

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	No

SUBJECT OF DECISION:

Matters Referred to the Cabinet by a Committee - Reference from the Overview & Scrutiny Committees - A.1 - Scrutiny of Priority for Actions 2021/22 and Monitoring the Delivery of those Actions

Decision:

RESOLVED that the Overview and Scrutiny Committees be thanked for the views submitted and that the comments of the Leader of the Council, in response thereto, be endorsed.

Reasons for Decision:

Having considered the recommendations submitted by the Community Leadership Overview & Scrutiny Committee together with the Leader of the Council's response thereto.

Alternative Options Considered:

None

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Keith Simmons, Head of Democratic Services and Elections

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	No

SUBJECT OF DECISION:

Matters Referred to the Cabinet by a Committee - Reference from the Overview & Scrutiny Committees and the Audit Committee - A.2 - Scrutiny of NEGC Ltd and Governance of Future Council Controlled Companies

Decision:

RESOLVED that the recommendations of the Overview and Scrutiny Committees and the Audit Committee be noted and the comments of the Corporate Finance & Governance Portfolio Holder, in response thereto, be endorsed.

Reasons for Decision:

Having considered the recommendations submitted by the Overview & Scrutiny Committees and the Audit Committee together with the Portfolio Holder for Corporate Finance and Governance's response thereto.

Alternative Options Considered:

None

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Lisa Hastings, Assistant Director (Governance) & Monitoring Officer

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	No

SUBJECT OF DECISION:

Leader of the Council's Items - A.3 - Executive Decision(s) taken as a matter of Urgency

Decision:

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.

Reasons for Decision:

Having considered the contents of the report.

Alternative Options Considered:

Not to endorse the Leader's decision.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Lisa Hastings, Assistant Director (Governance) & Monitoring Officer

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	No

SUBJECT OF DECISION:

Leader of the Council's Items - A.4 - Priority Actions for 2021/22 and Monitoring Delivery of those Actions

Decision:

RESOLVED that –

- (a) the outcome of the consultation with the Overview and Scrutiny Committees on the provisional list of key priority actions agreed by Cabinet on 29 January 2021 be received and welcomed;
- (b) the key priority actions for 2021/22, as set out at Appendix A to item A.4 of the Report of the Leader of the Council, be approved and adopted; and
- (c) the means by which performance against the priority actions will be monitored and reported on in that year be determined on the basis as set out in Appendix B to the aforementioned report.

Reasons for Decision:

Having considered the outcome of the consultation with the Overview and Scrutiny Committees on the provisional list of key priority actions agreed by Cabinet on 29 January 2021, together with the contents of the Leader of the Council's report and its appendices.

Alternative Options Considered:

Not to approve some or all of the Priority Actions or to amend some or all of the Priority Actions.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Keith Simmons, Head of Democratic Services and Elections

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance and Governance Portfolio Holder
- A.5 - Programme of Meetings: 2021/2022 Municipal Year

Decision:

RESOLVED that –

- (a) the programme of meetings for the Council and Committees, as set out in the Appendix to item A.5 of the Report of the Corporate Finance & Governance Portfolio Holder, be agreed, in principle, and be submitted to the Annual Meeting of the Council for its formal approval; and
- (b) the proposed dates for All Member Briefings for Members be noted.

Reasons for Decision:

Having considered the proposed programme of meetings.

Alternative Options Considered:

Not to approve the programme of meetings or to amend the programme of meetings.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Ian Ford, Committee Services Manager

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Partnerships Portfolio Holder - A.6 - Determination of a Nomination to Register an Asset of Community Value: The Never Say Die, 24 Broadway, Jaywick Sands, Clacton-on-Sea CO15 2EH

Decision:

RESOLVED that The Never Say Die Public House, 24 Broadway, Jaywick Sands, Clacton-on-Sea, Essex CO15 2EH does meet the definition of an Asset of Community Value (as set out in Section 88 of the Localism Act 2011) and that therefore the asset be added to the Council's List of Assets of Community Value.

Reasons for Decision:

Having considered all of the information and advice contained in the Portfolio Holder's report and its appendix.

Alternative Options Considered:

That it does not meet the definition of an Asset of Community Value (as set out in Section 88 of the Localism Act 2011) and that therefore the asset be not added to the Council's List of Assets of Community Value.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

None

Contact Officer:

Andy White, Assistant Director (Building and Public Realm)

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - A.7 - Freehold Purchase of a Residential Property in Clacton-on-Sea

Decision:

RESOLVED that Cabinet –

- (a) authorises, in principle, the freehold purchase of the property for inclusion into the Council's housing stock; and
- (b) authorises, in principle, the Corporate Director (Operations and Delivery) to enter into a contract and transfer deed to complete the purchase of the properties (including the completion of all necessary statutory agreements prior to the completion of the purchase), subject to the Cabinet's decision to be taken later in the meeting (following the exclusion of the press and public) in respect of the related Part B report.

Reasons for Decision:

Having considered all of the information and advice contained in the Portfolio Holders' joint report.

Alternative Options Considered:

Not to agree the principle of the purchase.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

None

Contact Officer:

Matthew Wicks, Housing Manager

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - A.8 - Houses in Multiple Occupation (HMO) Policy

Decision:

RESOLVED that –

- (a) the HMO Policy, as set out in the Appendix to item A.8 of the Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder be adopted; and
- (b) the Housing Portfolio Holder be authorised to make updates or amendments to the policy, if required in the future.

Reasons for Decision:

Having duly considered the information and advice contained in the Portfolio Holders' joint report and its appendix.

Alternative Options Considered:

Not to approve the HMO Policy or to amend the HMO Policy.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Peter Russell, Executive Projects Manager - Housing

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.9 - Financial Performance Report: In-Year Performance against the Budget at the end of the Third Quarter 2020/21 & Long Term Financial Forecast Update

Decision:

RESOLVED that –

- (a) in respect of the financial performance against the budget at the end of December 2020 the in-year position for 2020/21 be noted and the updated long term forecast agreed;
- (b) the proposed in-year adjustments to the budget, as set out in Appendix H to the Portfolio Holder's report, be agreed;
- (c) the balance of £0.138m, that represents this Council's unspent contribution to the NEGC project, be transferred and committed to the Tendring & Colchester Borders Garden Community project and that the Corporate Director (Place and Economy), in consultation with the Portfolio Holder for Corporate Finance and Governance, be authorised to approve the use of this funding as part of the associated local authority partnership arrangements; and
- (d) the Resources and Services Overview and Scrutiny Committee be consulted on both the in-year position for 2020/21 and the updated long-term forecast.

Reasons for Decision:

Having considered the comprehensive report and appendices of the Portfolio Holder.

Alternative Options Considered:

None

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Richard Barrett, Assistant Director (Finance and IT) & Section 151 Officer

Date:	Decision Maker:	Subject to Call-in*
19 March 2021	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - B.1 - Terms for the Freehold Purchase of a Residential Property in Clacton-on-Sea

Decision:

RESOLVED that Cabinet –

- (a) approves the terms for the freehold purchase of the property in question;
- (b) authorises the Corporate Director (Operations and Delivery) to enter into a contract and transfer deed to complete the purchase of the property on the agreed terms and subject to such other terms that he considers necessary; and
- (c) approves the use of Section 106 affordable housing contributions to meet the purchase price.

Reasons for Decision:

Having duly considered the proposed terms for the purchase.

Alternative Options Considered:

Not to agree the proposed terms.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

None

Contact Officer:

Matthew Wicks, Housing Manager

* The call-in procedure will not apply to a decision where the Chairman of the relevant overview and scrutiny committee's agreement has been obtained that any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest, (Rule 16 (h) of the Overview and Scrutiny Procedure Rules) or any decision made where such decision is to be referred to the Council or one of the overview and scrutiny committees for their consideration.