
**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 17TH JUNE, 2022 AT 10.30 AM
IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

**Cabinet Members Present &
Portfolio**

Councillors Neil Stock OBE (Leader of the Council; Chairman), Jeff Bray (Portfolio Holder for Planning), Carlo Guglielmi (Deputy Leader of the Council; Portfolio Holder for Corporate Finance & Governance), Paul Honeywood (Portfolio Holder for Housing), Lynda McWilliams (Portfolio Holder for Partnerships), Mary Newton (Portfolio Holder for Business & Economic Growth) and Michael Talbot (Portfolio Holder for Environment & Public Space)

Group Leaders Present by Invitation:

Councillors Terry Allen (Leader of the Tendring First Group), Jayne Chapman BEM (Leader of the Independent Group), Ivan Henderson (Leader of the Labour Group), Gary Scott (Leader of the Liberal Democrats Group), Colin Winfield (Leader of the Holland-on-Sea Group) and Andy Baker (Deputy Leader of the Tendring Independents Group) (except items 27 – 29)

Also Present:

Councillor Dan Casey

In Attendance:

Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Damian Williams (Corporate Director (Operations and Delivery)), Lee Heley (Interim Corporate Director (Projects Delivery)) (except items 24 - 29), Gary Guiver (Acting Director (Planning)), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), Tim Clarke (Assistant Director (Housing and Environment)), Ian Ford (Committee Services Manager) and Mark Wilson (Development Technician - Technical)

13. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors A O J Porter (Portfolio Holder for Leisure & Tourism) and M E Stephenson (Leader of the Tendring Independents Group).

14. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the meeting of the Cabinet, held on Friday 20 May 2022, be approved as a correct record and be signed by the Chairman.

15. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members on this occasion.

16. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL**Congratulations**

The Leader congratulated HM The Queen on her platinum Jubilee and remarked on the tremendous success of all of the celebrations within communities across the nation.

The Leader also congratulated Colchester on being awarded City status.

East Anglian Green

The Leader reported that the Essex Leaders and Chief Executives Group (EL&ECG), which he chaired, had recently considered the National Grid's proposed 'East Anglia Green' project, which involved:

- *a new 400kV powerline between Norwich and Bramford (near Ipswich);*
- *a new 400kV powerline between Bramford and Tilbury; and*
- *a new 400kV substation in the Tendring area to facilitate the connection to the proposed North Falls Offshore Windfarm and Five Estuaries Offshore Windfarm – both of which were to be located off the Tendring coast.*

He informed Cabinet that the EL&ECG had decided to object to the proposals and the consultation proposals as being outdated and fundamentally flawed.

The Chief Executive also informed Members that, at a recent meeting of the East of England Local Government Association, a number of Local Authorities had also raised objections.

The Planning Portfolio Holder reported that similar sentiments had been expressed at a recent meeting of Essex Planning Portfolio Holders.

House Fire at Church Street, Harwich

The Leader thanked Essex Fire & Rescue Services and TDC Officers and officers from the Gas and Electric utility providers for their prompt and professional response to a recent house fire in Church Street, Harwich.

The Chief Executive updated Members on the on-going situation and thanked the Salvation Army and Gail Cheeseman and her staff at the Park Pavilion community centre in Barrack Lane, Harwich for all their help and assistance.

Councillor I J Henderson outlined the role and the response of Harwich Town Council and the local community to this incident.

Councillor Allen referred to a recent fire at a former residence for senior citizens in Elm Tree Avenue, Frinton-on-Sea. He also thanked Fire and Rescue Services for their response but raised concerns about the security of this site.

On a personal note, Councillor Chapman, submitted the thanks of her Son, an Officer in charge of the Fire Brigade's response and his colleagues to the TDC staff, members of the public and local Councillors who had kept them provided with water throughout.

The Leader urged everyone in the community to fit and maintain a smoke alarm in their property and reminded the meeting that the Fire Brigade fitted smoke alarms free of charge.

17. ANNOUNCEMENTS BY CABINET MEMBERS

Tendring Education Strategic Board

The Partnerships Portfolio Holder reported that on Thursday 16 June at Clacton Town Hall a "Let's Celebrate" event had been held to mark the achievements since the launch of the Tendring Education Strategic Board (TESB). Youngsters from several schools across the area had led presentations on the Princes theatre stage, featuring everything from mathematics to the arts and showing off their hard work in front of their peers and parents.

The TESB had been formed in January 2020 with the aim of tackling educational disadvantage in both primary and secondary schools across the District prompted by the need for strategies to support schools to improve pupils' language and communication, school attendance and emotional and social needs.

The board was made up of a wide range of partners including Essex County Council , Tendring District Council, Tendring schools, the Department for Education and the Academy Transformation Trust.

The Chief Executive concurred that it had been a fantastic event.

18. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

There were no matters referred to the Cabinet by the Council on this occasion.

19. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.1 - FREEPORT EAST

Cabinet was aware that, at its meeting held on 19 May 2022 (Minute 5 referred), the Community Leadership Overview & Scrutiny Committee ("the Committee") had undertaken an enquiry into the issue of Freeports generally, and specifically, into the progress of the proposals for Freeport East (its interlinking with Thames Freeport); specific measures on site (and particularly on the Harwich site); impact on previous planning permissions being implemented; and measures outside of the Freeport to harness the maximum socio-economic benefit from them into the local community.

The Committee had been informed of the progress of the Freeport East Development as follows:

- *"Throughout 2020, the Council had worked with public and private sector partners on a bid to present the case for developing Freeport East as one of the Government's nominated Freeports.*

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- *In the March 2021 Budget, Government had announced the intention to designate sites in Essex and Suffolk as 'Freeport East'.*
 - *At their meeting on April 2021, Cabinet had received the initial Freeport East report, which set out the purpose of Freeports and the process and roadmap the public / private sector partnership would follow to receive formal designation by Government.*
 - *The Council's Freeport East Portfolio Holder Working Party took place on the 2 September 2021 and agreed to support the Leader of the Council in providing a letter of support in respect of the Freeport East Outline Business Case.*
 - *That Working Party also recommended that the Council pursue steps that Hutchinson Ports Ltd could undertake as part of its commitment to Harwich International Port, the skills agenda so the local population could take on careers that would become available as a consequence of Freeport East, and the need to actively pursue the improvements to the A120 from the A12 through to Harwich.*
 - *In September 2021 Cabinet had endorsed 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 Freeport East Outline Business Case, which was submitted to Government on 10 September 2021.*
 - *On the 13 December 2021 the Outline Business Case was formally approved by Government, the three tax sites in Felixstowe, Harwich and at Gateway 14 near Stowmarket were agreed, published on GOV.UK and Statutory Instruments laid to enshrine them in legislation.*
 - *Tendring District Council supported the approach to the Freeport East Full Business Case at Cabinet in March 2022 and included Freeport East in its Policy and Budget Framework at Full Council that month.*
 - *East Suffolk Council as the Lead Authority, alongside Freeport East, submitted the Full Business Case (FBC) to Government for Freeport East on behalf of partners on 14 April 2022.*
 - *Government will now respond to Freeport East's FBC, with the final Full Business Case to be agreed between Government and Freeport East by August 2022."*

Members of the Committee had developed key lines of enquiry in relation to this matter and through their questioning, and the answers provided, the Committee had explored the issues related to the Freeport concept and the particular proposals for Freeport East. The Committee's discussion had looked at the infrastructure required in, around and to/from the Freeport East site at Bathside Bay, Harwich and the planning processes that would seek to ensure the necessary infrastructure was provided (alongside investment by agencies such as Highways England).

The Committee had also enquired into the number of jobs that was estimated to be created through the development. The Committee had been informed that the estimation was that around 10,000 jobs would be created over the three Freeport East sites (Harwich, Felixstowe and Stowmarket) and that 2000 of those could be created within this District. The Committee was also advised that, whilst the details of the Full Business Case were confidential, the Government in its Guidance expected the local skills supply to be a key component of Freeports and that Freeport East was committed to provide apprenticeships as part of its overall offer and to engage closely with schools to promote opportunities that would be coming forward. The benefit from Freeport East was envisaged as being at a regional scale.

After a discussion the Committee had RECOMMENDED to Cabinet:-

“That Cabinet:-

- (1) Endorses the approach of the Council, in wholeheartedly welcoming, supporting and embracing the Freeport East proposal, as something that has the potential to radically transform in a good way the Town of Harwich, the wider District of Tendring and beyond;*
- (2) Recognises that the jobs and skills commitments in the Full Business Case for Freeport East should be kept to the fore by this Council and that the development of the first careers hub be implemented as swiftly as possible;*
- (3) Recognises furthermore that the urgent need to enhance the A120 from its junction with the A133 at Great Bromley to Harwich is something that could delay or prevent the full potential of Freeport East being realised if commitments were not given to achieve those enhancements in the immediate forthcoming period; and*
- (4) Agrees that there is a need to ensure that pro-active steps are taken to offer solutions to any issues that arise in achieving any advantage across all parts of the District in developing supply chains, business-to-business links, skills development, supportive public investment and jobs creation associated with the Freeport East.”*

The Cabinet had before it the response of the Leader of the Council thereto as follows:-

“I welcome the report from the Committee and agree that Freeport East has the potential to radically transform in a good way the Town of Harwich, the wider District of Tendring and beyond. Jobs, skills and transport are key benefits the Council wants to see come forward as a result, including investment in the A133 / A120 junction, and I recognise that these benefits, if the Freeport is successful, have the potential to reach all corners of the District.”

Having considered the recommendations of the Community Leadership Overview & Scrutiny Committee, together with the response of the Leader of the Council thereto:-

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

RESOLVED that the recommendations made by the Community Leadership Overview & Scrutiny Committee be endorsed and that the response of the Leader of the Council thereto be approved.

20. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE PLANNING POLICY & LOCAL PLAN COMMITTEE - A.2 - CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLANS FOR HARWICH OLD TOWN; MANNINGTREE & MISTLEY; FRINTON & WALTON; BRIGHTLINGSEA; AND GREAT BENTLEY

Cabinet was aware that the Planning Policy & Local Plan Committee (“the Committee”), at its meeting held on 11 May 2022 (Minute 7 referred), had considered a comprehensive report (and appendices) of the Acting Director (Planning) which had reported to it the second tranche of five in a series of ‘Conservation Area Appraisal and Management Plans’ that had been prepared for the Council by Essex Place Services. That report had also sought the Committee’s recommendation to Cabinet that they be approved for public consultation purposes.

After discussion the Committee’s decision was to:-

“RESOLVE unanimously that the Planning Policy and Local Plan Committee –

- (a) notes and welcomes the new Conservation Area Appraisal and Management Plans for Harwich Old Town (Appendix 1); Manningtree and Mistley (Appendix 2); Frinton and Walton (Appendix 3); Brightlingsea (Appendix 4); and Great Bentley (Appendix 5);*
- (b) recommends to Cabinet that the above documents (forming Appendices 1-5) be approved for consultation with the public and other interested parties; and*
- (c) notes that Conservation Area Appraisal and Management Plans for the District’s other remaining Conservation Areas will be brought before the Committee in due course over the next 9 months.”*

The Cabinet had before it the response of the Planning Portfolio Holder thereto as follows:-

“I thank the Planning Policy and Local Plan Committee for its consideration of the next five Conservation Area Character Appraisal and Management Plans and I welcome the recommendation to Cabinet that these be published for consultation. Reviewing all of the District’s Conservation Areas is one of the key actions in the Council’s Heritage Strategy and the progress so far has been very good. Ensuring we have an up-to-date appraisal for each and every Conservation Area will enable residents, developers, planners and our Planning Committee to understand the key characteristics that make each area special and which need to be preserved and enhanced when making planning applications and determining them. They will also enable us to reconsider the boundaries of each area and determine whether or not any Article 4 Directions are needed to provide an extra level of protection and control.

I furthermore welcome and agree with the Committee’s comments around the importance of engaging local residents and heritage societies who hold an irreplaceable wealth of local knowledge that will improve and strengthen the content of the appraisals; and I also welcome the opportunity for local people to put forward suggestions for buildings and structures to go onto a local list of non-designated heritage assets.”

Having considered the recommendation of the Planning Policy & Local Plan Committee, together with the response of the Planning Portfolio Holder thereto:-

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

RESOLVED that the new Conservation Area Appraisal and Management Plans for: Harwich Old Town (Appendix 1); Manningtree and Mistley (Appendix 2); Frinton and Walton (Appendix 3); Brightlingsea (Appendix 4); and Great Bentley (Appendix 5) be approved for consultation with the public and other interested parties.

21. LEADER OF THE COUNCIL'S ITEMS

There were no such items to consider on this occasion.

22. CABINET MEMBERS' ITEMS - REPORT OF THE BUSINESS & ECONOMIC GROWTH PORTFOLIO HOLDER - A.3 - LEVELLING UP FUND BID SUBMISSIONS

Cabinet considered a detailed report of the Business & Economic Growth Portfolio Holder (A.3) which:-

- (1) request Cabinet's endorsement to the Council submitting two Levelling Up Fund bids, one for Clacton and one for Harwich and Dovercourt, each requesting up to £20m from Government;
- (2) sought Cabinet's approval to allocate £2.295m from funding already set aside by the Council for Town Centre Levelling Up in order to provide match funding to the bids; and
- (3) sought Cabinet's approval that the Leader of the Council be authorised to approve the final bids for submission by the 6 July 2022 deadline.

Cabinet was aware that the Government's Levelling Up Fund (LUF) aimed to support local economic growth and investment in communities across the UK. The £4.8 billion fund had been designed to be released across a number of funding rounds, and would support town centre and high street regeneration, local transport projects, and cultural and heritage assets.

Members were reminded that the Chancellor of the Exchequer's Spring Statement on 23 March 2022 had confirmed the scope and submission deadline for the second round of bids to the LUF.

It was reported that, working in partnership with Essex County Council (ECC), Essex Housing, Essex Highways, and an external consultant (Volterra), Tendring District Council (TDC) intended to submit two bids to the LUF namely one for Clacton Town Centre, and one for Dovercourt Town Centre. That Town Centre focus reflected the Government's levelling up aspiration to increase pride in place, and specifically aimed to increase people's satisfaction with their town centre and engagement in local culture and community by 2030. The projects comprising the bids reflected local priorities as drawn from the Clacton Future High Streets Fund plans, and the Dovercourt Masterplan Revisited. The government deadline for final submission of the bids was 6 July 2022.

Volterra was supporting the technical aspects of the business case development for the bids through the financial and economic cases. Until that work was complete, the final financial case for the bid and the detail of investment required by the Council would not complete. However, given cost inflation, the full £2.295m was expected to be required.

Cabinet was informed that there were two projects to be included in the bid for Clacton-on-Sea namely:

- (1) Redevelopment of the Carnarvon House, Carnarvon Road, TDC owned site

The intention of this project was to provide up to 28 new homes, car parking, electric charging points, and start-up business units, with the potential for public sector use. The financial costs in the bid were under quality review and subject to change, but were currently £21 - £22m in total project costs, with a requested grant from Government of £14m - £15m. The project was planned to be delivered by TDC with consultant delivery partners and contractors, with the option to explore ECC-led delivery through Essex Housing. There was the potential for 40 per cent of those homes to be allocated for social or affordable housing, given the demand for one and two bedroom flats in the town.

(2) Redevelopment of the ECC Library site in Station Road

The aim of this project was to make provision for a new library and Adult Community Learning centre with additional flexible office space as part of a public sector hub. This project would be delivered by the County Council and Essex Housing if the bid was successful. Costs were currently under review, with total project costs currently £9m and the grant requirement from Government yet to be determined.

Discussions were underway with public sector partners on the potential for a public sector hub with health and skills providers. The University of Essex had also expressed an interest in a teaching space in the area. The hub could be located in the expanded library, or on the ground floor of the Carnarvon House development.

The projects forming the Clacton bid had been taken from unsuccessful bids to the Future High Streets Fund in 2020, and Round One of the Levelling Up Fund, in 2021. Feedback from assessors on those bids had encouraged a resubmission in the second round of Levelling Up funding, and their specific feedback had been incorporated into the bid.

The bid had also been revised in the light of deliverability and significant cost inflation. The earlier Round One bid had included an events space in Clacton town square and covered market/starter units and an under-cover walkway, which had been reliant on the demolition of the Marks & Spencer's building, which was no longer feasible. The earlier bid had also included public realm and highways works including the transport infrastructure between the town centre and Jaywick Sands, which had not been included in this Round Two bid, as those works would have resulted in a loss of car parking in Clacton.

Cabinet was made aware that there were three projects included in the bid for Harwich and Dovercourt Town Centre, namely:

(3) Development of the Milton Road site

This project would include nine homes, tree planting and public parking bays. The financial costs in the bid were under quality review and subject to change, but were currently £3m total project costs, with a requested grant from Government likely to be about £1.5m. The project would be delivered by TDC with consultant delivery partners and contractors, with the option to explore Essex County Council led delivery through Essex Housing. There was the potential for those homes to be social or affordable housing as part of the Council's or a Housing Association stock.

(4) Refurbishment of Harwich Library

This project would increase the current mezzanine space, which would, in turn, facilitate the re-introduction of Adult Community Learning to Harwich and Dovercourt and provide additional, flexible space for the co-location of services and community uses. The project would be delivered by Essex County Council.

(5) Public realm improvements from Dovercourt station to Kingsway

This project included the realignment of the road space with footway build-outs, formalisation of the station parking, and the provision of a new pedestrian crossing and

a direct pedestrian connection across the space from Station Road into Kingsway. The project would be delivered by Essex County Council, through Essex Highways.

The projects for Harwich and Dovercourt were taken from the Dovercourt Masterplan Revisited.

Cabinet was advised that the benefit-to-cost ratio in the economic case of each bid was an important part of the decision making process for funders, with the number of homes, economic floor space, and sustainable transport providing benefits, against the Government's financial risk. The previous Clacton bids had had significantly more flats than the current proposals, 129 compared to 28. This reduction had been due to cost inflation, whereby build costs had increased ahead of home sales values, making each flat less viable. Fewer flats also required a smaller scale multi-storey carpark, and freed up space for commercial, community and public sector uses. The Harwich and Dovercourt bid had nine homes, skills provision, and public realm improvements. The consultants would advise the Council ahead of its bid submission of any changes required to make the bids fundable in terms of the benefit/cost ratios.

It was reported that, alongside the two Tendring District Council led bids, Essex County Council's Sustainable Transport team intended to submit a Transport bid for up to £50m, subject to technical assessments. This was the connection between the A133 and the A120, which would enable a right turn from the A133 towards Harwich, and a left turn from the A120 towards Clacton, thereby joining up the District's two largest towns and enabling travel from Clacton to the Freeport, once it was operational. In addition the bid would include cycle-ways within Harwich to complement the District's bid, and improve transport links between Dovercourt and Bathside Bay, which was currently cut off by a rail line and a road.

Officers expected that the Council would hear whether it had been successful in the Autumn, likely in November 2022 based on past experience.

It was considered that these two bids should be supported for the following reasons:-

- (i) both bids, if successful, would allow TDC to implement improvements to support Town Centre economies in the District;
- (ii) the projects proposed in the Clacton bid would allow for joined up provision of public services in a convenient town centre location for residents, whilst also being easily accessible from Clacton Railway Station. There would also be an offer of housing, and start-up business units with flexible use. The presence of Essex University would bring an additional further education presence into Tendring, with a complimentary offer to Anglia Ruskin University's existing Into University programme.
- (iii) the projects proposed in the Harwich and Dovercourt bid would revitalise the area around the railway station and create a new public space with a better gateway to the town and seafront, and an improved transport interchange. The proposals for the High Street and Kingsway would encourage footfall and 'dwell time', with the amendments to the library allowing Adult Community Learning to establish a presence in the area. There was also potential for complimentary provision from Colchester Institute, which would allow residents to attend courses virtually, without having to travel outside of the locality.

- (iv) when feedback had been received on the first round LUF bid for Clacton, the Council had been encouraged to resubmit a revised application when the second round of Levelling Up Funding became available.

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

RESOLVED that Cabinet –

- a) endorses the principle of submitting two Tendring District Council led town centre bids as set out in the Portfolio Holder's report;
- b) approves allocating the entirety of the funding set aside by the Council for Town Centre Levelling Up (£2.295m) to support the bids, should it be needed once the financial cases are complete;
- c) authorises the Leader of the Council, in consultation with the Section 151 Officer, to give the final approval for both Tendring District Council led Levelling Up Fund final bids for submission to the Government by the deadline of 6 July 2022, including a decision on the final level of investment required to support the bids; and
- d) notes and supports the submission of the Essex County Council led transport bid.

23. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING PORTFOLIO HOLDER - A.4 - TENDRING CARELINE - FINANCIAL OPTIONS APPRAISAL

Cabinet considered a report of the Housing Portfolio Holder (A.4) which offered options with regards to the financial position of Tendring Careline and the future viability of the service.

Cabinet was reminded that, in order for Tendring Careline to retain its accreditation to the TEC Services Association (TSA – the national body of all Carelines across the UK) the service must match a number of key performance indicators (KPIs). Those KPIs could only be met if the service had enough trained staff to answer the incoming calls from service users and the responders to go out if necessary.

Members recalled that, on 19 April 2022, the contract for Tendring Careline to deliver out-of-hours call monitoring services to Provide CIC had been terminated. Although this meant that Tendring Careline could employ fewer staff, the lost income would also impact the financial viability of the service.

Cabinet was aware that a recent internal audit of Careline had also highlighted that the service needed improvement in a number of areas. The audit had concluded that: *'it would be timely to review the strategic direction of the service'*, and that *'Whatever options are chosen, one of the first targets will be renewed accreditation with the industry standards, TSA.'*

It was reported that, on 25 April 2022, the Audit Committee had sought assurances from the relevant Head of Service that an improvement plan was in place. That improvement plan formed the basis of the recommendations contained within the Portfolio Holder's report which aimed to stabilise and build confidence in the service; ensure that the TSA

accreditation was maintained; and concentrated on a measured, sustainable growth for the service in order to remain viable.

The current budget for 2022/23, which had been set before it was known that the Provide CIC contract income would be lost, showed a net cost to the authority of £501,800.

There were four options set out in the Portfolio Holder's report for Cabinet to consider.

Option 1 (This was to offer a baseline figure only and for comparison against the other options)

If the Council no longer offered Careline but did maintain an out-of-hours and CCTV service for Tendring residents, Careline service users would be given details of other service providers that they could transfer to and all external contracts would be given 3 months' notice. There was a reputational risk to this option as the Council had delivered Careline since 1987 and an Equality Impact Assessment had shown that such a decision would have the greatest impact on the elderly and vulnerable residents of Tendring, hence this option was not considered viable. This option showed a net cost to the authority of £608,000 as the loss of income from Careline was greater than the budgeted cost of staff.

Option 2

The Council maintained the staffing required to meet demand. This option showed the greatest net cost to the Authority, i.e. £764,724 as the combined cost of running the service was greater than the projected income.

Option 3

The Council maintained the staffing required to meet demand and increased its fees immediately in order to ensure the service broke even. If this option were however, to be delayed until the fee setting for financial year 2024/25 (see option 4 below) then, in the interim, any shortfall would be mitigated by a supplement from the Careline reserves. There was also the possibility of external funding from health partners for a new responsive welfare service, which would be delivered by Careline.

Tendring Careline currently charged existing analogue service users £23.82 per month and new digital service users £30.55 per month (this included the cost of the SIM card and the equipment, hence the difference in price). In order to reach breakeven using option 3 alone, the monthly fees for private pay service users would need to increase by £5.68 per month (24% and 19% respectively). It was believed that the local market could support this increase as Colchester Helpline (this Council's nearest alternative provider) currently charged in excess of £45 per month for an analogue service. It was considered that any fee increase normally resulted in a very small number of service users ending their contract however, if this was purely down to the ability to afford the service, then this Council would be able to recommend the new Essex County Council service whereby the resident could be means tested and might then be able to access a free or part funded service.

It was pointed out that this Council had been delivering Tendring Careline since 1987 and was considered to be a trusted provider of this service. The TSA accreditation

showed that the service was safe and reliable, which was the primary consideration for local people. Colchester Helpline were not accredited and Tendring residents were unlikely to have heard of Provide CIC.

However, it was noted that the Council's fees had already increased by 2% from 1st May 2022 and previously in August 2021. This option showed a net cost to the Authority of £611,636.

Option 4

The Council maintained the staffing required and increased the number of fee paying service users through an active marketing campaign, thus increasing income. It was noted however that there would be a delay between advertising and new income generation; all of those new service users would not join from day one. In mitigation of the risk of any year end shortfall a supplement could be called upon from Careline reserves, and there was also the possibility of new external funding from health partners for a pro-active welfare service for Tendring residents which could be delivered within existing staff resources. It was anticipated that by the end of 2023, when the service entered the normal fee setting cycle for 2024/25, the success of the marketing campaign would be understood, and accordingly the fees for the following year could be set to ensure a breakeven. It was anticipated that in this case the necessary rise in fees would be less than within option 3. Option 4 showed a net cost to the Authority of £612,974.

Cabinet was informed that the preferred course of action would be Option 4: an orderly and sustainable growth of the number of service users to increase income. Initially, the service would concentrate on the recruitment and training of enough staff to ensure a safe service was delivered to customers and that the TSA Accreditation was maintained at the next review in July 2022. Simultaneously, a marketing strategy would be drawn up to include online advertising, promotion of a new website with online retail capabilities, and demonstration appearances at relevant groups across Tendring. This strategy would be put into action once the service was fully staffed. Finally, fees and charges would be re-appraised towards the end of 2023 in time for implementation in April 2024.

Having decided that Option 4 allowed time for the service to stabilise and an advertising campaign to take effect and start generating new customers whilst delaying fees increases for service users until April 2024 and was the lowest risk to the Authority and to Tendring residents:-

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

RESOLVED that Cabinet -

- a) agrees to the continuation of a Tendring Careline Service for residents;
- b) adopts Options 4 as the basis for the longer term approach to deliver a viable and sustainable Careline Service in the long term;
- c) requests Officers to take steps to maximise marketing opportunities to increase the customer base in an orderly way through 2022/23 and 2023/24 in working towards the figures highlighted in Option 4 within Appendix A to the Portfolio Holder's report;

- d) approves the utilisation of the existing Careline Reserve of £221k to underwrite the financial risks associated with a), b) and c) above; and
- e) requires that detailed updates be presented to Cabinet as part of future financial performance and budget setting reports later in the year in order to provide an ongoing review.

24. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING PORTFOLIO HOLDER - A.5 - JAYWICK SANDS - FUTURE OF NEW BUILD HOMES & APPLICATIONS TO HOMES ENGLAND REGARDING DESIGNATED PROTECTED AREAS

Cabinet considered a report of the Housing Portfolio Holder (A.5) which updated it on the current situation regarding the Council's recently built discounted homes for sale in Jaywick Sands and which recommended an alternative option for the future of the dwellings. The report also sought the appropriate delegations for applications to Homes England for the waiver of Designated Protected Areas.

In November 2017, Cabinet had endorsed the development of 10 new homes in Jaywick Sands, with five to be retained in the Council's housing stock and the other five to be offered for discounted sale to Key Workers in line with the Government's Starter Homes policy. Cabinet had also endorsed the adoption of a Local Lettings and Sales Policy for the site in March 2021.

It was reported that, whilst the five homes for rent had now been let in accordance with the Council's lettings policy, the five homes for discounted sale remained vacant and had been marketed for sale since March 2021. So far, none had been sold for the reasons set out within the Portfolio Holder's report. Cabinet considered an alternative option to retain the homes as part of the Council's housing stock and held in the Housing Revenue Account and let in accordance with the Council's lettings policy.

Members were informed that Homes England had agreed that, under certain conditions, it would waive particular conditions of its grant relating to Designated Protected Area (DPA) status. This would enable Registered Providers to develop grant funded shared ownership stock on those sites (not within the Council's ownership) and allow buyers to staircase to 100% without an obligation on the provider to buy back the property if the leaseholder wished to sell.

In order to consider waiving the DPA lease requirements Homes England required an application to be made by the relevant Local Authority. If the Authority considered that a particular site to be developed did not meet the criteria set out in the original classification of why an area should be protected, or indeed had other reasons why they thought that grant funded shared ownership stock did not need to be protected in perpetuity, they could approach Homes England to request that the conditions of grant pertaining to Designated Protected Area status be removed. This relaxation specifically related to Homes England's conditions of grant for shared ownership homes developed in DPAs. It was not related to rural exception sites or other Section 106 agreements.

Cabinet was advised that a number of alternative options had been considered including altering the sale price, altering the sales policy and creating a rent to buy option. In summary, the options considered were:-

<i>Options Appraisal</i>		
<i>Option</i>	<i>Pros</i>	<i>Cons</i>
<i>Option 1 Retain the current asking price and keep the policy unchanged i.e. retain the status quo.</i>	<i>Offers the best possibility to maximise income and to meet the criteria set out in the policy</i>	<i>The lack of interest expressed so far at a time where the housing market remains buoyant means that extra costs are being incurred in terms of council tax and security for the site and the homes may be over-valued making sales more difficult. A failure to achieve occupation of the homes could damage the Council's reputation.</i>
<i>Option 2 Retain the current asking price but amend the terms of the policy to make it less restrictive.</i>	<i>Opens up the potential for more people to purchase the dwellings subject to there still being some eligibility criteria e.g. the requirement to occupy as an only or principal home to deter buy-to-let or other investors.</i>	<i>There is no guarantee that the homes will be sold to Key Workers or residents in Jaywick Sands as originally intended albeit the policy does allow the homes to be sold to households who have resided in the District for at least three years.</i>
<i>Option 3 Reduce the asking price but keep the policy unchanged.</i>	<i>Reducing the asking price will potentially allow Key Workers or residents of Jaywick Sands to purchase the homes in line with the adopted policy.</i>	<i>Reducing the price will impact on the revenue the Council receives from the future sales.</i>
<i>Option 4 Reduce the asking price and amend the policy.</i>	<i>Reducing the asking price and amending the policy will maximise the opportunities to sell the homes. The Council can still insist on some eligibility criteria but less restrictive than currently.</i>	<i>Reducing the price will impact on the revenue from future sales and amending the policy to shift the homes away from an affordable housing product could result in having to repay some or all of the £200,000 the Council received from the Homes and Communities Agency to fund starter homes on the site</i>
<i>Option 5</i>	<i>The Council could look to</i>	<i>As the Council will only</i>

<p><i>Seek to sell the homes as a different product and retain the current valuation and existing policy.</i></p>	<p><i>sell the homes on a shared ownership basis so they are more affordable for Key Workers or eligible applicants. The homes will remain an affordable housing product and applicants can eventually purchase the property outright.</i></p>	<p><i>be selling a share of the homes' value, the Council will not receive the anticipated revenues through sales costs. There is little expertise at the Council for the sale and management of shared ownership homes. Applicants may have difficulty obtaining a shared ownership mortgage as the number of providers offering shared ownership mortgages is limited.</i></p>
<p><i>Option 6 End plans to sell the homes and convert into social rental homes – the proposed option.</i></p>	<p><i>Renting the homes will result in them being occupied quicker and they will be let to households in need on the Housing Register. The lettings criteria in the policy to give priority to Jaywick Sands residents will still apply.</i></p>	<p><i>The Council will receive no revenue from sales, but as a stock-retained landlord, the Council has sufficient expertise to manage socially rented homes. However, the Council has publically stated the homes are for sale and not rent which could affect its reputation. Converting the homes into social rented homes may require the Council to pay back the grant it received under the Starter Homes funding initiative.</i></p>

With the permission of the Leader, Councillor Casey addressed the Cabinet on the subject of this matter.

In an effort to bring these dwellings into use as soon as possible and in order to provide an appropriate delegation to Officers to make Designated Protected Area waiver applications on behalf of Registered Providers as required by Homes England:-

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

RESOLVED that Cabinet -

- (a) notes the contents of the Portfolio Holder's report;
- (b) agrees to the retention of the five unsold properties within the Council's housing stock for letting in accordance with the local lettings and sales plan;

- (c) authorises the Corporate Director (Operations & Delivery), in consultation with the Portfolio Holder for Housing, to sign any amended grant agreement proposed by Homes England in respect of the Starter Homes funding received in 2015; and
- (d) authorises the Assistant Director (Housing & Environment), in consultation with the Portfolio Holder for Housing, to make applications, where appropriate, to Homes England for the waiver of Designated Protected Areas made under the Leasehold Reform Act 1967 and The Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009.

25. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - A.6 - POTENTIAL ACQUISITION OF PROPERTY AND LAND IN VICTORIA STREET, HARWICH

Cabinet considered a joint report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder (A.6), which sought its decision, in principle, to acquire certain land and property in Victoria Street, Harwich.

It was reported that the Council had been contacted at various times over several years with complaints over the condition of the subject land and property at Victoria Street, Harwich, both in terms of being a dangerous structure; antisocial behaviour and it being visually unappealing and a detriment to the area.

Following recent adverse weather and the Council having to secure the site in the interest of public safety, the site owners had been contacted. They had expressed their intent to place the property for sale in an auction unless the Council wanted to make a prior offer.

Due to the timeframe of the seller's auction date, the usual process initiation report to the Portfolio Holder had not been possible, so following consultation with the Portfolio Holder for Corporate Finance and Governance it had been agreed that Officers carried out negotiations and then submit the outcome to the Cabinet.

In order to secure the site for the benefit of the local residents and the wider District and to give potential effect to Members' priorities for Council Housing growth (subject to further decision on funding and contractual commitments and acquiring planning permission and other consents through the usual application processes):-

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

RESOLVED that Cabinet agrees, in principle, of the acquiring of the land and property in Victoria Street, Harwich.

26. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND THE PLANNING PORTFOLIO HOLDER - A.7 - JAYWICK SANDS PLACE PLAN AND DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENTS

Cabinet considered a joint report of the Housing Portfolio Holder and the Planning Portfolio Holder (A.7), which reported on progress made towards developing a framework for regeneration in Jaywick Sands and reported the recommendations

submitted by the Planning Policy and Local Plan Committee in respect of proposals for statutory public consultation on a Jaywick Sands Place Plan and a draft Jaywick Sands Design Guide .

Members were aware that significant progress had been made in work towards developing a strategy and policy framework for regeneration and planning in Jaywick Sands with a view to commencing a programme of public engagement that would help to shape the approach going forward.

The regeneration of Jaywick Sands was a corporate priority for the Council. The current actions comprised of two key work streams related to the planning process:

- *the Jaywick Sands Place Plan Supplementary Planning Document (SPD) (referred to henceforth as the "Place Plan"); and*
- *the Jaywick Sands Design Guide Supplementary Planning Document (SPD) (referred to henceforth as the "Design SPD").*

The purpose of the Place Plan was to provide a long-term strategy for the regeneration of Jaywick Sands with the recommended objectives being to:

- *Transform housing quality and the built environment;*
- *Ensure long term flood resilience;*
- *Create greater connectivity to neighbouring areas;*
- *Attract commerce & new economic opportunities; and*
- *Improve people's life chances, access to public services & health & wellbeing*

As part of producing this strategy, it was felt essential to engage in consultation with the local community and stakeholders at an early stage. The proposed consultation strategy would be a mixture of in-person engagement including drop-in sessions as well as digital engagement including an online presentation and survey with short explainer videos.

Members were made aware that the content of the consultation strategy had been informed by the Jaywick Sands Place Plan Interim report, which provided an analysis of the current problems and base line conditions as well as potential solutions although, at this stage, it did not prescribe a preferred approach.

The Design SPD provided key guidance to the community, property owners and developers, helping to speed up the planning process and facilitate the re-development of poor quality housing with better quality flood resilient homes. This Design SPD would be a tool for:-

- *Property owners and developers, and their design and planning consultants, in producing proposals for their sites;*
- *Stakeholders and community members when commenting on planning applications or early stage proposals;*
- *Planning officers in determining planning applications and pre-application submissions.*

Cabinet was informed that the draft document was divided into a number of chapters covering characterisation; flood resistance and resilience; massing scale and building form; streetscape and parking; internal and external space standards; and climate

change and biodiversity. The appendices provided worked examples of designs so that the applicant could understand the practical implementation of the requirements. The draft document had been produced in consultation with the Environment Agency and other stakeholders.

Members were aware that, on 31st May 2022, the Planning Policy and Local Plan Committee (“the Committee”) had considered the Place Plan and the Design Guide.

Having considered and discussed those documents, the Committee had decided to recommend to Cabinet that a consultation with the public and other interested parties take place to inform the production of a Place Plan and a Design Guide for Jaywick Sands. This was with the intention that both documents would become Supplementary Planning Documents in support of policies in the Council’s new adopted Local Plan.

Members of the Committee had made the following comments and observations for the Cabinet’s consideration:

- *Need to ensure the Place Plan considers the need for, and the opportunity to deliver infrastructure such as health provision; and*
- *Need to ensure younger people are engaged in the consultation process, including through engagement via the local primary school.*

The Portfolio Holder for Planning and the Portfolio Holder for Housing both welcomed the recommendations and comments from the Planning Policy and Local Plan Committee.

The Portfolio Holder for Housing emphasised the importance of the Place Plan in providing a long-term strategy for the future regeneration of Jaywick Sands and, in particular, a strategy that needed to be developed through positive engagement with the community.

The Portfolio Holder for Planning welcomed the Design Guide as a practical tool that property owners, architects, developers and planners could refer to in the consideration of plans to redevelop sub-standard properties and under-utilised land in an appropriate and flood resilient manner.

Having duly considered the recommendations, comments and observations of the Planning Policy & Local Plan Committee:-

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

RESOLVED that Cabinet –

1. approves the recommended objectives for the regeneration of Jaywick Sands as set out in the Portfolio Holders’ joint report;
2. approves the Jaywick Sands Place Plan Consultation Strategy;
3. approves the draft Jaywick Sands Design Guide Supplementary Planning Document for publication and consultation with the public and other interested parties; and

-
4. requests that the responses received in response to the consultation exercises for both the Jaywick Sands Place Plan and Design Guide be reported to, and considered by, the Planning Policy and Local Plan Committee.

27. MANAGEMENT TEAM ITEMS

There were no such items to consider on this occasion.

28. EXCLUSION OF PRESS AND PUBLIC

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

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 17 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act.

29. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - B.1 - TERMS FOR THE ACQUISITION OF PROPERTY AND LAND IN VICTORIA STREET, HARWICH

RESOLVED that Cabinet -

- a) approves the terms set out in Appendix B to the Portfolio Holders' joint report (B.1) for the acquisition of the land as shown edged red on the Plan attached as Appendix A to item A.6 of the Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder;
- b) authorises the Corporate Director (Operations and Delivery) to agree any such other terms he considers necessary, in consultation with the Head of Legal Services, should that be required;
- c) approves that the purchase and associated acquisition costs of £161,000 be met from the existing New Build and Acquisitions Budget within the HRA Capital Programme to be funded 60% from Direct Revenue Financing and 40% from 1-4-1 Capital receipts;
- d) approves, in principle, of the acquisition of the land shown edged yellow on the plan appended as Appendix A to item A.6 of the Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder and notes and authorises all further investigations, negotiations and processes that may be necessary; and
- e) authorises the Corporate Director (Operations and Delivery) to agree any terms he considers necessary, in consultation with the Head of Legal Services, to acquire the land shown edged yellow on the plan appended as Appendix A to item A.6 of the Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder provided that any cost can be accommodated within the New Build and Acquisitions Budget within the HRA Capital Programme.

The Meeting was declared closed at 12.07 pm

Chairman