



CABINET

DATE: Friday, 11 September 2020

TIME: 10.30 am

VENUE: Meeting will be held in accordance with provisions of SI 2020/392. Link to live stream is found here:
<https://www.tendringdc.gov.uk/livemeetings>

MEMBERSHIP:	
Councillor Stock OBE	- Leader of the Council
Councillor Broderick	- Independent Living Portfolio Holder
Councillor C Guglielmi	- Deputy Leader & Corporate Finance & Governance Portfolio Holder
Councillor P Honeywood	- Housing Portfolio Holder
Councillor McWilliams	- Partnerships Portfolio Holder
Councillor Newton	- Business & Economic Growth Portfolio Holder
Councillor Porter	- Leisure & Tourism Portfolio Holder
Councillor Talbot	- Environment & Public Space Portfolio Holder

Most Council meetings are open to the public and press.

Agendas and Minutes are published on the Council's website www.tendringdc.gov.uk. Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.

Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.

For further details and general enquiries about this meeting, contact Ian Ford Email: democraticservices@tendringdc.gov.uk or Telephone on 01255 686584

DATE OF PUBLICATION: THURSDAY, 3 SEPTEMBER 2020

AGENDA

1 **Apologies for Absence**

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

2 **Minutes of the Last Meeting (Pages 1 - 20)**

To confirm the minutes of the last meeting of the Cabinet held on Friday 24 July 2020.

3 **Declarations of Interest**

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

4 **Announcements by the Leader of the Council**

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

5 **Announcements by Cabinet Members**

The Cabinet is asked to note any announcements made by Members of the Cabinet.

6 **Matters Referred to the Cabinet by the Council**

There are none on this occasion.

7 **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 (Pages 21 - 22)**

To enable the Cabinet to consider recommendations made by the Resources and Services Overview & Scrutiny Committee in relation to the above.

8 **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 (Pages 23 - 26)**

To enable the Cabinet to consider recommendations made by the Resources and Services Overview & Scrutiny Committee in relation to the above.

9 **Matters Referred to the Cabinet by a Committee - Reference from the Resources and Services Overview & Scrutiny Committee - A.3 - Scrutiny of Proposed Decisions (Pages 27 - 28)**

To enable the Cabinet to consider a recommendation made by the Resources and Services Overview & Scrutiny Committee in relation to the above.

10 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 (Pages 29 - 32)

To enable the Cabinet to consider recommendations made by the Resources and Services Overview & Scrutiny Committee in relation to the above.

11 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 (Pages 33 - 36)

To enable the Cabinet to consider recommendations made by the Resources and Services Overview & Scrutiny Committee in relation to the above.

12 Matters Referred to the Cabinet by a Committee - Reference from the Resources and Services Overview & Scrutiny Committee - A.6 - Tending Back to Business Priorities and Projects 2020/21 (Pages 37 - 40)

To enable the Cabinet to consider recommendations made by the Resources and Services Overview & Scrutiny Committee in relation to the above.

13 Leader of the Council's Items - A.7 - Executive Decisions taken as a matter of Urgency (Pages 41 - 44)

To notify Members of recent urgent Executive Decisions taken by the Leader of the Council on behalf of the Cabinet.

14 Cabinet Members' Items - Report of the Leisure and Tourism Portfolio Holder - A.8 - Tourism Strategy for Tending (Pages 45 - 60)

To present the draft Tourism Strategy 2021-2026 to Cabinet and seek its approval to commence a consultation period.

15 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 (Pages 61 - 62)

To seek approval from Cabinet for the freehold sale of a three bedroom residential property in Parkeston requiring substantial maintenance work.

16 Management Team Items

There are none on this occasion.

17 Exclusion of Press and Public

The Cabinet is asked to consider the following resolution:

“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.”

18 Exempt Minute of the Meeting held on Friday 24 July 2020 (Pages 63 - 66)

To confirm as a correct record the exempt minute of the meeting of the Cabinet held on Friday 24 July 2020.

19 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 (Pages 67 - 68)

To seek approval from Cabinet for the terms for the freehold sale of a three bedroom residential property in Parkeston.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Cabinet is to be held at 10.30 a.m. on Friday, 9 October 2020.

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Notice of Intention to Conduct Business in Private

Notice is hereby given that, in accordance with Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Agenda Item Nos. 18 and 19 are likely to be considered in private for the following reason:

The items detailed below will involve the disclosure of exempt information under Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) to Schedule 12A, as amended, to the Local Government Act 1972:

Agenda Item 18 - Exempt Minute of the Meeting held on Friday 24 July 2020; and

Agenda Item 19 - 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

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**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 24TH JULY, 2020 AT 12.04 PM
MEETING WAS HELD IN ACCORDANCE WITH STATUTORY INSTRUMENT
2020/392. LINK TO LIVE STREAM IS FOUND AT
[HTTPS://WWW.TENDRINGDC.GOV.UK/LIVEMEETINGS](https://www.tendringdc.gov.uk/livemeetings)**

Present: Councillors Neil Stock OBE (Leader of the Council)(Chairman), 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 and Economic Growth Portfolio Holder), Alex Porter (Leisure and Tourism 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), Jayne Chapman (Leader of the Independents Group), Ivan Henderson (Leader of the Labour Group), Gary Scott (Leader of the Liberal Democrats Group) and Councillor Mark Stephenson (Leader of the Tendring Independents Group)

Also Present: Councillor Peter Cawthron

In Attendance: Ian Davidson (Chief Executive), Paul Price (Deputy Chief Executive & Corporate Director (Place and Economy)), 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), Gary Guiver (Temporary Assistant Director (Strategic Planning and Place)), Andy White (Acting Assistant Director (Building and Public Realm)), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Charlene Haynes (IT Officer) and Luke Rosier (IT Officer)

27. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor Joy Broderick (Independent Living Portfolio Holder).

28. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the meeting of the Cabinet held on Friday 26 June 2020 be approved as a correct record.

29. DECLARATIONS OF INTEREST

Councillors Stock and G V Guglielmi, as members of the Cabinet and therefore decision makers, each declared a Personal Interest in Agenda Item 9 – report A.2 – North Essex Garden Communities Ltd. insofar as they were, respectively, a Director and an alternate Director of NEGC Ltd.

On a point of information for the public record, Councillor Scott, present in his capacity as Leader of the Liberal Democrats Group, declared an interest in Agenda Item 10 – report A.8 – Update on Alresford Parish Council’s Regulation 15 and 16 Neighbourhood Plan Consultation insofar as he was both a member of Alresford Parish Council and one of the District Council Ward Members for Alresford.

30. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

Ministerial Visit to Jaywick Sands

The Leader of the Council (Councillor Stock OBE) reported with great pride in this Council (TDC) that the previous day a Minister had visited the District. The Rt. Hon. Chris Pincher MP had been given a tour of the Brooklands and Grasslands area of Jaywick Sands and had been taken around the ten new high-quality flood resilient homes being built by TDC. Housing was a key issue in Jaywick Sands, with a long-standing quality of life challenge due to some substandard housing in the area. However, these new homes looked superb, were safe, improved the quality of life for local residents and offered a bright future for Jaywick Sands.

He thanked Giles Watling MP for Clacton for arranging this visit which had been a real credit to all involved.

Campaigns by the District’s Members of Parliament

Councillor Stock referred to Councillor Watling’s efforts in Parliament to raise support for the Theatre industry which was a vital part of the cultural fabric of the nation. He stated that he had a personal interest in the Theatre as his company was involved in this industry albeit in a limited and oblique fashion.

In addition, Councillor Stock drew attention to Bernard Jenkin MP for Harwich and North Essex and the concerns that he was helping to raise in Parliament about the potential for Chinese state involvement in the construction and operation of the proposed new Bradwell B nuclear power station.

Local Government Re-organisation

Councillor Stock informed Cabinet that he would be arranging a meeting of Group Leaders in August 2020 to discuss the Government’s emerging plans for a local government re-organisation which could see the abolition of both county and district/borough councils and their replacement with large unitary authorities.

31. ANNOUNCEMENTS BY CABINET MEMBERS

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

32. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

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

33. MATTERS REFERRED TO THE CABINET BY A COMMITTEE

There were no matters referred to the Cabinet by a Committee on this occasion.

34. LEADER OF THE COUNCIL'S ITEMS - A.1 - EXECUTIVE DECISION TAKEN AS A MATTER OF URGENCY

The Cabinet gave consideration to a report of the Leader of the Council (A.1) which notified Members of a recent urgent Executive Decision 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 be 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 decision taken as a matter of urgency had related to the Write-off of Leisure Facilities Memberships Income for June and July 2020.

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 decision taken by the Leader of the Council on behalf of the Cabinet, as detailed in this report, be formally endorsed.

35. LEADER OF THE COUNCIL'S ITEMS - A.2 - NORTH ESSEX GARDEN COMMUNITIES LTD.

Councillors Stock and G V Guglielmi, as members of the Cabinet and therefore decision makers, each had earlier in the meeting declared a Personal Interest in Agenda Item 9 – report A.2 – North Essex Garden Communities Ltd. insofar as they were, respectively, a Director and an alternate Director of NEGC Ltd.

The Cabinet gave consideration to a report of the Leader of the Council (A.2) which enabled it to consider and agree the preferred option relating to the future of the Company and to note the decision of the Company Board in relation to the three Local Delivery Vehicles.

The Leader's report set out for Cabinet the options for the future of the North Essex Garden Communities Ltd. and the three Local Delivery Vehicles (LDVs) following receipt of the Local Plan Inspector's letter on 15 May 2020 and focused on the following points:

- NEGC Ltd – its structure and purpose and company liabilities and resources;
- Winding up the Company – the legal process;
- Employment implications – pension strain and redundancy/TUPE implications; and the
- Financial implications.

Cabinet was made aware that, on 6 July 2020, the North Essex Garden Communities Ltd Board, consisting of representatives from each of the North Essex Authorities ("the Councils"), had met to consider the current position and to agree the preferred options for the future of the Company and the three LDVs. At that meeting it was agreed that:

- the Company would recommended to the shareholders to cease operations of NEGC Ltd on 31 August 2020 and thereafter begin activities to close the company down;
- the Company would recommend to the shareholders to consider the closure of the three LDV companies in line with the NEGC Ltd closure; and
- the Company would recommend to the shareholders to make the NEGC Managing Director post redundant as of 31 August 2020.

It was reported that the Councils had worked closely together to consider the options available to each of them as Shareholders, and, as a result of that action, the following options had been identified:

Option 1 – Braintree District Council would ‘exit’ and restructure to reflect an alternative purpose;

Option 2 – the Company continues to work on proposals for delivery models for the NEAs to decide upon, though this would require substantial ongoing financial contributions;

Option 3 – the NEAs remain within the Company, but restructure to make it fit for purpose, though this would require ongoing substantial financial contributions; and

Option 4 – Close the Company and three current LDVs.

Cabinet was informed that, following an evaluation of the current position, the options available and the issues identified within the Leader’s report, Option 4 was recommended as the preferred way forward for this Council. The reasons behind that recommendation were that:-

- (1) for the Company to carry on with a view to becoming part of the delivery vehicle would require a company restructure and substantive variations to both the Shareholder Agreements and the Articles;
- (2) the Company had not expressed any interest in progressing with its existing company structure, which included a LDV for the Tendring/Colchester Border Garden Community (TCB);
- (3) there were Value for Money considerations of continuing to use a limited company for the establishment of one Garden Community;
- (4) the TCB garden community could still be delivered through alternative mechanisms and vehicles, and Tendring District Council and Colchester Borough Council (CBC) would need to consider their options around this in due course;
- (5) the Company’s only liability and resource was the Managing Director. All project and external resources had been commissioned through CBC; and
- (6) there was a need to have careful consideration of the pension strain and TUPE implications, if the Company continued to trade with a view to establishing different delivery models.

Cabinet had had circulated to them prior to the commencement of the meeting an updated report of the Leader of the Council. The updated report informed Members that there was a project balance of £883k carried forward at the end of 2019/20 which had met operational costs incurred to date in 2020/21 with sufficient funding estimated to remain available to meet the winding up costs. Project funds were held by Colchester Borough Council (CBC), who effectively acted as the accountable body on behalf of the partnership. Any balance remaining would be carried forward for use in any future delivery vehicle or returned to local authorities as agreed between the partners.

Cabinet was aware that the cost of the project had been supported from its inception by a mix of Government funding and contributions from the four Local Authority shareholders. The contributions from the four Local Authorities had, to date, been based on each Local Authority accepting its equal share of the liabilities of the project. This position had been echoed in a letter required by CBC last year when they had sought the reaffirmation of this commitment from the other Local Authorities given their accountable body role.

The project budget for 2019/20 had therefore continued to be based on an equal share basis, with a contribution of £350k required from each of the Local Authority shareholders. The last tranche of TDC's required contribution of £350k had been made in December 2019.

It was reported that CBC's Cabinet had considered a similar report to the Leader's report at its meeting held on 8 July 2020 and they had resolved to take all necessary steps to wind up North Essex Garden Communities Ltd. At the same meeting, they had also agreed a recommendation to their Full Council to release their 2019/20 contribution of £350k. However, unexpectedly at the meeting of CBC's Full Council held on 15 July 2020, CBC Members had decided that they would not be paying their contribution of £350k in 2019/20. Notwithstanding the decision to make a contribution or not, the project was accruing costs and liabilities which should be fairly borne by the four authorities in accordance with the partnership arrangements that had been established to date.

Members were advised that, as the accountable body, it had been accepted that CBC would incur some costs and overheads as part of supporting the project. At the present time it was understood that those costs totalled £314k. As CBC were not looking to charge those costs into the project, it could be argued that their contribution was therefore an 'in kind' contribution rather than via a direct payment. Therefore in principle this could be an effective way of demonstrating that each of the four local authorities had made a fair contribution to the project costs, albeit not always as a cash payment. It was noted that Tendring had not charged any officer time to this project.

Cabinet was informed that, as part of winding up the company, there would be the need to bring the latest accounting period of NEGC Ltd to a close, with similar activities being required for the wider project, to not only enable any surplus to be considered but also as part of 'cleanly' moving onto the next phase of the TCB project. Therefore as part of those activities, further details would be sought from CBC in order to provide the necessary transparency around their 'in kind' contribution to the project, which had not been provided to date.

Members were made aware that this was important for a number of reasons not least because if the Council was left in the position of making contributions on behalf of

another authority, it would be difficult to reconcile locally and it would potentially take money away from delivering other important priorities within this District such as tackling deprivation and key economic / regeneration projects.

Although CBC had made the decision to not make any further contributions, it was not yet clear whether they would be exploring further options around how they intended to meet any shortfall in their fair share of the accrued liabilities of the project.

Having considered the options and proposals available and the financial, legal and other implications set out in the Leader's report (as updated), together with the implications of CBC's decision:-

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

RESOLVED that Cabinet –

- (a) notes the decision of the North Essex Garden Communities Ltd Board on 6th July 2020 to take all the necessary steps to wind up the three Local Delivery Vehicles, namely Colchester Braintree Borders Ltd, Tendring Colchester Borders Ltd and West of Braintree Ltd;
- (b) notes Colchester Borough Council's disappointing decision not to approve their partnership contribution to the NEGC project and requests that the Leader of Tendring District Council formally write to Colchester Borough Council to express this Council's concerns with regard to future working arrangements and seeking clarity around remedying their equal share of project responsibilities;
- (c) approves, as a Shareholder, that North Essex Garden Communities Ltd. ceases trading with effect from 31 August 2020; and
- (d) approves the necessary winding up procedures are undertaken, subject to the Leader of the Council, in consultation with the Section 151 Officer and the Monitoring Officer, being satisfied around the final accounting processes.

36. LEADER OF THE COUNCIL'S ITEMS - A.8 - UPDATE ON ALRESFORD PARISH COUNCIL'S REGULATION 15 AND 16 NEIGHBOURHOOD PLAN CONSULTATION

Earlier in the meeting, on a point of information for the public record, Councillor Scott, present in his capacity as Leader of the Liberal Democrats Group, had declared an interest in Agenda Item 10 – report A.8 – Update on Alresford Parish Council's Regulation 15 and 16 Neighbourhood Plan Consultation insofar as he was both a member of Alresford Parish Council and one of the District Council Ward Members for Alresford.

The Cabinet gave consideration to a report of the Leader of the Council (A.8) which sought its authorisation for an eight week statutory public consultation on the emerging Alresford Neighbourhood Plan. The report also sought Cabinet's approval for a Scheme of Delegation for Neighbourhood Plans.

Cabinet was informed that Alresford Parish Council had submitted the final version of its Neighbourhood Plan to this Council (TDC) so that TDC could undertake a public consultation on it. The Plan itself, a Consultation Document, the Basic Condition

Statement and a number of other supporting documents had been submitted to TDC. It was only the Plan, the Consultation Statement, the Basic Condition Statement and the Habitats Regulations Assessment/Strategic Environmental Assessment which would be the subject of the public consultation.

Members were made aware that from this point forward the Neighbourhood Plan process would be hosted by TDC, through a statutory process in its final stages of preparation. That statutory process was set out in The Town and Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012 (as amended).

It was reported that Officers were satisfied that the submitted plan complied with all the relevant statutory requirements (as outlined in Regulation 15) and therefore were requesting that Members now allow the Plan (and associated documentation) to go out to an eight week public consultation.

The Cabinet was advised that the decisions involved in the process of making a Neighbourhood Development Plan were largely technical or administrative in nature, however certain decisions, for example, the decision to hold a referendum or ultimately the decision to make the Neighbourhood Plan and bring it into force could be key decisions and as such should include Members' formal involvement.

In view of the statutory timescales it was proposed that Cabinet approve a scheme of delegation for functions/decision-making under the Neighbourhood Development Plan process to apply to neighbourhood plan proposals. It was important that Neighbourhood Development Plans were processed in a timely and efficient manner, in line with statutory timescales and this proposal sought to streamline the current approach by delegating certain administrative and technical tasks to Officers, in consultation with the Portfolio Holder for Planning where appropriate, whilst reserving the formal decision to make the plan to Cabinet.

The Leader of the Council (Councillor Stock OBE) congratulated Alresford Parish Council for being the first parish council within the District to reach this stage.

Having considered the contents of the Alresford Neighbourhood Development Plan and the proposals contained in the Leader's report:-

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

RESOLVED that Cabinet –

- a) notes the contents of the submitted documentation at Appendix 1 to 3 to item A.8 of the Report of the Leader of the Council and agrees that they satisfy the requirements of Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended);
- b) authorises the Assistant Director (Strategic Planning and Place) to undertake an eight week public consultation on the Plan and other related documents in accordance with Regulation 16 of the aforementioned Regulations;
- c) authorises the Assistant Director (Strategic Planning and Place) to agree any minor amendments to the Plan and supporting documents (if required) before the public consultation begins; and

- d) approves the Scheme of Delegation for Neighbourhood Plans as set in Appendix 4 to the aforementioned Leader of the Council's report.

37. CABINET MEMBERS' ITEMS - REPORT OF THE BUSINESS & ECONOMIC GROWTH PORTFOLIO HOLDER - A.3 - ECONOMIC GROWTH STRATEGY

The Cabinet gave consideration to a report of the Business & Economic Growth Portfolio Holder (A.3) which sought its approval for the Tendring Economic Strategy 2020-2024, as set out in the Appendix to the Portfolio Holder's report. Cabinet's agreement was also sought to allocate £100,000 from uncommitted resources within the Council's Regeneration Budgets in order to support the development and delivery of projects that would deliver key interventions against the objectives of the Strategy.

It was reported that in 2013 the Council had undertaken significant work in order to develop a ten year Economic Strategy for the District. That work had reflected the commitment of the Council and its partners to create the conditions needed to stimulate economic growth in the period to 2023. This Strategy had now been refreshed in order to:

- Respond to uncertain economic conditions, both locally and nationally;
- Better understand the current evidence explaining the under-performance of Tendring's economy;
- Ensure that the case for future investment in Tendring was informed by the best available evidence and articulated through a clear Strategy; and
- Inform the technical and employment requirements of the Council's emerging Local Plan.

Cabinet was informed that evidence from the Office of National Statistics demonstrated that there had been some important changes in Tendring's economy since 2013, which underpinned the need for a change in the Council's approach.



The refreshed Strategy therefore sought to promote:

-
- A greater focus on Clacton-on-Sea and Jaywick Sands, noting a decline in the economic performance of those locations. This focussed specifically on local participation within communities and securing long term prosperity;
 - Bold action in Clacton Town Centre, recognising that its future was unlikely to be led by retail alone;
 - A balance in the evolution of Harwich as a port with the development of the visitor economy in the town and the surrounding area;
 - A need to focus on two sectors: Care and Assisted Living; and Clean Energy, whilst recognising the need to be alive to opportunities in the rural economy, culture/creativity and tourism; and
 - A focus upon the higher growth companies within the District, enlisting their experience and know-how to support the development of policy and focussed interventions to support new and existing companies in Tendring.

However, whilst the Strategy set out the longer term direction, more immediate refocusing or reprioritisation could be required to support those sectors which would be hardest hit by the Covid pandemic. Members were therefore advised that the Strategy would need to factor in this agility of approach particularly in the short term.

Cabinet was made aware that the Vision and Objectives of the Strategy would need to be delivered via the implementation of projects that were developed departmentally and through new and existing partnerships with the public, private and voluntary sectors (locally, regionally and nationally). Delivery of the Strategy would take time as many of the objectives identified would require a significant step-change in Tendring's economic trajectory.

It was suggested that in order to achieve the desired outcomes, the Council would need to work closely with public and private sector partners in order to realise practical and deliverable actions. This was particularly important given the current challenging and volatile economic conditions, with on-going uncertainty in relation to resources to support delivery. Ensuring that partners could see the long-term vision for Tendring would be a crucial part in building momentum behind Tendring's economy.

Members were advised that some of the required actions would be easier to deliver, and the results would be more visible, particularly those related to physical development. For others, especially those linked to aspiration, employment and skills, action would be as much about shifting the business culture in the District as it was about measurable results. Some of those actions could take a generation or more to embed, but were not any less important to the long-term economic success of the District.

It was felt that the long-term nature of the Strategy meant that there would be a need to maintain a strong dialogue between the Council and its partners. Also fundamental to the success of the Strategy would be the Council's ability to work alongside national, regional and sub-regional development partners (including the South East LEP, Essex County Council and neighbouring districts) and to ensure that partners could see the long-term vision for Tendring's economy.

The Cabinet's agreement was therefore sought to allocate £100,000 from the uncommitted resources within the Council's Regeneration Budgets in order to support the development and delivery of projects that would deliver key interventions against the five objectives of the Strategy.

Important Advisory Note

Cabinet noted that work on the Council's refreshed Economic Strategy had concluded well in advance of the COVID-19 pandemic, which had subsequently had such a devastating short-term impact on the UK's economy (the longer-term impact was yet to be known). However, it was not felt at this stage that the Strategy's Vision(s) and/or its Strategic Objectives needed amending to accommodate the impact of the pandemic on the national, regional or local economic scene, as those sought to address the established structural weaknesses in the District's economy.

It was proposed that the immediate project interventions arising from the Strategy should be influenced, guided and moulded by the need to help existing businesses recover from the COVID-19 lockdown. This could mean that in the early years of delivery, greater emphasis was placed upon the need to provide tailored business support (Information, Advice and Guidance), and as appropriate financial aid, to help businesses get back to their pre-COVID position with regard to market share, turnover, and prospects for growth.

It was also noted that the Economic Strategy was a key document for Part 2 of the Local Plan and as such it had been concluded that, whilst the effects of COVID-19 might require a refresh of the Strategy it would be better to adopt the Strategy based on what was currently known rather than to wait and potentially delay the development of the Local Plan.

Members were informed that, at the beginning of June 2020 the Council's Economic Growth Team had launched a business survey aimed at securing intelligence on the range and type of business support required by the District's businesses. Data from the survey would be used to inform project interventions.

Cabinet recalled that, at its meeting held in January 2020, it had allocated £90,000 in support of its Tendring4Growth Strategy, £60,000 of which had been sourced from previously uncommitted Section106 funding and identified for use in support of a tailored Tendring4Growth Business Support Service. Work on this scheme had been suspended as a consequence of COVID-19, but a specification of requirements would now be prepared using the intelligence secured as part of the business survey referenced above. The specification would then be used to procure a suitable third party business advice provider, which (subject to cost and available funding) would be contracted to work with the Council for a period of three years.

Having considered the contents of the proposed Economic Strategy:-

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

RESOLVED that Cabinet –

1. approves the draft Tending Economic Strategy 2020 – 2024, as set out in the Appendix to item A.3 of the Report of the Business & Economic Growth Portfolio Holder;
2. notes that actions to deliver the Economic Strategy will be developed as part of annual Departmental Service Plans;
3. approves the allocation of £100,000 from the Council's Business Investment and Growth Budget to support the delivery of the Strategy; and
4. notes that, as part of the Council's back to business strategy, following the pandemic, the strategic interventions may need to be reframed or reprioritised in order to deliver the economic stimulus required to deliver economic growth and support businesses.

38. CABINET MEMBERS' ITEMS - REPORT OF THE BUSINESS & ECONOMIC GROWTH PORTFOLIO HOLDER - A.4 - REJUVENATING CLACTON TOWN CENTRE

The Cabinet gave consideration to a detailed report of the Business & Economic Growth (A.4) which:-

- advised it of the progress of, and proposed submission of a bid for the Future High Streets Fund;
- sought its support for substantial capital investment in Town Centre Proposals;
- sought its support for the commitment of Council owned property to the proposed schemes; and
- sought its direction on the continued development of proposals within the scope of the bid and beyond the bid.

Cabinet recalled that at its meeting held on 13 September 2019 it had, inter alia, approved a vision for Clacton Town Centre and the consultations and funding for the preparation of a bid for the Future High Streets fund, including:

“the Director for Planning and Regeneration, in consultation with the relevant Portfolio Holders, be authorised to submit a detailed business case for Clacton Town Centre to the Government's 'Future High Streets Fund' by the deadline of 30th April 2020.”

Subsequently, the Government had extended the deadline for submissions to 31 July 2020 and, in addition, the Council's Management Team had been restructured and the Deputy Chief Executive & Corporate Director (Place and Economy) was now the relevant delegated officer.

It was reported that both the District and County Council's officers had carried out consultations and investigations and had prepared a bid proposal for submission.

Members were made aware that the Portfolio Holder for Business & Economic Growth and the Deputy Leader of the Council & Portfolio Holder for Corporate Finance and Governance had both been consulted and had concurred with the proposed submission of the bid.

Cabinet was informed that the Council was promoting recovery from the COVID 19 crisis and a Back to Business approach to the economy which interlocked closely with the renewal of the Town Centre. Details of the bid were set out in the current position section of the Portfolio Holder's report.

It was reported that the guidance provided in relation to the bid submission indicated a requirement for co-funding of the proposals to be demonstrated.

It was considered that the proposals created included the redevelopment and reuse or disposal of property owned by both the District Council and the County Council and the potential acquisition of further property.

Cabinet was advised that the proposals also required capital investment by the Authorities which would be offset by partner investment, grant and future potential disposals.

Members' attention was drawn to the fact that Officers from Essex County Council were seeking approval from their Recovery Advisory Board to the principle of use of County Council property and a capital investment. It was proposed that TDC's Cabinet made a similar 'in principle' commitment in support of the bid.

Cabinet was reminded that the amount of Government grant would be determined during the bid process and detailed design and negotiations had not yet been fully concluded. It was therefore proposed at this stage for commitments to be 'in principle' only and for specific investment decisions to be quantified in business case form for a future specific decision by the Cabinet.

It was reported that Officers were also working with consultants on potential public sector relocation to the area and with the Clinical Commissioning Group on a potential Seacole Centre for community health services.

Cabinet was advised that the process of preparing the bid had identified a significant gap between useful interventions and the available funding. There were significant further opportunities for community and cultural activities, transport and open space, covered areas links to the coast and a number of other aesthetic and management improvements. It was proposed therefore that officers should prepare in outline a framework for such initiatives in order to prepare for potential future partnerships and funding schemes.

The Portfolio Holder (Councillor Newton) informed Cabinet that an exemption from call-in in respect of the Cabinet's decision on this matter had been granted by the Chairman of the Resources and Services Overview & Scrutiny Committee (Councillor M E Stephenson).

Councillor Stephenson informed Cabinet that he had agreed to grant the aforementioned exemption due to the fact that the Government had set a deadline of 31 July 2020 for the submission of bids for the Future High Streets Fund.

Having considered the proposals and actions contained within the Portfolio Holder's report:-

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

RESOLVED that Cabinet –

- a) notes the progress of the bid for the Future High Streets Fund and the proposed submission of that bid on, or before, 31 July 2020;
- b) approves, 'in principle', the addition of an allocation in the Capital Programme in order to facilitate substantial capital investment in Town Centre Proposals, subject to the normal approval and business case processes in respect of the detail of the schemes being developed;
- c) approves, 'in principle', the acquisition of strategic property and the appropriation of currently owned property pursuant to the proposed schemes, subject to its specific approval of the terms and details in each case;
- d) instructs Officers, in partnership with officers of Essex County Council, to continue the development of proposals within the scope of the bid (as set out in the Portfolio Holder's report) in anticipation of award of a significant grant. Such proposals to be subject to detailed business cases and a formal decision by Cabinet; and
- e) instructs Officers, in partnership with officers of Essex County Council, to develop further complimentary outline proposals, in line with the bid proposals, for 'Back to Business' initiatives, the further rejuvenation of Clacton Town Centre and the enhancement of its links to the Seafront and all parts of the District. Such proposals to be subject to further funding reports and a formal decision by Cabinet.

39. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.5 - GRANT OF EASEMENT, IN RESPECT OF A RIGHT OF WAY, OVER LAND SITUATED IN COLCHESTER ROAD, WEELEY

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.5) which sought its approval, 'in principle' for the granting of an easement over land situated in Colchester Road, Weeley, as shown on the Plan in Appendix A to the Portfolio Holder's report.

It was reported that the Council had been approached by the owner of a proposed development on Colchester Road, Weeley. Following the granting of their planning consent, they had discovered that the only access from the development to the highway was over a small piece of land owned by the Council. The Developer had originally been advised that this land was part of the public highway due to an error with Essex Highways' data. Following an approach by this Council's Officers to both the Developer

and Essex Highways, it had been established that there was a piece of land in the Council's ownership between this development and the public highway.

The owner had therefore sought an easement from this Council in order to provide access to the development for both themselves and the future property owners, by way of the construction of a section of road to link their development to the Highway. This access was imperative to the land owner as without it the development would no longer be feasible as there was no viable alternative route available.

Having considered the nature of the request and the advice of Officers on this matter:-

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

RESOLVED that, subject to its decision to be taken later on in the meeting in respect of the related report B.1 on the Agenda, Cabinet authorises, 'in principle' the granting of an easement over the land in question in Colchester Road, Weeley.

40. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.6 - OUTTURN 2019/20 AND PROPOSED ALLOCATION OF THE GENERAL FUND VARIANCE FOR THE YEAR

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.6) which sought its approval of the allocation of the overall 2019/20 General Fund revenue variance.

It was reported that the Portfolio Holder for Corporate Finance and Governance had formally agreed the overall outturn position for 2019/20 on 17 July 2020, with a high level summary of the General Fund revenue position as follows:

Variance for the year before carry forward requests	(£11.038m)
Less agreed carry forwards that meet the carry forward criteria	£9.518m
Variance for the year after agreed carry forwards	(£1.520m)
Carry Forward requests from services that did not meet carry forward criteria	£0.658m
Remaining Variance for the year	(£0.862m)

The Portfolio Holder as part of that decision had also agreed the variance for the year of £0.862m as part of the overall consideration of the outturn position for the year.

The Cabinet was informed that the report now before it therefore presented for its consideration the £0.658m requested to be carried forward by services and the allocation of the remaining variance for the year of £0.862m.

Members were made aware that the £0.658m that had been requested by services to be carried forward at the end of the year had been subject to further review as the various items did not meet the associated qualifying criteria. They were in effect a 'bid' by services to retain a proportion of the overall favourable outturn variance of £1.520m before any further allocations were considered. The various items were set out in Appendix A and it was proposed by the Portfolio Holder to agree all of the items.

If all of the items were agreed to be 'carried forward' then the general overall variance for the year of £0.862m remained to be allocated and proposals to allocate that funding in 2020/21 were set out within Table 1 of the Portfolio Holder's report.

Having duly considered the requests by Services to retain funding at the end of 2019/20 via 'carry forward' requests into 2020/21 and the proposed allocations of the general overall variance monies in 2020/21:-

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

RESOLVED 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 as set out in Table 1 of the Portfolio Holder's report and repeated below:-

Proposed Allocation	Amount	Portfolio Holder's Comments
'Back to Business' Initiatives and associated activities	£0.862m	<p><i>"It is proposed to allocate the full uncommitted General Fund variance to this major initiative and associated regeneration and economic activities.</i></p> <p><i>As elsewhere in the country, the Tendring District has been hit hard by the COVID19 crisis. Therefore it is important that this Council establishes a clear focus and determination in supporting the district and the economy to not only recover as quickly as possible but to also strengthen and embed a level of resilience that will undoubtedly be required going forward. This approach will provide a solid foundation along with complimenting all of the Council's overall prioritised and strategic objectives.</i></p> <p><i>As already discussed by Members, there should be no constraints to the range of projects and initiatives that are put forward for consideration to support the whole district or perhaps more locally at ward level.</i></p> <p><i>In agreeing the carry forwards of £0.658m set out earlier on in this report, along with other existing projects and actions, there will be an overlap with direct back to business activities going forward to make this initiative a success.</i></p> <p><i>In terms of this success, it is also acknowledged that local businesses must have a strong influence in terms of how the Council can help and support them through what has been and will continue to be a very challenging time for them and our residents.</i></p>

		<i>The 'Back to Business' initiative will continue to be developed over the coming weeks and further reports will be presented to Members in late summer / early autumn."</i>
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41. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.7 - TREASURY MANAGEMENT PERFORMANCE 2019/20

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.7) which reported on the Council's treasury management activities and Prudential Indicators for 2019/20. The Treasury performance figures for the year were set out in Appendix A to the Portfolio Holder's report with the Prudential Indicators attached as Appendix B to that report.

Cabinet was informed that borrowing and investments had been undertaken in accordance with the 2019/20 Annual Treasury Strategy that had been approved by Council at its meeting held on 26 March 2019.

The Council's borrowing position was summarised as follows:-

Amount Outstanding at the end of March 2020	Average Interest Rate Paid in 2019/20	Total Interest paid in 2019/20
£0.207m (General Fund)	7.790%	£0.022m
£40.106m (HRA)	3.386%	£1.401m

Cabinet was made aware that no external borrowing had been undertaken in 2019/20 for either the General Fund (GF) or the Housing Revenue Account (HRA).

The Council's Investment Position was summarised as follows:-

Value of Investments held at the end of March 2020	Average Interest rate on Investments 2019/20	Interest Earned on Investments 2019/20
£66.460m	0.829%	£0.583m

It was reported that the amount of interest earned from investments had increased during the year as rates had risen slightly although the bank base rate had remained at 0.75% until 11 March 2020 when, due to the Covid-19 pandemic it had been cut to 0.25%, with a further cut to 0.10% on 19 March 2020. However, compared to historic interest figures, the 2019/20 return still remained relatively low because of the continuing underlying low interest rate environment. The impact of the latest base rate reduction to 0.1% would be felt in 2020/21. Estimated income had increased during the year from the original estimate of £0.336 million to £0.556 million, with the outturn figure being £0.583 million as set out in the table above.

Members were reminded that the Council continued to hold one property within its Commercial Investment Portfolio, which had a balance sheet value at 1 April 2019 of £2.300 million. This 'book value' had been reduced by the Council's appointed valuers to £2.155 million at the end of 2019/20. However, this was an 'accounting' valuation and not a direct value that could be achieved on the market if that property was sold. In-line with the budget, rental income of £0.211 million had been earned on the property in 2019/20.

Cabinet's attention was drawn to the fact that during 2019/20 there had been one occasion when the treasury management limits had been exceeded. The maximum amount that could be invested with a single Local Authority was £6million. However, due to human error that limit had been exceeded by £1million when a deal had been agreed with a local authority on 27 March 2020. Efforts had been made to find a replacement counter party, but this could not be readily achieved, so the Council had had £7million with this one borrower from 27 March 2020 until an investment of £2million held with them had matured on 6 July 2020. Given the relatively low risk that investments with other Local Authorities presented, there had been only a very limited credit risk and once balanced with the potential adverse impact on the Council's reputation in the financial markets if it had tried to withdraw from a deal, the position had been deemed to be acceptable.

Having duly considered the treasury performance for 2019/20 together with the Prudential Indicators for that year:-

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

RESOLVED that –

- (a) the Treasury Management performance position for 2019/20 be noted; and
- (b) the Prudential and Treasury Indicators for 2019/20 be approved.

42. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock OBE, seconded by Councillor P B Honeywood 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 17 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.

43. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - B.1 - TERMS FOR THE GRANT OF AN EASEMENT, IN RESPECT OF A RIGHT OF WAY, OVER LAND FRONTING COLCHESTER ROAD, WEELEY

RESOLVED that Cabinet -

- (a) approves the terms proposed in order to grant an easement for a right of way to St Osyth Beach Estates Limited and their Successors in Title; and

- (b) authorises the Acting Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for Corporate Finance and Governance, to grant such an easement including on such other terms and conditions as he sees fit.

The Meeting was declared closed at 1.28 pm

Chairman

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CABINET**11 SEPTEMBER 2020****REFERENCE REPORT 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**

(Report prepared by Keith Durran and Ian Ford)

BACKGROUND

At the meeting of the Resources and Services Overview and Scrutiny Committee held on 22 June 2020 (Minute 61 refers) the Committee 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 response to it.

The following was a list of those decisions and the supporting papers were available through the links created by the list:

Discretionary Business Support Scheme ref: 4989
 Write-Off of Leisure Centre Membership Fees Income for May 2020 ref: 4848
 Business Rates Covid-19 Grants Scheme ref: 4733
 Council Tax Hardship Scheme ref: 4732
 Write-Off of Leisure Facilities Income ref: 4731
 Tendring Community Fund - Allocation of £1,000 to Members ref: 4730
 CAROS Scheme - Waiver of Rents ref: 4728

Members were given the opportunity to ask any questions, which in turn were responded to by the Assistant Director (Finance and IT) & Section 151 Officer.

COMMITTEE RECOMMENDATIONS AND COMMENTS TO CABINET

Following discussion, the Committee **RECOMMENDED TO THE 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.
- c) the waiver of rents for those within the CAROS Scheme be extended to the end of August 2020 at least.

**LEADER OF THE COUNCIL'S COMMENTS AND RECOMMENDATION TO
CABINET**

Comments

“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.”

Recommendation to Cabinet

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.

CABINET**11 SEPTEMBER 2020****REFERENCE REPORT FROM THE RESOURCES
AND SERVICES OVERVIEW & SCRUTINY COMMITTEE****A.2 FINANCIAL PERFORMANCE REPORT: IMPACT OF COVID-19**
(Report prepared by Keith Durran and Ian Ford)**BACKGROUND**

At the meeting of the Resources and Services Overview and Scrutiny Committee held on 22 June 2020 (Minute 62 refers) the Committee was 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 was explained 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. This report sought to provide a high level view of the impact that the COVID 19 crisis was having on the Council's financial position so it did not attempt to summarise or pull together all of the information that had been available to date or provide commentary on wider service delivery / performance management issues, although they were touched upon where relevant in the report.

In providing this high level narrative on the Council's financial position, information was presented across the following headings:

1. A SUMMARY OF THE POSITION AT THE END OF APRIL FOR SIGNIFICANT INCOME STREAMS.

Members were informed that at the end of April 2020, the income collected was £384,907 lower than for the same period last year, with the biggest impact being seen in car parks and sport and leisure facilities.

2. IMPACT ON THE LOCAL COUNCIL TAX SUPPORT SCHEME (LCTSS) AND COUNCIL TAX AND BUSINESS RATE COLLECTION PERFORMANCE.

It was reported to the Committee that given the scale of income the Council Raises from council tax and business rates, this area of the budget presented one of the greater risks associated with the economic downturn currently being experienced. However to date the position remained relatively positive across both council tax and business rates.

3. THE DIRECT FINANCIAL IMPACT, INCLUDING EXPENDITURE AND INCOME, AS AT THE END OF APRIL, WITH ESTIMATES FOR MAY AND JUNE.

It was explained to the Committee that taking all of the above into account, the estimated impact of the COVID 19 crisis over April to June had been summarised in Appendix C of that report. Further details were set in the report and it was important as it highlighted that the figures for May and June were based on very early estimates of the likely position.

4. CASH FLOW IMPLICATIONS

It was reported to Members another issue that many local authorities faced was managing a positive cash flow position and having access to enough cash to be able to pay their bills etc. The Government had taken a number of actions to support Councils where necessary, including deferring the payment of their share of business rate income, which was usually paid to them monthly.

However to date, through robust treasuring management practices, this Council had not experienced any major cash flow issues. Although subject to change over the rest of the year, at the present time no major issues were expected, especially if income collection performance from council tax and business rates did not deteriorate significantly over the coming months.

COMMITTEE RECOMMENDATIONS AND COMMENTS TO CABINET

Following discussion, the Committee **RECOMMENDED TO THE 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.

PORTFOLIO HOLDER'S COMMENTS AND RECOMMENDATIONS TO CABINET

Portfolio Holder Comments

"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 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.”

Recommendations to Cabinet

- (a) That the RSOS Committee is thanked for the work they have undertaken; and
- (b) That Cabinet notes the comments raised, which will be considered as part of associated activities going forward.

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CABINET**11 SEPTEMBER 2020****REFERENCE REPORT FROM THE RESOURCES
AND SERVICES OVERVIEW & SCRUTINY COMMITTEE****A.3 SCRUTINY OF PROPOSED DECISIONS**

(Report prepared by Keith Durran and Ian Ford)

BACKGROUND

At the meeting of the Resources and Services Overview and Scrutiny Committee held on 22 June 2020 (Minute 63 refers) the Committee 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 relevant forthcoming decisions were before the Committee.

The agenda for the forthcoming meeting of the Cabinet on 26 June 2020 had been published prior to the Resources and Services Committee Meeting and as such supporting papers relating to a number of the proposed Cabinet decisions were made available to Members of the Committee and aided in the discussion of those proposed decisions. A list of the forthcoming decisions taken from the Notice of such decisions on the Council's website was as follows (with the intended date for the relevant decision):

NEGC Ltd - Budget & Business Plans Etc. 24/07/2020

Corporate Priorities & Projects And New Performance Report 2020/21 - 24/07/2020

Housing Development And Acquisitions Strategy - 24/07/2020

IDOX Corporate Application Support Contract Renewal - 26/06/2020

Financial Outturn 2019/20 And Proposed Allocation Of The General Fund Variance For The Year - 24/07/2020

Treasury Out Turn 2019/20 - 24/07/2020

The Chairman and Members of the Committee also identified matters that they would wish to be subject to inquiry by the Committee at its meetings to be scheduled in July and August 2020 (or subsequently).

COMMITTEE RECOMMENDATIONS AND COMMENTS TO CABINET

Following discussion, the Committee **RECOMMENDED TO THE 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.

PORTFOLIO HOLDER'S COMMENTS AND RECOMMENDATIONS TO CABINET**Comments**

"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 will in due course confirm the Cabinet Member whom I wish to appoint to take this forward.”

Recommendation to Cabinet:

That the recommendation from Resources and Services Overview & Scrutiny Committee and Leader’s comments in response be noted.

CABINET**11 SEPTEMBER 2020****REFERENCE REPORT FROM THE RESOURCES
AND SERVICES OVERVIEW & SCRUTINY COMMITTEE****A.4 OVERVIEW AND SCRUTINY OF HOUSING ISSUES**

(Report prepared by Keith Durran and Ian Ford)

BACKGROUND

At the meeting of the Resources and Services Overview and Scrutiny Committee held on 9 July 2020 (Minute 68 refers) the Committee conducted overview and scrutiny on the theme of Housing. A report in respect of the items to be considered had been produced and circulated to the members of the Committee prior to the commencement of the meeting. Members paid particular emphasis to service delivery and performance in relation to:-

A. PRIVATE SECTOR HOUSING FINANCIAL ASSISTANCE POLICY

The Committee was provided with the report on the Private Sector Housing Financial Assistance Policy as approved by the Cabinet on 26 June 2020 (Minute 24 of that meeting referred).

The Committee's consideration of the policy focussed on Disabled Facilities Grants (DFGs): the processes, the timescales, any obstacles to delivery and options for solutions (and whether those options had been pursued) and the relative advantages of pooling. It was explained to the Members that the DFGs were mandatory grants for those in owner occupied, private rented or housing association properties to provide disabled adaptations and were the only grant left from the Housing Grants, Construction and Regeneration Act 1996. Funding for the DFG came from the Better Care Fund.

B. VACATED/EMPTY COUNCIL HOUSING ('VOIDS')

The Committee looked at the numbers of empty properties there had been over the past year, the proportion that those represented of the entire Council housing estate, expectations on standards of vacated properties, the extent to which the vacated properties were subject to major/minor repair works, the target times for inspecting vacated properties once they were empty and for repairs to be conducted, the periods of time properties were empty, the lost rental income during the period it was empty and the cost of housing homeless persons in the same period. Members also examined the situation one year on from the Council taking back the ROALCO Ltd contract (following the company being placed in administration), the transfer of staff to the Council and responding to the immediate issue this posed and the plan for sustaining the work now and in the future.

It was reported to Members that the turnaround time for a void property depended on the condition it was left in by the previous tenant and the extent of previous works such as asbestos removal. Many were left in a poor condition and required extensive void works before they could be let again.

Many voids required replacement kitchens and bathrooms, caused by a combination of them having been abused by the tenant or that they had come to the end of their life span, unfortunately most of them were from abuse.

C. COUNCIL HOUSING TENANT SATISFACTION AND INVOLVEMENT

The Committee looked at the measurement processes in relation to tenant satisfaction levels and tenant participation arrangements.

The Committee was informed that in 2018, this Council had carried out the eighth comprehensive survey to find out how satisfied tenants were with the services that the Council provided, as a landlord. This survey had been carried out in accordance with Housemark's framework and was carried out in the summer of 2018 over a six-week period.

40% of those canvassed responded, which ensured the statistical reliability of the responses. Although this was less than the response rate achieved in previous years, this was a common phenomenon when research of a similar nature was undertaken on a regular basis.

D. NEW BUILD OF 10 COUNCIL HOUSES IN JAYWICK SANDS

The Committee looked at the project and the delivery of those 10 houses in Jaywick Sands and whether there were lessons for further development there and for the emerging Acquisitions and Development Strategy of the Council. The Performance Report for 2019/20 as presented to Cabinet at its meeting held on 29 May 2020 had included that project at Page 10 of that report. Page 21 of that report had also referenced Council House Building and the emerging Acquisitions and Development Strategy. The aforementioned Pages 10 and 21 had been circulated with the Agenda for the meeting.

It was reported to the Committee that whilst the 10 houses being built in Jaywick were slightly behind schedule due to COVID 19, the larger project of developing a new Council house building programme and increasing the stock of new affordable/Council homes was on target. Due to the success of the 10 builds in Jaywick and the unexpected increased value, two investors were in talks about a further 100 properties to be developed on a lease back programme to the Council. Members were informed that once an investor came back with actual figures, it would be brought before Cabinet for a formal decision.

COMMITTEE RECOMMENDATIONS AND COMMENTS TO CABINET

Following discussion, the Committee **RECOMMENDED TO THE 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).

(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.

HOUSING PORTFOLIO HOLDER'S COMMENTS AND RECOMMENDATIONS TO CABINET

Comments

"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."

Recommendation

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

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CABINET**11 SEPTEMBER 2020****REFERENCE REPORT FROM THE RESOURCES
AND SERVICES OVERVIEW & SCRUTINY COMMITTEE****A.5 FINANCIAL OUTTURN 2019/20 AND ALLOCATION OF GENERAL FUND
VARIANCE FOR THE YEAR**

(Report prepared by Keith Durran and Ian Ford)

BACKGROUND

At the meeting of the Resources and Services Overview and Scrutiny Committee held on 13 August 2020 (Minute 73 refers) the Committee was provided a report of 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 refers) in respect of the Outturn 2019/20 and proposed allocation of the General Fund variance for the year were 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."

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.

COMMITTEE RECOMMENDATIONS AND COMMENTS TO CABINET

Following discussion, the Committee **RECOMMENDED TO THE 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.

PORTFOLIO HOLDER'S COMMENTS AND RECOMMENDATIONS TO CABINET

Portfolio Holder Comments

"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 be delivered on the ground and in a timely manner.”

Recommendations to Cabinet

- (a) That the Committee is thanked for the work they have undertaken in reviewing the Financial Outturn for 2019/20 and their ongoing support in their overview and scrutiny of the Council's financial performance, both in-year and future years; and
- (b) That the Committee's comments are 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 their important overview and scrutiny role in delivering against this key priority for the Council.

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CABINET**11 SEPTEMBER 2020****REFERENCE REPORT FROM THE RESOURCES
AND SERVICES OVERVIEW & SCRUTINY COMMITTEE****A.6 TENDRING BACK TO BUSINESS PRIORITIES AND PROJECTS 2020/21**

(Report prepared by Ian Ford and Keith Durran)

BACKGROUND**13 August 2020**

At the meeting of the Resources and Services Overview and Scrutiny Committee held on 13 August 2020 (Minute 74 refers) the Committee had before it a report of the Assistant Director of Governance regarding the development of 'Priorities and Projects' that was incorporated as part of the Council's Back to Business and Recovery Plan, and Performance Management framework for the Council for 2020/21 in advance of any decisions by Cabinet/Council on those matters. The report included an Appendix prepared by the Assistant Director of Finance 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 was 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.

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

3 September 2020

The Committee met on 3 September 2020 to review the outputs from the 13 August meeting and ensure that these had been accurately captured. These are set out at Appendix A to this report. The opportunity was also taken to 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 Cabinet Agenda the Committee's formal response was circulated as soon as practicable.

The decisions concerning the Outturn 2020/21 (referred to in the report at A5 of this agenda) and the discussion around 'Back to Business' suggested to the Committee that a clear and deliverable action plan should be developed by the Cabinet taking in the range of proposals. These proposals now need to be assessed and the component parts examined to identify the various steps that are necessary to achieve them. The timing and financing of those proposals needs to be thoroughly worked through to avoid wasted energy and public funds. Initially, schemes and services that are already in place or were anyway going to be implemented in this timeframe may be better started or refocused with minimal delay. This will ensure that the Council does not defer intervention while the range of proposals are worked on.

Through the work of the Committee it was considered that, as 'back to business' steps are developed they may themselves suggest related or associated steps are also taken. Such associated and related steps may help deliver enhanced benefits and maximise the deliverables that can 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 can be encouraged. In developing the Action Plan, the themed approach at Appendix B was considered for recommendation to the Cabinet. This itself identified to the Committee that in many areas proposals will fit into more than one theme and thereby achieve advantage across those overlapping themes.

As the Committee saw it, the 'back to business' agenda was not intended to replace the Corporate Plan and so there was recognition that particular activities will be on-going to achieve that Plan and it is vital that this activity continues. Indeed, it was recognised that some of the more long term proposals arising from the 'Back to Business' discussion will fit well with delivery of the Corporate Plan goals.

COMMITTEE RECOMMENDATIONS AND COMMENTS TO CABINET FOLLOWING THE MEETING HELD ON 3 SEPTEMBER 2020

The Resources and Services Overview & Scrutiny Committee response was 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 report be adopted.**
- (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.**

PORTFOLIO HOLDER'S COMMENTS AND RECOMMENDATIONS TO CABINET IN RESPONSE TO THE COMMITTEE'S COMMENTS AND RECOMMENDATIONS ARISING FROM THE MEETING HELD ON 3 SEPTEMBER 2020

Portfolio Holder Comments

"I would like to thank the RSOS Committee for their 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.”

Recommendation to Cabinet

That the RSOS Committee’s comments are 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 their important overview and scrutiny role in delivering against this key priority for the Council.

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Key Decision Required:	NO	In the Forward Plan:	NO
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CABINET**11 SEPTEMBER 2020****REPORT OF THE LEADER OF THE COUNCIL****A.7 EXECUTIVE DECISIONS TAKEN AS A MATTER OF URGENCY**

(Report prepared by Ian Ford, Committee Services Manager)

PART 1 – KEY INFORMATION**PURPOSE OF THE REPORT**

To notify Members of recent urgent Executive Decisions taken by the Leader of the Council on behalf of the Cabinet.

EXECUTIVE SUMMARY

In accordance with the procedures contained in the Note on Decision Making Business Continuity Arrangements issued by the Monitoring Officer (Lisa Hastings) on Friday 20 March 2020, this report formally notifies Members of recent urgent Executive Decisions taken by the Leader of the Council on behalf of the Cabinet.

RECOMMENDATIONS

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

PART 2 – SUPPORTING INFORMATION**BACKGROUND**

As part of the Council's response to the COVID-10 public health emergency the Council's Monitoring Officer produced a formal "Note on Decision Making Business Continuity Arrangements" which set out the ways in which the normal operational business 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 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 is 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 be 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 is 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 considered that, in responding to COVID-19, the Council was in exceptional times which therefore satisfied the grounds of urgency.

In making the decision in question the Leader of the Council 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].

DECISIONS TAKEN AS A MATTER OF URGENCY

(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 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.

BACKGROUND PAPERS

Note on Decision Making Business Continuity Arrangements issued by the Monitoring Officer (Lisa Hastings) on Friday 20 March 2020.

Published Executive Decisions taken by the Leader of the Council on 30 July and 24 August 2020.

APPENDICES

None.

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Key Decision Required:	Yes	In the Forward Plan:	Yes
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CABINET**11 SEPTEMBER 2020****REPORT OF THE PORTFOLIO HOLDER FOR
LEISURE AND TOURISM****A.8 TOURISM STRATEGY FOR TENDRING**
(Report prepared by Mike Carran)**PART 1 – KEY INFORMATION****PURPOSE OF THE REPORT**

To present the draft Tourism Strategy 2021-2026 to Cabinet and seek approval to commence consultation.

EXECUTIVE SUMMARY

- This five year plan replaces the previous strategy for Tendring, which expired in 2016;
- Tourism is estimated to be worth more than £402 million to Tendring, and is responsible for over 8,980 jobs, equivalent to 17.9% of the District's employment. To put matters into perspective, tourism has increased in value to the local economy by £115 million since the previous strategy was written in 2010;
- The coronavirus pandemic has impacted significantly on the local tourism industry and this strategy is tailored to extend 'back to business' support towards the recovery of the sector;
- The strategy sets 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*
- This strategy recognises that Tendring has wide attraction, with its towns and villages all having their own unique features, tourism offer and charm. It is important that the Council works with partners to develop those unique selling points and promotes 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 is in the diversity of its destinations and that should be embraced and marketed accordingly;
- There has 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 has improved the quality of the District as a visitor destination and demonstrates local confidence and commitment to raising standards;
- The Council has invested in major projects such as the £36m Coastal Defence scheme for Clacton and Holland, creating tangible tourism assets in Harwich for Mayflower 400 and public realm schemes to improve the appearance of the District;

- Furthermore, the Council has 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 have 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;
- The strategy recognises that tourism is a fast moving, agile economy and the Council is one partner in ensuring long term success. As such, this strategy has greater emphasis on the Council's role of facilitation than its predecessor;
- To date, this strategy has only been subject to light touch consultation and requires a wider process before final consideration and approval by Cabinet;
- Following consultation, the strategy once approved will return to Cabinet with the first year's delivery plan, which will support achievement of the key objectives.

RECOMMENDATION(S)

- a) That Cabinet agrees the content of the draft Tourism Strategy 2021-2026.**
- b) Subject to a) above, authorises the Corporate Director (Place and Economy) to commence a consultation period of 6 weeks to seek the views of partners on the proposed Tourism Strategy.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

This strategy will support a number of priorities in the Corporate Plan as set below:

- Promote Tendring's tourism, cultural and heritage offers
- Develop and attract new businesses
- Support existing businesses
- More and better jobs
- Maximise our coastal and seafront opportunities

Further to that, the following opportunities listed in the plan will be impacted upon by the strategy:

- Clear vision for economic growth and prosperity;
- Our coast;
- Tourism, culture and sport.

This strategy compliments the Economic Growth strategy, which was adopted by Cabinet in July 2020.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Once approved formally, consideration will be made to the resources required to deliver the emerging delivery plan, which will accompany the final strategy. This will be costed in the delivery plan and detailed in the accompanying report.

Cabinet has already committed finance and staffing resource to support the Mayflower 400 commemorations, tourism promotion and an events programme which includes Clacton Airshow, Beside the Seaside, Illuminate Festival and Tour de Tendring.

LEGAL

The proposals are within the Council's powers. The Request for allocation of budget will be in accordance with the Budget and Policy Framework, as set out in Part 5 of the Council's Constitution.

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/Public Engagement.

Area or Ward Affected

The tourism strategy impacts on the entire District.

Health Inequalities

Improving employment opportunities through growing the sector will impact on quality of life of local people.

Consultation/Public Engagement

Once agreed by Cabinet, this strategy will be subject to consultation with private and voluntary sector partners in the local tourism sector, together with Town and Parish Councils. This principles for this strategy was subject to scrutiny by the Resources and Services Committee in July 2018. The recommendations from that committee were as follows:

- (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.

*note: this has now increased to £402m in the latest economic impact assessment

PART 3 – SUPPORTING INFORMATION**BACKGROUND**

There has been significant investment by both the public and private sector in tourism over recent years. Amongst others, there has been multi million pound investments into Clacton Pier, Clacton Pavilion and the Pier Hotel, Harwich. In addition to this, in 2015 the Council completed a £36 million coastal defence project stretching from Clacton to Holland on Sea in partnership with the Environment Agency. Not only has this protected the coastline, it has led to the creation of 23 new sandy beaches which provide a major opportunity for tourism development.

2020 marks the 400th anniversary of the Mayflower's voyage to the New World. Harwich played a central role in this iconic story, with the ship and its Captain, Christopher Jones hailing from Harwich. Tendring is working with ten national partners together with others in the USA and Holland to maximise the benefit. Although the Coronavirus pandemic has clearly impacted on the 'in year' potential of opening up to new tourism markets from the US and Holland, the long term possibilities are still very

much alive. It is widely hoped that the anticipated 1.7 million additional visitors anticipated to the UK during 2020 will arrive when travelling restrictions are lifted. There is also potential to widen the tangible heritage offer in Tendring, through working with the private sector on historical links to The Witch-finder trails and other narratives around heritage. Clacton celebrates its 150th anniversary in 2021, which also provides a strong hook for promotion during these challenging times.

It is also important to recognise the role of quality visitor accommodation plays in a healthy tourism economy and to use this strategy to guide planning decisions. There needs to be a concerted effort to increase the quantity of quality bed space available in the District and protecting what already exists.

The Council has increasingly worked closely with partners over recent years, in recognition that a holistic approach is the key to success. This has included working with the private sector in Clacton to develop the 'Love Clacton' promotional campaign and with the Harwich and Dovercourt Tourism Group, where key successes include the development of a new best in practice promotional website and a new brand for Harwich which has been adopted across the town.

The Council has been working with representatives from the public, private and voluntary sectors over the last 3 years to develop the tourism industry in Harwich. This is Chaired by the Managing Director of the Milsom Hotel Group and includes representatives from the Harwich Haven Authority, Harwich Society, Harwich Town Council, Harwich Festival of the Arts, Harwich Mayflower Trust, representatives of the retail sector, Harwich Connexions, Hotels/Restaurants and others. The Council has played a key role in this group and has contributed towards delivering new branding for Harwich, a new website and promotional campaign. This model can be used as the benchmark to roll out similar groups across the District to improve partnership working and guide decision making.

BACKGROUND PAPERS FOR THE DECISION

None.

APPENDICES

Tourism Strategy for Tendring 2021 - 2026

Tourism Strategy for Tendring 2021—2026



INTRODUCTION

Tendring: A Tourism Industry ‘on the up’

Tendring has a thriving tourism economy incorporating a blend of heritage, stunning natural environment and high quality leisure attractions. The District’s towns and villages all have their own unique characteristics and charm, which should be embraced and nurtured to maintain and develop the overall offer to visitors. A thriving Tendring tourism economy not only has the effect of improving local wealth and job creation, but also the quality of life for local people by enhancing the natural and built environment.

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The District is less than 50 miles from Greater London, 35 miles from Stansted Airport, benefits from links with Europe via Harwich, and is surrounded by some of the region’s most attractive countryside. The net worth of Tendring’s tourism economy has grown by around £115 million since 2010, with private sector investment, an expanding events programme and new hospitality and leisure opportunities driving momentum in the sector. The sector is worth almost £402 million to Tendring, with the industry responsible for almost 9,000 jobs, equivalent to 17.9% of the District’s employment. The Council has worked with partners to develop a programme of events that will draw visitors to Tendring and raise the profile of the area. In 2018 Tendring hosted the first ever on-road rally in England which was followed by a second event in 2019. This attracted significant media interest and had a positive impact on Clacton. Tendring also stages the annual Clacton Airshow, now in its 29th year, which attracts around a quarter of a million visitors each year.

There has been significant investment by both the public and private sector in tourism over recent years. Amongst others, there has been multi million pound investments into Clacton Pier, Clacton Pavilion and the Pier Hotel, Harwich. In addition to this, in 2014 the Council instigated a £36 million coastal defence project stretching from Clacton Pier to Holland on Sea in partnership with the Environment Agency. Not only has this protected the coastline, it has led to the creation of 23 new sandy beaches which provide a major opportunity for tourism development.

Tendring: A Tourism Industry 'on the up' (cont.)

The Coronavirus Pandemic has impacted significantly on the national and local economy and Central Government has recognised the specific challenges faced by the tourism industry. The core goals of this strategy will ensure the impending delivery plan will be focussed on supporting our local tourism businesses, to recover from their forced closures. Furthermore, with evidence suggesting that more and more people are less likely to travel abroad over the next few years there is potential to take advantage of this opportunity.

One such opportunity is Mayflower 400. 2020 marks the 400th anniversary of the Mayflower's voyage to the New World. Harwich played a central role in this iconic story, with the ship and its Captain, Christopher Jones hailing from Harwich. Tendring has been working with ten national partners together with others in the USA and Holland to maximise the benefit of a projected 1.7 million additional visitors anticipated by this commemoration. Although the pandemic has disrupted the 'in year' opportunity for this opportunity, the US travel trade has indicated that all the planned trips will be postponed until it is deemed safe to travel.

The Council has increasingly worked closely with partners over recent years, in recognition that a holistic approach is the key to success. This has included working with the private sector in Clacton to develop the 'Love Clacton' promotional campaign and with the Harwich and Dovercourt Tourism Group, where key successes include the development of a new best in class town website and a Harwich brand for which has been adopted across the town. The latter is a consortium of public, private and voluntary sector organisations and chaired by a local business owner. This is considered to be a model which works in bringing together the key tourism related stakeholders to ensure that projects are developed by and for partners, with the Council often acting in the role of facilitator.

With 36 miles of coastline, a rich and entertaining history, beautiful countryside and award winning local restaurants, there's much to be discovered for visitors in Tendring. Through a concerted effort of effectively managing resources, tailoring promotional campaigns and importantly working with key partners, Tendring is well placed to meet the challenges of the current climate and continue to develop its tourism offer to further improve the sector's importance to the local economy.

SCOPE OF THE STRATEGY

This strategy covers the development and promotion of tourism in the Tendring District, with input and integration from partners in the private, voluntary and wider public sector. The high level strategic objectives within this plan, will inform a detailed delivery plan to set out the actions to be taken to achieve successful outcomes.

The following points are considered to be the drivers in developing this strategy:

- 1. Increase the volume and value of tourism**
- 2. Improve and consolidate existing markets and exploit new markets**
- 3. The delivery of this strategy must account for available resources, so innovation is paramount**
- 4. Progression can only take place through collaborative/partnership attainment**

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VISION

“To develop tourism as a platform to improve the quality of our environment and the quality of Tendring life.”

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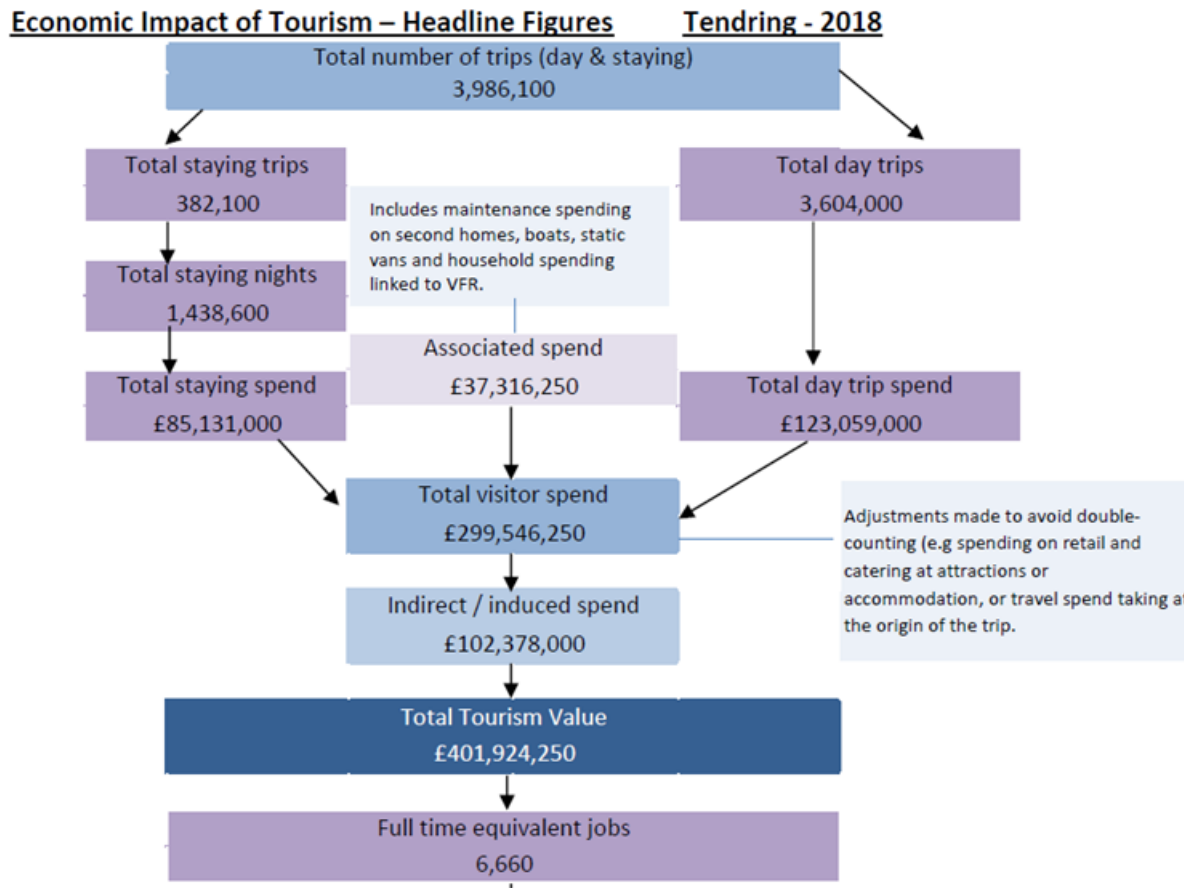
MISSION STATEMENT

“Grow the volume and value of tourism for the wider benefit of the Tendring economy and increase recognition of our brands. Work with partners to drive improvements to the local tourism offer for our residents and visitors”



TAKING STOCK

Each year a report is published, setting out the economic impact of tourism for the Tendring District. The results are derived using the Cambridge Economic Impact Model based on the latest data from national tourism surveys and regionally/locally based data. The following chart sets out the high level findings from the latest report for 2018, which is the latest available data (the reports are carried out in arrears).



CORPORATE ROAD MAP

The Council's Corporate Plan sets out the organisation's corporate goals and tourism is considered a key opportunity. Through the Council's role as community leader, a strong tourism economy will contribute towards the *following* targets set out in the document:

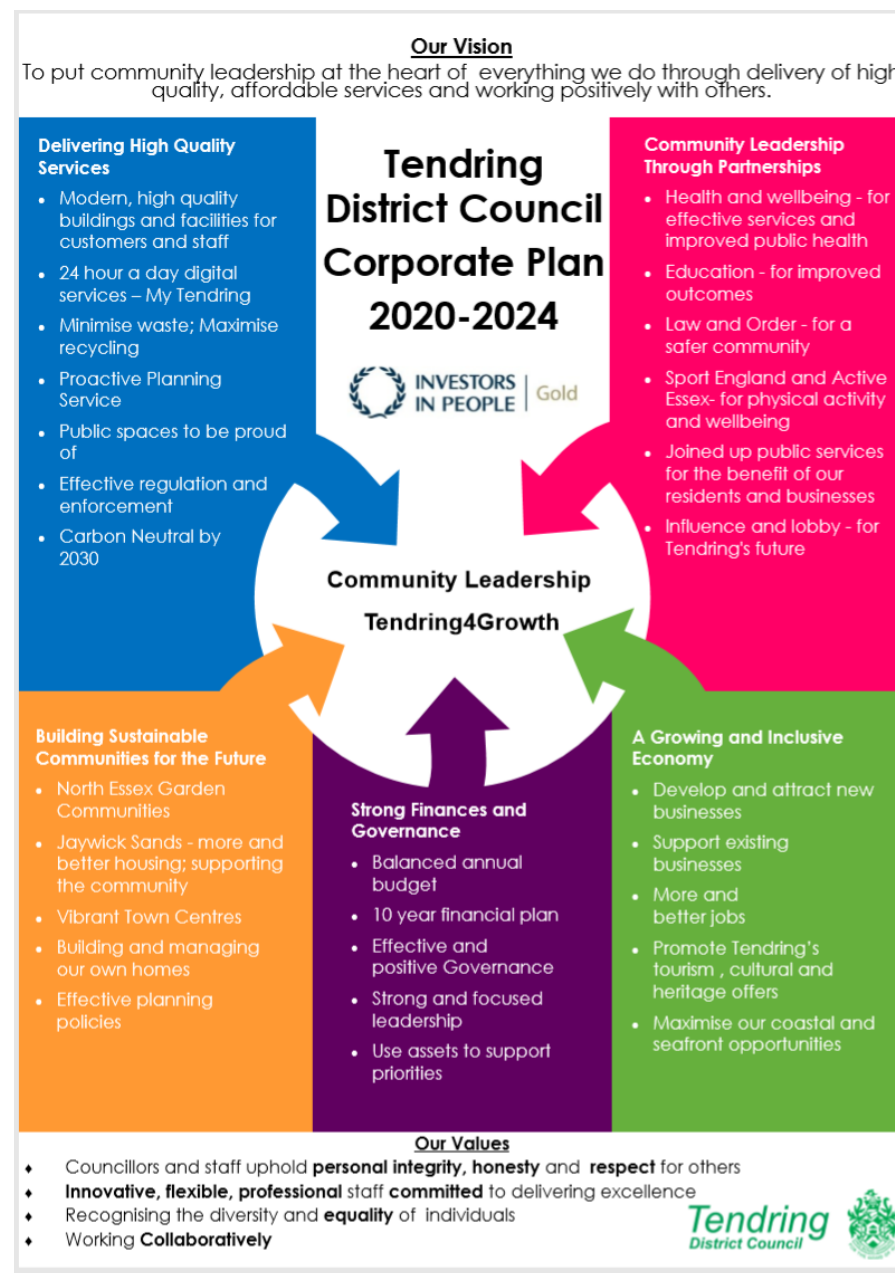
- **Promote Tendring's tourism, cultural and heritage offers**
- **Develop and attract new businesses**
- **Support existing businesses**
- **More and better jobs**
- **Maximise our coastal and seafront opportunities**

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These corporate priorities, have guided the strategic goals of this strategy, which are set out below:

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



STRATEGIC OBJECTIVES

These are the high level objectives which will measure the success of this strategy over its lifecycle.

Note: The targets will be set using the latest data, once the strategy is adopted.

Target	Detail	Date
Increase visitor numbers	*** annually *** day trips *** staying trips	Dec 2026
Increase economic benefit	£***m	Dec 2026
Improve profile	<ul style="list-style-type: none"> • Increase website hits by **% • Increase social media interaction by **% year on year 	Dec 2026
Improve partnership working	Set up and sustain 4 local partnership 'boards' to collaborate on driving forward tourism promotion	Dec 2026
Improve the visitor offer	Protect current high quality visitor attractions and visitor accommodation and work to increase available quality bed space	Dec 2026 and beyond

THE 10 POINT PLAN

The following high level plan will be used to deliver the strategy and will be underpinned by an annual delivery plan will be based on the 10 points set out in the table:

Priority	Details
1	<p>Develop individual brand identity</p> <p>Recognise, embrace and promote the unique nature and selling points of the individual towns and destinations around the District. Where appropriate promote and develop existing brands, e.g. Love Clacton, Historic Harwich etc</p>
2	<p>Develop Events Programme</p> <p>Develop and sustain a quality District wide programme to attract visitors, extend the tourism season and to increase brand awareness through:</p> <ol style="list-style-type: none">1. Quality in-house managed events, e.g. Clacton Airshow, Beside the Seaside, Tour de Tendring, Illuminate Festival Princes Theatre2. Attract, facilitate and support quality externally delivered events
3	<p>Promotion of the District/Digital Marketing</p> <p>Promote the District as a great place to visit. Develop resources to focus on digital marketing, through appropriate websites and social media channels, to include: Web development, Creative PR, TV/VOD and Social Media</p>

The 10 POINT PLAN (continued)

	Priority	Details
4	Improve tourism infrastructure	Work to develop the resident & visitor experience by improving presentation of key areas, wayfinding and enforcement where appropriate. Support and facilitate the private sector to invest in new opportunities which meet the objectives of this strategy
5	Develop/Improve Seafront Offer	Ensure the 27 miles of coastline in the District is maintained to the highest standards achievable within available resources and seek opportunities to develop seafront attractions to improve the resident and visitor offer
6	Private Sector Support	Provide guidance to private sector tourism providers/investors to support job creation. Work with partners to encourage new tourism attractions and improve existing facilities
7	Promotion of the District as an area for Outdoor Activities	Work with partners to improve infrastructure and raise the profile of the District as a destination for walking, cycling, water sports, dog walking and other outdoor activities
8	Manage Resources	In order to focus long term planning, set up partnership boards of public, private and voluntary sector partners in key locations around the District. Actively seek external funding opportunities for projects which meet the aspirations set out in this strategy

THE 10 POINT PLAN (continued)

	Priority	Details
9	Planning	Use the Tourism Strategy to guide Planning Policy to protect quality visitor attractions and visitor accommodation. Work with the private sector to attract new high quality tangible assets in our towns to attract and retain visitors. Work with the private sector to increase the number of high quality bed spaces.
10	Develop/Improve Heritage Offer	Work to create a tangible, bookable product to enhance and improve the resident & visitor experience. Develop and deliver a stand alone action plan for the long term Mayflower opportunity and wider expansion into other heritage offers, e.g. Witchfinder Trails

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Key Decision Required:	Yes	In the Forward Plan:	Yes
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CABINET

11 SEPTEMBER 2020

JOINT REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE AND GOVERNANCE AND THE PORTFOLIO HOLDER FOR HOUSING**A.9 FREEHOLD SALE OF A RESIDENTIAL PROPERTY**

(Report prepared by Heidi Foster)

PART 1 – KEY INFORMATION**PURPOSE OF THE REPORT**

To seek approval from Cabinet for the freehold sale of a three bedroom residential property in Parkeston requiring substantial maintenance work.

EXECUTIVE SUMMARY

In April 2020 authority was obtained to commence the Property Dealing Procedure and list for open market sale a three bedroom residential property in Parkeston requiring substantial maintenance work.

A number of offers have been received and Cabinet approval is sought to enter into a contract to dispose of the property on the terms set out in the Part B report.

RECOMMENDATION(S)

That Cabinet authorises the freehold sale of the property in principle, subject to its decision on terms and authorises the Acting Corporate Director for Operations and Delivery to enter in to a contract and transfer deed to complete the sale of the property all as set out in the report in Part B of this agenda.

PART 2 – IMPLICATIONS OF THE DECISION**DELIVERING PRIORITIES**

Our priorities include providing decent affordable housing and to ensure all our residents live in high quality housing which meets local needs.

To manage public money effectively meaning value for money principles are embedded in the delivery of all our services.

Regenerating the District and improving deprived areas.

A capital receipt to the Housing Revenue Account offers potential to contribute to the investment in acquiring an additional, more suitable property in the Harwich/Dovercourt area.

FINANCE, OTHER RESOURCES AND RISK**Finance and other resources**

The house was recently acquired after purchasing the 25% share from the previous Do It Yourself Shared Ownership owner. The remaining 75% interest in the property was retained by the Council. It is not a traditionally built Council house and is the only property we own in the terrace of houses. Due to the nature and age of the house the maintenance and running costs are high and selling the property will 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 S106

receipts and used to bring a more suitable additional dwelling/s into the Housing Revenue Account that could immediately begin generating a return.

Risk

Officers have not identified any significant risk associated with the proposals.

LEGAL

Section 123(1) Local Government Act 1972 indicates that a local authority may dispose of land held by it in any way it wishes so long as (section 123 (2)) the land is disposed for a consideration not less than the best that can reasonably be obtained.

The General Disposal Consent Order (England) 2003 gives consent for disposal at below best consideration reasonably obtainable provided that the undervalue is less than £2m and the proposal enhances the environmental economic and social wellbeing of the area.

Section 123(2A) Local Government Act 1972 indicates that, a local authority may not dispose of land held by it without advertising its intention to do so in the local press.

In coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the District.

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/Public Engagement.

Area or Ward Affected

Dovercourt Vines & Parkeston

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The property is a non-traditional Council house in need of substantial maintenance work and has been identified as surplus to requirements.

The property has been on the market with a local Estate Agent for a number of weeks and three offers have been received.

CURRENT POSITION

The highest offer has been provisionally accepted subject to the decision recommended in this report.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

None

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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