

TENDRING DISTRICT COUNCIL

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

22 February 2023

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held at 7.30 p.m. on Thursday 2 March 2023 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, CO15 1SE.

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 Thursday, 2 March 2023

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 - 14)

The Council is asked to approve, as a correct record, the minutes of the budget and council tax setting meeting of the Council held on Tuesday 14 February 2023.

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 Annual State of the Tendring District Statement by the Leader of the Council

The Council will receive the annual State of the Tendring District Statement from the Leader of the Council.

9 Petitions to Council

The Council will consider any petition(s) received in accordance with the Scheme approved by the Council.

10 Questions Pursuant to Council Procedure Rule 10.1 (Pages 15 - 16)

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.

One such question was submitted in time for the deadline for this meeting of Noon on Monday 20 February 2023.

11 Report of the Leader of the Council - Urgent Cabinet or Portfolio Holder Decisions

The Council will receive a report on any Cabinet or Portfolio Holder Decisions taken as a matter of urgency in accordance with Access to Information Procedure Rule 16.2, Budget and Policy Framework Procedure Rule 6(b) and/or Overview and Scrutiny Procedure Rule 18(i).

12 Minutes of Committees (Pages 17 - 92)

The Council will receive the minutes of the following Committees:

- (a) Community Leadership Overview & Scrutiny of Tuesday 13 December 2022;
- (b) Resources and Services Overview & Scrutiny of Wednesday 11 January 2023;
- (c) Planning Policy & Local Plan of Monday 23 January 2023;
- (d) Audit of Thursday 26 January 2023;
- (e) Resources and Services Overview & Scrutiny of Wednesday 1 February 2023; and
- (f) Standards of Wednesday 8 February 2023.

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 Reference from the Tendring Colchester Borders Garden Community Joint Committee - A.1 - Development Plan Document: Submission Version Plan - Regulation 19 (Pages 93 - 612)

To enable the Council to consider the recommendation of the Tendring Colchester Borders Garden Community Joint Committee that the Submission Version of the Plan, associated Sustainability Appraisal and other related evidence be published for six weeks' public consultation in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Regulation 13 of the Environmental Assessment of Plans and Programme Regulations and thereafter submitted to the Secretary of State in line with Regulation 21 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in order to begin the process of independent examination.

14 Motion to Council pursuant to Council Procedure Rule 12 - Ring-Fencing of Capital Receipts arising from the disposal of surplus land (Pages 613 - 614)

Council will consider the following motion notice of which has been given, pursuant to the provisions of Council Procedure Rule 12, by Councillor Steady:-

“That this Council resolves to recommend to Cabinet that -

(a) any future capital receipts arising from the disposal of surplus land be ring-fenced for investing back into the town or parish it is located in, and in the case of Brightlingsea this would include the proceeds from the future disposal of land in Dover Road identified in the report to Cabinet on 15 July 2022; and

(b) the relevant Town / Parish Council be consulted on any such investment proposals.”

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.

NOTE: The Reference Report referred to under Agenda Item 18 below incorporates the recommendations made by the Resources and Services Overview and Scrutiny Committee in relation to the review of the Council's Cyber Security arrangements.

16 Reference from the Cabinet - A.2 - Annual Capital and Treasury Strategy for 2023/24 (including Prudential and Treasury Indicators) (Pages 615 - 660)

To enable the Council to consider the recommendation of the Cabinet in relation to the adoption of the Annual Capital and Treasury Strategy for 2023/24.

17 Joint Report of the Monitoring Officer and the Cabinet - A.3 - Proposed Amendments to the Council's Constitution (Council Procedure Rules) (Pages 661 - 676)

In accordance with the provisions of Article 15.02 (a) and (c) of the Council's Constitution, to approve the recommended changes to the Constitution (Council Procedure Rules) put forward by the Monitoring Officer and the Cabinet following a review undertaken by the Corporate Finance and Governance Portfolio Holder through a Working Party constituted for this purpose.

18 Reference from the Cabinet - A.4 - Cyber Security for the Council (Pages 677 - 740)

To enable the Council to consider the recommendations of the Cabinet in relation to cyber security for the Council.

19 Report of the Chief Executive - A.5 - Term of Office for the members of the Independent Remuneration Panel (Pages 741 - 742)

To enable the Council to consider an extension to the term of office for the members of the Council's Independent Remuneration Panel (IRP) following Council's decision on 24 January 2023.

20 Report of the Assistant Director (Partnerships) - A.6 - Pay Policy Statement 2023/24 (Pages 743 - 758)

To present the Pay Policy Statement for 2023/24.

21 Questions Pursuant to Council Procedure Rule 11.2

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.

No questions on notice from a Councillor were received by the submission deadline for this meeting of Noon on Monday 20 February 2023.

22 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).

Date of the Next Scheduled Meeting of the Council

Annual Meeting - Tuesday, 23 May 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.