

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date:	Decision Maker:	Subject to Call-in*
24 July 2020	Cabinet	No

SUBJECT OF DECISION:

Leader of the Council's Items - A.1 - Executive Decision 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:

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*
24 July 2020	Cabinet	Yes

SUBJECT OF DECISION:

Leader of the Council's Items - A.2 - North Essex Garden Communities Ltd.

Decision:

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.

Reasons for Decision:

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 Colchester Borough Council's decision.

Alternative Options Considered:

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

Option 2 – the Company continues to work on proposals for delivery models for the North Essex Authorities (NEAs) to decide upon, this requires substantial ongoing financial contributions;

Option 3 – the NEAs remain within the Company, but restructure to make it fit for purpose, this requires ongoing substantial financial contributions.

Option 4 – Close the Company and three current Local Delivery Vehicles.

Option 4 was the option endorsed by the Cabinet.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Paul Price, Deputy Chief Executive & Corporate Director (Place and Economy)

Date:	Decision Maker:	Subject to Call-in*
24 July 2020	Cabinet	Yes

SUBJECT OF DECISION:

Leader of the Council's Items - A.8 - Update on Alresford Parish Council's Regulation 15 and 16 Neighbourhood Plan Consultation

Decision:

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.

Reasons for Decision:

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

Alternative Options Considered:

Not to approve some or all of the Leader's recommended actions.

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

None

Consultation with Ward Member:

Yes

Contact Officer:

Gary Guiver, Temporary Assistant Director (Strategic Planning and Place)

Date:	Decision Maker:	Subject to Call-in*
24 July 2020	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Business & Economic Growth Portfolio Holder - A.3
- Economic Growth Strategy

Decision:

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.

Reasons for Decision:

Having considered the contents of the proposed Economic Strategy.

Alternative Options Considered:

Not to approve the Strategy and/or the allocation of monies.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Tom Gardiner, Head of Regeneration

Date:	Decision Maker:	Subject to Call-in*
24 July 2020	Cabinet	No – exemption from call-in granted

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Business & Economic Growth Portfolio Holder - A.4 - Rejuvenating Clacton Town Centre

Decision:

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.

Reasons for Decision:

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

Alternative Options Considered:

Not to approve the Portfolio Holder's proposals.

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

None

Consultation with Ward Member:

Yes

Contact Officer:

Gary Guiver, Temporary Assistant Director (Strategic Planning and Place), Andy White, Acting Assistant Director (Building and Public Realm)

Date:	Decision Maker:	Subject to Call-in*
24 July 2020	Cabinet	Yes

SUBJECT OF DECISION:

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

Decision:

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.

Reasons for Decision:

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

Alternative Options Considered:

Not to grant the easement.

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

None

Consultation with Ward Member:

Yes

Contact Officer:

Andy White, Acting Assistant Director (Building and Public Realm)

Date:	Decision Maker:	Subject to Call-in*
24 July 2020	Cabinet	No

SUBJECT OF DECISION:

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

Decision:

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</i></p>

		<p><i>our residents.</i></p> <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></p>
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Reasons for Decision:

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.

Alternative Options Considered:

Not to approve the carry forward requests and/or the allocation of the variance.

**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*
24 July 2020	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance and Governance Portfolio Holder
- A.7 - Treasury Management Performance 2019/20

Decision:

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.

Reasons for Decision:

Having duly considered the treasury performance for 2029/20 together with the Prudential Indicators for that year.

Alternative Options Considered:

Not to approve the Indicators.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Wendy Borgartz, Senior Finance Manager

Date:	Decision Maker:	Subject to Call-in*
24 July 2020	Cabinet	Yes

SUBJECT OF DECISION:

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

Decision:

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.

Reasons for Decision:

Having duly considered the information and advice provided in the Portfolio Holder's private and confidential report and the appendices thereto.

Alternative Options Considered:

Not to approve the proposed terms.

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

None

Consultation with Ward Member:

Yes

Contact Officer:

Andy White, Acting Assistant Director (Building and Public Realm)

* 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.