
**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 11TH SEPTEMBER, 2020 AT 10.30 AM
MEETING WAS HELD IN ACCORDANCE WITH PROVISIONS OF SI 2020/392. LINK
TO LIVE STREAM IS FOUND HERE:
[HTTPS://WWW.TENDRINGDC.GOV.UK/LIVEMEETINGS](https://www.tendringdc.gov.uk/livemeetings)**

Present: Councillors Neil Stock OBE (Leader of the Council)(Chairman), Joy Broderick (Independent Living Portfolio Holder), Carlo Guglielmi (Deputy Leader of the Council & Corporate Finance and Governance Portfolio Holder), Paul Honeywood (Housing Portfolio Holder), Lynda McWilliams (Partnerships Portfolio Holder), Mary Newton (Business & Economic Growth Portfolio Holder), Alex Porter (Leisure & Tourism Portfolio Holder) and Michael Talbot (Environment & Public Space Portfolio Holder)

Group Leaders Present by Invitation:

Councillors Terry Allen (Leader of the Tendring First Group), Jayne Chapman (Leader of the Independents Group), Ivan Henderson (Leader of the Labour Group), Gary Scott (Leader of the Liberal Democrats Group) and Mark Stephenson (Leader of the Tendring Independents Group)

In Attendance: Damian Williams (Acting Corporate Director (Operations and Delivery)), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Michael Carran (Assistant Director (Economic Growth and Leisure)), Tim Clarke (Assistant Director (Housing and Environment)), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Matt Cattermole (Communications Assistant) and Luke Rosier (IT Officer)

44. APOLOGIES FOR ABSENCE

There were no apologies for absence submitted on this occasion.

45. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the meeting of the Cabinet, held on Friday 24 July 2020, be approved as a correct record and signed by the Chairman.

46. DECLARATIONS OF INTEREST

There were no declarations of interest made on this occasion.

47. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

Chief Medical Officer's Visit to the District

The Leader of the Council (Councillor Stock OBE) informed Cabinet that he had earlier in the day welcomed Professor Chris Whitty, the Chief Medical Officer for England.

Professor Whitty was visiting the District as part of his investigation into deprivation and poor health outcomes in coastal towns across the nation.

Essex Leaders and Chief Executives Meeting

Councillor Stock informed Cabinet that the Essex Leaders and Chief Executives at their meeting held the previous day had received a presentation from Mike Gogarty, Director of Public Health on the Covid-19 situation in Essex. Councillor Stock was pleased to report that the infection figures for the Tendring District were very low at present though he cautioned that this could quickly change and that it was almost certain that a 'local lockdown' would eventually occur somewhere in Essex.

Councillor Stock further reported that there was no consensus amongst the Essex Local Authorities as to the proposed reform of local government and that there was unlikely to be any such consensus before the publication of the Government's "Devolution and Local Recovery" White Paper later in the Autumn.

PPMA Awards

Councillor Stock read out the following announcement:-

"I'm delighted to share with you that we have won a national HR award.

The PPMA (Public Services People Managers' Association) covers local and central government, as well as a range of other public departments such as the Bank of England and Ombudsmen, and holds annually Excellence in People Management Awards.

This year Tendring District Council was a finalist in three categories: Best Apprenticeship Provider Award, for our brilliant Career Track scheme; Best Employer and Trade Union Partnership, for our relationship with Unison; and Best Mental Health Initiative for work on primary school wellbeing initiatives.

Following a virtual awards ceremony, I can now reveal we were announced as winners of the Best Employer and Trade Union Partnership award. To have won this category is an outstanding achievement as the other finalists were:

*Manchester City Council
Northumberland County Council
Powys Teaching Health Board
South Norfolk / Broadland Council*

Our entry described our relationship with Unison as "two sides of the same coin", looking to achieve 'win-win' situations. We highlighted how our Unison branch provides practical solutions to issues raised, and drafts in other union members to support the executive at times of peak workload, meaning any changes or workplace issues can be quickly resolved.

It is fantastic that we not only got shortlisted in three categories, but also won an award, and this is well-deserved and testament to the good work our HR department does.

The excellent partnership we have with the union demonstrates how well we engage with our staff.

I am particularly proud we were finalists for three different awards, showing that our work in HR can compete across the board; and compared to large organisations such as the Bank of England and the Civil Service

This is an achievement to be immensely proud of.”

48. ANNOUNCEMENTS BY CABINET MEMBERS

There were no announcements made by Cabinet Members on this occasion.

49. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

There were no items referred to the Cabinet by the Council on this occasion.

50. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.1 - SCRUTINY OF DECISIONS OF THE LEADER OF THE COUNCIL DURING THE PEAK OF THE COVID-19 PANDEMIC IN SO FAR AS THEY RELATE TO THE PANDEMIC AND THE RESPONSE TO IT

Cabinet was aware that, at its meeting held on 22 June 2020 (Minute 61 referred), the Resources and Services Overview and Scrutiny Committee had reviewed the decisions taken by the Leader of the Council during the peak of the COVID-19 pandemic in so far as they related to the pandemic and the Council's response to it.

The following was a list of those decisions:

Discretionary Business Support Scheme
Write-Off of Leisure Centre Membership Fees Income for May 2020
Business Rates Covid-19 Grants Scheme
Council Tax Hardship Scheme
Write-Off of Leisure Facilities Income
Tendring Community Fund - Allocation of £1,000 to Members
CAROS Scheme - Waiver of Rents

Following discussion, it had been agreed by the Resources and Services Overview & Scrutiny Committee that it be recommended and commented to Cabinet that -

- “a) the swift decision to use of part of the Tendring Community Fund to provide for Ward Councillors to nominate organisations to receive grants to enable them to respond to the Covid19 pandemic locally, within an overall limit of £1,000 per Ward Councillor, be recognized as being a success;*
- b) the approval of the publicly announced intention to write-off the Leisure Centre Membership Fees for June etc be regularised; and*
- c) the waiver of rents for those within the CAROS Scheme be extended to the end of August 2020 at least.”*

Cabinet had before it the Leader of the Council's response to the Resources and Services Overview & Scrutiny Committee's recommendations which was as follows:-

"The Leader of the Council welcomes the positivity of the Resources and Services Overview and Scrutiny Committee on their review of the urgent decisions taken during COVID-19 pandemic, which continues with the One Council approach which has been adopted during this time. In particular, the Committee is thanked for their acknowledgement of the success of the £1000 allocation to each Ward Councillor from the Tending Community Fund to support their local areas. A Portfolio Holder Working Party was being established prior to the COVID-19 outbreak to review the scope of the future use of the Tending Community Fund and it is important this work resumes as part of the Council's recovery plans.

It is noted the Resources and Services Overview and Scrutiny Committee met in June however for completeness, it is confirmed that formal decisions were made to approve the write-off of Leisure Centre Membership fees for June and July. In respect of the CAROS Scheme a review can be undertaken as part of the Back to Business Strategy."

Having considered the Resources and Services Overview & Scrutiny Committee's recommendations and the response of the Leader of the Council thereto:

It was moved by Councillor Stock OBE, seconded by Councillor Broderick and –

RESOLVED that the recommendations of the Resources and Services Overview and Scrutiny Committee and the comments of the Leader of the Council, in response thereto, be noted.

51. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.2 - FINANCIAL PERFORMANCE REPORT: IMPACT OF COVID-19

Cabinet was aware that, at its meeting held on 22 June 2020 (Minute 62 referred), the Resources and Services Overview & Scrutiny Committee had been provided with an early update on the financial impact of COVID 19 on the Council's in-year financial position and looked ahead to 2021/22 as part of the long term forecast.

It had been explained to that Committee that there had been various strands of work that had been undertaken, locally and nationally, along with numerous updates and guidance from the Government since the country had entered a period of 'lock down' from late March 2020.

In providing a high level narrative on the Council's financial position to that Committee, information had been presented across the following headings:

- (1) A summary of the position at the end of April 2020 for significant Income Streams;
- (2) Impact on the Local Council Tax Support Scheme and Council Tax and Business Rate Collection Performance;
- (3) The Direct Financial Impact, including Expenditure and Income, as at the end of April 2020, with Estimates for May and June 2020; and
- (4) Cash Flow Implications.

Following discussion, it had been agreed by the Resources and Services Overview & Scrutiny Committee that it be recommended and commented to Cabinet that -

- (a) *the hard work of Council staff, led by the Chief Executive, community groups, individual Members and individual members of the public locally to support the local communities across Tendring (and particularly those most in need) and sustain businesses with the available grants, be applauded and recognized; including the Council's Finance and IT teams who created the system to pay those much needed grants at a swift pace.*
- (b) *within the allocation of £4,000,000 for cliff stabilisation work, a District wide survey is commissioned this year to identify the implications for the Council of works and thereby assist in the resource considerations of the Council over the long term.*
- (c) *the offer of the Portfolio Holder for Corporate Finance and Governance to include the Chairman of this Committee in an examination of the subject of Council House voids be welcomed.*

Cabinet had before it the Corporate Finance and Governance Portfolio Holder's response to the Resources and Services Overview & Scrutiny Committee's recommendations which was as follows:-

"The Committee's work is appreciated and I welcome their comments, especially those set out in point (a). It is at times like this that the strength of the Council and our local communities really shines through and I am happy to echo and amplify the words of the Committee.

In respect of point (b), a lot of work is undertaken within the framework of the long term forecast in terms of keeping an eye on potential cost pressures that the Council faces, such as cliff stabilisation that the Committee refers to. Such considerations will continue to be an important element of the long term forecast in 2020/21 and beyond. In addition, the Council continues to support the approach of keeping work in-house wherever possible, which has already proved a success with the management of previous cliff stabilisation work that has been completed on time and within budget.

In respect of point (c), I will be requesting the latest update from officers following which I will make the necessary arrangements to review this information with the Chairman of the Committee.

Although 2020/21 will be a very challenging year for various reasons, from a financial perspective the Government have already provided significant funding to the Council along with committing to underwrite the risk of losses in income over the remainder of the year (up to 75% after the first 5%). A further financial update is due to be presented to Cabinet in October which will provide the latest in-year position, which is set against an improved position compared to earlier in the year given this on-going support from the Government. And finally, I will be looking to maximise the flexibility that the long term approach to the forecast was designed to do by exploring the option of relaxing the savings target for 2021/22 given the unprecedented position we face in 2020/21."

Having considered the Resources and Services Overview & Scrutiny Committee's recommendations and the response of the Corporate Finance and Governance Portfolio Holder thereto:

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

RESOLVED that –

- (a) the Resources and Services Overview & Scrutiny Committee be thanked for the work it has undertaken; and
- (b) Cabinet notes the comments raised by that Committee, which will be considered as part of associated activities going forward, together with the response of the Corporate Finance and Governance Portfolio Holder thereto.

52. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.3 - SCRUTINY OF PROPOSED DECISIONS

Cabinet was aware that, at its meeting held on 22 June 2020 (Minute 63 referred), the Resources and Services Overview and Scrutiny Committee had reviewed any new and / or amended published forthcoming decisions relevant to its terms of reference with a view to deciding whether it wished to enquire into any such decision before it was taken.

The following was a list of those decisions:

NEGC Ltd - Budget & Business Plans Etc;
Corporate Priorities & Projects and New Performance Report 2020/21;
Housing Development and Acquisitions Strategy;
IDOX Corporate Application Support Contract Renewal;
Financial Outturn 2019/20 and Proposed Allocation of the General Fund Variance For The Year; and
Treasury Outturn 2019/20.

Following discussion, it had been agreed by the Resources and Services Overview & Scrutiny Committee that it be recommended to Cabinet -

"That no more funding from this Council should be released to NEGC Ltd until the Budget and Business Plan identified in the forthcoming decisions referred to here has been subject to an enquiry through this Committee."

Cabinet had before it the Leader of the Council's response to the Resources and Services Overview & Scrutiny Committee's recommendation which was as follows:-

"It is noted that the recommendations from Resources and Service Overview and Scrutiny Committee were made in respect of forthcoming decisions, which at the time included the Budget and Business Plan of North Essex Garden Communities Ltd. Events have overtaken this and in July, Cabinet made a decision, acting as Shareholder, that North Essex Garden Communities Ltd ceased trading with effect from 31st August 2020, I can confirm this has taken effect and consequently no further funding will be provided to the Company. There is however still an ambitious work programme in respect of the delivery of Tendring Colchester Borders Garden

Community including the partnership working with Colchester Borough Council and Essex County Council, I can confirm the Cabinet Member whom I wish to appoint to take this forward is Councillor G V Guglielmi, Portfolio Holder for Corporate Finance & Governance.”

Having considered the Resources and Services Overview & Scrutiny Committee's recommendations and the response of the Leader of the Council thereto:

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

RESOLVED that the recommendation of the Resources and Services Overview and Scrutiny Committee and the comments of the Leader of the Council, in response thereto, be noted.

53. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.4 - OVERVIEW AND SCRUTINY OF HOUSING ISSUES

Cabinet was aware that, at its meeting held on 9 July 2020 (Minute 68 referred), the Resources and Services Overview and Scrutiny Committee had conducted overview and scrutiny on the theme of Housing. The Committee had paid particular emphasis to service delivery and performance in relation to:-

- (i) the Private Sector Housing Financial Assistance Policy;
- (ii) Vacated/Empty Council Housing (“Voids”);
- (iii) Council Housing Tenant Satisfaction and Involvement; and
- (iv) New Build of 10 Council Houses in Jaywick Sands.

Following discussion, it had been agreed by the Resources and Services Overview & Scrutiny Committee that it be recommended to Cabinet that -

- “(a) Cabinet be recommended to develop a public engagement plan in respect of financial assistance for private sector housing that includes providing information to community groups, health professionals and more widely to ensure that all those who would benefit from adaptations that could be funded through the financial assistance available through the Disabled Facilities Grant arrangements are aware of those arrangements and the process to apply for those Grants;*
- (b) the Chief Executive be advised that this Committee considers that it would be advantageous to report on the public engagement plan at the time that it is prepared and ready to be delivered so that Councillors can support the delivery of that plan across the District;*
- (c) consideration be given to including details of grants available for those in private rented accommodation and in receipt of benefits (at the time of notification of benefit award/change/discontinuance) to support the installation of adaptations to the properties they rent to improve their lives (both related to disability facilities, safety and to address energy poverty); and*
- (d) the maintenance contract currently out for tender not be extended beyond the first year or re-tendered until this Committee has had the opportunity to review the*

delivery of that contract and the appropriate balance between in-house and contracted maintenance.”

Cabinet had before it the Housing Portfolio Holder’s response to the Resources and Services Overview & Scrutiny Committee’s recommendations which was as follows:-

“It is clear that the Committee covered a number of housing related topics at this meeting. The discussions highlighted the great work undertaken by our officers in delivering much needed adaptations to our residents and managing and maintaining our own housing stock to a high standard, resulting in high levels of tenant satisfaction that we should be proud of.

I therefore accept the recommendations (a)-(c) as proposed above. In respect of (d) the Maintenance contract is tendered as a seven year contract and as such I propose to carry out a review after one year to ensure that the contract is being run properly and to ensure an appropriate balance between the in-house and contracted maintenance delivery.”

Having considered the Resources and Services Overview & Scrutiny Committee’s recommendations and the response of the Housing Portfolio Holder thereto:

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

RESOLVED that the Housing Portfolio Holder’s response to the recommendations of the Resources and Services Overview & Scrutiny Committee be both noted and endorsed.

54. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.5 - FINANCIAL OUTTURN 2019/20 AND ALLOCATION OF GENERAL FUND VARIANCE FOR THE YEAR

Cabinet was aware that, at its meeting held on 13 August 2020 (Minute 73 referred), the Resources and Services Overview & Scrutiny Committee had scrutinised an overview of the Council’s financial outturn for the year 2019/20 and the allocation of the associated General Fund Variance for that year.

The reports considered by the Corporate Finance and Governance Portfolio Holder on 17 July 2020 in respect of the Financial Outturn 2019/20 position and by Cabinet on 24 July 2020 (Minute 40 referred) in respect of the Outturn 2019/20 and proposed allocation of the General Fund variance for the year had been submitted to the Committee to assist it with its scrutiny of those matters.

The Committee was advised that on 17 July 2020 the Corporate Finance and Resources Portfolio Holder had considered the Financial Outturn 2019/20 and had made the following decision:-

“That the Corporate Finance and Governance Portfolio Holder:-

(a) notes the financial outturn position for 2019/20 as set out in this report and appendices;

(b) approves the financing of General Fund capital expenditure for 2019/20 as detailed in Appendix D;

(c) approves the movement in uncommitted and earmarked General Fund reserves for 2019/20 set out in Appendix E;

(d) approves the qualifying carry forwards totalling £17.914m (£9.518m Revenue and £8.396m Capital) as set out in Appendix K;

(e) agrees that all other carry forwards totalling £0.658m requested by services be transferred to the relevant earmarked reserve pending consideration by Cabinet at its July 2020 meeting;

(f) that subject to the above, approves that the overall General Fund Outturn Variance for the year of £0.862m be transferred to the Revenue Commitments reserve until Cabinet formally considers the allocation of this funding at its July 2020 meeting;

(g) in respect of the HRA, approves the movement on HRA balances for 2019/20 including any commitments set out within Appendices H and/or I along with recharges to the HRA from the General fund of £2.808m for the year and the financing of the HRA capital expenditure set out in Appendix I; and

(h) delegation be given to the Council's S151 Officer, in consultation with the Corporate Finance and Governance Portfolio Holder, to adjust the outturn position for 2019/20 along with any corresponding adjustment to earmarked reserves as a direct result of any recommendations made by the Council's External Auditor during the course of their audit activities relating to the Council's 2019/20 accounts."

The Committee was further advised that, on 24 July 2020, the Cabinet had considered the Outturn 2019/20 and the Proposed Allocation of the General Fund Variance for the Year and had made the following decision:-

"That Cabinet:

(a) agrees that the total of £0.658m requested by Services can be retained by them via the associated carry forward requests, as set out in Appendix A to item A.6 of the Report of the Corporate Finance and Governance Portfolio Holder; and

(b) approves the allocation of the General Fund Variance for the year of £0.862m."

Following discussion, it had been agreed by the Resources and Services Overview & Scrutiny Committee that it be recommended to Cabinet that it –

(a) Implements the invitation from the Portfolio Holder for Corporate Finance and Governance to convene a meeting with the Chairman of this Committee, and other interested Councillors, to examine in detail the financial reserves and provisions to look at progressing further and speedier with those schemes or releasing the funds with a view to the outcome of that meeting being reported to the meeting of this Committee to be held on 21 September 2020;

- (b) *Notes that this Committee endorses the decision to allocate £862k from the 2019/20 General Fund Outturn variance to 'Back to Business' Initiatives and associated activities; and*
- (c) *Considers establishing a corporate dedicated project completion resource, with project management skills, with a direction to progress projects and priorities of corporate significance to the Council, support delivery milestones for those projects and unlock capacity and other issues that could frustrate delivery of those projects and priorities.*

Cabinet had before it the Corporate Finance and Governance Portfolio Holder's response to the Resources and Services Overview & Scrutiny Committee's recommendations which was as follows:-

"As with earlier reports, the Committee's work is always appreciated and their comments welcomed, especially in supporting the allocation of £862k to the Back to Business Initiative.

In respect of point a), this to a large extent overlaps with point c), and together they will be considered as part of our Back to Business initiative and action plan that is currently being developed where there is a need to translate comments and feedback into practical actions that can delivered on the ground and in a timely manner."

Having considered the Resources and Services Overview & Scrutiny Committee's recommendations and the response of the Corporate Finance and Governance Portfolio Holder thereto:

It was moved by Councillor G V Guglielmi, seconded by Councillor Broderick and –

RESOLVED that –

- (a) the Committee be thanked for the work it has undertaken in reviewing the Financial Outturn for 2019/20 and its ongoing support in its overview and scrutiny of the Council's financial performance, both in-year and future years; and
- (b) the Committee's comments be taken into account as part of developing the Back to Business Action plan, which will include regular and timely updates being presented to the Committee as part of its important overview and scrutiny role in delivering against this key priority for the Council.

55. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.6 - TENDRING BACK TO BUSINESS PRIORITIES AND PROJECTS 2020/21

Cabinet was aware that, at its meeting held on 13 August 2020 (Minute 74 referred), the Resources and Services Overview & Scrutiny Committee had a scrutinised a report of the Assistant Director (Governance) regarding the development of 'Priorities and Projects' that would be incorporated as part of the Council's Back to Business and Recovery Plan, and the Performance Management framework for the Council for 2020/21 in advance of any decisions to be made by Cabinet/Council on those matters. The report included an Appendix prepared by the Assistant Director (Finance and IT) which drew together the numerous proposals and concepts arising from a survey of

businesses locally, from individual Councillors and from Officers to help the District to build back better following the economic and social impact locally of the lockdown associated with the Covid-19 pandemic.

The Committee had been invited to identify its collective view on the themes and activities that should be key strands of work to focus on helping the District recover and included restarting the local economy, keeping residents and visitors safe and harnessing the power of the voluntary sector to deliver much needed services and improve the quality of life locally.

As a result of its scrutiny the Committee had formulated a proposed draft response to the Cabinet on this matter and had agreed that it would be circulated to the members of the Committee for confirmation. Subsequently, the Chairman of the Committee (Councillor M E Stephenson) had convened a further special meeting of the Committee in order that the Committee could formally endorse its response.

The Committee had subsequently met on 3 September 2020 to review the outputs from the 13 August meeting and ensure that they had been accurately captured. Those points were now before the Cabinet as set out at Appendix A to item A.6 of the Reference Reports from the Resources and Services Overview & Scrutiny Committee.

The Committee had also taken a look at what the Cabinet should be recommended to do next to help achieve a coherent and integrated response to the 'Back to Business' agenda locally. As the 3 September meeting was held after the publication of the Agenda for this Cabinet meeting the Committee's formal response had been circulated as soon as practicable.

It was reported that the decisions concerning the Financial Outturn 2020/21 (referred to in Minute 54 above) and the discussions around 'Back to Business' had suggested to the Committee that a clear and deliverable action plan should be developed by the Cabinet taking in the range of proposals. Those proposals now needed to be assessed and the component parts examined in order to identify the various steps that would be necessary to achieve them. The timing and financing of those proposals needed to be thoroughly worked through in order to avoid wasted energy and public funds. Initially, schemes and services that were already in place or were anyway going to be implemented in this timeframe could be started or refocussed with minimal delay. This would ensure that the Council did not defer intervention whilst the full range of proposals were worked on.

Cabinet was informed that the Committee felt that, as 'back to business' steps were developed they could themselves suggest related or associated steps to be taken. Such associated and related steps might help deliver enhanced benefits and maximise the deliverables that could be achieved through the "back to business" agenda. To help encourage this approach it was felt that it would assist to theme the proposals. Through an agreed themed plan a more coherent approach could be encouraged. In developing the Action Plan, a themed approach was considered for recommendation to the Cabinet. This in itself had identified to the Committee that in many areas proposals would fit into more than one theme and thereby achieve advantage across those overlapping themes.

Cabinet noted that, as the Committee saw it, the 'back to business' agenda was not intended to replace the Corporate Plan and so there was a recognition that particular

activities would be on-going to achieve that Plan and that it was vital that this activity continued. Indeed, the Committee recognised that some of the more long term proposals arising from the 'Back to Business' discussion would fit well with the delivery of the Council's Corporate Plan goals.

Following discussion, it had been agreed by the Resources and Services Overview & Scrutiny Committee that it inform Cabinet that it –

- (a) *confirms its decisions of 13 August 2020 in respect of the outputs from its discussion of 'Back to Business' at Appendix A to this report (and the Outturn 2020/21, as set out in report A5 for this meeting of Cabinet);*
- (b) *recommends that the Cabinet approves the necessary work to assess the various 'Back to Business' proposals, proceeds to implement those schemes and services that can be speedily focussed on 'Back to Business', develops an Action Plan of assessed and costed proposals (based on short, medium and long-term measures) and sets about the delivery of that Action Plan;*
- (c) *further recommends to Cabinet that the themed approach to 'Back to Business' at Appendix B to this reference report be adopted; and*
- (d) *records its intention to monitor the development of the Action Plan referred to in (b) above and its delivery. This will include project management and performance (which itself will include success measures and milestones towards delivery) and to approve that the work programme for this Committee shall be prepared to provide for this.*

Cabinet had before it the Corporate Finance and Governance Portfolio Holder's response to the Resources and Services Overview & Scrutiny Committee's comments and recommendations which was as follows:-

"I would like to thank the RSOS Committee for its work on the back to business priorities and projects. I will certainly be looking at how many of these initiatives we can progress within the funds available. I would be keen to focus on the key business and resident support measures we can put in place given that we are not yet clear about where in the Covid cycle we may be and so it is critical that there is longevity to the initiatives and that any spend is done wisely.

To this end Cabinet will focus on putting together an action and delivery plan to focus on short term actions, drawing from the suggestions from RSOS Committee and the other suggestions submitted by other Councillors."

Having considered the Resources and Services Overview & Scrutiny Committee's recommendations and the response of the Corporate Finance and Governance Portfolio Holder thereto:

It was moved by Councillor G V Guglielmi, seconded by Councillor Newton and –

RESOLVED that the recommendations of the Resources and Services Overview and Scrutiny Committee be taken into account as part of developing the Back to Business Action plan, which will include regular and timely updates being presented to the Committee as part of its important overview and scrutiny role in delivering against this key priority for the Council.

56. **LEADER OF THE COUNCIL'S ITEMS - A.7 - EXECUTIVE DECISIONS TAKEN AS A MATTER OF URGENCY**

The Cabinet gave consideration to a report of the Leader of the Council (A.7) which notified Members of recent urgent Executive Decisions taken by the Leader of the Council on behalf of the Cabinet.

The Cabinet recalled that, as part of the Council's response to the COVID-19 public health emergency the Council's Monitoring Officer had produced a formal "Note on Decision Making Business Continuity Arrangements" which had set out the ways in which the normal operational business of the Council could continue in relation to decisions which would normally be referred to Cabinet, Council or Committees.

In relation to Cabinet decisions the Monitoring Officer's formal Note, as issued on 20 March 2020, had contained the following information and advice:

"The Constitution requires certain matters to be decided by Cabinet collectively. The Leader of the Council may exercise any of the powers delegated to the Cabinet:

a. Following a resolution of the Cabinet (subject to the Constitution), or

b. In cases of urgency, in consultation with the Monitoring Officer and/or Section 151 Officer.

In cases of urgency the decision of the Leader of the Council will be recorded and published in accordance with the Constitution. The Leader of the Council will also be required to make a public statement at the next formal meeting of the Cabinet which will explain why they had taken the decision as a matter of urgency.

Therefore, following consultation with the Leader of the Council, it was recommended that to enable formal decisions to be made on behalf of Cabinet the following procedure should be adopted:

- Reports that would have been considered by Cabinet are emailed to the Group Leaders;*
- a period of five working days would be provided for Group Leaders to email any comments/questions etc. to the relevant Portfolio Holder, Leader and officer(s) identified;*
- responses to comments/questions would be supplied to the Group Leaders;*
- this information will be taken into account by the Leader prior to making his formal decision;*
- a formal decision will be published recording the matters taken into account;*
- at the first formal meeting of Cabinet a report of the decisions taken by the Leader under urgency powers will be produced; and*
- if it was necessary for a key decision to made under urgency provisions this must be reported to Full Council (in accordance with the Access to Information Procedure Rules 15 & 16.2).*

Whilst it was anticipated that decisions taken during urgency provisions would be limited or uncontroversial in nature, with Group Leaders' comments being sought prior to decisions being made, it must be highlighted that the ability of Members to undertake the statutory overview and scrutiny function is not removed."

The Monitoring Officer had considered that, in responding to COVID-19, the Council was in exceptional times which therefore satisfied the grounds of urgency.

It was reported that in making the decision in question the Leader of the Council had exercised his delegated power as set out in the Council's Constitution in Part 3, Schedule 3 (Responsibility for Executive Functions) - Section 3 (General Principles Regarding Decision Making by the Cabinet) – Principle 4b [Part 3.28].

Members were reminded that the decisions taken as a matter of urgency had related to:-

- (1) Approval of a Revised Discretionary Business Grants Scheme (Phase 3) [Published 31 July 2020]

Decision: (a) To agree a revised Discretionary Business Grants Policy (Phase 3); and

(b) To authorise the Chief Executive to implement and administer the scheme and amend the policy in line with any emerging Government guidance.

- (2) Approval of a Revised Discretionary Business Grants Scheme (Phase 4) [Published 24 August 2020]

Decision: (a) To agree a revised Discretionary Business Grants Policy (Phase 4);

(b) To authorise the Chief Executive to implement and administer the scheme and amend the policy in line with any emerging Government guidance; and

(c) To authorise the Portfolio Holder for Housing, in consultation with the Chief Executive, to implement any necessary local discretionary changes required to the scheme to enable applications to be considered from as many businesses in the District as possible.

Having considered the contents of the report:

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

RESOLVED that –

- (a) the contents of the report be noted; and
- (b) the urgent decisions taken by the Leader of the Council on behalf of the Cabinet, as detailed in this report, be formally endorsed.

57. CABINET MEMBERS' ITEMS - REPORT OF THE LEISURE AND TOURISM PORTFOLIO HOLDER - A.8 - TOURISM STRATEGY FOR TENDRING

The Cabinet gave consideration to a report of the Leisure & Tourism Portfolio Holder (A.8) which sought its approval for the draft Tendring Tourism Strategy 2021-2026, as set out in the Appendix to the Portfolio Holder's report, to go out for a period of public consultation.

Cabinet was aware that this five year plan would replace the previous tourism strategy for Tendring, which had expired in 2016 and also that Tourism was estimated to be

worth more than £402 million to Tendring, and was responsible for over 8,980 jobs, equivalent to 17.9% of the District's employment. To put matters into perspective, tourism had increased in value to the local economy by £115 million since the previous strategy had been written in 2010.

It was reported that the coronavirus pandemic had impacted significantly on the local tourism industry and that this new strategy was tailored to extend 'back to business' support towards the recovery of the tourism sector.

Members were informed that the draft Strategy set out a 10 point plan for delivery of the following objectives:

1. *Wealth creation*
2. *Job creation*
3. *Quality of life for local people*
4. *Long term growth of the tourism sector*

Cabinet was informed that the new strategy recognised that Tendring had a wide attraction, with its towns and villages all having their own unique features, tourism offer and charm. It was important that the Council worked with partners to develop those unique selling points and promote all of the District's component parts. From beautiful coastlines and visitor attractions, to picturesque countryside and heritage of international significance; the power of Tendring's tourism offer lay in the diversity of its destinations which should be embraced and marketed accordingly.

It was reported that there had been significant private sector investment in the local tourism industry in recent years, including multi million pound investment into some of Tendring's key attractions. This had improved the quality of the District as a visitor destination and demonstrated local confidence and a commitment to raising standards.

Members were aware that the Council had invested in major projects such as the £36m Coastal Defence scheme for Clacton-on-Sea and Holland-on-Sea, creating tangible tourism assets in Harwich for Mayflower 400 and public realm schemes to improve the appearance of the District. Furthermore, the Council had invested resources into both organising and facilitating an expanding quality events programme in recent years. Building on the success of the nationally recognised Clacton Airshow and Harwich Illuminate, event organisers had felt empowered to bring events of national significance such as The Tour of Britain and the first 'on road' Motor Rally in England and Wales, to the Tendring District.

It was considered that the strategy recognised that tourism was a fast moving, agile economy and the Council was one partner in ensuring long term success. As such, this new strategy had greater emphasis on the Council's role of facilitation than its predecessor.

Cabinet was advised that, to date, this new strategy had only been subject to a 'light touch' consultation and that therefore it required a wider process before final consideration and approval by Cabinet. Following that consultation, the strategy together with the first year's delivery plan, which would support achievement of the key objectives would be re-submitted to Cabinet for its final approval.

Having considered the contents of the draft Tourism Strategy 2021-2026 and to enable it to go out for public consultation:-

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

RESOLVED that –

- (a) the content of the draft Tourism Strategy 2021-2026 be approved; and
- (b) the Corporate Director (Place and Economy) be authorised to commence a consultation period of six weeks to seek the views of partners on the proposed Tourism Strategy.

58. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - A.9 - FREEHOLD SALE OF A RESIDENTIAL PROPERTY

The Cabinet gave consideration to a joint report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder (A.9) which sought its approval, in principle, for the freehold sale of a three bedroom residential property in Parkeston which required substantial maintenance work.

It was reported that in April 2020 Officers had obtained the authority to commence the Property Dealing Procedure and list for open market sale a three bedroom residential property in Parkeston. The house had been recently acquired by the Council after purchasing the 25% share from the previous Do It Yourself Shared Ownership owner. The remaining 75% interest in the property had been retained by the Council. The property was not a traditionally built Council house and was the only property the Council owned in a terrace of houses. Due to the nature and age of the house the maintenance and running costs were high and selling the property would avoid the Council having to spend upwards of £25,000 in capital works. The use of the receipts could be added to funds already held from Right to Buy and/or Section 106 receipts and used to bring a more suitable additional dwelling into the Housing Revenue Account that could immediately begin generating a return.

Members were informed that the property had been on the market with a local Estate Agent for a number of weeks and three offers had been received. The highest offer had been provisionally accepted subject to the Cabinet's decision on this matter.

Having considered the proposal to dispose of the property in question:-

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

RESOLVED that Cabinet authorises, in principle, the freehold sale of the property subject to its further decision on the terms and conditions of the sale to be taken later on in the meeting following the exclusion of the press and public.

59. MANAGEMENT TEAM ITEMS

There were none on this occasion.

60. 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 Items 18 and 19 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act.

61. EXEMPT MINUTE OF THE MEETING HELD ON FRIDAY 24 JULY 2020

It was **RESOLVED** that the exempt minute of the meeting of the Cabinet, held on Friday 24 July 2020, be approved as a correct record and signed by the Chairman.

62. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - B.1 - TERMS FOR THE FREEHOLD SALE OF A RESIDENTIAL PROPERTY

RESOLVED that Cabinet –

- (a) approves the terms proposed for the freehold disposal of the property in question to a named individual; and
- (b) authorises the Acting Corporate Director (Operations and Delivery) to enter into a contract to dispose of the property on the agreed terms including on such other terms and conditions as he considers necessary.

The Meeting was declared closed at 11.40 am

Chairman