
**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 29TH MAY, 2020 AT 10.30 AM
MEETING WILL BE HELD IN ACCORDANCE WITH THE PROVISIONS OF SI
2020/392. LINK TO LIVE STREAM IS FOUND HERE:
[HTTPS://WWW.TENDRINGDC.GOV.UK/LIVEMEETINGS](https://www.tendringdc.gov.uk/livemeetings)**

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

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

Also Present: Councillors Peter Cawthron and Valerie Guglielmi

In Attendance: Ian Davidson (Chief Executive), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Tim Clarke (Assistant Director (Housing and Environment)), Keith Simmons (Head of Democratic Services and Elections), Peter Russell (Executive Projects Manager - Housing), Ian Ford (Committee Services Manager) and Matt Cattermole (Communications Assistant)

1. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Joy Broderick (Independent Living Portfolio Holder) and Jayne Chapman (Leader of the Independent Group).

2. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the meeting of the Cabinet held on Friday 21 February 2020 be approved as a correct record and be signed by the Chairman.

3. DECLARATIONS OF INTEREST

There were no declarations of interest made on this occasion.

4. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

The Leader of the Council (Councillor Stock OBE) welcomed everyone to this the first meeting of the Cabinet to be held by remote access under the new Regulations

introduced as a result of the Covid-19 public health emergency. He stated that though it was an unusual means of holding meetings that would take some getting used to it was better than not being able to hold any meetings at all.

The Leader expressed his gratitude to the Officers of the Council many of whom were having to work from home and in some cases had had to undertake different duties than those that they were used to undertaking. He expressed particular appreciation of the tremendous workload that the Assistant Director (Finance & IT) and his officers had faced in getting the Government's emergency grants distributed to businesses and the speed with which they had been able to do it.

Councillor Stock also placed on record his thanks to his fellow Group Leaders for their constructive and positive approach in ensuring that the Council could continue to carry on with its democratic decision making processes.

Councillor Stock also thanked his Cabinet colleagues for continuing to carry out their portfolio holder duties in these difficult times.

The Leader of the Labour Group (Councillor I J Henderson) expressed his support for Councillor Stock's statement and he also expressed praise for the very many volunteer groups/organisations and volunteers within the District who were playing an enhanced and critical role in helping vulnerable persons in their communities get through the current crisis.

5. ANNOUNCEMENTS BY CABINET MEMBERS

There were no announcements by Cabinet Members on this occasion.

6. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

There were none on this occasion.

7. MATTERS REFERRED TO THE CABINET BY A COMMITTEE

There were none on this occasion.

8. LEADER OF THE COUNCIL'S ITEMS

There were none on this occasion.

9. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.1 - "REMOTE MEETINGS" AND CHANGES TO THE COUNCIL'S CONSTITUTION

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.1) which sought its endorsement of the changes required to the Council's Constitution in consequence of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations').

The Cabinet was made aware that the Regulations, made under section 78 of the Coronavirus Act 2020, applied notwithstanding any other legislation or current or pre-

existing standing orders or any other Council rules governing meetings and would remain valid until 7th May 2021. This meant that, wherever there was a conflict, within the Constitution, or with any procedures or rules implemented under Business Continuity Arrangements, these remote meetings regulations would take precedence.

It was therefore the case that the effect of these Regulations on the Authority's Constitution was to insert what were, in effect, mandatory standing orders for those authorities that wished to hold meetings remotely, either wholly or partially.

Members were informed that a Remote Meetings Protocol and Procedure Rules document had been produced on 17th April 2020 by Lawyers in Local Government (LLG) and the Association of Democratic Services (ADSO) for the purpose of assisting authorities to highlight the changes required to Councils' Constitutions in consequence of the Regulations. Rather than adopting the Protocol without amendment, the Monitoring Officer and Democratic Services officers, had worked through this national guidance and best practice in order to highlight the changes required for Tendring District Council.

It was reported that the proposed changes covered a number of miscellaneous amendments to the Council Procedure Rules and the Access to Information Procedure Rules, and Articles 3 and 7 which were all required in order to comply with the new legislation and to ensure that this Council's Constitution remained effective, efficient and consistent at an operational level. The key changes to each of these documents were highlighted within the body of the Portfolio Holder's report.

The Cabinet was advised that the Monitoring Officer could make these changes to the Constitution in accordance with the delegated authority provided to her within Article 15. However, it was still considered to be prudent for the Portfolio Holder's Constitution Review Working Party to undertake a light touch review prior to submitting the changes to Full Council for ratification, in order to enable the working practices and the guidance issued for remote meetings to be considered in a little more depth.

Having considered the proposed changes to the Constitution as outlined in the Portfolio Holder's report and as detailed in the Appendices attached thereto:-

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

RESOLVED that Cabinet:

1. notes that changes to the Council's Constitution are required as a direct consequence of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020;
2. endorses the changes as identified by the Monitoring Officer and as set out in this report and Appendices A - E attached hereto;
3. endorses that all changes took immediate effect to comply with the Regulations;

4. endorses that all Councillors conduct all Council business through their Tendring District Council online accounts using the corporate IT kit supplied to them for the smooth facilitating and running of remote meetings;
5. adopts the Remote Meeting Guidance for Members and Officers attached as Appendix F and grants a delegated authority to the Head of Democratic Services and Elections to make minor changes to such Guidance, in consultation with the Portfolio Holder for Corporate Finance and Governance;
6. requests that the Portfolio Holder's Constitution Review Working Party undertake a light-touch review of any changes to be made to the Constitution and the application of the Remote Meeting Guidance and reflects upon working practices for remote meetings and then submits its recommendations direct to Full Council for ratification; and
7. recommends that Appendix G, as attached to this report, be submitted to Full Council as a replacement to Appendix E to the March 2020 Constitution review report, which was then subsequently approved by the Leader of the Council (on behalf of the Cabinet) for submission to Full Council.

10. **CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.2 - FINANCIAL PERFORMANCE REPORT - IMPACT OF COVID-19 (ESTIMATED IN-YEAR PERFORMANCE AGAINST THE BUDGET AS AT THE END OF JUNE 2020 AND POTENTIAL IMPACT ON THE LONG TERM FINANCIAL FORECAST)**

The Cabinet gave consideration to a comprehensive report of the Corporate Finance and Governance Portfolio Holder (A.2) which provided it with an early update on the financial impact of COVID 19 on the Council's in-year financial position and which looked ahead to 2021/22 as part of the long term forecast.

The Cabinet was made aware that a number of income streams had been significantly affected by the COVID 19 crisis with the main areas of impact being in sports and leisure facilities and car parks. Although other income streams were also currently running behind profile, they were likely to be areas that would recover over the rest of the year, so at this stage it was considered to be 'deferred' income rather than 'lost' income.

It was reported that the collection performance for council tax and business rates had remained broadly in line with the position as at the end of April 2019 but this would need to be closely monitored over the coming months as it was recognised that there could be a time lag in terms of when the financial consequences facing households and local businesses started to potentially have an impact on their ability to pay.

Appendix C to the Portfolio Holder's report brought together the estimated additional costs as well as the 'lost' income for the period to the end of June 2020. The overall estimated net impact on the Council's budget was £1,427,500.

Members were informed that, in recognising the financial pressures faced by Local Authorities, the Government had provided additional funding, which for Tendring District Council totalled £1,557,527. This currently more than offset the net additional costs highlighted above, but a cautious approach would be required going into the second

quarter of the financial year as the scale and pace of the how the economy would recover was unknown at the present time.

Members were further informed that, as part of providing the aforementioned additional funding of £1,557,527, the Government had asked District Councils to consider exploring opportunities to use some of this funding to support Town and Parish Councils who might also be responding directly to COVID 19 issues in their own areas.

The Cabinet was advised that, during April and May 2020, the Council had established a team to administer the Government's business rates support grant scheme with over 80% of eligible businesses in the District now having received such support.

It was reported that the Government had recently announced an extension to the current business rate grant scheme and that Officers were working in collaboration with other Essex Authorities to design a scheme that balanced the need to be as simple to administer as possible with getting the money out to businesses as quickly as possible. Payments to businesses were hoped to be made as early as possible in June.

The Cabinet was made aware that, at the present time it was difficult to estimate the impact of the COVID 19 crisis on the Council's long term forecast. However, high level commentary had been provided on the significant elements of the long term plan within the Portfolio Holder's report.

Although dependent on the scale and speed of the economic recovery nationally as well as locally, it was currently the hope of the Portfolio Holder that any financial impact could be accommodated within the existing long term plan, as it was designed to offer flexibility to changes required over time. The savings target within the long term forecast remained as the 'safety valve' that might need to be revised as a clearer picture of the impact from COVID 19 emerged.

However, overall it was the view of the Portfolio Holder that the Council was in a strong financial position to respond to the challenges ahead, supported by the forecast risk fund, business rates resilience reserve and uncommitted reserves.

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

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

RESOLVED that –

- (a) the current estimated in-year position to the end of June 2020 and the potential impact on the long term forecast be noted; and
- (b) opportunities of using some of the £1.5m funding that the Council has received from the Government, to support Town and Parish Council to directly respond to COVID 19 issues within their respective areas be explored, and that the determination of the necessary arrangements be delegated to the Portfolio Holder for Finance and Corporate Governance, in consultation with the Chief Executive.

11. **CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.3 - PERFORMANCE REPORT JANUARY - MARCH 2020 OUTTURN (QUARTER FOUR)**

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.3) which presented it with the deliverables and measurable outcomes for the Cabinet's agreed Priorities and Projects 2019/20, as well as reporting the outturn position as at Quarter Four (January – March 2020).

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

In respect of the Quarter 4 position (*as reported in the Resources and Services Performance Report*) Members were informed that of the 21 indicators and projects where performance was measured, 10 (48%) were on, or above, their expected target, 8 indicators (38%) were not currently in line with expected performance, 1 indicator had no data available (5%). It was also noted that two of the projects had been impacted by the current COVID-19 public health emergency.

The indicators and projects highlighted in the *Community Leadership Performance Report* were deemed 'non measurable' as the Council's role was that of 'influence' only.

Furthermore, the Leader of the Council, in response to a recommendation from the Resources and Services Overview & Scrutiny Committee, had agreed on behalf of the Cabinet, that the Manningtree Underpass project would now be reported to the Community Leadership Overview & Scrutiny Committee only, as Tendring's role in this project was that of 'influence only'.

It was anticipated that the usual annual review of the Council's performance management arrangements would include a fundamental review, which would seek to adapt arrangements to ensure that relevant data was gathered and presented in a timely way, to the appropriate audience, in order to drive delivery of service improvement and achievement of the Corporate Plan.

Transforming Tendring Project

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

- (1) Pier Avenue & Barnes House Offices;
- (2) Northbourne Depot;
- (3) Westleigh House demolition and creation of additional car parking spaces;
- (4) Town Hall Phase 3 structural works;
- (5) IT Network and Firmsteps Interface; and
- (6) Scanning and Digitalisation.

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

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

RESOLVED that the current position for each performance measure as at Quarter Four (January – March 2020) be noted.

12. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING PORTFOLIO HOLDER - A.4 - HOMELESSNESS REDUCTION & ROUGH SLEEPING STRATEGY 2020-2024

The Cabinet gave consideration to a detailed report of the Housing Portfolio Holder (A.4) which sought its formal adoption of the Homelessness Reduction & Rough Sleeping Strategy 2020-2024 for the District.

Members were aware that local authorities were required by Government to have a formal homelessness strategy and that they were expected to adopt a strategic approach to tackle homelessness and rough sleeping in their local areas and plan for future needs.

It was reported that the proposed Strategy had identified four key strategic priorities to reduce homelessness and rough sleeping in the District as follows:

- Earlier Intervention and Education
- Better Partnership and Holistic Working
- Increasing the Supply of Suitable Accommodation
- Exploring New Ways to Prevent and Tackle Rough Sleeping

The Cabinet was informed that the Strategy had been drafted following the introduction of the Homelessness Reduction Act 2017, which had been the most significant change to homelessness administration and legislation since the first homelessness legislation had been passed in 1977. This Council's new Strategy had been developed in order to reduce homelessness and rough sleeping in the District at a time when homelessness had been increasing both locally and nationally with associated social and financial costs.

Members were also made aware that the Strategy set out the national and local strategic setting for homelessness and the causes and demographics of homelessness in the District. It further set out the challenges the Council faced in tackling homelessness and rough sleeping and how homelessness was an issue that needed to be tackled in partnership with other agencies. The Council, as a community leader, could facilitate earlier prevention and better partnership working.

Having duly considered the information contained in the portfolio Holder's report together with the contents of the proposed Strategy, as contained in the Appendix to that report:-

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

RESOLVED that –

- (a) the Homelessness Reduction & Rough Sleeping Strategy 2020-24 and its accompanying Delivery Plan, as set out in Appendix 1 of the Strategy be adopted and;

- (b) the Housing Portfolio Holder be authorised to make amendments to the Strategy, if needed, after it is adopted and published.

13. MANAGEMENT TEAM ITEMS

There were none on this occasion.

The Meeting was declared closed at 11.55 am

Chairman