

**TENDRING DISTRICT COUNCIL**

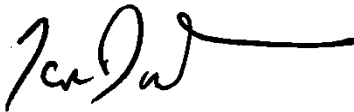
Committee Services  
Room 29  
Town Hall  
Station Road  
Clacton-on-Sea  
Essex  
CO15 1SE

11 November 2022

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held at 7.30 p.m. on Tuesday 22 November 2022 when the business specified in the accompanying Agenda is proposed to be transacted. The meeting will be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ian Davidson', with a long horizontal flourish extending to the right.

Ian Davidson  
Chief Executive

To: All members of the  
Tendring District Council

TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on Tuesday, 22 November 2022

**Prayers**

**1 Apologies for Absence**

The Council is asked to note any apologies for absence received from Members.

**2 Minutes of the Last Meeting of the Council (Pages 1 - 16)**

The Council is asked to approve, as a correct record, the minutes of the ordinary meeting of the Council held on Tuesday 12 July 2022.

**3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

**4 Announcements by the Chairman of the Council**

The Council is asked to note any announcements made by the Chairman of the Council.

**5 Announcements by the Chief Executive**

The Council is asked to note any announcements made by the Chief Executive.

**6 Statements by the Leader of the Council**

The Council is asked to note any statements made by the Leader of the Council.

*Councillors may then ask questions of the Leader on his statements.*

**7 Statements by Members of the Cabinet**

The Council is asked to note any statements made by Members of the Cabinet (Portfolio Holders).

*Councillors may then ask questions of the Portfolio Holders on their statements.*

**8 Report of the Chief Executive - A.1 - Petition to Council: Nelson Road, Clacton-on-Sea (Pages 17 - 18)**

To report a petition received in accordance with the Scheme approved by the Council.

**9 Report of the Chief Executive - A.2 - Petition to Council: Green Space Development and Sale - Holland Haven (Pages 19 - 20)**

To report a petition received in accordance with the Scheme approved by the Council.

**10 Questions Pursuant to Council Procedure Rule 10.1**

*Subject to the required notice being given, members of the public can ask questions of the Leader of the Council, Portfolio Holders or Chairmen of Committees.*

*The Chairman shall determine the number of questions to be tabled at a particular meeting in order to limit the time for questions and answers to 21 minutes.*

No questions pursuant to Council Procedure Rule 10.1 have been submitted by members of the public on this occasion.

**11 Report of the Leader of the Council - A.3 - Executive Decisions taken as a matter of Urgency (Pages 21 - 22)**

To notify Members of recent Executive Decision(s) taken in the circumstances set out in the Council's Constitution in:-

- (a) Rule 15 of the Access to Information Procedure Rules (Special Urgency); and/or
- (b) Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency); and/or
- (c) Rule 6(b) of the Budget and Policy Framework Procedure Rules.

**12 Minutes of Committees (Pages 23 - 132)**

The Council will receive the minutes of the following Committees:

- (a) Community Leadership Overview & Scrutiny of Tuesday 28 June 2022;
- (b) Audit of Thursday 30 June 2022;
- (c) Resources and Services Overview & Scrutiny of Thursday 30 June 2022;
- (d) Human Resources & Council Tax of Thursday 7 July 2022;
- (e) Tendring/Colchester Border Garden Community Joint Committee of Monday 18 July 2022;
- (f) Standards of Wednesday 3 August 2022;
- (g) Audit of Thursday 29 September 2022;
- (h) Planning Policy & Local Plan of Monday 10 October 2022;
- (i) Human Resources & Council Tax of Tuesday 11 October 2022;
- (j) Resources and Services Overview & Scrutiny of Monday 17 October 2022; and
- (k) Standards of Wednesday 26 October 2022.

**NOTES:**

(1) The above minutes are presented to Council **for information only**. Members can ask questions on their contents to the relevant Chairman but questions as to the accuracy of the minutes **must** be asked at the meeting of the Committee when the relevant minutes are approved as a correct record; and

(2) If any recommendations to Council have been made by those Committees, these are included within separate reports for Council to decide upon (i.e. by noting the minutes those recommendations are not approved at this stage of the proceedings).

**13 Motions to Council Pursuant to Council Procedure Rule 12**

No Motions pursuant to Council Procedure Rule 12 have been submitted by Councillors on this occasion.

**14 Reference from the Cabinet - A.4 - The Local Council Tax Support Scheme 2023/2024 - Council Tax Exemptions/Discounts for 2023/2024 and the Annual Minimum Revenue Provision Policy Statement 2023/2024 (Pages 133 - 198)**

The Council is asked to consider the recommendations submitted to it by the Cabinet in respect of the Local Council Tax Support Scheme 2023/2024, Council Tax Exemptions for 2023/2024 and the Annual Minimum Revenue Provision Policy Statement 2023/2024.

**15 Reports Submitted to the Council by an Overview and Scrutiny Committee**

The Council is asked to consider any reports submitted to it by an Overview and Scrutiny Committee.

**16 Reference from the Standards Committee - A.5 - Proposed Formal Adoption of the Local Government Association's Model Members' Code of Conduct (Pages 199 - 228)**

To enable the Council to consider the recommendation of the Standards Committee in relation to the formal adoption of the Local Government Association's Model Members' Code of Conduct as Tendring District Council's code as regards the conduct, which is expected of all elected Councillors, voting co-opted members and appointed members (Sections 27 & 28, Localism Act 2011).

**17 Reference from the Standards Committee - A.6 - Terms of Office and Recruitment of Members of the Council's statutory Independent Remuneration Panel and also the Council's statutory Independent Persons (Pages 229 - 234)**

To enable the Council to consider the recommendations of the Standards Committee in relation to the terms of office and future recruitment of the members of the Council's Independent Remuneration Panel and its Independent Persons.

**18 Reference from the Standards Committee - A.7 - Review of the Monitoring Officer's Protocol (Pages 235 - 250)**

To enable the Council to consider the recommendations of the Standards Committee following its review of the Monitoring Officer's Protocol.

**19 Reference from the Licensing & Registration Committee - A.8 - Adoption of a new Statement of Licensing Policy (Licensing Act 2003) (Pages 251 - 290)**

To enable the Council to consider the recommendation of the Licensing & Registration Committee in relation to the formal adoption of a new Statement of Licensing Policy (Licensing Act 2003).

**20 Report of the Portfolio Holder for Corporate Finance & Governance - A.9 - Information Governance (Pages 291 - 298)**

To present to Full Council an update on proposals for IT changes. The ongoing work is aimed at reaching an outcome whereby members can undertake their role effectively, whilst ensuring that information held by the Council, is safe, secure and compliant with relevant legislation. This work will also include looking at various different IT solutions and the associated costs.

**21 Report of the Deputy Chief Executive & Monitoring Officer - A.10 - Freeport East Limited: Appointment of Alternate Director (Pages 299 - 300)**

To formally endorse the appointment of the Chief Executive as an Alternate Director of Freeport East Limited.

**22 Questions Pursuant to Council Procedure Rule 11.2 (Pages 301 - 302)**

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

The time allocated for receiving and disposing of questions shall be a maximum of 30 minutes. Any question not disposed of at the end of this time shall be the subject of a written response, copied to all Members the following working day unless withdrawn by the questioner.

One question, on Notice, has been submitted by a Councillor on this occasion.

## 23 Urgent Matters for Debate

The Council will consider any urgent matters submitted in accordance with Council Procedure Rules 3(xv), 11.3(b) and/or 13(p).

## 24 Exclusion of Press and Public

Council is asked to consider passing the following resolution:

*“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 25 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A, as amended, of the Act.”*

## 25 Exempt Minutes of the Meetings of the Human Resources & Council Tax Committee held on Thursday 7 July and Tuesday 11 October 2022 (Pages 303 - 312)

The Council will receive the exempt minutes of the meetings of the Human Resources & Council Tax Committee held on Thursday 7 July and Tuesday 11 October 2022.

### NOTES:

(1) The above exempt minutes are presented to Council **for information only**. Members can ask questions on their contents to the Committee's Chairman but questions as to the accuracy of the minutes **must** be asked at the meeting of the Committee when the exempt minutes are approved as a correct record; and

(2) If any recommendations to Council have been made by that Committee, these will be included within separate reports for Council to decide upon (i.e. by noting the minutes any such recommendations are not approved at this stage of the proceedings).

### Date of the Next Scheduled Meeting of the Council

Tuesday, 24 January 2023 at 7.30 pm - Princes Theatre - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

## INFORMATION FOR VISITORS

### PRINCES THEATRE FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the four fire exits in the auditorium and follow the exit signs out of the building.

Please follow the instructions given by any member of staff and they will assist in leaving the building.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

The assembly point for the Princes Theatre is in the car park to the left of the front of the building as you are facing it. Your calmness and assistance is greatly appreciated.

## **PUBLIC ATTENDANCE AT TENDRING DISTRICT COUNCIL MEETINGS**

Welcome to this evening's meeting of Tendring District Council.

This is an open meeting which members of the public can attend to see Councillors debating and transacting the business of the Council. However, please be aware that, unless you are included on the agenda to ask a public question, members of the public are not entitled to make any comment or take part in the meeting. You are also asked to behave in a respectful manner at all times during these meetings.

Members of the public do have the right to film or record council meetings subject to the provisions set out below:-

### **Rights of members of the public to film and record meetings**

Under The Openness of Local Government Bodies Regulations 2014, which came into effect on 6 August 2014, any person is permitted to film or record any meeting of the Council, a Committee, Sub-Committee or the Cabinet, unless the public have been excluded from the meeting for the consideration of exempt or confidential business.

Members of the public also have the right to report meetings using social media (including blogging or tweeting).

The Council will provide reasonable facilities to facilitate reporting.

### **Public Behaviour**

Any person exercising the rights set out above must not disrupt proceedings. Examples of what will be regarded as disruptive, include, but are not limited to:

- (1) Moving outside the area designated for the public;
- (2) Making excessive noise;
- (3) Intrusive lighting/flash; or
- (4) Asking a Councillor to repeat a statement.

In addition, members of the public or the public gallery should **not** be filmed as this could infringe on an individual's right to privacy, if their prior permission had not been obtained.

Any person considered being disruptive or filming the public will be requested to cease doing so by the Chairman of the meeting and may be asked to leave the meeting. A refusal by the member of the public concerned will lead to the Police being called to intervene.