

## RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date:	Decision Maker:	Subject to Call-in*
17 September 2021	Cabinet	No

### SUBJECT OF DECISION:

Matters Referred to the Cabinet by the Council - Reference From Council - A.1 - Grounds Maintenance Service

### Decision:

**RESOLVED** that Cabinet –

- (a) recommends that the Council should not support the motion in its original format; and
- (b) will not suggest to Council at this time that an amended motion be proposed but will consider this further at a future meeting.

### Reasons for Decision:

Having considered Councillor Henderson's motion and in order for the Cabinet's opinion and recommendation to be reported back to Council.

### Alternative Options Considered:

- (1) To support the Motion; or
- (2) To suggest an alternatively worded motion.

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

None

### Consultation with Ward Member:

N/A

### Contact Officer:

Lisa Hastings, Deputy Chief Executive & Monitoring Officer

Date:	Decision Maker:	Subject to Call-in*
17 September 2021	Cabinet	No

**SUBJECT OF DECISION:**

Matters Referred to the Cabinet by a Committee - Reference from the Resources and Services Overview & Scrutiny Committees - A.2 - Scrutiny of the Tourism Strategy for Tendring

**Decision:**

**RESOLVED** that the Resources & Services Overview and Scrutiny Committees be thanked for the views submitted and that the comments of the Portfolio Holder in response thereto be endorsed.

**Reasons for Decision:**

Having considered the recommendations submitted by the Resources and Services Overview & Scrutiny Committee, together with the response thereto of the Portfolio Holder for Leisure & Tourism.

**Alternative Options Considered:**

To not endorse the Portfolio Holder's response.

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

None

**Consultation with Ward Member:**

N/A

**Contact Officer:**

Michael Carran, Assistant Director (Economic Growth & Leisure)

Date:  17 September 2021	Decision Maker:  Cabinet	Subject to Call-in*  No
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**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 decisions 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:**

To not endorse the Leader of the Council's decisions.

**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*
17 September 2021	Cabinet	No

**SUBJECT OF DECISION:**

Leader of the Council's Items - A.4 - Freeport East Update & Business Rates Retention

**Decision:**

**RESOLVED** that Cabinet -

- (a) notes the contents of the report; and
- (b) endorses the urgent decision taken by the Leader of the Council, on behalf of the Cabinet, to provide a letter of support for the principles in regard to Retained Business Rates generated within the Freeport East Tax Site, to accompany the Outline Business Case, as set out in Appendix A to item A.4 of the Report of the Leader of the Council.

**Reasons for Decision:**

Having considered the contents and implications to the Council and the District of the Leader of the Council's update report.

**Alternative Options Considered:**

Not to endorse the Leader of the Council's decision.

**Conflicts of Interest Declared**

**(and Dispensations Granted by the Monitoring Officer)**

None

**Consultation with Ward Member:**

N/A

**Contact Officer:**

Lee Heley, Interim Corporate Director (Projects Delivery)

Date:	Decision Maker:	Subject to Call-in*
17 September 2021	Cabinet	Yes

**SUBJECT OF DECISION:**

Cabinet Members' Items - Report of the Deputy Leader of the Council & Portfolio Holder for Corporate Finance and Governance - A.5 - Subsidy of Rents for Community Groups Eligible for the CAROS Scheme for the Financial Year 1 April 2021 to 31 March 2022

**Decision:**

**RESOLVED** that Cabinet approves –

- (a) that rents due from Clubs and Groups that are part of, or eligible to be part of, the CAROS scheme be written off for the 12 month period from the 1 April 2021 to 31 March 2022; and
- (b) that implementation of any additional rent for such properties that becomes due in line with the completion of a rent review, or lease renewal, during, or in respect of, the period 1 April 2021 to 31 March 2022 be deferred until 31 March 2022.

**Reasons for Decision:**

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

**Alternative Options Considered:**

- (1) To not write-off the rents due; and/or
- (2) To not defer the rent reviews or lease renewals due.

**Conflicts of Interest Declared**

**(and Dispensations Granted by the Monitoring Officer)**

None

**Consultation with Ward Member:**

N/A

**Contact Officer:**

Andy White, Assistant Director (Building and Public Realm)

Date:	Decision Maker:	Subject to Call-in*
17 September 2021	Cabinet	Yes

**SUBJECT OF DECISION:**

Cabinet Members' Items - Report of the Corporate Finance and Governance Portfolio Holder - A.6 - Financial Outturn 2020/21 And Proposed Allocation Of The General Fund Variance For The Year

**Decision:**

**RESOLVED** - (1) That in respect of the Outturn Position for 2020/21, Cabinet:

- (a) agrees that the total of £0.536m 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 & Governance Portfolio Holder; and
- (b) after considering the recommendations of the Portfolio Holder for Corporate Finance and Governance, agrees:
  - (i) that subject to the approval of an associated Project Initiation Document / Business case, it is approved, in principle, that the necessary remedial works be carried out at the Weeley crematorium funded by using the overall General Fund Outturn Variance for the year of £1.539m;
  - (ii) that, subject to b(i) above, the approval of the Project Initiation Document / Business Case associated with the proposed remedial works at the Weeley Crematorium be delegated to the Portfolio Holder for Environment and Public Spaces and the Portfolio Holder for Corporate Finance and Governance; and
  - (iii) that £2.060m be allocated to support the recent bid to the Government's 'Levelling Up Fund', funded by the use of amounts identified within the 2021/22 budget.

(2) That, in respect of the Council's Financial Performance for 2021/22, Cabinet:

- (a) notes the high level summary of the in-year position for 2021/22 to date and the long term forecast update for 2022/23 and beyond;
- (b) agrees the proposed in-year adjustments to the budget, as set out in Appendix B to item A.6 of the Report of the Corporate Finance & Governance Portfolio Holder;
- (c) agrees an exemption to the Council's procurement rules in order to enable a Service Level Agreement to be entered into with Essex County Council to enable the Council to 'buy in' various procurement services from them to support its day-to-day operational activities and the delivery of one-off projects, as necessary; and

(d) authorises the Assistant Director (Finance and IT) and the Deputy Chief Executive to agree the terms of the Service Level Agreement, in consultation with the Portfolio Holder for Corporate Finance and Governance.

**Reasons for Decision:**

Having considered all of the information and proposals contained in the Portfolio Holder's report.

**Alternative Options Considered:**

To not approve some or all of the Portfolio Holder's proposals.

**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*
17 September 2021	Cabinet	Yes

**SUBJECT OF DECISION:**

Cabinet Members' Items - Report of the Corporate Finance and Governance Portfolio Holder - A.7 - Treasury Outturn 2020/21 To agree the treasury outturn position for 2020/21

**Decision:**

**RESOLVED** that the Treasury Management performance position for 2020/21 be noted and that the Prudential and Treasury Indicators for 2020/21 be approved.

**Reasons for Decision:**

Having considered the information provided in the Portfolio Holder's report and its appendices.

**Alternative Options Considered:**

To not approve the Indicators for 2020/21.

**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*
17 September 2021	Cabinet	Yes

**SUBJECT OF DECISION:**

Cabinet Members' Report - Report of the Partnerships Portfolio Holder - A.8 - North East Essex Health and Wellbeing Alliance update and acceptance of funding from health partners

**Decision:**

**RESOLVED** that Cabinet –

- (a) notes the current status of the North East Essex Health and Wellbeing Alliance and endorses the continued involvement of the Council within the partnership;
- (b) approves the acceptance of £165,000 funding from the North East Essex Clinical Commissioning Group (CCG) for the healthy housing project in accordance with the governance framework, as set out in the draft Memorandum of Understanding (MOU), attached as Appendix 2 to item A.8 of the Report of the Portfolio Holder for Partnerships;
- (c) approves the acceptance of £400,000 funding from the North East Essex CCG and the East Suffolk and North East Essex Foundation Trust for the addressing inequalities at place project in accordance with the governance framework, as set out in the draft MOU, attached as Appendix 3 to the Portfolio Holder's report;
- (d) authorises the Assistant Director of Partnerships, in consultation with the Portfolio Holder for Partnerships, to agree the final MOUs;
- (e) authorises the Assistant Director of Partnerships, in consultation with the Portfolio Holder for Partnerships, to agree the outcomes and spending proposals for each project, in consultation with this Council's Section 151 Officer and the Monitoring Officer, highlighting the implications for each within a published report;
- (f) authorises the Assistant Director of Partnerships to attend the Suffolk and North East Essex Integrated Care System Board; and
- (g) authorises the Assistant Director of Partnerships to attend the North East Essex Health and Well-being Alliance Board.

**Reasons for Decision:**

Having considered all of the information contained in the Portfolio Holder’s detailed report.

**Alternative Options Considered:**

To not approve some or all of the Portfolio Holder’s proposals.

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

Councillors McWilliams and G V Guglielmi each declared a Personal Interest insofar as Councillor McWilliams had been appointed to serve as Tendring District Council’s representative on the Governing Body of the East Suffolk and North East Essex Foundation Trust and also insofar as Councillor G V Guglielmi had been appointed to serve as Essex County Council’s representative on the aforesaid Governing Body.

**Consultation with Ward Member:**

N/A

**Contact Officer:**

Anastasia Simpson, Assistant Director (Partnerships)

Date:	Decision Maker:	Subject to Call-in*
17 September 2021	Cabinet	Yes

**SUBJECT OF DECISION:**

Joint Report of the Deputy Leader, Portfolio Holder for Corporate Finance and Governance, The Portfolio Holder for Housing - A.9 - Freehold Purchase of a Residential Property and Confirmation of Authority for a Property Buy Back

**Decision:**

**RESOLVED** that Cabinet –

- (a) authorises, in principle, the terms of the freehold purchase of the property in Walton-on-the-Naze for inclusion into the Council’s housing stock;
- (b) subject to its later decision on terms as set out in the related private and confidential report to be considered later in the meeting, authorises the Corporate Director (Operations and Delivery) to enter into a contract and transfer deed, in consultation with the Deputy Chief Executive, in order to complete the purchase of the Walton-on-the-Naze property;
- (c) notes the contents of the Monitoring Officer’s report and, in response thereto, hereby formally approves the purchase of the residential property in Dovercourt for housing purposes; and



(d) acknowledges that internal control arrangements have been increased in order to ensure that such a transaction is not completed without the necessary approvals in place.

**Reasons for Decision:**

Having considered all of the information contained in the joint report and in order to enable these matters to progress to a satisfactory conclusion.

**Alternative Options Considered:**

To not approve the purchase of one or both of the properties in question.

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

None

**Consultation with Ward Member:**

Yes

**Contact Officer:**

Tim Clarke, Assistant Director (Housing and Environment)

Date:	Decision Maker:	Subject to Call-in*
17 September 2021	Cabinet	No

**SUBJECT OF DECISION:**

Leader of the Council's Items - B.1 - Freeport East Update & Business Rates Retention

**Decision:**

**RESOLVED** that Cabinet –

- (a) supports the overall content of the Outline Business Case submitted for Freeport East, as set out in Appendix A to item B.1 of the Report of the Leader of the Council; and
- (b) notes the comments of the Leader of the Council's Freeport East Portfolio Holder Working Party and supports the Leader of the Council in pursuing these issues through future discussions within the project.

**Reasons for Decision:**

Having considered the additional information submitted.

**Alternative Options Considered:**

To not support the OBC.

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

None

**Consultation with Ward Member:**

N/A

**Contact Officer:**

Lee Heley, Interim Corporate Director (Projects Delivery)

Date:	Decision Maker:	Subject to Call-in*
17 September 2021	Cabinet	Yes

**SUBJECT OF DECISION:**

Cabinet Members' Report - Joint Report of the Portfolio Holder for Corporate Finance and Governance and the Portfolio Holder for Housing - B.2 - Terms for the Leasehold Purchase of a Residential Property in Walton-on-the-Naze

**Decision:**

**RESOLVED** that Cabinet –

- (a) approves the proposed terms for the leasehold purchase of the property in question in Walton-on-the-Naze; and
- (b) authorises the Corporate Director (Operations and Delivery), in consultation with the Deputy Chief Executive, to enter into a contract and transfer deed to complete the purchase of the property on the terms proposed and subject to such other terms that he considers necessary.

**Reasons for Decision:**

Having considered the information provided in the joint report and to enable this matter to proceed to a satisfactory conclusion.

**Alternative Options Considered:**

To not approve the proposed terms.

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

None

**Consultation with Ward Member:**

Yes

**Contact Officer:**

Tim Clarke, Assistant Director (Housing and Environment)

\* 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.