

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

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

SUBJECT OF DECISION:

Matters Referred to the Cabinet by a Committee - Reference Report from Resources and Services Overview & Scrutiny Committee - A.1 - Tendring District Council Enforcement

Decision:

RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the response of the Environment & Public Space Portfolio Holder thereto be endorsed.

Reasons for Decision:

Having considered the recommendations of the Resources and Services Overview & Scrutiny Committee, together with the response of the Environment & Public Space Portfolio Holder thereto.

Alternative Options Considered:

Not to 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:

Keith Simmons, Head of Democratic Services and Elections

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

SUBJECT OF DECISION:

Leader of the Council's Items - A.2 - Freehold Disposal of Redundant Office Site at Weeley

Decision:

RESOLVED that Cabinet –

- (a) agrees that the Council's office site at Weeley, once vacated by the Authority, is no longer required for the purposes for which it is currently held and should be used instead for development to deliver new homes including new, high quality Council Housing;
- (b) formally appropriates the land including the Council's office site at Weeley for planning purposes, which will facilitate the carrying out of housing development;
- (c) agrees to the principle of disposing of part of the site, at best consideration, and subject to planning permission, for development to be secured on the whole site, including the part retained by the Council;
- (d) acknowledges that any legal agreement for redevelopment of the land will require specified works relating to the construction of Council housing and therefore, grants an exemption under the Council's Procurement Procedure Rules for the procurement of such construction works; and
- (e) subject to best consideration being demonstrated / secured and meeting the requirements set out within the Housing Acquisitions and Development Policy, the Leader of the Council, in consultation with the Portfolio Holder for Housing, the Corporate Director (Operations and Delivery), the Section 151 Officer and the Monitoring Officer, be authorised to make the necessary decisions to enable the Heads of Terms to be agreed, the necessary consents to be obtained and legal agreements to be entered into within the principles established within this report.

Reasons for Decision:

Having duly considered all of the information and advice contained in the Leader of the Council's report and in order to enable this matter to be progressed to a satisfactory conclusion.

Alternative Options Considered:

Dispose of the site for an entirely financial consideration.

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

Councillor G V Guglielmi declared a Personal Interest. He also withdrew from the meeting whilst this matter was being considered.

Consultation with Ward Member:

Yes

Contact Officer:

Andy White, Assistant Director (Building and Public Realm)

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

SUBJECT OF DECISION:

Leader of the Council's Items - A.3 - Furthering the Commitment to the Council's Corporate Plan 2020-24 - Developing Highlight Priority Actions for 2022/23

Decision:

RESOLVED that -

- (a) the initial highlight priorities for 2022/23, as set out at Appendix C to item A.3 of the Report of the Leader of the Council, be approved for the purposes of a consultation;
- (b) all Councillors, other partners and the public be invited to consider the initial priorities referred to in (a) above; and
- (c) the outcome of the consultation referred to in (b) above be reported to Cabinet on 28 January 2022 in order that Cabinet can formally adopt its finalised key priority actions for 2022/23.

Reasons for Decision:

Having duly considered the highlight priorities for 2022/23 and milestones as contained in Appendix C to the Leader of the Council's report.

Alternative Options Considered:

Not to approve the initial highlight priorities for 2022/23 for the purposes of a consultation.

**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*
17 December 2021	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.4 - Updated Financial Forecast and Initial Budget Proposals 2022/23

Decision:

RESOLVED that Cabinet –

- (a) approves the updated Financial Forecast and proposed position for 2022/23 as set out in the Corporate Finance & Governance Portfolio Holder's report and the appendices thereto; and
- (b) requests the Resources and Services Overview and Scrutiny Committee's comments on this latest financial forecast and proposed position for 2022/23.

Reasons for Decision:

Having duly considered all of the information and advice contained in the Corporate Finance & Governance Portfolio Holder's report and in order to enable the updated financial forecast and proposed budget position for 2022/23 to be submitted for consultation with the Resources and Services Overview and Scrutiny Committee in accordance with the requirements of the Council's Budget and Policy Framework Procedure Rules.

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*
17 December 2021	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Leisure & Tourism Portfolio Holder - A.5 - The Future of Joint Use Sports Facilities

Decision:

RESOLVED that Cabinet –

- (a) notes that the Joint Use Agreements between the Council and the Sigma Trust for the Harwich and Brightlingsea Sports Centres end on 31 December 2021;
- (b) agrees to the provision of transitional support from existing resources, for up to three months, to extend the community use of the facilities where possible;
- (c) invites representatives from the relevant Town Councils and the Sigma Trust to join an engagement group to meet during the transition period to work through the operations of providing community use from the facilities;
- (d) considers the development of the leisure and sports offer across the District through the Corporate Plan and emerging strategies; and
- (e) welcomes the opportunity for the Resources and Services Overview and Scrutiny Committee to provide an input into the work identified in (d) above over the coming weeks with the Portfolio Holder for Leisure and Tourism and officers.

Reasons for Decision:

Having duly considered all of the information, advice and available options contained in the Leisure & Tourism Portfolio Holder's report together with the recommendations and other submissions made by the Resources and Services Overview & Scrutiny Committee and Members at the meeting and in order to enable this matter to be progressed to a satisfactory conclusion.

Alternative Options Considered:

Option A = Renew Joint Use Agreements

Option B = Continue with Joint Use Agreements on revised terms and opening hours

Option C = Agreements End

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

Councillor I J Henderson declared a Personal Interest in this matter. He also declared that he had been granted a Dispensation by the Monitoring Officer in order to allow him to speak

on this matter.

Consultation with Ward Member:

Yes

Contact Officer:

Michael Carran, Assistant Director (Economic Growth & Leisure), Lee Heley, Interim Corporate Director (Projects Delivery)

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

SUBJECT OF DECISION:

Joint Report of the Housing Portfolio Holder and the Corporate Finance and Governance Portfolio Holder - A.6 - Housing Revenue Account Estimates 2022/23

Decision:

RESOLVED that Cabinet –

- a) approves the updated Housing Revenue Account (HRA) 30 year Business Plan and proposed position for 2022/23, as set out in the Portfolio Holders' joint report and Appendix thereto; and
- b) requests the Resources and Services Overview and Scrutiny Committee's comments on this latest HRA financial forecast and proposed position for 2022/23.

Reasons for Decision:

Having duly considered all of the information and advice contained in the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder's joint report and in order to enable the updated 30 year Housing Revenue Account (HRA) Business Plan and budget proposals for 2022/23 to be submitted for consultation with the Resources and Services Overview and Scrutiny Committee.

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*
17 December 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 authorises, in principle, the freehold purchase of the property in question for inclusion into the Council's housing stock.

Reasons for Decision:

Having considered all of the information and advice contained in the Portfolio Holders' joint report and to enable this matter to progress to a satisfactory conclusion.

Alternative Options Considered:

Not to approve the purchase.

**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 December 2021	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - A.8 - Freehold Purchase of Two Residential Properties in Clacton-on-Sea

Decision:

RESOLVED that Cabinet approves, in principle, the revised terms for the freehold purchase of the two properties in question for inclusion into the Council's housing stock.

Reasons for Decision:

Having considered all of the information, advice and proposals contained in the Portfolio Holders' joint report and to enable this matter to progress to a satisfactory conclusion.

Alternative Options Considered:

Not to approve the purchase.

**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 December 2021	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Environment & Public Space Portfolio Holder - B.1 - Procurement Exemption: Replacement Cremators at Weeley Crematorium

Decision:

RESOLVED that Cabinet –

- a) notes that market research for cremators replacement plant and associated services has revealed one supplier with a suitable financial standing with the majority of the market share and recognises the need to return the facility to a fully functioning and safe service at the earliest opportunity;
- b) therefore grants an exemption to the Procurement Procedure Rules in order to allow a direct award of the contract for supply, installation and servicing and maintenance of cremators to Faculative Technologies; and
- c) authorises the publication of the required VEAT notice in accordance with the Public Contract Regulations 2015 and the adherence to the 10 day standstill period.

Reasons for Decision:

Having considered all of the information, advice and proposals contained in the Portfolio Holder’s private and confidential report and to enable this matter to progress to a satisfactory conclusion.

Alternative Options Considered:

No realistic alternative was available given the circumstances.

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

None

Consultation with Ward Member:

Yes

Contact Officer:

Damian Williams, Corporate Director (Operations and Delivery)

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

SUBJECT OF DECISION:

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - B.2 - Terms for the Freehold Purchase of a Property in Clacton-on-Sea

Decision:

RESOLVED that Cabinet –

- (a) approves the terms for the freehold purchase of the property in question, as set out in the Portfolio Holders' joint report; and
- (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 terms set out and subject to such other terms that he considers necessary.

Reasons for Decision:

Having considered the information submitted in the Portfolio Holders' joint private and confidential report.

Alternative Options Considered:

Not to approve the proposed terms for the purchase.

**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 December 2021	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - B.3 - Terms for the Freehold Purchase of Two Properties in Clacton-on-Sea

Decision:

RESOLVED that Cabinet –

- (a) approves the acceptance of the transfer of the properties in question to the Council as Affordable Housing Dwellings at the purchase price of £210,000 each (total purchase price £420,000); and
- (b) authorises the Corporate Director (Operations and Delivery) to enter into a contract on the terms set out in the Portfolio Holders' joint report 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:

Not to approve the terms for the purchase.

**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.