

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date:	Decision Maker:	Subject to Call-in*
04 November 2022	Cabinet	Yes

SUBJECT OF DECISION:

Matters Referred to the Cabinet by a Committee - Reference from the Planning Policy & Local Plan Committee - A.1 - Conservation Area Character Appraisal and Management Plans for Great Oakley and Kirby-Le-Soken

Decision:

RESOLVED that –

- (a) the new Conservation Area Appraisal and Management Plans for: Great Oakley (Appendix 1) and Kirby-le-Soken (Appendix 2) be approved for consultation with the public and other interested parties; and
- (b) the Assistant Director (Finance & IT), in consultation with the Corporate Finance & Governance Portfolio Holder, the Housing Portfolio Holder, the Planning Portfolio Holder and the Director (Planning), be authorised to include a leaflet to inform residents, in basic terms, of the purpose, implications and controls in relation to conservation area status with the 2023 Council Tax Bill to be sent in due course to the relevant households within those Conservation Areas.

Reasons for Decision:

Having duly considered the recommendations submitted to it by the Planning Policy & Local Plan Committee, together with the contents of the Great Oakley Conservation Area Appraisal and the Kirby-le-Soken Conservation Area Appraisal.

Alternative Options Considered:

- (1) Not to approve one or both of the Conservation Area appraisals and management plans for consultation purposes at this time; and/or
- (2) Not to approve that a leaflet be included, in relation to conservation area status matters, within the 2023 Council Tax Bill to be sent in due course to households within Conservation Areas.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Gary Guiver, Director (Planning)

Date:	Decision Maker:	Subject to Call-in*
04 November 2022	Cabinet	No

SUBJECT OF DECISION:

Matters Referred to the Cabinet by a Committee - Reference from the Resources and Services Overview & Scrutiny Committee - A.2 - Scrutiny of the Decision to give Consent for an Event by Frinton Summer Theatre

Decision:

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

Reasons for Decision:

Having duly considered the recommendations submitted by the Resources and Services Overview & Scrutiny Committee together with the Environment & Public Space Portfolio Holder's response 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:

Damian Williams, Corporate Director (Operations and Delivery)

Date:	Decision Maker:	Subject to Call-in*
04 November 2022	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Environment & Public Space Portfolio Holder - A.3 - Detailed reply to the Resources and Services Overview & Scrutiny Committee's Recommendations in respect of the Waste, Recycling and Littering Enquiry

Decision:

RESOLVED that the detailed response of the Environment and Public Space Portfolio Holder to the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted (both being set out in the Appendix to the Portfolio Holder’s report) and that they thereto be approved.

Reasons for Decision:

Having duly considered the recommendations submitted by the Resources and Services Overview & Scrutiny Committee together with the Environment & Public Space Portfolio Holder’s detailed response thereto.

Alternative Options Considered:

Not to approve some, or all, of the Portfolio Holder’s detailed response.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Damian Williams, Corporate Director (Operations and Delivery)

Date:	Decision Maker:	Subject to Call-in*
04 November 2022	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Leisure & Tourism Portfolio Holder - A.4 - Tendring Beach Hut Strategy Revisited

Decision:

RESOLVED that Cabinet approves the content of the revised draft Beach Hut Strategy for consultation purposes and authorises Officers to seek stakeholder comment on the document for a minimum six-week period.

Reasons for Decision:

In order to approve the draft strategy in principle and to authorise the consultation to ensure that the views of local people on the content of the strategy were considered prior to adoption and implementation which would lead to an improved beach hut service going forward, in terms of governance, improvements to seafront aesthetics and ensuring a

regulated service for rentals.

Alternative Options Considered:

To not review the existing strategy was considered, but this was not considered viable as it is good practice to review strategic documents with wide ranging impact.

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

Councillor Chapman BEM declared a Personal Interest in the subject matter of this item insofar as her family held a licence for a beach hut in Brightlingsea.

Consultation with Ward Member:

N/A

Contact Officer:

Michael Carran, Assistant Director (Economic Growth & Leisure)

Date:	Decision Maker:	Subject to Call-in*
04 November 2022	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.5 - Financial Performance Report 2022/23 & 2023/24 - General Update at the end of Quarter 2

Decision:

RESOLVED that Cabinet –

- (a) notes the Council's in-year financial position at the end of September 2022 along with the updated financial forecast for 2023/24 and beyond;
- (b) approves the proposed adjustments to the 2022/23 budget, as set out in Appendix 1A and agrees that the budget adjustments for 2023/24 as set out within the same appendix be included as part of developing the forecast and detailed estimates for further consideration by Cabinet at its December 2022 meeting;
- (c) requests the Resources and Service Overview and Scrutiny Committee to comment on the latest financial position of the Council set out in this report; and
- (d) in respect of the Council's Treasury Management Practices, the aggregate amount of money that can be placed overnight with the Council's bankers be increased temporarily from £1.000m to £1.500m over the Christmas break.

Reasons for Decision:

In order to set out the latest financial position for the Council; to respond to emerging issues in 2022/23; and to develop the budget and long term forecast from 2023/24.

Alternative Options Considered:

To not approve some or all of the recommendations in the report.

**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*
04 November 2022	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Joint Report of the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder - A.6 - The Local Council Tax Support Scheme, Discretionary Council Tax Exemptions / Discounts / Premiums for 2023/24 and Annual Minimum Revenue Provision Policy Statement 2023/24

Decision:

RESOLVED that Cabinet -

- a) agrees that the LCTS scheme for 2023/24 remains the same as the current year, as set out as Appendix A and recommends to full Council:
 - i) that the LCTS set out as Appendix A be approved with the maximum LCTS award being 80% for working age claimants;
 - ii) that subject to a)i) above, delegation be given to the Assistant Director Finance and IT in consultation with the Housing Portfolio Holder to undertake the necessary steps to implement the LCTS scheme from 1 April 2023;
- b) agrees the Council Tax Exceptional Hardship Policy as set out in Appendix B;
- c) agrees the discretionary Council Tax exemptions, discounts and premiums for 2023/24 as set out in the appendices and recommends to full Council:

- i) that the locally determined council tax discounts as set out in Appendix C be approved;
 - ii) that the council tax discount policy for young people leaving care as set out in Appendix D be approved;
 - iii) that the discretionary council tax premiums set out in Appendix E be approved;
 - iv) that the Assistant Director Finance and IT, in consultation with the Housing Portfolio Holder, be authorised to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2023; and
- d) recommends to Council that the Annual Minimum Revenue Provision (MRP) Policy Statement for 2023/24, as set out in Appendix F, be approved.

Reasons for Decision:

To enable the implementation of an LCTS Scheme in 2023/24 along with the required council tax discounts, exemptions and premiums and an MRP Policy Statement.

Alternative Options Considered:

Various alternative approaches were set out in the body of the Portfolio Holders' joint report.

**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*
04 November 2022	Cabinet	No

SUBJECT OF DECISION:

Management Team Items - Report of the Monitoring Officer - A.7 - Local Government and Social Care Ombudsman Findings

Decision:

RESOLVED that Cabinet notes the report.

Reasons for Decision:

The Constitution (Article 12.03(a)) required the Monitoring Officer to report to Cabinet (or to Council for non-executive functions) if any decision or omission had given rise to maladministration.

Alternative Options Considered:

None

**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

* 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.