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**MINUTES OF THE MEETING OF THE CABINET,  
HELD ON FRIDAY, 8TH NOVEMBER, 2019 AT 10.37 AM  
ESSEX HALL - TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

**Present:** Councillors Neil Stock OBE (Leader of the Council)(Chairman), Joy Broderick (Independent Living Portfolio Holder), Carlo Guglielmi (Deputy Leader of the Council and Corporate Finance & Governance Portfolio Holder), Paul Honeywood (Housing Portfolio Holder), Lynda McWilliams (Partnerships Portfolio Holder) and Michael Talbot (Environment and Public Space Portfolio Holder)

**Group Leaders Present by Invitation:**

Councillors Terry Allen (Leader of the Tendring First Group), Ivan Henderson (Leader of the Labour Group), Gary Scott (Leader of the Liberal Democrats Group), Mark Stephenson (Leader of the Tendring Independents Group) and Graham Steady (Deputy Leader of the Independent Group)

**Also Present:** Councillors Delyth Miles and Gina Placey

**In Attendance:** Ian Davidson (Chief Executive), Martyn Knappett (Deputy Chief Executive (Corporate Services)), Paul Price (Corporate Director (Operational Services)), Ewan Green (Corporate Director (Planning and Regeneration)), Lisa Hastings (Head of Governance and Legal Services & Monitoring Officer), Richard Barrett (Head of Finance, Revenues and Benefits Services & Section 151 Officer), Keith Simmons (Head of Democratic Services and Elections), Anastasia Simpson (Head of People, Performance and Projects), Ian Ford (Committee Services Manager & Deputy Monitoring Officer) and Matt Cattermole (Business Support Assistant)

**59. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Jayne Chapman (the Leader of the Independent Group), Mary Newton (the Portfolio Holder for Business and Economic Growth) and Alex Porter (the Portfolio Holder for Leisure and Tourism).

**60. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the Minutes of the meeting of the Cabinet held on Friday 11 October 2019 be approved as a correct record and be signed by the Chairman.

**61. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this time though later on in the meeting during the discussions on report A.1 – Ground Maintenance (including Weed Spraying) in Tendring – when such discussions touched on the subject of £100,000 match funding by Essex County Council, Councillors G V Guglielmi, I J Henderson, P B Honeywood and M E Stephenson each declared a personal interest insofar as they were both Essex County Councillors and also members of the Local Highways Panel which had decided

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to make the award of the aforementioned £100,000 to Tendring District Council for highways tree and verge maintenance.

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

Parliamentary General Election – Thursday 12 December 2019

The Leader of the Council (Councillor Stock OBE) referred to the forthcoming Parliamentary General Election on 12 December 2019 and informed Members that the closing date for submission of candidates' nomination papers was Thursday 14 November 2019. He also reminded Members of the need to be sensitive during the debates and discussions of items due to the rules of 'purdah'.

**63. ANNOUNCEMENTS BY CABINET MEMBERS**

There were none on this occasion.

**64. MATTERS REFERRED TO THE CABINET BY THE COUNCIL**

There were none on this occasion.

**65. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.1 - GROUND MAINTENANCE (INCLUDING WEED SPRAYING) IN TENDRING**

During the discussions on this item when such discussions touched on the subject of £100,000 match funding by Essex County Council, Councillors G V Guglielmi, I J Henderson, P B Honeywood and M E Stephenson each declared a personal interest insofar as they were both Essex County Councillors and also members of the Local Highways Panel which had decided to make the award of the aforementioned £100,000 to Tendring District Council for highways tree and verge maintenance.

Cabinet was informed that, at the meeting of the Resources and Services Overview and Scrutiny (RSOS) Committee held on 29 July 2019 (Minute 16 referred) that Committee had had before it a report of the Head of Public Realm – A.3 – Ground Maintenance (Including Weed Spraying) in Tendring, which had presented to the Committee the Council's procedure on Ground Maintenance (Including Weed Spraying). The Council's Head of Public Realm and the Open Space and Transport Manager had attended that meeting to present the report to the Committee and to answer any questions Members raised.

The advantages generally for the District, its residents and visitors of key gateway sites and routes being well maintained was a focus for discussion at the Committee meeting. Those sites included the vicinity of Railway Stations.

The RSOS Committee had been advised that many areas of land adjacent to the highway were the responsibility of the Highways Agency, others were directly the responsibility of the Essex County Council and others were the responsibility of the Council under its agreement with the County Council. In broad terms, of the £100,000 received from Essex County Council and referenced in the report, £20,000 related to highway weed spraying, £40,000 for highway verge maintenance and £40,000 to highway tree maintenance. The Committee also considered the role of a range of

Parish and Town Councils in the area who undertook measures to maintain open spaces.

Having considered and discussed the report the RSOS Committee had decided to recommend to Cabinet that:

- *“£50,000 should be available for works to be carried out in the Tendring District’s area to improve the look of the area for visitors and improve the quality of life for residents; and*
- *Discussions be held with Town and Parish Councils in the District about opportunities to best achieve the stated aims.”*

Cabinet had before it the Environment and Public Space Portfolio Holder’s response to the RSOS Committee’s recommendations which was as follows:-

*“I thank the Committee for the points that they raise, which are timely, given similar work is already underway within the Council.*

*In terms of improving the look of the area that the Committee refers to, additional funding has already been identified for 4 additional posts – 2 within Public Realm and 2 within Building and Engineering services. The activities of these roles will include grass verge and tree maintenance, additional planting and landscaping opportunities and weed control as well as the ability to join up to create a hit team able to respond quickly to issues relating to public realm in sensitive areas. Further to this, the additional posts will provide a welcome extra resource to the public realm team and its overall work. The additional posts within the Engineering Service will create team that will be responsible for improving and maintaining the cleanliness of a number of Town Centres supporting the recently purchased steam cleaning machine. This team will also be responsible for minor repairs to pavements and street furniture and will look to respond quickly to remedy repair issues as they arise.*

*As part of developing these enhanced services, it would seem sensible to talk to Town and Parish Councils to achieve the required aims.*

*The Committee’s comments also overlap to some extent with the additional £50k match funding contribution proposed within Appendix H of the Financial Performance Update report elsewhere on today’s agenda. This should lever in an additional contribution of £100k from ECC to support highways improvement works which should also make a positive contribution to the overall look of the area.*

*Given that the 4 additional posts have only recently been agreed, improvements will not be visible until the associated officer restructures have been fully implemented. However once the officers are in place we should see some really positive changes which hopefully addresses the point raised by the Committee.”*

Having considered the recommendations made by the RSOS Committee and the response of the Environment and Public Space Portfolio Holder thereto:-

It was moved by Councillor Talbot, seconded by Councillor Broderick and:-

**RESOLVED**, that Cabinet notes the Resources and Services Overview and Scrutiny Committee's recommendations and endorses the response of the Environment and Public Space Portfolio Holder thereto.

**66. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.2 - SCRUTINY OF ELEMENTS OF COMMUNITY SAFETY**

Cabinet was informed that, further to the concerns raised at the meeting of the Community Leadership Overview and Scrutiny (CLOS) Committee on 1 July 2019 (Minute 55 referred), that Committee had sought to examine Community Safety issues at its meeting held on 7 October 2019. The several elements of Community Safety that were to be scrutinised at this meeting included:-

*(a) An outline of the challenges and priorities over the coming period as identified by the new Divisional Police Commander and an assessment of the issue of County Lines/Cuckooing etc. and the proliferation of drugs and the response to it.*

*(b) Anti-Social Behaviour – looking at data on this, hot spots in the District and changes over time. The outcome of the partnership funding of £10,000 by this Council/Essex Police for additional police patrols in July/August (did it work, how did it compare with 2018, what would be the impact if not repeated in 2020 etc.), delivery of the new Anti-Social Patrol Officer (looking at the justification for the post and how it had operated, had it delivered against the rationale for being established), and the arrangements for and work involved in Community and Street Action Days – are their measures of their success?*

In addressing the elements identified for scrutiny at this meeting, Tendring Community Policing Team Inspector Darren Deex had been present at the meeting. He provided the CLOS Committee with a presentation and outlined the four key challenges and priorities for the Force locally were:

- Reducing Serious Violence / Knife Crime,
- Tackling County Lines & Drug Supply,
- Protecting Vulnerable People,
- Community Engagement,

The presentation had then addressed all of the above separately. In respect of community engagement it was noted that the Police would produce a regular briefing document that would be sent to all Councillors advising them of key facts and progress against the above key challenges/priorities. Community engagement by the Police in Jaywick Sands was specifically touched upon at the meeting.

Details of Operation Spider were provided to the Committee. This Operation had been put in place with matched funding from this Council and Essex Police to provide £20k towards additional policing of Clacton Town Centre between 1st July and 3rd September 2019. Against the objective of Operation Spider, the Committee was advised that in 2018 there had been a decline in anti-social behaviour in Clacton Town Centre; this had risen in 2019 back to similar levels as there were in 2017. However, this was mainly originating with one individual. If that additional presence had not been provided, the response to that spike in criminal behaviour would have further impacted on visible policing across the District as officers sought to respond to it. In this case, the response

of the Police would also not have been as effective as it was this year due to the Council's funding. The response of the Police to the spike in criminal behaviour appeared to have been well received by businesses in the Clacton Town Centre area. Though the perception and fear of crime in Clacton Town Centre at night and the impact on the late evening and night time economy in that Town Centre remained an issue to be addressed.

The Council's Safer Communities Manager also attended that Committee meeting and presented to the Committee information on: Community Safety Priorities, the Safer Communities Team, The Anti-Social Behaviour Patrol Officer, and Street Action Days.

In respect of the new Anti-Social Behaviour Patrol Officer in Clacton Town Centre, the Committee was advised that the post holder had been in post for 30 days. The following were indicators of the work in that 30 day period:

- The work pattern was 3 day time shifts, 3 late shifts followed by 3 rest days – giving a 9 day shift pattern )
- 68.5 hrs - Foot Patrol Hours
- 30.5 hrs – Admin / Briefings / Intelligence Gathering
- 6 Verbal Warnings for ASB (cycling, flytipping, kicking street furniture, fire in rubbish bin on promenade – youths caught and taken home and advice given to parents)
- 21 PSPO Warnings (begging / street drinking / loitering)
- 19 knife sweeps in town centre and periphery
- 122 active engagements with members of public and businesses

The presentation also referenced the seven Street Action Days co-ordinated by the Community Safety Team this calendar year; in Jaywick Sands, Walton-on-the-Naze, Harwich and Clacton Town Centre (Pier Ward). The numbers of streets canvassed, agencies involved, forms completed and referrals made were reported to the Committee.

The positive early evidence from the deployment of the newly established Anti-Social Behaviour Patrol Officer post at the Council had been welcomed by the CLOS Committee and the Committee had recorded that the Cabinet decision to approve the funds for this to be a permanent position appeared to be justified by this early evidence.

The Committee also noted the evidence that had been received from Operation Spider.

The Committee had further welcomed the announcement by the Police of monthly written briefings that will be circulated to Councillors (amongst others) as a exercise in community engagement by the Police.

The CLOS Committee had decided to recommend to Cabinet that it looked favourably on any application received for achieving the same level of high visibility policing over the summer in 2020 in Clacton Town Centre as has been provided in 2018 and 2019. This level of high visibility Policing had been referenced as 'Operation Spider'.

Cabinet had before it the Partnerships Portfolio Holder's response to that recommendation which was as follows:-

*“The scrutiny of the Cabinet’s decisions around jointly funding the increased Police presence in Clacton Town Centre in the summer, given the operation name Spider, and to provide funding for a continuing post of Anti-Social Behaviour Patrol Officer is welcomed. From the evidence presented to the Committee, both decisions seem to have been fully justified. Going forward, we are as committed as ever to work with our partners to address anti-social behaviour and provide a safe environment for the communities we serve.*

*In terms of specific request around a repeat of operation spider in the summer of 2020, if an application for funding is received, it will definitely be reviewed in light of its success over recent years. However, the funding of such initiatives need to be considered in a more joined up way and measured against other items that help us meet the wide range of priorities set out within the emerging corporate plan. Therefore, I would like to see this item included in the action plan that will be developed early in 2020 to deliver against those priorities once the Corporate Plan is in place. This would also be consistent with the point set out in the financial performance report on today’s agenda that seeks to bring together a range of items we would like to invest in across the whole Council that can then be considered together.”*

Having considered the recommendation made by the CLOS Committee together with the response of the Partnerships Portfolio Holder thereto:-

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

**RESOLVED**, that Cabinet notes the Community Leadership Overview and Scrutiny Committee’s recommendations and endorses the responses of the Portfolio Holder for Partnerships thereto.

**67. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.3 - NEW STATUTORY SCRUTINY GUIDANCE**

Cabinet was informed that, at the meeting of the Community Leadership Overview and Scrutiny (CLOS) Committee held on 7 October 2019 that Committee had received a report of the Head of Democratic Services and Elections – New Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities. An identical report had been submitted to the Resources and Services Committee on 29 July 2019.

The CLOS Committee had been advised that, on 7 May 2019, the Government had published new statutory guidance on overview and scrutiny in local and combined authorities. The guidance itself had been issued following the report of the House of Commons’ Communities and Local Government Committee of 15 December 2017 into the ‘Effectiveness of Local Authority overview and scrutiny committees’. The Council’s Constitution already set out its compliance with statutory requirements for overview and scrutiny committees, the appointment of Members of those Committees, the appointment of Chairmen and Vice-Chairmen of the same, the procedures for such matters as call-in, and work programming, access to information for Members of the committees and Member-Officer protocols etc. Officers would consider the statutory guidance in their work, whilst the Monitoring Officer would ensure that the constitution was kept up-to-date.

The Committee was also made aware that training for officers who presented or wrote reports for Committees and Cabinet was being proposed for the forthcoming period and that it was intended that this training would also reference the new statutory guidance.

Cabinet was made aware that the CLOS Committee's debate on this item had referenced the extent to which there was 'parity of esteem' between the executive and scrutiny elements of the decision making processes of the Council. The promotion in the guidance of the development of an Executive-Scrutiny protocol to embed a positive and productive culture of collaborative working that respected the independence of those two elements was commented upon. The Committee also recorded that it would be mindful of the new statutory scrutiny guidance when it undertook its work.

The CLOS Committee had decided to recommend to Cabinet that it received the new Statutory Guidance on Scrutiny in Councils and that it considered the potential of developing an Executive-Scrutiny Protocol in order to address the way in which both will work together for the benefit of the Council as a whole while confirming the independence of both elements of the decision making process of the Council.

Cabinet had before it the Corporate Finance and Governance Portfolio Holder's response to the CLOS Committee's recommendation which was as follows:-

*"It is clear that the Committee were aware of the existing provisions in the constitution that provide for a robust and independent scrutiny function at this Council. The receipt of the Statutory Guidance is timely for us all to reflect on the arrangements we have and the opportunity to improve upon them in a collaborative way. This collaborative approach was one that worked really well in the review of the Constitution at the end of last year and earlier this year. In fact we will be picking up that work again soon as we undertake the review promised after 6 months of operation of the changes to the constitution and, specifically, to the full Council Procedure Rules. The invitation for Cabinet to consider a possible Executive-Scrutiny Protocol as referenced in the Ministerial Guidance is one I would want to integrate into the process around the 6 month review of the changes to the constitution. The working group will, by its nature, involve Cabinet and Scrutiny Committee Members and so will be good forum to examine the potential advantages of a new protocol. Obviously, I would then want to broaden the discussion around any protocol with all the Members of the Overview and Scrutiny Committee Members and Cabinet colleagues before any final recommendations are submitted."*

Having considered the recommendation made by the CLOS Committee together with the Corporate Finance and Governance Portfolio Holder's response thereto:-

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

**RESOLVED**, that Cabinet notes the Community Leadership Overview and Scrutiny Committee's recommendation and endorses the responses of the Portfolio Holder for Corporate Finance and Governance thereto.

68. **MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.4 - REVIEW OF THE BUSINESS CASE FOR THE FUTURE OF PUBLICLY OWNED LEISURE CENTRES WITHIN THE DISTRICT**

Cabinet was informed that, at the meeting of the Resources and Services Overview and Scrutiny (RSOS) Committee held on 14 October 2019 (Minute 30 referred) that Committee had received a presentation from the Council's Head of Sport and Leisure on the development of the proposed Business Case for the future of publicly owned leisure centres within the District. He had advised the RSOS Committee that later in this calendar year there was intended to be consideration by Cabinet of a 10 year Strategy for sports facilities in the District as provided by the Council. The underpinning themes of the new Strategy were reported as:

- (1) *Securing the financial sustainability of the Council's leisure and sports facilities.*
- (2) *Seeking to harness the work being undertaken with Sport England to break the cycle of inactivity and consequential health problems and design services that will align with the outcomes of the project.*
- (3) *Adjusting the service offer and pricing policy to respond to the changing market in leisure facility provision nationally and attract more users.*

He had also pointed out to the Committee that the agreement for joint use facilities in Brightlingsea, Harwich and Manningtree had a term that would come to an end in the next 2-3 years.

The RSOS Committee had been advised that the Football Foundation had identified the appropriateness of 3<sup>rd</sup> generation artificial pitches (3G pitches) in Clacton, Harwich and Walton and that the Council would work with partners to respond to the Foundation's assessment.

In addition, each project under the intended Business Case for the future of publicly owned leisure centres within the District would need to be separately assessed and approved in the same way as the project for asset investment for Clacton Leisure Centre had been when it had been considered by Cabinet on 11 October 2019.

Several Members of the RSOS Committee had asked questions about the financial basis of the proposals on Clacton Leisure Centre asset investment. Likewise there were questions about the timing of the project in view of the peak in gym memberships occurring in January each year. There were concerns expressed about the absence of consultation with Members and users of the Centre about the proposals and issues such as disabled access to different areas within the Centre based on the proposals. Questions also spanned the potential for use of the photo-voltaic cells on the roof of the Centre to generate electricity.

There had been further questions around procurement and contract management for the project; given the previous experience of works at the Centre (a lift near the Spa Pool that failed to work repeatedly).

The Head of Sport and Leisure informed the Committee that there had been some slippage in the scheme programme and that it was now unlikely to commence at the end of November 2019. The duration of the project was reported as being five weeks.

The RSOS Committee had decided to recommend to Cabinet that:-

- (1) *That the asset improvement works to Clacton Leisure Centre as approved by the Cabinet Committee on 11 October 2019 not be commenced until after the end of January 2020 and that before those works commence consultations are*

*undertaken with Members and other users of the Leisure Centre on the works and the findings of those consultations reported on and considered; and*

- (2) *That the detail of the cost implications of the individual elements of the project be fully reported on and considered.*

Cabinet had before it the Leisure and Tourism and the Corporate Finance and Governance Portfolio Holders' joint response to the RSOS Committee's recommendations which was as follows:-

*"We can confirm that the refurbishment works will not commence until after January 2020. Once the wider Sports Facilities Strategy has been considered by Cabinet in December, a decision over what consultation is appropriate in relation to this project will be made. Furthermore, once proposals have been provided by contractors and details are subsequently developed for energy efficiencies, we would be happy to share details with the Overview and Scrutiny Committee."*

Having considered the recommendations made by the RSOS Committee together with the Portfolio Holders' response thereto:-

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

**RESOLVED**, that Cabinet notes the Resources and Services Overview and Scrutiny Committee's recommendations and endorses the joint response of the Portfolio Holders for Corporate Finance and Governance and Leisure and Tourism thereto.

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

There were none on this occasion.

**70. CABINET MEMBERS' ITEMS - REPORT OF THE PARTNERSHIPS PORTFOLIO HOLDER - A.5 - UPDATE ON COMMUNITY PROJECTS**

The Cabinet gave consideration to a detailed report of the Partnerships Portfolio Holder (A.5) which provided it with an update on community projects relating to Health and Wellbeing, Education, Community Safety and Regeneration, and which also sought its endorsement of those projects.

Members were aware that the Council's Corporate Plan 2020-2024 put Community Leadership at the heart the Council's activities and that within this context a number of projects were being undertaken to support the Health and Wellbeing, Education, Regeneration & Skills and Community Safety agendas across the District.

Current specific projects being undertaken included:-

Education

- Wellbeing Hub - Gt Bentley Primary School
- Recruitment & Retention of Teachers
  - North East Essex Teacher Training
  - Teach First
- IntoUniversity

- Education Newsletter
- Marathon Kids

#### Health and Well-being

- Sport England Local Delivery Pilot (LDP)
- Health and Wellbeing Board
- Mental Health
- Housing/Mental Health

#### Community Safety

- Walk Online Roadshow
- Water Safety Event
- Street Action Days (SAD)
- Hate Crime Ambassador Training

#### Regeneration

- Dig4 Jaywick Community Garden
- Junior Ambassadors Project
- Holiday Fun
- Princes Youth Theatre
- Art donation
- Creative & Cultural Strategy

Cabinet was advised that the projects identified above would continue to form the subject of regular updates to the Portfolio Holder and at All Member briefing sessions. In addition, engagement in those areas was supplemented by the work of the Community Leadership Overview and Scrutiny Committee which provided overview and scrutiny of those sectors as part of its work programme.

Having considered all of the information provided within the report and its appendices:-

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

**RESOLVED** that –

- a) Cabinet endorses the reported projects as those which will continue to be delivered in 2019/2020 in support of the Council's Corporate Plan priorities; and
- b) those projects be monitored through the Council's quarterly performance report together with any future projects agreed with the Partnerships Portfolio Holder.

**71. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.6 - PERFORMANCE REPORT: JULY TO SEPTEMBER 2019 (QUARTER 2)**

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.6) which presented it with the deliverables and measurable outcomes

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for the Cabinet's agreed Priorities and Projects 2019/20, as well as reporting the current position as at Quarter Two (July – September 2019).

Members recalled that the Performance Reports (*Resources & Services and Community Leadership*) set out the detailed actions and targets for the delivery of the Council's priorities throughout the year by including both the Council's emerging Corporate Plan 2020/24 and Priorities and Projects for 2019/20.

Cabinet was aware that, at its meeting held on 19 July 2019, it had approved the Priorities and Projects for 2019/20. It had also been agreed that the next phase of this work would be to develop specific deliverables (for the priorities and projects) in consultation with the relevant Portfolio Holders and that those would be incorporated into the Performance Report(s) in line with the Quarter Two timetable and presented to Cabinet, so Cabinet could endorse those deliverables before they were subject to wider scrutiny.

It was reported that Officers, now the drafting process had been completed, had submitted the Performance Reporting Template(s), including the deliverables and measurable outcomes, to Cabinet for its formal approval and adoption, as well as reporting the current position as at Quarter Two (July – September 2019).

In respect of the Quarter 2 position (*as reported in the Resources and Services Performance Report*) Members were informed that of the 22 indicators and projects where performance was measured, 19 (86%) were on, or above, their expected target, 1 indicator (5%) was not currently in line with expected performance and for 2 indicators (9%) there was currently no data available. The indicators and projects highlighted in the *Community Leadership Performance Report* were deemed 'non measurable' as the Council's role was that of 'influence' only.

Cabinet was advised that the respective reports were due to be presented to the Resources and Services Overview and Scrutiny Committee on 28 November 2019 and to the Community Leadership Overview and Scrutiny Committee on 2 December 2019.

#### Transforming Tending Project

Cabinet also received an update within the Portfolio Holder's report on the current progress of the transformation project in Clacton-on-Sea which touched on the following areas:-

- (1) Pier Avenue Offices;
- (2) Barnes House Link;
- (3) Northbourne Depot;
- (4) IT and Channel Shift;
- (5) Westleigh House demolition;
- (6) Town Hall Phase 1 structural works; and
- (7) Scanning and Digitalisation.

Having considered all of the information provided in the report and its appendices:-

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

**RESOLVED** that –

- (a) the deliverable and measurable outcomes that have been developed for the Priorities and Projects and incorporated into the Council's Performance Report(s), be approved; and
- (b) the current position for each performance measure as at Quarter Two (July – September 2019) be noted.

**72. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.7 - FINANCIAL PERFORMANCE REPORT - IN-YEAR PERFORMANCE AGAINST THE BUDGET AT END OF THE SECOND QUARTER 2019/20 AND LONG TERM FINANCIAL FORECAST UPDATE**

The Cabinet gave consideration to a comprehensive report of the Corporate Finance and Governance Portfolio Holder (A.7) which provided it with an overview of the Council's financial position against the budget as at the end of September 2019 and also presented it with an updated long term forecast.

In respect of the in-year financial position as at the end of September 2019:

It was reported that the position to the end of September 2019 showed that, overall, the General Fund Revenue Account was overspent against the profiled budget by £1.483million. It was acknowledged that expenditure or income trends could still be emerging with the position to date largely reflecting the timing of expenditure and/or income. However, any significant issues arising to date had been highlighted and comments provided as necessary within the Portfolio Holder's report.

Cabinet was informed that in respect of other areas of the budget such as the Housing Revenue Account, capital programme, collection performance and treasury activity, apart from additional details provided within the report, there were no major issues that had been identified to date. Any emerging issues would be monitored and updates provided in future reports which would include their consideration as part of updating the long term financial forecast.

Members were made aware that some necessary changes to the 2019/20 budget had been identified and which were set out in Appendix H, with an associated recommendation also included within the report. The net impact of all of the budget adjustments would be moved to, or from, the Forecast Risk Fund as necessary. At the end of the second quarter, it had been necessary to call money down from the fund (£0.147million) rather than make a contribution to it. Although this trend might not continue, it did present a challenging situation given that the long term forecast was based on the identification of £0.500million of in-year outturn savings. It would be important to review this situation at the end of Quarter 3.

Cabinet was advised that a half year treasury management review had been carried out which had resulted in an associated recommendation to temporarily increase the aggregate limit of funds that could be placed overnight with the Council's bankers for the period that the Council's offices would be closed over the Christmas break.

Cabinet recognised that 2020/21 might be the last year of Essex Authorities being able to enter into business rates pooling arrangements, given the move to a 75% rates

retention model from 2021/22. Given the financial benefits that the current pooling arrangements had had over the last few years, it was proposed to continue to remain a member of the Essex Pool in 2020/21.

In respect of the updated long term financial forecast:

It was reported that the forecast had been reviewed and updated at the end of Quarter 2. An increase in unavoidable / on-going cost pressures was still expected in 2020/21, which had had a knock on impact on the level of annual on-going savings required. Based on the initial forecast, the savings target had been increased from £0.300million per year to £0.450million per year, with nothing emerging during Quarter 2 that had fundamentally changed that position. An initial assessment of potential savings along with an updated list of cost pressures was set out in Section 2 of the Portfolio Holder's report.

It was felt that, overall, the revised forecast could still provide an effective method of managing financial risk and although the annual deficit or surplus position for each year of the forecast had been amended, they could still be accommodated within the overall projected long term financial position, supported by the Forecast Risk Fund that had been set up to underwrite such risks.

Members were made aware that a detailed review of risks associated with the long term forecast was subject to on-going review and was separately reported within Appendix K. In terms of delivering against the forecast for 2020/21 and beyond, work remained on-going across the five key work strands of:

- 1) Increases to underlying income;
- 2) Limiting expenditure / inflationary increases where possible;
- 3) The identification of savings / efficiencies;
- 4) Delivering a positive outturn position each year; and
- 5) The mitigation of cost pressures wherever possible.

Having considered all of the information and advice contained within the report and its appendices:-

It was moved by Councillor G V Guglielmi, seconded by Councillor P B Honeywood and:-

**RESOLVED** that –

(a) in respect of the financial performance against the budget at the end of September 2019:

(1) the current position be noted;

(2) the proposed in-year adjustments to the budget, as set out in Appendix H to item A.7 of the Report of the Corporate Finance and Governance Portfolio Holder, be agreed;

- (3) in respect of the Council's Treasury Management Practices, the aggregate amount of money that can be placed overnight with the Council's bankers be increased temporarily from £1.000million to £1.500million for each day the Council's offices are closed over the Christmas break; and
- (4) the Council continues to be a member of the Essex Business Rates Pool in 2020/21 if it remains financially advantageous to do so.
- (b) in respect of the Updated Long Term Forecast, the updated forecast be agreed and the Resources and Services Overview and Scrutiny Committee be consulted on the latest position.

**73. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.8 - THE LOCAL COUNCIL TAX SUPPORT SCHEME, DISCRETIONARY COUNCIL TAX EXEMPTIONS / DISCOUNTS FOR 2020/21 AND ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT 2020/21**

The Cabinet gave consideration to a joint report of the Housing Portfolio Holder and Corporate Finance & Governance Portfolio Holder (A.8) which sought Cabinet's agreement to recommend to full Council the following:

- Local Council Tax Support Scheme 2020/21 (including the associated exceptional hardship policy);
- Discretionary Council Tax Exemptions and Discounts 2020/21; and
- Annual MRP Policy Statement for 2020/21.

Accordingly and in order to allow these matters to progress to Council it was moved by Councillor P B Honeywood, seconded by Councillor G V Guglielmi and:

**RESOLVED** that (1) Cabinet agrees that –

- (a) the Local Council Tax Support Scheme for 2020/21 should remain the same as the current year's scheme;
- (b) the Council Tax Exceptional Hardship Policy be as set out in Appendix B to item A.8 of the Joint Report of the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder; and
- (c) the discretionary Council Tax Exemptions and Discounts should remain unchanged in 2020/21.

(2) it is therefore:-

**RECOMMENDED TO COUNCIL** that –

- (a) that the Local Council Tax Support Scheme (LCTS), as set out as Appendix A to item A.8 of the Joint Report of the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder be approved with the maximum LCTS award being 80% for working age claimants;

- (b) the Deputy Chief Executive, in consultation with the Housing Portfolio Holder, be authorised to undertake the necessary steps to implement the LCTS scheme from 1 April 2020;
- (c) the locally determined council tax discounts, as set out as Appendix C to the above-mentioned report, be approved;
- (d) the Deputy Chief Executive, in consultation with the Housing Portfolio Holder, be authorised to undertake the necessary steps to implement the council tax exemptions and discounts from 1 April 2020;
- (e) it is agreed, in principle, to levy the maximum allowable council tax premiums from 1 April 2021 and that Officers be requested to write to the relevant homeowners to advise them of the Council's intentions;
- (f) Officers explore the option of potentially providing discounts for young people leaving care and present the outcome of that exploration and potential options to Members as soon as practicable in 2020/21; and
- (g) the Annual Minimum Revenue Provision (MRP) Policy Statement for 2020/21, as set out in Appendix D to the aforesaid report, be approved.

**74. MANAGEMENT TEAM ITEMS**

There were none on this occasion.

The Leader of the Council reminded Members that the date of the next formal meeting of the Cabinet had been changed from 13 December to 20 December 2019. This was due to the Parliamentary General Election being held on 12 December 2019.

**75. EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor Stock OBE, seconded by Councillor G V Guglielmi and:-

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 18 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act.

**76. EXEMPT MINUTES OF THE MEETING HELD ON FRIDAY 11 OCTOBER 2019**

It was moved by Councillor Stock OBE, seconded by Councillor G V Guglielmi and:-

**RESOLVED** that the Exempt Minutes of the meeting of the Cabinet held on 11 October 2019 be approved as a correct record and be signed by the Chairman.

The Meeting was declared closed at 12.07 pm

**Chairman**