

**MINUTES OF THE MEETING OF THE COUNCIL,
HELD ON TUESDAY, 14TH SEPTEMBER, 2021 AT 7.30 PM
IN THE PRINCES THEATRE - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Bray (Chairman), Harris (Vice-Chairman), Alexander, Allen, Amos, Baker, Barry, Bush, Calver, Casey, Chapman, Chittock, Clifton, Codling, Coley, Davidson, Davis, Fairley, Fowler, Griffiths, C Guglielmi, V Guglielmi, I Henderson, J Henderson, P Honeywood, S Honeywood, King, Knowles, Land, McWilliams, Miles, Morrison, Nash, Newton, Placey, Scott, Skeels, Steady, G Stephenson, M Stephenson, Stock OBE, Talbot, Turner, White, Wiggins and Winfield
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Keith Durran (Committee Services Officer) and Matt Cattermole (Communications Assistant)

59. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Cawthron and Porter.

60. MINUTES OF THE LAST MEETING OF THE COUNCIL

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

RESOLVED that the minutes of the ordinary meeting of the Council held on 13 July 2021 be approved as a correct record and be signed by the Chairman.

61. DECLARATIONS OF INTEREST

There were none on this occasion.

62. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

The Chairman of the Council (Councillor Bray) made the following announcements:-

Nominations for Pride of Tendring Awards

The Chairman was pleased to announce that the nomination period for the Pride of Tendring Awards 2022 was now open. The nomination period would be open until 5pm on Monday 25th October 2022.

The Pride of Tendring Awards 2022 evening would take place on Friday 11th February 2022 and he hoped to see all Members there.

'Santathon'

The Chairman informed Members that a registration form for entry to the Chairman's Santathon had been placed on their tables this evening. The Santathon would take place on Saturday 4th December 2021 to raise money for the Chairman's Charity (Community Voluntary Services Tending - CVST).

Chairman's Charity Raffle

The Chairman also informed Members that raffle tickets had also been placed on their tables this evening. The raffle was in aid of the Chairman's Charity (CVST).

63. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

The Chief Executive made the following announcements:-

Alresford Neighbourhood Plan Referendum – Thursday 9 September 2021

"Members will be aware that Alresford Parish Council has developed its own Neighbourhood Plan for the Parish and that the latest step in the process of adopting the Alresford Neighbourhood Plan took place on Thursday of last week with a referendum in the Parish. I was Counting Officer for the Alresford Neighbourhood Plan referendum on 9 September and the turnout was within a fraction of 25% of all electors. 502 ballots were counted and the outcome was 483 (or 96.4%) in favour of adopting the Plan and 18 (or 3.6%) against. The "YES" vote will now be the basis of a decision to formally adopt the Plan at Cabinet on 8 October."

Councillors Scott and Turner responded to the contents of this Announcement.

Cabinet Meeting – Friday 17 September 2021

The Chief Executive reminded Members that this Friday's meeting of the Cabinet was being held in the Council Chamber, at the Council's Offices at Weeley rather than in the usual venue of the Town Hall in Clacton-on-Sea.

64. STATEMENTS BY THE LEADER OF THE COUNCIL

The Leader of the Council (Councillor Stock OBE) informed Council that a new Members' Enquiries system would be operation from 1 October 2021 and that details of this would be circulated to Members in the near future.

65. STATEMENTS BY MEMBERS OF THE CABINET

Action on Climate Change Update

The Environment & Public Space Portfolio Holder (Councillor Talbot) made the following statement:-

"Dear Fellow Members,

Herewith the updated situation with regard to our Climate Change objectives driving towards the Net Carbon Zero policy adopted by Council last year.

You will remember that earlier I reported on our efforts to have Solar Panels fitted to roofs of Council houses along with battery storage units, fed from the individual panels. Discussion have been taking place with an organisation who claims they can supply, on a lease arrangement, solar panels and batteries for our Council houses. Our officers are not yet convinced that what is promised, can in fact be delivered, but we will have to decide one way or another whether this is go or no – go!

The next step is to commission The Association for Public Service Excellence (APSE) to look at solar more generally for us, including the feasibility of a Solar Farm in the District and other options for our roofs. Tim R. Clarke suggested to me that if we can deliver on the roofs of Tendring's Council houses, then that is still the preferred option, as it also helps to addresses fuel poverty. If this comes to fruition it would also mean that consideration of a TDC solar farm can be deferred to later.

There is financial help available through the 'Social Housing Decarbonisation Fund'-. The fact is that we have an opportunity to bid into a £160 million fund to improve the energy performance of our council houses. Andy White's team are working on this and in addition to insulation and heating improvements, it could include solar panels and batteries. Funding these through a grant will obviously be better than 'leasing them' so this may prove to be the direction to go in. I am sure we all wish success to the team working on this.

Lee Heley on secondment from ECC and a Corporate Director, has special responsibility for Climate Change in Tendring and is supporting a new Climate Change Project Group which will include both knowledgeable Members, such as, I hope, Alan Coley, who was Chairman of the original working party, and other Assistant Directors This group's job will be to drive the projects and strategy. It is also intended to form an officer group for those with an interest in Climate Change, even though the subject is not part of their job role. We are hoping that such a group of enthusiastic individuals, can help to drive change and thinking within teams and services and come up with good ideas.

Data collection – we are almost complete on our data collection for our carbon emissions for the 2020/21 financial year and Tim has commissioned APSE Energy to undertake the analysis for us. The 2019/20 data had been submitted to APSE for analysis, but they (and now us) have identified some missing data that we are trying to get hold of. This perhaps highlights the difficulties we have in gathering accurate data from our various utilities suppliers and then putting enough resource into checking it. This will be a topic of discussion at forthcoming meetings.

All the above colleagues is preparing for actions yet to materialise, but just to finish this report on a high. One of our objectives is to reduce and then abandon 'Single use Plastics'. The Princess Theatre has stopped the use of plastic cups last Sunday the 12th. Instead, the theatre will provide audience members with a reusable cup and special bins for them to put their cups in at the exit. The use of these reusable cups will be introduced this coming Friday the 17th.

This action in the Princes' Theatre also gives ammunition to our food safety teams when talking to business about their use of single use plastics, and can stress it's not just a case of 'Do as I say' but a factual 'do as I'm doing'."

Councillor Talbot then responded to questions put to him on his statement by Councillors I J Henderson, Calver and Scott.

66. PETITIONS TO COUNCIL

No Petitions had been submitted in accordance with the Scheme approved by the Council on this occasion.

67. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

No questions had been received, on notice, from members of the public on this occasion.

68. REPORT OF THE LEADER OF THE COUNCIL - URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

There was no such report of the Leader of the Council for Members to consider on this occasion.

69. MINUTES OF COMMITTEES

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

RESOLVED that the minutes of the following Committees, as circulated, be received and noted:-

- (a) Resources and Services Overview & Scrutiny of Monday 5 July 2021;
- (b) Human Resources & Council Tax of Wednesday 7 July 2021; and
- (c) Audit of Thursday 29 July 2021.

70. MOTION TO COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE 12 - PLANNING APPLICATIONS AND THE PUBLIC'S RIGHT TO OBJECT

Council had before it the following motion, notice of which had been given by Councillor Chris Griffiths pursuant to Council Procedure Rule 12:-

“This Council believes that planning works best, when developers and local communities work together to shape local areas and deliver necessary new homes, and therefore calls on the Government, to protect the rights of all communities to object to individual planning applications.”

Councillor Griffiths formally moved the motion and Councillor Alexander formally seconded the motion.

Councillor Griffiths then gave his reasons why they felt that it would be appropriate for the motion to be dealt with at the meeting, namely that there was a need to urgently respond to the Government's consultation on its proposed planning reforms and draft legislation.

The Leader of the Council, (Councillor Stock OBE), raised no objection to the Motion being considered at this meeting.

The Chairman (Councillor Bray) then made his ruling on whether the motion should be dealt with at the meeting or stand referred. He decided that the motion would be dealt with at the meeting.

Councillor Griffiths then explained the purpose of the Motion in accordance with the provisions of Council Procedure Rule 12.4.2.

Councillors Baker, I J Henderson, Miles and Stock OBE contributed to the debate on the motion.

On being put to the vote the motion was declared unanimously **CARRIED**.

71. MOTION TO COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE 12 - ECC'S PUBLIC CONSULTATION ON SAFER, GREENER, HEALTHIER TRAVEL FROM JAYWICK SANDS TO CLACTON-ON-SEA

Council had before it the following motion, notice of which had been given by Councillor Maurice Alexander pursuant to Council Procedure Rule 12:-

“On 10th August 2021 Tendring District Councillors were all informed of plans for residents to have their say on safer, greener, healthier travel from Jaywick Sands to Clacton in a consultation that started the very next day.

Whilst many residents will quite rightly support cleaner air, safer roads and the tackling climate change they have a right to know the details of the scheme and how it will affect them, especially as their views are being sort. It's the open and transparent thing to do.

Sadly, this consultation asks generic, general questions and glosses over details such as the possible concreting over of part of Clacton's greensward, the removal of parking spaces used by residents and visitors, the narrowing of primary roads and the riding of cycles on the pavement of a busy crossroads crowded by families with excited young children.

Therefore, this Council instructs the Chief Executive to write to Essex County Council and inform them that this Council opposes the scheme in its present form as it sees no reason to put a cycle path across part of the West Greensward when an adequate cycle path already exists and feels the Pier to Station part of the proposals excludes rather than includes the town and would cause unnecessary disruption and congestion. Tendring District Council therefore requests instead that a route that benefits residents, visitors, and the future of Clacton town centre is developed and consulted on properly with residents.”

Councillor Alexander formally moved the motion, and Councillor P B Honeywood formally seconded the motion.

Councillor Alexander then gave his reasons why he felt that it would be appropriate for the motion to be dealt with at the meeting, namely that the consultation period had closed two days earlier and that therefore there was an urgent need to submit this Council's representations to Essex County Council.

The Leader of the Council, (Councillor Stock OBE), did not object to this motion being dealt with at this meeting.

The Chairman (Councillor Bray) then made his ruling on whether the motion should be dealt with at the meeting or stand referred. He decided that the motion would be dealt with at this meeting.

Councillor Alexander then explained the purpose of the Motion in accordance with the provisions of Council Procedure Rule 12.4.2.

Councillors I J Henderson, Miles, Turner, Griffiths, Nash, P B Honeywood, Winfield, M E Stephenson, Calver and Stock OBE contributed to the debate on the motion.

On being put to the vote the motion was declared **CARRIED**.

72. RECOMMENDATIONS FROM THE CABINET

There were no recommendations submitted from the Cabinet for the Council to consider on this occasion.

73. REPORTS SUBMITTED TO THE COUNCIL BY AN OVERVIEW AND SCRUTINY COMMITTEE

There were no reports submitted by an Overview and Scrutiny Committee for the Council to consider on this occasion.

74. REPORT OF THE CHIEF EXECUTIVE - A.2 - COUNCILLORS' NON-ATTENDANCE AT MEETINGS

In accordance with Article 2.06 of the Council's Constitution, the Chief Executive informed Council that Councillors Calver, Cawthron and G L Stephenson had each exceeded four months without attending a meeting of the Council or attending a meeting of a committee or sub-committee of the Council either as an appointed member of a committee/sub-committee or as a substitute member of a committee/sub-committee.

Pursuant to the provisions of Council Procedure Rule 16.12 (Personal Explanation) Councillor Calver reminded Members that he had not attended meetings due to the restrictive impact on him personally of the Covid-19 regulations then in place.

Council noted the foregoing.

75. REPORT OF THE CHIEF EXECUTIVE - A.3 - CHANGES IN MEMBERSHIP OF COMMITTEES

The Chief Executive formally reported that, in accordance with the wishes of the Leader of the Independent Group and the authority delegated to him, the following appointment had been duly made since the last ordinary meeting of the Council, namely:-

Community Leadership Overview & Scrutiny Committee

Councillor Chapman had been appointed to serve in place of Councillor Davis.

Council noted the foregoing.

76. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Subject to the required notice being given, Members of the Council could ask questions of the Chairman of the Council, the Leader of the Council, Portfolio Holders or Chairmen of Committees.

Three questions had been submitted by Members on this occasion as set out below:-

Question One

Councillor Maria Fowler had asked Councillor Alex Porter, the Portfolio Holder for Leisure and Tourism:

“Will the Portfolio Holder for Leisure and Tourism please advise Members as to why the future of the Council's leisure centres has not been scrutinised by the relevant committee prior to any consultation or Cabinet decision?”

In the absence of Councillor Porter, the Leader of the Council (Councillor Neil Stock OBE) replied on his behalf as follows:-

“As Members are aware, agreements for the joint use facilities at Harwich and Brightlingsea have expired and an extension has been agreed with the Governing Trust of the schools, until the end of December.

A decision has only just been taken to go out to consultation and it is open to the respective committees to request this matter as an agenda item, if they see fit.”

Question Two

Councillor Mick Barry had asked Councillor Alex Porter, the Portfolio Holder for Leisure and Tourism:

“As we begin to emerge from the pandemic and look towards the road to recovery, the importance and profile of physical activity in improving the well-being of residents has never been greater.

Being physically active and participating in sports activities is one of the most effective ways to enrich the lives of the people of Tendring and the communities we live in.

Against this background it is a matter of great concern that the involvement of this Council in the operation of Manningtree Sports Centre has ended and reviews of similar arrangements at Brightlingsea and Harwich sports centres are scheduled to take place in the next few months.

Will the Portfolio Holder for Leisure and Tourism confirm that joint user agreements currently in place at Brightlingsea and Harwich sports centres will be revised and updated and that leisure provision for residents in those communities will be safeguarded and enhanced?”

In the absence of Councillor Porter, the Leader of the Council (Councillor Neil Stock OBE) replied on his behalf as follows:-

“The current agreements with Brightlingsea and Harwich have reached their expiry, and as such an extension has been secured until the end of December, allowing for a full governance process to take place. A full six-week consultation will be undertaken with local centre users and non-users to provide Cabinet with the information required to make an appropriate key decision for these facilities, which are not owned by this Council.”

Councillor Barry then asked a question of clarification to which Councillor Stock OBE responded.

Question Three

Councillor Graham Steady had asked Councillor Alex Porter, the Portfolio Holder for Leisure and Tourism:

“The Council’s Head of Sport and Leisure attended a Resources and Services Overview and Scrutiny Committee meeting on 14th October 2019 and minutes from that meeting state (para 30.):-

‘He advised the Committee that later in this Calendar Year there was intended to be consideration by Cabinet of a 10 year Strategy for Sports facilities in the District as provided by the Council.’

He identified underpinning themes of the new Strategy as:-

- (1) Securing the financial sustainability of the Council’s leisure and sports facilities.*
- (2) Seeking to harness the work being undertaken with Sport England to break the cycle of inactivity and consequential health problems and design services that will align with the outcomes of the project.*
- (3) Adjusting the service offer and pricing policy to respond to the changing market in leisure facility provision nationally and attract more users.*

Can the Portfolio Holder for Leisure and Tourism update Council on the position of the 10 year strategy and confirm that the underpinning themes will be paramount when considering the future of all leisure service provision in the District?”

In the absence of Councillor Porter, the Leader of the Council (Councillor Neil Stock OBE) replied on his behalf as follows:-

“The Leisure Service has responded tactically to the changing conditions faced as a result of the three lockdowns over the last 18 months. It has not been the right time to develop a Sports Facilities Strategy, as the operating environment remains in flux, so we postponed the Strategy from consideration by Cabinet earlier this year. We expect to bring the Strategy forward in 2022, assuming that no further lockdowns affect leisure service usage. The underpinning themes will inform the development of the Strategy.

The Council is committed to working with partners in seeking to increase levels of physical activity and improve health outcomes in the District. The Local Delivery Pilot Scheme for example, is focussed on increasing activity in our most disadvantaged

areas, through our work with Active Essex and our partners in neighbouring Districts and Boroughs.”

Councillor Steady then asked a question of clarification to which Councillor Stock OBE responded.

77. SEATING PLAN FOR FULL COUNCIL MEETINGS - PRINCES THEATRE

Members’ approval was sought of the proposed seating plan for any future non-socially distanced meetings of the Full Council to be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea.

It was **RESOLVED** that the proposed seating plan for any future non-socially distanced meetings of the Full Council to be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea, be approved.

78. URGENT MATTERS FOR DEBATE

There were no urgent matters for Council to debate on this occasion.

The Meeting was declared closed at 9.02 pm

Chairman