garden Communities Five Year Business Plan • Speaker(s) with a focus on Health and Wellbeing • Performance Report – Quarter 2 2019/20 • Consideration of aims and purpose of next meeting |
| 3 February 2020 | <ul style="list-style-type: none"> • Speaker(s) with a focus on Community Safety • Consideration of aims and purpose of next meeting |
| 6 April 2020 | <ul style="list-style-type: none"> • Speaker(s) with a focus on Leisure and Tourism • Performance Report – Quarter 3 2019/20 • Review of the Year and Work Programme for 2020/21 |

RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE

| <i>Meeting Date</i> | <i>Topic</i> |
|----------------------------|--|
| 24 June 2019 | <ul style="list-style-type: none"> ◆ Performance Report 2018/19 Fourth Quarter and Outturn ◆ Replacement of Careline Computer and Call Handling System |
| 29 July 2019 | <ul style="list-style-type: none"> ◆ Final Budget Position 2018/19 & Financial Forecast Update ◆ Review of the Council's Public Convenience Strategy ◆ NEGC Business Plan 2019-2022 |

| | |
|-------------------|---|
| | <ul style="list-style-type: none"> ◆ Review of the Business Case for the future of publicly owned Leisure Centres within the District |
| 16 September 2019 | <ul style="list-style-type: none"> ◆ Performance Report 2019/20 First Quarter ◆ Corporate Budget and Financial Forecast Monitoring 2019/20 First Quarter |
| 28 November 2019 | <ul style="list-style-type: none"> ◆ Performance Report 2019/20 Second Quarter ◆ Corporate Budget and Financial Forecast Monitoring 2019/20 Second Quarter |
| 16 December 2019 | <ul style="list-style-type: none"> ◆ Initial Budget 2020/21 and Financial Forecast Scrutiny Detailed Review |
| 8 January 2020 | <ul style="list-style-type: none"> ◆ (TBC) Initial Budget 2020/21 and Financial Baseline Scrutiny Detailed Review |
| 17 February 2020 | <ul style="list-style-type: none"> ◆ Annual Capital & Treasury Strategy Scrutiny ◆ Performance Report 2019/20 Third Quarter ◆ Scrutiny of the implementation of the new Waste and Recycling Collection Service |
| 23 March 2020 | <ul style="list-style-type: none"> ◆ Corporate Budget and Financial Forecast Monitoring 2019/20 Third Quarter ◆ Review of the Year and Work Programme 2020.2021 |

OVERVIEW AND SCRUTINY COMMITTEES

COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE

REVIEW OF WORK CARRIED OUT JUNE 2018 – FEBRUARY 2019

4 JUNE 2018

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

The Committee had before it a reference from Council which gave details of a motion submitted by Councillor Pemberton to the meeting of the Council held on 15 May 2018.

The Committee was aware that, at that meeting, the 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 Community Leadership Overview and Scrutiny Committee for consideration and report.

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."

2. 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.

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.

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; 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:- <ul style="list-style-type: none"> • 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.

3. **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.

3 SEPTEMBER 2018

1. **PUBLIC HEALTH**

Dr. Mike Gogarty, Director of Well Being, Public Health and Communities at Essex County Council, attended the meeting of the Community Leadership Overview and Scrutiny Committee to present on public health data and information relevant to the Tendring District.

This was then followed by a question and answer section between members of the Committee and Dr. Gogarty.

2. **REPORT OF THE DEPUTY CHIEF EXECUTIVE - A.1. - PERFORMANCE REPORT APRIL 2018 - JUNE 2018 (QUARTER 1)**

The Committee had before it a report of the Deputy Chief Executive (A.1) which sought to present the performance report 2018/19 (community leadership) for the period April – June 2018 (Quarter 1).

3. **SCRUTINY OF PROPOSED DECISIONS**

Pursuant to the provisions of Overview and Scrutiny Procedure Rule 13, the Committee had before it the Scrutiny of Proposed decisions.

One decision was put before the Committee; Garden Communities required the approval of an Interim Business Plan and Financial Procedure Rules for North Essex Garden Communities Limited.

The Head of Leadership Support and Community undertook to ascertain the role that the Community Leadership Overview and scrutiny committee can play in scrutinising this forthcoming decision.

4. **CONSIDERATION OF ITEMS FOR THE DECEMBER MEETING**

The Committee gave due consideration to the speakers / topics in relation to health and well-being to be considered at the next meeting of the Committee, due to be held on 03 December 2018.

It was **RESOLVED** that:-

Open Road to be invited to attend this meeting.

Representatives from Tendring District Council's housing department to be invited to attend this meeting.

Councillor Land also indicated that a further meeting of the committee would be programmed in October, to discuss further issues.

1 OCTOBER 2018

1. TENDRING ROAD RALLY

The Committee had before it a report of the Head of Leadership Support and Community which sought to ask it to consider and agree the final report for submission to Cabinet in regards to Tendring Road Rally.

Members of the public who attended the meeting were invited by the Chairman to voice any concerns held regarding the Tendring Road Rally.

Following the receipt of advice from Officers, it was **RESOLVED** that:-

- a) The Committee thanks the Task and Finish Group for its report;
- b) Recommended to Cabinet that they decide whether Tendring District Council should become a Joint Partner, or continue to act as a Consulting Partner or oversight body in respect of the 2019 Road Rally;
- c) the Cabinet be requested in its decision making to take into account the recommendations of the Task and Finish Review; and
- d) the Cabinet be also requested to pay particular close attention to the health and safety issues around this event.

2. PUBLIC HEALTH

Following its previous meeting held on 3 September 2018, the Committee had before it the scope previously agreed for a Task and Finish Group on alcohol.

The Committee was asked to voice any amendments it might have to the scope in the light of the presentation received on 3 September 2018 from Dr. Mike Gogarty, the Director of Well Being, Public Health and Communities at Essex County Council.

The Committee therefore deliberated on the topic of alcoholism, including that there was a vast number of alcohol related issues that needed to be addressed, for instance; those that came into the District with an existing alcohol dependency and functioning and non-functioning alcoholics. This needed to be taken into consideration and a decision needed to be reached as to who was going to be targeted and why in the review.

Following the receipt of advice from the Officers, it was **RESOLVED** that as the issue of alcohol abuse is so vast; it is in the Council's best interest that the Task and Finish Group begin first by researching further on this issue to gather information and only then to identify which group or particular area the review would be focused on.

3 DECEMBER 2018

1. SCRUTINY OF PROPOSED DECISIONS ON THE INTERIM BUSINESS PLAN AND FINANCIAL PROCEDURE RULES FOR NORTH ESSEX GARDEN COMMUNITIES LIMITED

The relevant Cabinet Member (Councillor Neil Stock OBE) and Officer (Ewan Green, Corporate Director, Planning and Regeneration Services) attended the Meeting to present to the Committee

the Business Plan for North Essex Garden Communities Ltd, in order to enable the Committee to scrutinise this forthcoming decision.

The Committee deliberated and raised questions and concerns for Ewan Green and Councillor Stock to answer. Those concerns mainly revolved around the funding of the project and the ongoing ability for members to scrutinise the business plan and associated documents of North Essex Garden Communities

It was **RESOLVED** that the Corporate Director (Planning and Regeneration) would circulate information to the Committee with further detail of activities which the overall programme funding to date of £4m has been spent on or allocated to. This will now be a regular item on the Committee's Agenda going forward.

2. DRUG AND ALCOHOL SUPPORT IN TENDRING

Matthew Gauden, Centre Manager for Open Road, and Claire Beacham, Senior Project Manager for Phoenix Alcohol Project, attended the meeting to provide Members with an update on the drug and alcohol support in Tendring.

Members deliberated and raised questions for Matthew Gauden and Claire Beacham to answer.

It was **RESOLVED** that Matthew Gauden be requested to send to the Head of Leadership Support and Community (Karen Neath) to circulate to the Committee, a list of mutual aid organisations who work alongside Phoenix Alcohol Project and Open Road. As well as more details on the welfare support staff at Colchester Borough Council who work within HMOs.

3. IMPACT OF HOUSING ON LOCAL COMMUNITIES

Following the sad death of David Black, the Council's Housing Manager, the Chairman informed Members that this item would be deferred until a future meeting of the Committee.

A minutes silence was held in respect for David Black.

4. REPORT OF THE DEPUTY CHIEF EXECUTIVE - A.1 -PERFORMANCE REPORT JULY - SEPTEMBER 2018 (QUARTER 2)

The Committee had before it a report of the Deputy Chief Executive (A.1) which presented the performance report 2018/19 (Community Leadership) for the period July – September 2018 (Quarter 2), with the recommendation for the Committee to determine whether it had any comments or recommendations to put forward to Cabinet.

The Committee deliberated and raised its concerns over the loss of Libraries and the negative impact this could have on education for pre-school / Primary School children.

It was **RESOLVED** that the relevant officer from Essex County Council, as well as other Tendring District Council members with an interest on the matter, be invited to attend a future meeting of the Committee to scrutinise Essex County Council's consultation on the future of libraries.

5. REVIEW OF THE IMPLEMENTATION OF THE NEW OVERVIEW AND SCRUTINY ARRANGEMENTS

The Committee discussed their experience of the new Overview and Scrutiny arrangements since their implementation in May 2018. The Committee was made aware that any comments and/or recommendations would be submitted to the Finance and Corporate Resources Portfolio Holder's Constitution Review Working Party who would be conducting a review of the new Committee Structure also introduced in May 2018.

The Committee agreed that the new structure of the meetings was beneficial and provided a good opportunity for in-depth discussion on the topics covered. However, the Committee also

agreed that they were concerned they were not meeting often enough to be efficient in taking forward the issues they discussed and therefore suggested there should be a meeting of the Committee every two months.

It was therefore **RESOLVED** that the Head of Leadership Support and Community report these concerns to the Head of Governance and Legal Services for her to feed into the Constitution Review Working Party.

6. SCRUTINY OF PROPOSED DECISIONS

Pursuant to the provisions of Overview and Scrutiny Procedure Rule 13, the Committee had before it the Scrutiny of proposed decisions.

Two decisions were put before the Committee: the Dovercourt Town Centre Regeneration and the SME Growth Fund.

No matters were raised by the Committee.

7. CONSIDERATION OF TERMS FOR MARCH MEETING

The Committee were asked to consider items they wish to scrutinise at the next meeting of the Community Leadership Overview and Scrutiny Committee.

It was **RESOLVED** that the Head of Leadership Support and Community consults with the Chairman of the Committee regarding a further meeting before March, at which the following items will be included;

- Consultation on Libraries
- Motion from Council on a Community Governance Review for Clacton
- Motion from Council on Free Swimming Lessons for Children – to invite the Director of Education from Essex County Council

28 JANUARY 2019

1. FREE SWIMMING LESSONS FOR CHILDREN

Clare Kershaw (Director of Education, Essex County Council) and Dawn Emberson (Relationship Manager, Active Essex), had attended the meeting to discuss with Members how all schools could meet their statutory duty and move towards 100 per-cent of the Districts children learning to swim before they leave primary school education.

Members had recalled that at the meeting of the Council held on 27 November 2018, it was agreed “That this Council takes the following necessary steps in order to see that every child in the District of Tendring can be taught to swim, before they leave primary school education;

(a) The Community Leadership Overview and Scrutiny Committee invite the Director for Education from Essex County Council to attend a future meeting of that Committee in order to discuss how all schools can meet their statutory duty and move towards 100 per-cent of the Districts children learning to swim before they leave primary school education; and

(b) That officers continue to work with partners to develop a cohesive plan to further improve safety measures across the Districts coastline and report back with findings and any recommendations to Cabinet in February 2019, for implementation prior to the 2019 season.

Clare Kershaw and Dawn Emberson set out for the Committee the statutory requirement under the National Curriculum for swimming which was as follows:-

All schools must provide swimming instruction either in key stage 1 or key stage 2. In particular, pupils should be taught to:

- swim competently, confidently and proficiently over a distance of at least 25 metres;
- use a range of strokes effectively [for example, front crawl, backstroke and breaststroke]; and
- perform safe self-rescue in different water-based situations.

After discussion by the Committee, it was **RESOLVED** that;

Essex County Council / Active Essex will lead on the following actions:-

(a) To undertake a review to determine how many pupils do not reach the required level of proficiency by the end of year 6. A piece of work will then be undertaken to work with schools to target those children that are not reaching the required proficiency;

(b) to investigate how it was decided that the swim safe programme is centred on Clacton, Walton and Dovercourt and whether there would be any funding available to extend the programme more widely across Tendring;

(c) to look at whether the swimming pools available at local caravan parks could be used to provide swimming lessons to school children;

(d) to investigate whether local bus providers could assist with taking pupils from schools to pools as the cost of transport is cited as one of the biggest barriers for schools in providing swimming lessons;

(e) to review the affordability of providing swimming lessons for schools and the capacity to provide enough lessons. Although it was commented that the latter point is not thought to be an issue;

Tendring District Council will lead on the following actions:-

(f) To look into whether Tendring District Council's beach patrol staff could provide swimming lessons in the sea for young people as swimming in the sea is different from swimming in a pool;

(g) to consider whether the ONE card or something similar could be re-introduced for use at local Leisure Centres; and

(h) to look at extending the promotion of water safety advice around the coastline during the summer including liaising with partners such as Clacton Pier and voluntary and community groups such as the scouts.

2. **REPORT OF HEAD OF LEADERSHIP SUPPORT AND COMMUNITY - A.1. ESSEX FUTURE LIBRARY SERVICES STRATEGY 2019 – 2024**

The Committee had before it a report of the Head of Leadership Support and Community (A.1) which enabled the Committee to put forward comments in response to the consultation being undertaken by Essex County Council (ECC) on their draft strategy for the future of library services up to 2024.

The comments of the Committee would be submitted to the Cabinet meeting on 15 February to agree the final response of Tendring District Council.

After discussion, focussing to a large extent on the five criteria underpinning the rationale for proposals included in the Strategy (Location, Usage, Population, Deprivation and Social Isolation) it was **RESOLVED** that the Head of Leadership Support and Community would incorporate the views of the Committee into the consultation response form and agree this with the Chairman of

the Community Leadership Overview and Scrutiny Committee. The completed consultation would also be circulated to all members of the Committee.

3. **REFERENCE REPORT FROM COUNCIL - A.2. CLACTON TOWN COUNCIL**

The Committee had before it a reference report from Council (A.2), which reported to the Committee a motion submitted at the meeting of the Council held on 27 November 2018. Relating to a proposed town council for Clacton-on-Sea and which was referred to the Committee by the Chairman of the Council for consideration and report, in accordance with provisions of Council Procedure Rule 12.4.

Councillor Newton further explained this motion to the Committee, she then left the Council Chamber whilst the Committee deliberated and reached its decision.

After much discussion from the Committee, it was **RESOLVED** that it be **RECOMMENDED TO COUNCIL** that the motion be amended to read;

“This Council, seeks to ascertain the views of the people of Jaywick, Clacton and Holland as to the possible creation of a Town Council or Councils for the currently unparished area of the district and that this be done by way of a question included with the Council tax leaflet.”

4. **CONSIDERATION OF ITEMS FOR MARCH MEETING**

With regards to the next meeting of the Committee, it was **RESOLVED** that;

1. The March Meeting be moved to the 25th February, to allow the Five Year Business Plan for North Essex Garden Communities to be scrutinised.
2. A Reference from Council, forwarded by Councillor Honeywood, regarding enforcement will be scrutinised.
3. Performance Reports for Quarter 3 will be scrutinised.

25 **FEBRUARY 2019**

1. **REFERENCE FROM COUNCIL - A.1 - UTILISATION OF AVAILABLE ENFORCEMENT POWERS TO COMBAT STREET DRINKING AND ANTI-SOCIAL BEHAVIOUR IN CLACTON TOWN CENTRE**

The Committee was aware that, at the meeting of the Council held on 22 January 2019, the following motion had been moved by Councillor P B Honeywood and seconded by Councillor Everett and, in accordance with Council Procedure Rule 12.4, had stood referred to the Committee for consideration and report:

“That this Council looks forward to the new Anti-Social Patrol Officer being appointed and asks that that person works closely with the Police and the dedicated PCSO for Clacton to ensure that all available enforcement powers are utilised to combat street drinking and anti-social behaviour in Clacton Town Centre to the fullest of their ability.”

In accordance with Council Procedure Rule 12.5 Councillor Honeywood attended the meeting and explained the motion. He then responded to Members’ questions thereon.

With the permission of the Chairman, Councillors Everett and McWilliams also addressed the Committee on the subject matter of this item.

Having discussed the motion:-

It was moved by Councillor Coley and seconded by Councillor Yallop that this Committee advised Council that, in its opinion, Councillor Honeywood's motion should not be supported in its original format and that, instead, the following amended motion should be approved:-

"That this Council looks forward to the new Anti-Social Patrol Officer being appointed and asks that that person works closely with the Police and the dedicated PCSO for Clacton to ensure that all available enforcement powers are utilised robustly and effectively (but with appropriate discretion) to combat street drinking and anti-social behaviour in Clacton Town Centre."

Councillor Coley's motion on being put to the vote was declared LOST.

It was then moved by Councillor Raby, seconded by Councillor Skeels Jnr. and:-

RECOMMENDED TO COUNCIL that Councillor Honeywood's motion be approved in its original format.

2. **REPORT OF DEPUTY CHIEF EXECUTIVE - A.2 - PERFORMANCE REPORT OCTOBER - DECEMBER 2019 QUARTER 3**

The Committee had before it a report of the Deputy Chief Executive which presented the Performance Report for Quarter Three (October to December 2018), including the Corporate Plan and Priorities and Projects 2018/19.

Appendix A to that report contained details of the indicators and projects relevant to the terms of reference of this Committee. Those indicators and projects were deemed 'non measurable' as this Council's role was that of 'influence only'.

Members were informed that the Performance Report for Quarter Three had been presented to Cabinet on 15 February 2019. Any feedback from this Committee would be presented to a future meeting of the Cabinet as a separate reference report.

RESOLVED that –

- (a) this Committee recommends to Cabinet that this Council should maximise every opportunity to promote and market the Tendring District Council 'brand' at sports and leisure events and activities held within the District; and
- (b) the contents of the report be noted.

3. **REPORT OF HEAD OF LEADERSHIP SUPPORT AND COMMUNITY - A.3 - REVIEW OF THE YEAR 2018/19 AND WORK PROGRAMME 2019/20 FOR THE COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE**

There was submitted a report by the Head of Leadership Support and Community, which provided the Committee with a review of the work it had carried out in the current municipal year and sought Members' approval to a draft Work Programme for the coming 2019/2020 municipal year for recommendation to the annual meeting of the Council to be held on 21 May 2019.

The Council's Head of Leadership Support and Community reported that Appendix A to the report was a summary of what had been discussed and agreed by the Committee in the municipal year thus far. In addition, Appendix B was a suggested work programme for the new municipal year to which the Committee could add any items it felt were required.

Following discussion, it was moved by Councillor Bush, seconded by Councillor Raby and:-

RESOLVED that -

- (a) the report on the review of the year 2018/19, as detailed in Appendix A to item A.3 of the Report of the Head of Leadership Support and Community be noted; and
- (b) the draft 2019/20 Work Programme for the Community Leadership Overview and Scrutiny Committee, as set out in Appendix B to the aforementioned report, be agreed and submitted to the Annual Meeting of the Council for approval, subject to:-
 1. a discussion on a potential Task and Finish review of Alcohol Abuse being added to the list of items for the 3 June 2019 meeting; and
 2. a further update on the North Essex Garden Communities Five Year Business Plan being added to the list of items for the 2 December 2019 meeting of the Committee.

RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

REVIEW OF WORK CARRIED OUT 2018 – 2019 MUNICIPAL YEAR

FORTHCOMING DECISIONS

- ◆ The Committee, in accordance with the Constitution, reviewed forthcoming executive decisions on a regular basis.

CORPORATE BUDGET AND FINANCIAL FORECAST MONITORING

- ◆ The Committee, at its meetings held on 2 July, 17 September and 29 November 2018 and 18 March 2019, reviewed the Council's budgetary position and latest financial forecast on a quarterly basis and made comments and recommendations to Cabinet, as appropriate.

PERFORMANCE MANAGEMENT

- ◆ On 21 May, 17 September and 5 November 2018 and 11 February 2019 and 12 March 2018 the Committee reviewed the Council's performance management position on a quarterly basis and made comments and recommendations to Cabinet, as appropriate.

21 MAY 2018

1. 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.

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

2. Work Programme 2018/19

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.

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.*

2 JULY 2018

1. Transformation Update

The Deputy Chief Executive (Martyn Knappett) and the Head of Property Services (Andy White) attended the meeting and gave an update of the Transformation Project.

Martyn Knappett reminded the Committee of the background to the project together with an overview of recent progress.

Andy White then gave an update on the four main strands of the project namely IT, HR, Customer Services and Buildings as follows:-

Information Technology

- (1) Cloud Migration;
- (2) Network Redesign;
- (3) Self Service Portals; and
- (4) Proposed Leisure App.

Human Resources

- 3) Policy Reviews;
- 4) E-learning Portal;
- 5) Training; and
- 6) Future Leaders Programme.

Customer Services

- (6) Backscanning;
- (7) Self Service Kiosks;
- (8) Centralised Printing; and
- (9) Centralised Post.

Buildings

- (1) Pier Avenue;
- (2) Barnes House;
- (3) Westleigh House;
- (4) Northbourne depot; and
- (5) Town Hall.

Following a question and answer session, the Committee noted the foregoing.

2. Review of Environmental Issues

The Street Scene Officer (Jon Hamlet) attended the meeting to assist the Committee in reviewing environmental issues in the light of the changes to the Domestic Waste Collection and Recycling Contract and also the Council's current performance with regard to recycling rates.

Jon Hamlet gave a presentation that focused on the following matters:-

- (1) Recycling Rates (%) 2012/13 – 2017/18;
- (2) Refuse (Tonnes) 2012/13 – 2017/18;
- (3) Total Recycling Tonnage (Total Recycled/Total Dry Recycling/Total Compost) 2012/13 – 2017/18;
- (4) Plastic and Cans (Tonnes) 2013/14 – 2017/18;
- (5) Food Waste (Tonnes) 2012/13 – 2017/18;
- (6) Garden Waste Tonnes 2014/15 – 2017/18;
- (7) Paper and Card (Tonnes) 2013/14 – 2017/18;
- (8) Recycling Credits (£68 per tonne); and
- (9) New Service Provision – Alternative Weekly 180 litre bin collection; Projected 8% increase in recycling rates; and alternative provisions considered.

Following a question session, the Chairman stated that due to the lateness of the hour any Member who had a question that they had been unable to submit should email that question to the Head of People, Performance and Projects by the end of the week in order that a response(s) could be collated and then sent to Members of the Committee.

The Chairman also stated that consideration of whether to set up a Task and Finish Working Group to look at waste and recycling matters would be deferred until the next meeting of the Committee.

The Committee noted the foregoing.

30 JULY 2018

1. Terms of Reference – Working Group on Recycling

Further to its discussions on environmental issues at the last meeting (Minute 14 referred), the Committee gave consideration to the terms of reference for the Working Group that would carry out a review of recycling.

It was RESOLVED that the terms of reference, membership et cetera for the Working Group that would carry out a review of recycling be as follows:-

| |
|---|
| Review Topic: INCREASING RECYCLING |
| How does the topic fit with the Committee's Terms of Reference: Refuse collection is probably the most widespread and frequent public facing service provided by the Council. |
| What question is the review aiming to answer: What steps can the Council take to ensure that the maximum possible increase in recycling levels is achieved? |
| Aim / Objectives: To identify measures which the Resources and Services Overview and Scrutiny Committee can recommend to Cabinet for implementation to maximise recycling (and recycling credits paid to TDC). |
| Scope: <ul style="list-style-type: none"> • Review current measures / activities and their effectiveness • Consider successful initiatives by other Authorities / good practice • Consider communications / events / initiatives etc. • Identify most appropriate proposals for Tending to complement the roll out of new working arrangements. • Identify a proposed activity timeline if appropriate. • Conclude with recommendations to the Resources and Services Overview and Scrutiny Committee in a form they can adopt and refer on to Cabinet for consideration. |
| Membership (including officer support): Councillors Everett (Chairman), Alexander, Broderick and Scott Officer Support – Jonathan Hamlet |
| Timescale: Identify proposals for consideration by the Resources and Services Overview and Scrutiny Committee by November 2018. |

2. Corporate Peer Challenge – Action Plan

The Committee was aware that, on 18 May 2018, the Cabinet had considered the Peer Review Action Plan arising from the feedback report on the Local Government Association Corporate Peer Challenge of Tending District Council that had taken place during March 2018. Cabinet had resolved that (minute 151 referred):

(a) the Peer Review Action Plan be approved;

(b) Cabinet notes that further updates will be provided in October 2018 and March 2019; and

(c) the report be referred to the Resources and Services Overview and Scrutiny Committee for its information and review.

In accordance with the Cabinet's decision the Cabinet report referred to above together with the Peer Review Action Plan was attached as Appendix A to the Report of the Deputy Chief Executive for the Committee's consideration.

The Committee had had circulated to it prior to the commencement of the meeting a copy of the LGA Feedback Report.

The Deputy Chief Executive (Martyn Knappett) undertook, in respect of the following, to discuss those matters further with the relevant Officers and to respond to the Committee where appropriate:-

- (1) in relation to Action K4, whether the Head of Finance, Revenues and Benefits could give an update to the December meeting of the Committee;
- (2) in relation to Action K1, the Council's public communications with residents in the west and north of the District; and
- (3) in relation to Action K3, why the Equality Impact Assessments are not due to be completed until at least October 2018.

Having considered and discussed the contents of the Cabinet report and the Peer Review Action Plan it was:-

RESOLVED that the Committee –

- (a) acknowledges the Officers' excellent report based on the LGA's feedback; and*
- (b) expresses its disappointment that the LGA did not involve town and parish councils in the corporate peer review and requests Officers to feed this back to the LGA.*

3. District-wide Tourism Strategy Update

The Head of Sport and Leisure (Mike Carran) attended the meeting and gave an update to the Committee on the production of a new District wide Tourism Strategy.

The update touched on the following:-

- (i) that the Strategy was due to be produced by October 2018;
- (ii) the ever closer working relationships with the private sector and the voluntary sector (such as on successful initiatives like Love Clacton and the Coastal Communities Group) and the lessons to be taken into the Strategy; and
- (iii) new models for marketing and promoting tourism and the importance of "Local Pride" in tourism within the District.

Mr Carran then outlined to the Committee the nine key focuses of the new Strategy, namely:-

- (1) Two tier focus on Events;
- (2) Council's role in facilitating as well as leading on Events;
- (3) Tourism promotion;
- (4) Digital marketing;
- (5) Increasing sector confidence for example through increasing investment;
- (6) Developing the seafront offer;
- (7) Developing the heritage offer for example the Mayflower 400 project;
- (8) Partnership working; and
- (9) Promoting the district for outdoor activity.

The Corporate Director (Operational Services) (Paul Price) then addressed the Committee and emphasised that tourism was a fast moving, agile economy and that this had not been taken into account in the previous Tourism Strategy (2010-16). The private sector had not been involved in the formulation of that Strategy. The Strategy had not focused on the visitor economy from within the District as well as that from outside the District. In the new Strategy there was a greater emphasis on the Council's role of facilitation.

Having considered and discussed the information provided it was:-

RESOLVED that this Committee recommends to Cabinet that –

- (a) *the parish and town councils within the District be included as part of the consultation process on the emerging Tourism Strategy; and*
- (b) *in view of the fact that tourism generates £372million income for the District, additional funding be allocated to the Tourism Section within the Operational Services department in order to ensure that it is fully resourced.*

4. Review of Homeless Provision

The Head of Housing and Environmental Health (Tim R Clarke) attended the meeting to assist the Committee in reviewing the Council's homelessness service provision.

Mr Clarke outlined to the Committee the impact on the Council of recent changes to the statutory duties the Council had in respect of homelessness. Mr Clarke also outlined the recent increases in Government funding awards to the Council in order to assist it in dealing with homelessness.

Having considered and discussed the information provided it was:-

RESOLVED that the information provided by the Head of Housing and Environmental Health be noted.

17 SEPTEMBER 2018

1. Work Programme 2018/2019

At the request of the Chairman, the Committee reconsidered its work programme for 2018/2019 in order to decide the items that will be considered by the Committee; those that should be looked at by a Task and Finish Working Group; those items that should be the subject of an All Member Briefing and those items that should be entirely deleted from the work programme.

Having discussed the matter it was –

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

5 November 2018 – remove Clacton Airshow to an All-Member Briefing.

5 November 2018 – add Recycling – Task and Finish

5 November 2018 – Remove Corporate Budget Monitoring 2018/19 Second Quarter as this report is not going to Cabinet until 9th November 2018.

Add an additional meeting before the meeting of 17th December 2018 for Corporate Budget Monitoring 2018/19 Second Quarter.

5 NOVEMBER 2017

1. Review of the implementation of the new overview and scrutiny arrangements

The Committee discussed its experience of the new Overview and Scrutiny arrangements since their implementation in May 2018 with a view to submitting its comments and/or recommendations to the Finance and Corporate Resources Portfolio Holder's Constitution Review Working Party who would be conducting a review of the new committee structure also introduced in May 2018. Following those discussions it was:-

RESOLVED that the following comments be submitted to the Portfolio Holder's Constitution Review Working Party namely that –

(1) the terms of reference of the Resources and Services and Community Leadership Overview and Scrutiny Committees should be looked at with a view to making them 'more equal' in workload. A suggestion is that leisure and tourism matters could be reallocated to the Community Leadership Committee;

(2) there should be a sharper focus on the remit, scope, responsibilities and expected outcomes of Task and Finish Working Groups. A suggestion is that guidance in the form of an Overview and Scrutiny handbook should be produced;

(3) better attendance of Members at All Member Briefings should be encouraged; and

(4) the Committee reiterates the importance of providing training on overview and scrutiny matters to those Members who have been appointed to serve on an overview and scrutiny committees immediately after the Annual Meeting of the Council in May 2019.

2. Work Programme 2018/2019

Members discussed the following three items that were due to be considered at its next meeting on 29 November 2018:-

- Corporate Budget Monitoring 2018/19 Second Quarter (including update on Financial Forecast)
- Recycling - Task & Finish Group's Final Report
- Tourism Strategy

It was moved by Councillor Scott and seconded by Councillor Amos that the Tourism Strategy be removed from the Committee's work programme and instead be made the subject of an All Members' Briefing, which vote on being put to the vote was declared **LOST**.

It was then:-

RESOLVED that the meeting of the Committee due to be held on Thursday 29 November 2018 will now commence at 7.00 p.m. and not 7.30 p.m. as previously scheduled.

29 NOVEMBER 2018 (SPECIAL MEETING)

1. Tourism Strategy

Pursuant to the provisions of Overview and Scrutiny Procedure Rule 13 and the decision taken by the Committee at its meeting held on 17 September 2018, the Committee scrutinise the emerging Tourism Strategy with a view to submitting its comments and/or recommendations to the Cabinet. Cabinet would then agree a draft Strategy which would go out for further consultation.

The Portfolio Holder for Leisure and Tourism (Councillor Skeels Snr.) and the Corporate Director (Operational Services)(Paul Price) attended the meeting.

The Corporate Director gave a presentation on the emerging Strategy which covered the following matters:-

Scope of Strategy
Establishing the Road Map
Background Strategic Planning Process
Taking Stock
Corporate Road Map
Reviewing the Inputs
Vision
Mission Statement
Strategic Goals
Objectives
Tactics

Strategic Positioning
Corporate Social Responsibility and
Recommendations for Success.

Members raised questions and/or concerns which were responded to by the Corporate Director and/or the Portfolio Holder.

The Committee noted the contents of the presentation.

2. Final Report of Task and Finish Working Group on Recycling

The Committee recalled that, at its meeting held on 30 July 2018 it had, inter alia, agreed the brief for a Task and Finish Working Group to undertake a review of recycling, with a view of finding ways to increase recycling rates within the District. That Group had comprised four members of the Committee (Councillors Alexander, Broderick, Everett and Scott) with Councillor Everett acting as its Chairman.

It was reported that the Working Group had now completed its review and its detailed report was attached at Appendix A to item A.1 of the Report of the Head of People, Performance and Projects.

Having considered and discussed the Working Group's report:-

It was moved by Councillor Scott, seconded by Councillor Miles and:-

RESOLVED that the contents of the Working Group's report be endorsed and that the Committee RECOMMENDS TO CABINET that:

- 1) The Portfolio Holder writes to every school across Tendring (Primary, Secondary and Colleges) to ask them what they do to support the recycling agenda and encourage recycling within their individual establishments.*
- 2) Any future publications regarding recycling are clear, concise, with hints and tips to encourage recycling.*
- 3) A cross party working group is established to review the recycling and waste needs across the District. This should be undertaken two years prior to any new contract.*

The Committee thanked Councillor Everett and the Task and Finish group members for all their hard work.

17 DECEMBER 2018

1. Updated Financial Forecast and Budget 2019/20

The Committee's comments were sought on the updated Financial Forecast/Budget 2019/20, which had been approved at the meeting of the Cabinet held on 14 December 2018. The Committee was aware that an updated financial forecast for 2019/20 had been prepared which reflected changes since Members had last considered the forecast in November 2018.

The Chief Executive (Ian Davidson) attended the meeting and informed the Committee that the Local Government Finance Settlement had now been received from the Government. Whilst the Settlement would be difficult for those authorities who had adult social care responsibilities (such as County Councils and Unitary Councils), Tendring District Council had been pretty accurate in its predictions and therefore no major changes were required to the Cabinet's initial budget proposals. He stated that this Council's move to a 'rolling' ten year financial forecast had proved to be a 'boon' in that it had helped to protect a lot of frontline services with its ability to average out savings across the ten year profile. Mr Davidson was pleased to report that the Council had met its £300,000 savings target for 2019/20 and that the ongoing aim was to beat this on an annual basis.

The Chairman thanked the Chief Executive for his attendance and Mr Davidson then left the meeting.

The Finance and Corporate Resources Portfolio Holder (Councillor G V Guglielmi) attended the meeting and stated that he was pleased that the Council's bold approach and robust ten year financial forecast had enabled it to meet its savings target over the last two years more than comfortably. This had enabled the Council to invest in the following:-

- (1) Phase 3A Broadband;
- (2) Harwich Realm, and
- (3) Garden Communities.

In addition, the Council had monies in reserve to meet any difficulties arising with Universal Credit and the business rates retention. Councillor Guglielmi referred to the new culture of constant review of expenditure where by cost pressures and areas for potential savings which required hard decisions could be identified and actioned with no cuts to services. Finally, Councillor Guglielmi referred to the level of planning income which had plateaued due to a decline in the number of planning applications.

Councillor Guglielmi then responded to questions put to him by Members. The Chairman thanked Councillor Guglielmi for his attendance and Councillor Guglielmi then left the meeting.

The Head of Finance, Revenues & Benefits Services (Richard Barrett), outlined the changes in the financial forecast since it had last been considered plus the possible implications for the future. Mr Barrett also informed the Committee that a New Homes Bonus of £1.18 million was available for one-off expenditure by the Cabinet.

Mr Barrett, together with the Head of People, Performance and Projects (Anastasia Simpson), then responded to Members' questions.

The Committee then adjourned for lunch (Noon – 12.50 p.m.). Following that adjournment the Committee resumed and considered the following matters:-

Mr Barrett outlined to the Committee the Initial Net Savings Items 2019/20 and responded to Members' questions thereon.

Mr Barrett then drew to the Committee's attention the Updated Cost pressure Summary for 2019/20 and responded to Members' questions thereon.

Councillors Baker and Stephenson each declared a Personal Interest when the Committee's discussions touched on the subject of Disabled Facilities Grants insofar as both had close family members who had been in receipt of a Disabled Facilities Grant.

Following a discussion of the day's events the Chairman adjourned the meeting until 9.30 a.m. on Thursday 3 January 2019 at which time the Committee would ask questions of members of the Cabinet with regards to service delivery matters related to items in the Financial Forecast that were relevant to their respective portfolios. The Committee would then decide what comments and/or recommendations it wished to submit to Cabinet in relation to the updated Financial Forecast/Budget 2019/20.

3 JANUARY 2019

1. Scrutiny of Members of the Cabinet in respect of service delivery of items in the Financial Forecast

Following the adjournment of its meeting held on 17 December 2018, the Committee resumed its scrutiny of the Financial Forecast / Budget proposals for 2019/20 as follows:-

Members of the Cabinet, accompanied by the appropriate Management Team Member, attended the meeting in turn and answered questions put to them by the members of the Committee.

Having considered all of the information that had been given to the Committee and having reconsidered the possible comments and recommendations to Cabinet that had been discussed at the meeting held on 17 December 2018:-

It was RESOLVED that the following are the Committee's final and definitive COMMENTS/RECOMMENDATIONS to be submitted to the Cabinet:-

1. *The Cabinet, via the LGA, lobbies Government about local business rates and how much that can be retained by local Councils. The Council expects to be able to retain as much as possible from the business rates collected locally, so that funding can be used to support key priorities such as the eradication of coastal deprivation across the Tendring area.*
2. *That Cabinet supports the continuation of the Grant Co-Ordinator post. Ideally the post should be funded from external funds. However, if this is not possible it is recommended that the Cabinet given serious consideration to the continuation of this post through alternative resources.*
3. *The Milton Road car park business case should be considered as part of the wider Harwich public realm review.*

The Committee Comments that;

3. *The Government wants local Councils to be self-sufficient and Tendring District Council, alongside other Councils, does not want to have to rely on government funding. A fair deal is required for local Councils to enable this to be achieved.*

11 FEBRUARY 2019

1. Review of the Beside the Seaside Festivals 2018

The Council's Head of Sport and Leisure (Mike Carran) attended the meeting and gave a presentation to the Committee which reviewed the Beside the Seaside Festivals in 2018.

Mr Carran's presentation included the following matters:-

(1) Objectives

- Maximisation of tourist opportunities through events;
- "book-end" the summer season with the Clacton Air Show;
- Raise the profile of the 'Blue Flag' beach in Dovercourt Bay; and
- Work with partners.

(2) The Event

- Traditional seaside entertainment;
- Live music/entertainment;
- 'Have a Go' activities; and
- Engagement with community groups.

(3) The 'Big Issues'

- An additional community event in Frinton-on-Sea;
- Recycling money;
- Attendance;
- Cost of the event;
- Economic impact on the local economy; and

- The weather.

(4) Learning points for 2019

- Revert to an earlier month for Clacton (i.e. June rather than July);
- Work closely with local businesses;
- Dovercourt event was too 'spaced out';
- Work towards financial sustainability; and
- Investigate possibilities of linking with other events.

Mr Carran then responded to Members' questions on his presentation.

The Chairman then thanked Mr Carran for his attendance and the information that he had provided to the Committee.

2. Annual Treasury Strategy for 2019/20 (including the Prudential and Treasury indicators)

The Committee's comments were sought on the Annual Treasury Strategy for 2019/20 (including the Prudential and Treasury indicators).

It was reported that on 5 February 2019, the Finance and Corporate Resources Portfolio Holder had agreed the Annual Treasury Strategy for 2019/20 (including the Prudential and Treasury Indicators) for consultation with the Resources and Services Overview and Scrutiny Committee.

Members were aware that the Local Government Act 2003 and supporting regulations required the Council to set out its treasury strategy for borrowing, and to prepare an Annual Investment Strategy (as required by Investment Guidance subsequent to the Act) that set out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments, "having regard" to the Chartered Institute of Public Finance and Accountancy's (CIPFA) Prudential Code and the CIPFA Treasury Management Code of Practice. Revised editions of both those documents had been issued in December 2017.

The Committee was informed that the revised guidance issued in 2017 also required the Council to update its Capital Strategy annually. Rather than produce two separate documents and as they were closely linked the Capital Strategy had been combined with the Treasury Strategy in one document.

It was reported that the Capital Strategy element of the combined document covered the various elements surrounding capital investment decisions and the key criteria that investment decisions should be considered against.

Similarly, the Treasury Strategy element of the combined document covered the various elements that satisfied the requirements of the various codes that governed the borrowing and investment activities of the Council and had been prepared in the light of advice received from the Council's Treasury advisors and reflected the latest codes and guidance.

Members were advised that under the Prudential Code the Council had freedom over capital expenditure as long as it was prudent, affordable and sustainable. The Prudential Indicators either measured the expected activity or introduced limits upon the activity, and reflected the underlying capital appraisal systems and enabled the Council to demonstrate that it was complying with the requirements of the Prudential Code.

The Committee was reminded that the Council's investments would be undertaken in accordance with its Treasury Management Practices. Those had been expanded to include use of non-specified investment in property to yield both rental income and capital gains from 2016/17. If credit ratings remained at their current low levels it was likely that a significant proportion of the Council's investments would continue to be in Government securities such as Treasury Bills or with other Local Authorities. However, other 'quality' investment opportunities would be explored in

consultation with the Council's external advisors in order to maximise returns on investments within a continuing and overall risk-averse approach.

A copy of the report submitted to the Portfolio Holder together with the proposed Annual Capital and Treasury Strategy for 2019/20 (including the Prudential and Treasury Indicators) was attached as an appendix to item A.2 of the Report of the Deputy Chief Executive.

The Head of Finance, Revenues & Benefits Services informed the Committee that as the 2018/19 Annual Treasury Strategy had already reflected many of the new requirements only minor updates had been necessary for the 2019/20 Strategy, namely the inclusion of the Capital Strategy within the combined document. No other significant changes were proposed in the Annual Capital and Treasury Strategy for 2019/20 with limited amendments in areas such as the general economic outlook and interest rate forecasts, with the Council maintaining a very low risk appetite approach to its treasury activities.

RESOLVED that the Committee both notes the contents of the Annual Capital and Treasury Strategy for 2019/20 and agrees that it does not need to submit any comments for the Cabinet's consideration.

18 MARCH 2018

1. Review of the Year and Work Programme for 2019/20

There was submitted a report by the Deputy Chief Executive (report A.2), which provided the Committee with a review of the work it had carried out in the current municipal year and which also sought Members' approval to a draft Work Programme for the Committee for the coming 2019/2020 Municipal Year for recommendation to the Annual Meeting of the Council to be held on 21 May 2019.

The Council's Head of People, Performance and Projects explained that Appendix A to the report was a summary of what had been discussed and agreed by the Committee in the municipal year thus far.

Members were informed that the Resources and Services Overview and Scrutiny Committee would undertake discrete researched and evidenced reviews of the effectiveness of:

- Financial Forecast
- Budget setting and monitoring (including the General Fund and Housing Revenue account)
- Service Delivery and Performance (where not delegated to the Community Leadership Overview and Scrutiny Committee)
- Procurement and Contract Management
- Transformation and Digital Standards
- Customer Service and Standards

Meetings of task and finish groups could be called as required following the terms of reference being agreed by the Committee.

The Committee was aware that, under the Overview and Scrutiny Procedure Rules, the Constitution stated, in relation to the Work Programme (Rule 7), that:

"Each Overview and Scrutiny Committee will submit a work programme for the year ahead and a review of the previous year's activities to the Annual Meeting of the Council for approval. In addition, it will be responsible for coordinating and prioritising its work programme on an ongoing basis.

In preparing, coordinating and prioritising its programme, each Overview and Scrutiny Committee will take into account:-

- *the General Role and Principles of undertaking its functions, as set out in Part 2, Article 6 of the Constitution;*
- *the planned work on the preparation of elements of the Budget and Policy Framework, as set out in the Council's Business Plan;*
- *the need for statutory timetables to be met;*
- *the wishes of all members of the committee;*
- *requests from the Cabinet to carry out reviews; and*
- *Requests from Group Leaders in accordance with Rule 8.”*

The Head of People, Performance and Projects stated that Appendix B was a suggested work programme for the new Committee and she invited the Committee to add any extra items it felt were required.

Following discussion by the Committee:-

It was moved by Councillor Stephenson, seconded by Councillor Scott and:-

RESOLVED that:

- (a) the report on the review of the municipal year 2018/19, as detailed in Appendix A to item A.2 of the report of the Deputy Chief Executive, be noted; and
- (b) the draft 2019/20 Work Programme for the Resources and Services Overview and Scrutiny Committee, as set out in Appendix B to the aforementioned report, be agreed and submitted to the Annual Meeting of the Council for approval, subject to the additional items being incorporated therein:-

29 July 2009 – add Review of the Council's Public Convenience Strategy; NEGC Business Plan 2019 – 2022; and Review of the Business Class for the future of publicly owned Leisure Centres within the District.

17 February 2020 – add Scrutiny of the implementation of the new Waste and Recycling Collection Service.

CALL-INS

- ◆ The Committee considered no call-ins during 2018/19.