



## **RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE**

<b>DATE:</b>	<b>Monday, 17 October 2022</b>
<b>TIME:</b>	<b>7.30 pm</b>
<b>VENUE:</b>	<b>Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE</b>

**MEMBERSHIP:**

**Councillor M Stephenson (Chairman)**  
**Councillor Scott (Vice-Chairman)**  
**Councillor Allen**  
**Councillor Amos**  
**Councillor Barry**

**Councillor Codling**  
**Councillor Griffiths**  
**Councillor Morrison**  
**Councillor Skeels**

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DATE OF PUBLICATION: Friday, 7 October 2022

## AGENDA

### **1 Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

### **2 Minutes of the Last Meeting (Pages 1 - 4)**

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on Tuesday 6 September 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 Questions on Notice pursuant to Council Procedure Rule 38**

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District and which falls within the terms of reference of the Committee.

### **5 Report of Head of Democratic Services and Elections - A.1 - Work Programming- Including Monitoring of Previous Recommendations and Summary of the Forthcoming Decisions. (Pages 5 - 24)**

The report provides the Committee with an update on its approved Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respect of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

### **6 Report of the Assistant Director (Building & Public Realm) - A.2 - Scrutiny of the Decision to Give Consent for an Event by Frinton Summer Theatre (Pages 25 - 110)**

To facilitate review of the decision to grant consent for Frinton Summer Theatre to provide a tented theatre for the production of plays for four weeks on the Greensward at Frinton on Sea in the summer of 2022.

### **7 Report of the Assistant Director (Finance & IT) - A.3 - Financial Outturn 2021/22 (Pages 111 - 160)**

To provide an overview of the Council's financial outturn for the year 2021/22 and the allocation of the associated General Fund Variance for the year.

### **Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Resources and Services Overview and Scrutiny Committee is to be held in the Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 7.30 pm on Tuesday, 15 November 2022.*

## **Information for Visitors**

### **FIRE EVACUATION PROCEDURE**

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# Public Document Pack Agenda Item 2

Resources and Services Overview and  
Scrutiny Committee

6 September 2022

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**MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW  
AND SCRUTINY COMMITTEE,  
HELD ON TUESDAY, 6TH SEPTEMBER, 2022 AT 7.30 PM  
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors M Stephenson (Chairman), Allen, Amos, Barry, Codling, Griffiths and Skeels
<b>In Attendance:</b>	Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Keith Simmons (Head of Democratic Services and Elections) and Keith Durran (Committee Services Officer)

**17. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

An apology for absence was received from Councillor Morrison (with no substitution).

**18. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the minutes of the meeting of the Committee held on Thursday 30 June 2022 be approved as a correct record.

**19. DECLARATIONS OF INTEREST**

There were no declarations of interest by Councillors in relation to any item on the agenda for this meeting.

**20. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

Pursuant to the provisions of Council Procedure Rule 38, Councillor Griffiths asked the following question:-

*"I read the decision regarding the purchase of the new beach patrol equipment with interest.. While reading the report I was quite concerned to read "Clacton and Frinton Beach Patrol Station Quad bikes are beyond repair and no longer available to use". Why are we not replacing the equipment while it is still in working order? This would allow some resale value, and more importantly would mean the beach patrol had functioning equipment. Can we also clarify if the lack of availability of the equipment compromised the beach patrols effectiveness during this period"?"*

The Chairman responded based on information provided to him, as follows:-

*In the absence of the quad bikes at Clacton and Frinton Beach Patrol Station, please be assured that other temporary measures were put in place to ensure the stations were still operating fully. For instance, manually moving equipment where possible and using the Mule (small vehicle) to help support the manoeuvre of equipment.*

*I can advise that the old quad bikes for Walton and Clacton are still within TDC stock and are located at Northbourne with the Council's Open Space and Transport Manager. A decision on what will be the next steps for this equipment will be taken shortly. Subject to that advice and the obvious compliance with the Council's constitution, this*

*may include the option for trade-in or a direct sale of this equipment. An update will be provided once a decision has been finalised.*

## 21. SCRUTINY OF PROPOSED DECISIONS

The Head of Democratic Services and Elections informed the Committee that it had the full list of proposed decisions referred to in the report and advised that, under Rule 13, Councillors could discuss anything that is in that list. However due notice must be given, 2 working days in advance of the meeting and no notice had been given. It was informed that if any members of the Committee wanted to put forward items from the report on proposed decisions for the work programme 2022/23 that this would be the appropriate time in the meeting.

It was **RESOLVED** to note the report.

## 22. RECOMMENDATIONS MONITORING REPORT

The report set out the recommendations from the meeting of the Committee on 30 June 2022 (Minute 14 refers) on the Waste, Recycling and Littering enquiry and the interim response of Cabinet on 15 July 2022 to those recommendations.

The Committee was reminded, by the Head of Democratic Services and Elections, that recommendations from earlier meetings had previously been reported to it and had not been repeated in this report. It was **RESOLVED** to note the report.

## 23. TAKING FORWARD THE OVERVIEW AND SCRUTINY WORK PROGRAMME 2022/23

The Head of Democratic Services and Elections invited the Committee to consider the list that was circulated at the meeting of Members who had volunteered to sit on the forthcoming Task and Finish groups.

This list had been considered by the Chairman who invited the Committee to approve the membership of the various Task and Finish groups for the scrutiny enquiries identified. The list also identified who it was proposed to chair each Task and Finish group, The list was as follows:

Item	Beach Hut Strategy	Planning Enforcement	Cyber Security	Customer Service
Who	Gary Scott (Chair)	Andy Baker (Chair)	Paul Clifton (Chair)	Mark Stephenson (Chair)
	Delyth Miles	Chris Amos	Chris Amos	Pam Morrison
	Jim Codling	Jim Codling	Chris Griffiths	Chris Griffiths
	Gina Placey	Gina Placey	Andy Baker	Terry Allen

Other Councillors had volunteered to sit on task and Finish groups. Those not identified in the list would be thanked for volunteering.

The reference to the item of enquiry in the above list needed to be read against the approved enquires scope approved by Council on 12 July 2022 (Minute 29 refers).

After a short discussion the Committee **RESOLVED** to approve the Membership/Chairman details in the list circulated at the meeting for Task and Finish groups identified and, consequently, authorised Task and Finish groups to commence the scrutiny enquires concerned as approved by Council.

**24. FINANCIAL OUTTURN 2021/22**

The Committee was advised that due to a clerical error, the Committee had been supplied with a financial report that was not the Financial Outturn Report for 2022/23. Although the correct report had been circulated once the error had been identified it had not enabled the full time for Councillors on the Committee to consider it prior to the meeting.

It was **RESOLVED** to postpone consideration of the financial Outturn 2022/23 report to a future meeting of the Committee.

The meeting was declared closed at 8.01 pm

**Chairman**

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## RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

17 OCTOBER 2022

### REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS

#### A.1 WORK PROGRAMMING – INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS

(Report prepared by Keith Durran and Keith Simmons)

##### PURPOSE OF THE REPORT

The report provides the Committee with an update on its approved Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

##### INVITEES

Not applicable.

##### BACKGROUND

The Council commissioned the Centre for Governance and Scrutiny (CfGS) to undertake an 'Overview & Scrutiny Development Review' in 2021 as a way of further improving that function at the Council. Two relevant recommendations arising from that review were:

***“Further strengthening the annual process for developing work programmes for each O&S committee - Engaging Members, Officers, partners and the public to prioritise the topics for review. This could include a selection criteria to identify appropriate topics for the work programme. Currently the work programme is also the last item on the agenda at O&S meetings, we would recommend bringing it to the beginning, so it can be given greater priority and benefit from more considered discussion, rather than being subject to the inevitable end of meeting fatigue.***

***Reviewing how the recommendations are made and how impact is measured – This could include putting the ‘recommendations monitoring report’ at the beginning of agendas to orientate O&S towards outcomes-focused meetings, alongside an emphasis on finding strong recommendations from questioning to present to Cabinet (or partners) as improvement or challenge proposals.”***

The Committee has previously received three separate reports on the issues of (1) Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme), (2) feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken and (3) a list of forthcoming decisions for which notice has been given since publication of the agenda for the

Committee's last meeting.

While (since the CfGS recommendations were made) the three reports referred to have been earlier in the Committee's agendas for meetings, the combination of them into one report seeks to further re-inforce the inter-relationship of the matters previously covered separately. As such, it is designed to further support consideration of work programming of the Committee and contribute to addressing progress with the Corporate Plan.

## DETAILED INFORMATION

The detailed matters relating to the following matters are set out in the Appendix identified:

- (1) Work Programme for 2022/23 (including progress with enquiries set out in its Work Programme) – See Appendix A;
- (2) feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken – see Appendix B; and
- (3) a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting – See Appendix C.

In considering work programming matters, the Committee is further reminded of the other recommendations from the CfGS review undertaken in 2021:

***“Considering greater use of task and finish groups – This more informal type of O&S can allow improved cross-party working and detailed investigation of a single issue focussed on producing substantive recommendations.***

***Improved agenda planning and management - Committees should focus on one or two substantive items per agenda to allow for cross-cutting themes to be properly identified and explored, and different insights brought to bear on critical issues.***

***Considering how to engage the public in the work of O&S - This could include O&S going on more site visits in the community, inviting the public to offer ideas for work programmes, and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.***

***A clearer focus on democratic accountability - Scrutiny of Cabinet Members should form a key part of the work programme, providing an opportunity to hold the Leader and portfolio holders to account for delivery of the corporate plan and any other issues O&S feel is important.”***

## RECOMMENDATION

**That the Committee:**

- (a) Considers and notes the progress with enquiries set out in its Work Programme, feedback to the Committee on the decisions in respect of previous recommendations and the list of forthcoming decisions; and**
- (b) Determines whether any addition to, amendment of or rescheduling of Work Programme matters are required or other actions should be approved based on the content of this report.**

## A.1 APPENDIX A

### Resources and Services Overview and Scrutiny Committee 17 October 2022

#### OVERVIEW AND SCRUTINY PROCEDURE RULE 13 – SCRUTINY OF PROPOSED DECISIONS

(Prepared by Keith Durran)

The below forthcoming decisions are those published since 24 August 2022 – the publication date for the Committee’s last ordinary meeting.

In presenting the following, the Committee’s attention is drawn to the agenda item notes in respect of Overview and Scrutiny Procedure Rule 13.

DESCRIPTION OF DECISION	KEY DECISION – YES/NO	DECISION MAKER	Decision Due Date
<u>Spendells House - Review of budget position and award of contract</u>	YES	Cabinet	04/11/2022
<u>Granicus - MyTendring Contract Renewal Decision</u>	YES	Deputy Leader of the Council and Corporate Finance & Governance Portfolio Holder	14/10/2022
<u>Review of Beach Hut Strategy</u>	YES	Cabinet	04/11/2022
<u>Council Tax Base 2023/24</u>	YES	Deputy Leader of the Council and Corporate Finance & Governance Portfolio Holder	01/12/2022
<u>Financial Performance Update Quarter 2 2022/23</u>	YES	Cabinet	04/11/2022
<u>LCTS and Council Tax Discounts, Local Business Rate Relief Schemes and MRP Policy Statement 2023/24</u>	YES	Cabinet	04/11/2022
<u>Updated GF Financial Forecast and Initial Budget Proposals 2023/24</u>	YES	Cabinet	16/12/2022
<u>Housing Revenue Account Estimates 2023/24</u>	YES	Cabinet	16/12/2022

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## A.1 APPENDIX B

### Resources and Services Overview and Scrutiny Committee 17 October 2022

#### RECOMMENDATIONS MONITORING REPORT (Prepared by Keith Durran)

Recommendation(s) Including Date of Meeting and Minute Number	Actions Taken and Outcome	Completed, follow-up work required or added to Work Programme
<p><b><u>This Committee's meeting on 30 June 2022 (Minute 14 refers)</u></b></p> <p><b><u>WASTE RECYCLING AND LITTERING:</u></b></p> <p><b><u>ENQUIRY RECOMMENDED:</u></b></p> <p><i>"In respect of the recycling elements of the enquiry:</i></p> <p><i>That the capacity of the Street Scene Team to undertake a range of engagement and recycling promotion work with school age children, members of community organisations and the public through roadshows, Council Tax Bills etc. be assessed and plans brought forward to support this capacity. The Committee believes that this work is vital to ensure we have a well-informed local population about recycling and the benefits of it and that the capacity of the team should provide for this work to be undertaken systematically and consistently;</i></p> <p><i>That, in addition to the steps in (1) above, available data, or proxies for it, about</i></p>	<p><b><u>The Recommendation was submitted to the Cabinet Meeting on 15 July 2022 (Minute 37 refers) and the Portfolio Holder's Comments were as follows:</u></b></p> <p><i>"Colleagues, this report from the Resources and Services Overview &amp; Scrutiny Committee is far too good to just note as it is bursting with intelligent ideas. I want the chance for each to be examined in detail and properly costed, with a view to trying to encompass the report's ideas. Damian Williams organised a meeting for me yesterday with Andy White and Jonathan Hamlet present. I said that only having received the report a week ago, this was not enough time to present a considered answer at this Cabinet meeting, but that I wanted a detailed answer to be prepared with costs included for the next Cabinet meeting."</i></p> <p><i>Having considered the recommendations of the Resources and Services Overview &amp; Scrutiny Committee, together with the initial response of the Environment &amp; Public Space Portfolio Holder thereto:-</i></p>	

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<p><i>recycling rates within the District be examined to identify those areas where recycling rates are lowest and that the available resources for promotional activity be targeted to those areas to increase recycling rates there. The Committee is conscious of the need to use data to guide action and that this is an area where finite resources can be directed where the need for action is most required.</i></p> <p><i>That proposals for new style three chamber litter bins to separate out general waste from plastic/can recyclables and card recyclables be examined with a view to these being installed in the centres of towns in the District. The Committee considers that these new style bins would help reinforce the message around recycling and further the Council's commitment to it (and positively reinforce the Council's Community Leadership role);</i></p> <p><i>That the expected standards for cleanliness/removal of broken glass at the recycling bring sites in the District be developed and publicised and, alongside these, deployment response times for the cleaning/clearing of those sites be established for reports of issues at those sites when the standards are not being met. This recording will include each incident of 'fly tipping' at the sites. The Committee believes the recycling bring sites provide a valuable addition to the kerbside recycling</i></p>	<p><i>It was moved by Councillor Talbot, seconded by Councillor Bray and:-</i></p> <p><i>RESOLVED that Cabinet notes –</i></p> <p><i>(a) the contents of the report; and</i></p> <p><i>(b) that a full response from the Environment &amp; Public Space Portfolio Holder will be submitted to the next meeting of the Cabinet.</i></p>	
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<p><i>collection service and believes that working with the public we can look to keep the sites in the best possible condition by sharing with them the standards they should expect, the means of reporting when those standards are not met and a response regime to those reports that can manage expectations while returning the site to the expected standards as soon as possible; and</i></p> <p><i>(5) That the introduction of an online (MyTendring) form to report a missed bin collection for garden waste collections (Brown bin) be pursued. The Committee regards the availability of a missed bin collection online form for the general waste (Black bin) and recycling boxes (red and green boxes) as positive and that the same 24/7 reporting route should be provided for garden waste where there is a missed collection.</i></p> <p><i>In respect of the public space litter elements of the enquiry:</i></p> <p><i>That the proposals for uniquely coloured (purple) bags for those undertaking Community Litter picks (to distinguish these bags from other forms of waste/recycling) be warmly supported;</i></p> <p><i>That the large blue litterbins used as part of the Summer Plan along the seafront should be retained throughout the low season to create a year round approach to litter</i></p>		
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*collection in those spaces. The removal of the litterbins means that out of season there is a reduced litterbin service along the seafront. For residents in those areas and local individuals who use the seafront this reduced service is perceived as a lower standard for them than is provided for tourists. Retaining the bins, even with a reduced emptying regime would demonstrate the obvious commitment of the Council to its residents;*

*That consideration be given to a pilot scheme along the stretch of the A120 from Ardleigh Crown to Horsley Cross to install high visibility litter bins in the laybys and evaluate the extent of their use (and any potential consequential fly tipping from their introduction) for a 12 months period (and that the experience be used to inform the approach along this road and the A133 going forward). The Committee believes that the pilot approach will provide the Council with valuable information as to whether litter bins in the laybys of major roads in the District would be advantageous;*

*(9) That the verge litter-picking schedule for the A120 from the new roundabout to the Auction roundabout be increased to six times a year. The current frequency is, in the view of the Committee, demonstrably insufficient to keep the verges concerned clear of litter and this then could encourage further littering to take place by those who*



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<p><i>see the extent of litter that is not cleared sufficiently frequently to deter it taking place;</i></p> <p><i>In respect of future service provision:</i></p> <p><i>(10) The Committee welcomed the opportunity to input into the specification for the waste, recycling and street cleaning contract that will be the basis of service provision in those areas from 2026.</i></p> <p><i>[Note: Further to item (10) in the above recommendations, the Resources and Services Overview and Scrutiny Committee had proposed to Council on 12 July 2022 that the development of proposals for the waste, recycling and street cleaning contract specification from 2026 be included in the work programme of enquiries for the Committee for 2022/23.]</i></p>		
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Recommendations monitoring for those recommendations from earlier meetings of the Committee have been previously reported to the Committee and, as such, are not repeated here as there is no further update to be provided on them.

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**RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE  
FOR ENQUIRIES TO BE UNDERTAKEN IN 2022/23**

**Work Programme**

[Detailed Work Programme for 2022/23 outlining the progress made and otherwise planned for enquiries set out in the Work Programme. The report also details an update of the Task and Finish groups appointed by the Resources and Services Overview and Scrutiny Committees.]

As of that date of publication of this agenda 3 out of the 4 Task and Finish groups (T&Fg) have started.

- Beach Hut T&Fg has completed 4 meetings, they have met with Beach Hut Association Representatives, received written submissions from District Councillors and had a meeting the Portfolio Holder for Leisure and Tourism.
- Customer Service T&Fg has had a Member led meeting to develop key lines of enquiry.
- Planning Enforcement T&Fg has had an Officer led meeting to develop key lines of enquiry.
- Cyber Security T&Fg to be started with an Officer led meeting on 27 October 2022.

<b>Item</b>	<b>Date of Enquiry</b>	<b>Relevant Corporate Plan Theme/Annual Cabinet Priority</b>	<b>Information to be provided in advance</b>	<b>Those to be invited to attend</b>	<b>Articulated value of undertaking the review</b>
<b>Scrutiny of the Council's proposals to review the Beach Hut Strategy</b>	<b>Commenced 21 September 2022</b>	<b>Delivering High Quality Services (Public Spaces to be Proud of)</b>	<b>A copy of the 2013 Beach Hut Strategy and the proposals for the review, which will be subject to consultation with stakeholders.</b>	<b>Portfolio Holder for Leisure and Tourism</b>  <b>Interim Corporate Director - Projects Delivery</b>  <b>Assistant Director, Economic Growth and Leisure</b>	<b>To feed the committees views into the review of the Beach Hut Strategy, prior to consideration by Cabinet.</b>

<p><b>Planning Enforcement – Review of current powers, policies, procedures, data on the use of current enforcement powers, effectiveness of approach and assessment of how cases should be prioritised.</b></p>	<p><b>Commenced 3 October 2022</b></p>	<p><b>Delivery of High Quality Services</b></p>	<p><b>Current Planning Enforcement Policy. Casework examples (i.e. priority and non-priority cases)</b></p>	<p><b>Portfolio Holder for Planning, Chairman of the Planning Committee,  Director of Planning,  Assistant Director of Planning</b></p>	<p><b>To ensure that the Planning Enforcement Service efficiently prioritises enforcement cases ensuring timely closure of casework.</b></p>
<p><b>Cyber Security for the Council. Looking at the threats, our approach to those threats and the future vulnerabilities. There was agreement that this might be a good subject for scrutiny.</b></p>	<p><b>Commencing Summer 2022</b></p>	<p><b>Strong Finance &amp; Governance</b></p>	<p><b>1. Copy of All Member Cybersecurity Briefing Presentation 23/02/22. 2. Cyber incident log examples explained.</b></p>	<p><b>Deputy Leader, Portfolio Holder for Corporate Finance and Governance,  Head of IT &amp; Resilience,  Cybersecurity &amp; Systems Manager</b></p>	<p><b>To challenge/ better understand the cybersecurity risks, defences and mitigations the council has in place.</b></p>
<p><b>Council procurement and Contract Management – using potential exemplars from: -The housing maintenance contact awarded to Rapid, its</b></p>	<p><b>17 October 2022</b></p>	<p><b>Delivery of High Quality Services</b>  <b>Effective and positive Governance</b></p>	<p><b>The Procurement Strategy</b>  <b>Confirmation of procurement and contract management requirements</b></p>	<p><b>Management Team</b></p>	<p><b>To ensure that procurement and contract management at the Council is functioning as it should and is fit for purpose.</b></p>

<p>delivery of work and the management of it.          - The management of the previous cremator maintenance contract, the need to stop the use of those cremators and the process for securing replacement cremators given the sensitivity around this service and the budgetary implications for the Council while these cremators are out of action.          - The Leisure Centre Investment – specifications, securing contractors and delivery of those works and maintenance of the equipment at the Centres.</p>			<p>Details of the procurements in the exemplars</p> <p>Details of the contract management in the exemplars</p> <p>Details of measures to improve procurement and contract management at the Council</p> <p>Procurement Project Pipe Line for programming future projects</p>		
<p><b>Customer Service</b></p> <p>Particularly face to face, telephone and email contact across a range of services</p>	<p><b>Commenced 30 September 2022</b></p>	<p><b>Delivery of High Quality Services</b></p>	<p><b>Customer Service Commitments</b></p> <p><b>Visitor and Call statistics</b></p>	<p><b>Relevant Portfolio Holders</b></p> <p><b>Relevant Directors</b></p>	<p><b>To provide an opportunity to assess the level of customer service provided against policies and</b></p>

including Council Tax, Waste-Recycling and Leisure			Complaint handling Ombudsman focus report on equal access		provide recommendations around both of these matters. In addition to ensure reasonable adjustments are in place to reflect the needs of those with disabilities.
Waste, recycling and litter beyond 2026.  To consider how best to balance the expectations of residents, cost and service provision.	Spring 2023	Delivery of High Quality Services	The Specification for the current contracts to 2026.  The key milestones in the development of specification for the service provision beyond 2026.  The budget income, recycling credits and expenditure over the most recent five years.  Relevant comparator data for waste, recycling and litter over time and in other comparator councils.	Relevant Portfolio Holders  Relevant Directors	To identify what a high quality waste, recycling and litter should look like for Tendring District beyond 2026.
Carbon Neutral by 2030. The assessment of measures to	Off-Agenda Briefing Paper in the Autumn	Delivering High Quality Services/ A7 - Carbon Neutral by 2030	To be scoped by the Committee in August 2022	Not applicable	To ascertain progress against the Action Plan 2020-2023 prior to

<p>progress towards the policy unanimously agreed by Full Council and adopted into the Council's Policy Framework. How will these carbon reduction measures affect the Council and its r partners financially (and is there a consequence for job numbers/skills of the individual measures)?</p>					<p>the end of the period of the Action Plan and inform a process of informing the development of the Action Plan for the next period towards the 2030 net zero policy objective.</p>
<p>Post decision scrutiny of the decision of the Portfolio Holder for Environment &amp; Public Space (as follows):</p> <p>(a) To give consent for the use of the section of Frinton Greensward identified between 14 August 2022 and 5 September 2022 by the Frinton Summer Theatre subject to any necessary licences being</p>	<p>17 October 2022</p>	<p>Not specified</p>	<p>A link to the decision on the Council's website is here:</p> <p><a href="#">Decision - Frinton Summer Theatre - Application for Consent to use Frinton Greensward (tendringdc.gov.uk)</a></p> <p>In addition to the decision itself, the objections received to the application are available at the same link; together with the report of the Assistant Director – Building and</p>	<p>Portfolio Holder for Environment and Public Space</p> <p>Assistant Director – Building and Public Realm</p>	<p>To review the consultation with all the parties that will be affected by the decision along with the Councillors whose wards will be affected.</p> <p>To determine the residual cost falling on the Council in respect of additional demand for public lavatories, additional parking, remedial work on the Greensward</p>

<p>obtained and conditions being adhered to; and                  (b) That the details of any consents given make it clear that consent is given for this event only and that future events will be evaluated on their merits at the time.</p> <p>The decision followed an application from Frinton Summer Theatre to provide a tented theatre for the production of plays for four weeks on the Greensward at Frinton-on-Sea in the summer of 2022.</p> <p>The request from the Leader of the Tendring First Group is that the decision made by Portfolio Holder be brought to the Committee to be scrutinised as he believes it was made without a full and</p>			<p>Public Realm who advised the Portfolio Holder on the application.</p> <p>The report considered by the Portfolio Holder prior to the decision to authorise the use of the Greensward references issues raised in the consultation undertaken in respect of concerns about residual costs falling on the Council in respect of additional demand for public lavatories, additional parking, remedial work on the Greensward following the end of the Summer Theatre's use of it.</p>		<p>following the end of the Summer Theatre's use of it.</p>
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<b>thorough consultation with all the parties that will be affected by the decision along with the Councillors whose wards will be affected.</b>					
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In addition, there will be scrutiny for the 2022/23 Budget proposals and this work is scheduled for 4 and 11 January 20

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## RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

17<sup>th</sup> OCTOBER 2022

### REPORT OF THE ASSISTANT DIRECTOR FOR BUILDING AND PUBLIC REALM

#### A.2 SCRUTINY OF THE DECISION TO GIVE CONSENT FOR AN EVENT BY FRINTON SUMMER THEATRE.

(Report prepared by Andy White)

#### PART 1 – KEY INFORMATION

##### PURPOSE OF THE REPORT

To facilitate review of the decision to grant consent for Frinton Summer Theatre to provide a tented theatre for the production of plays for four weeks on the Greensward at Frinton on Sea in the summer of 2022.

##### EXECUTIVE SUMMARY

The Council has freehold ownership of The Greensward at Frinton. Frinton Summer Theatre, Registered Charity No: 1170429, applied to erect a tent on the Greensward in order to put on a main summer production, a secondary production and community outreach activities. The application was refused at the first instance following informal discussion with the ward members.

The applicant asked for the decision to be reviewed and provided additional details. Ordinarily this decision would have been made at an officer level. In this case the ward members were opposed to the production whereas other local members and businesses were in support. Given the diversity of local views It was proposed that the Portfolio Holder determine the matter.

The Portfolio Holder considered the opinions around the matter and decided to allow the event to take place. The full report provided to the Portfolio Holder including representations on both sides of the discussion is attached as Appendix A.

##### RECOMMENDATION(S)

**It is recommended that the Committee considers the report and determines whether it wishes to make any recommendation to the Portfolio Holder.**

##### REASON(S) FOR THE RECOMMENDATION(S)

To facilitate consideration by the Committee and the making of any recommendations.

##### ALTERNATIVE OPTIONS CONSIDERED

The attached report outlines options available at the time

#### PART 2 – IMPLICATIONS OF THE DECISION

##### DELIVERING PRIORITIES

The attached report outlines information in relation to Corporate priorities.

##### OUTCOME OF CONSULTATION AND ENGAGEMENT

The attached report outlines consultation and views expressed at the time.

<b>LEGAL REQUIREMENTS (including legislation &amp; constitutional powers)</b>	
The attached report outlines legal and governance considerations.	
<input type="checkbox"/>	<b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
No additional comments	
<b>FINANCE AND OTHER RESOURCE IMPLICATIONS</b>	
The production of itself was entirely cost neutral to the Council. The organisers paid sums for the hire of the land and for use and staffing of the lavatories. Amounts are confidential but can be provided to members outside of the public meeting.	
<input type="checkbox"/>	<b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
No additional comments	
<b>USE OF RESOURCES AND VALUE FOR MONEY</b>	
The attached report outlines issues around use of resources	
<b>MILESTONES AND DELIVERY</b>	
The attached report outlines issues around timescales.	
<b>ASSOCIATED RISKS AND MITIGATION</b>	
The attached report outlines issues around risks.	
<b>EQUALITY IMPLICATIONS</b>	
The attached report outlines issues around equalities.	
<b>SOCIAL VALUE CONSIDERATIONS</b>	
The attached report outlines issues around social value.	
<b>IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030</b>	
The attached report outlines issues around emissions.	
<b>OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS</b>	
The attached report outlines issues around other implications.	

### **PART 3 – SUPPORTING INFORMATION**

<b>BACKGROUND</b>	
The attached report outlines the background to the decision	
<b>PREVIOUS RELEVANT DECISIONS</b>	
The attached report outlines previous decisions.	
<b>BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL</b>	
None.	

<b>APPENDICES</b>	
Appendix A Report provided to the Portfolio Holder.	

<b>REPORT CONTACT OFFICER(S)</b>	
<b>Name</b>	Andy White

<b>Job Title</b>	Assistant Director – Building and Public Realm
<b>Email/Telephone</b>	<a href="mailto:awhite@tendringdc.gov.uk">awhite@tendringdc.gov.uk</a> 01255 686933

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## A.2 APPENDIX A1

### PORTFOLIO HOLDER FOR ENVIRONMENT AND PUBLIC SPACE

25<sup>th</sup> MARCH 2022

#### REPORT OF THE ASSISTANT DIRECTOR FOR BUILDING AND PUBLIC REALM

#### **A.# APPLICATION FOR CONSENT TO HOLD AN EVENT BY FRINTON SUMMER THEATRE.**

(Report prepared by Andy White)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To consider whether to grant consent for Frinton Summer Theatre to provide a tented theatre for the production of plays for four weeks on the Greensward at Frinton on Sea in the summer of 2022.

##### **EXECUTIVE SUMMARY**

The Council has freehold ownership of The Greensward at Frinton. Frinton Summer Theatre, Registered Charity No: 1170429, has applied to erect a tent on the Greensward in order to put on a main summer production, a secondary production and community outreach activities. The application was refused at the first instance following informal discussion with the ward members.

The applicant has asked for the decision to be reviewed and has provided additional details. Ordinarily this decision would be made at an officer level. In this case the ward members are opposed to the production whereas other local members and businesses are in support. Given the diversity of local views it is proposed that the Portfolio Holder determines the matter.

The applicant has provided details of local support and proposals for community activities and the use of any financial surplus within the charitable aims of the Theatre. The applicant submits that the proposed production is a one off unique opportunity to stage a production of a well-known Lloyd-Webber play in its fiftieth year.

Local members are concerned about potential commercialisation and degradation of amenity for residents. A number of messages have been received.

On balance it is recommended that the Portfolio Holder determines that the theatre programme be given consent. The Portfolio Holder may wish to consider the balance between the request and the aims of the production and the local concerns in determining the length of time allowed, either:

- between 08 August 2022 and 05 September 2022 (four weeks) as the original request, or;
- between 14 August 2022 and 05 September 2022 (three weeks and one day) as detailed in the revised submission.

Further details including multi agency matters will also need to be considered by way of the Safety Advisory Group and an application for licensable activities will be necessary.

##### **RECOMMENDATION(S)**

**It is recommended that:**

## A.2 APPENDIX A1

- a) The Portfolio Holder resolves to give consent for the use of the section of Greensward identified between 08 August 2022 and 05 September 2022 or, at his discretion, between 14 August 2022 and 05 September 2022 by the Frinton Summer Theatre, subject to any necessary licences being obtained and conditions being adhered to.
- b) The Portfolio Holder requests that the details of any consents given make it clear that consent is given for this event only and that future events will be evaluated on their merits at the time.

### REASON(S) FOR THE RECOMMENDATION(S)

On balance the proposed productions and activities are likely to provide benefits outweighing the potential issues associated with them.

The Portfolio holder may wish to balance the advantages of the production with the concerns of residents and members.

The proposed event has unique characteristics and it may be appropriate to reflect local concerns by making it clear that the consent for the duration proposed is particular and not a forward looking precedent for future years.

### ALTERNATIVE OPTIONS CONSIDERED

1. Declining to grant consent for the use of the land - not proposed – would not lead to any benefit to the Council or Community.
2. Requesting that the organisers consider other timing or locations – completed – the organisers’ response is included in their submission.
3. Granting consent for the production – proposed – further detailed in the report.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

Corporate priorities include:

Public spaces to be proud of in urban and rural areas	Promote Tendring’s tourism, cultural and heritage offers
Maximise our coastal and seafront opportunities	Use assets to support priorities
Support existing businesses	Develop and attract new businesses

### OUTCOME OF CONSULTATION AND ENGAGEMENT

The Ward members, some residents and groups including Frinton in Bloom and Frinton Residents Association have stated their opposition to the proposals including their opposition to the commercialisation of the greensward. They also submit that the event would not be in keeping with the area or the wishes of philanthropist Richard Powell-Cooper who sold the land to Frinton Urban District council in 1902. It is further submitted that the existing bye law prevents the event.

The applicant has submitted a copy of a petition signed by local businesses supporting the production. The Mayor of Frinton and Walton supports the proposed event and advises that the majority of Town Councillors support it likewise. Correspondence both opposing and supporting the event has been received.



## A.2 APPENDIX A1

Minute 252 of The Frinton and Walton Town Council comprises:

### *“ADJOURNMENT OF MEETING*

*RESOLVED that the Town Council be adjourned at 7.20pm to enable members of the public to ask questions and members to respond.*

*•Three members of the public raised strong objections to the application submitted to Tendring District Council, to hold a theatre production on the greensward. In response to one resident asking what the town council’s view was, the Chairman advised that she has spoken with a number of members and felt that three quarters were in favour. However, there was strong objections from a number of councillors present, particularly when it became apparent that the request to utilise the greensward was for five weeks. Residents felt that this commercial money-making enterprise not only goes against the bylaws, but will stop the quiet enjoyment of the greensward for residents and visitors to the area. The Columbine Centre was highlighted as a suitable venue to hold a production where there are adequate facilities for a theatre production along with ample parking.*

*One member of the public provided comprehensive information on the history of the greensward and details of the bylaws which protect the local heritage and area, where most of it is deemed a conservation area. The bylaws prevent street trading, BBQs etc on the greensward and promenade so therefore no exceptions should be made.*

*Cllr E T Allen and Cllr L Allen stated that they were firmly against the application as although a theatre production had been held previously, over a couple of days, complaints were received as cars were parked on the greensward and alcohol and goods were sold taking business away from the traders in the town who have already suffered during covid.*

*Cllr D Miles was not opposed to the production if it was only being held over two or three days and no goods or food were to be sold but the event would need to be controlled and monitored.*

*Cllr Turner concurred with everything said and was strongly against the proposal.*

*Cllr Davis felt it was unacceptable now that the event would be five weeks during the summer season.*

*•A resident noted that the accounts detailed Gazprom as the supplier for the council’s electricity and asked how the decision was made and what the council are doing to cut ties with the largest company in Russia by revenue and its major shareholder is the Russian state. The Chairman asked the Clerk to investigate and report back to council.*

*•In regard to item 14, the town council was asked to treat prohibited streets as an urgent matter and do whatever is needed to get the controls implemented before the summer season.*

*There being no further comments or questions from the public it was RESOLVED that the Town Council meeting be reconvened at 7.45pm.”*

Prior to making the decision, consultation was undertaken with Cabinet Members, all of whom were supportive of granting permission for the event to take place on the Greensward.

Essex County Councillors also support the event taking place, which accords with the Arts and Culture element of the Essex Vision for 2022.

**LEGAL REQUIREMENTS (including legislation & constitutional powers)**

## A.2 APPENDIX A1

<p>Is the recommendation a Key Decision (see the criteria stated here)</p>	<p><b>YES/NO</b></p>	<p>If Yes, indicate which by which criteria it is a Key Decision</p>	<p><input type="checkbox"/> Significant effect on two or more wards  <input type="checkbox"/> Involves £100,000 expenditure/income  <input type="checkbox"/> Is otherwise significant for the service budget</p>
		<p>And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date):</p> <p><b>N/A</b></p>	

In coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Cases addressing principles of Section 120 of Local Government Act 1972 confirm that the Council is obliged to ensure that the management of its assets are for the benefit of the district. On balance it is considered that the production will provide benefits that outweigh potential difficulties and approval is viewed by the Officers to be likely to be of benefit to the district.

The land was bought by Frinton Urban District Council from Mr Richard Powell Cooper in 1902 for the combined sum of £534 representing sums recently expended by the latter on works to the land. The Council proposed to do works to prevent erosion. The land was subject to a lease allowing another party to operate bathing machines on the site.

The purpose outlined in the indenture was "...for the purposes of recreation grounds and open spaces to be used forever hereafter by the inhabitants of Frinton on Sea..."

The Council at the time covenanted not to allow the construction of a pier or jetty for use by boats carrying goods or passengers, although such structures for private yachts would be allowed.

The holding of leisure or entertainment events open to the public including the inhabitants of Frinton on sea on part of the land does not appear to contravene either the purpose or covenant.

The land is included within the scope of the Pleasure Ground Bye-laws. The bylaws were made by the Council in 1979 in order to regulate public use. The restrictions imposed by bylaws do not apply if an application is made to the Council and permission is granted. The Council has exercised this discretion in previous years in order to allow productions of various kinds including an annual event by Frinton Mission.

<input type="checkbox"/>	<p><b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b></p>
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Ordinarily, consents to use Council land for external activities would be made at an officer level. In this case the Ward Members are opposed to the production whereas other local members and businesses are in support. Given the diversity of local views, it is proposed that either the Portfolio Holder determines the matter or is consulted prior to making a decision, both of these approaches are in line with the principles and Scheme of Delegation in Part 3 of the Council's Constitution.

Clause 11. of the Pleasure Ground Bye-laws made on 14<sup>th</sup> November 1979 by Tendring District Council relate to the restrictions of using STALLS, TENTS, etc. on the Greensward. However,

## A.2 APPENDIX A1

it is also expressly stated that this prohibition shall not apply where upon an application to the Council, permission is granted to erect any post, rail, fence, pole, tent, booth, standing building or other structure, upon such occasion and for such purpose as are specified in the application. Any agreement with the Council, or otherwise in the exercise of any lawful right of privilege, authorises the selling or letting to hire in the pleasure ground such commodity or article.

### FINANCE AND OTHER RESOURCE IMPLICATIONS

The proposed production of itself will be entirely cost neutral to the Council. The organisers propose to give undertakings in respect of any indirect costs to the Council such as lavatory opening and any reinstatement required.

**The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:**

### USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The proposed production of itself will be entirely cost neutral to the Council. The organisers propose to give undertakings in respect of any indirect costs to the Council such as lavatory opening and any reinstatement required.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	This decision is a review of an earlier decision. Strongly held vies both in favour of the production and against it have been expressed. Given the diversity of local views It is proposed that the Portfolio Holder determines the matter in line with the democratic principles and scheme of delegation in the Council's constitution.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The proposed events include family performances, outreach to nearby schools and the use of any financial surplus by the applicant for their charitable and community purposes. The proposals include activities to engage with school pupils with special educational needs.

### MILESTONES AND DELIVERY

Principal delivery activities will be undertaken by the organisers. The proposed use is between 08 August 2022 and 05 September 2022. It is likely that a Safety Advisory Group meeting will be held at an early stage.

### ASSOCIATED RISKS AND MITIGATION

Officers have identified a small number of risks associated with the proposals including potential surface damage, parking issues and use of public lavatories. The event organisers have proposed some steps to address these issues which are outlined in their further application. Concern is expressed that the event would be a precedent to allow commercialism on the greensward. Any enduring use of the area would require a planning permission. A view could

## A.2 APPENDIX A1

be also be that individual events considered on their merits would not commit to any long term use or commercialisation. In his case the organisers submit that the proposed event amounts to a special case including a production of national importance and a family production and outreach work that would provide real benefits to the area but will not constitute a precedent for any future applications.

### **EQUALITY IMPLICATIONS**

Officers have not identified any Outreach activities proposed include local schools and children with special educational needs.

### **SOCIAL VALUE CONSIDERATIONS**

The event organisers indicate that the main production will be nationally unique and that the family production will benefit local families. Outreach activities proposed include local schools and children with special educational needs.

### **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030**

Additional power and water used in the public lavatories will have a marginal effect on the overall emissions of the authority.

### **OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS**

**Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.**

<b>Crime and Disorder</b>	Officers have considered the proposals and have not identified any substantial effect.
<b>Health Inequalities</b>	The outreach activities proposed are aimed at the engagement of school age children with special educational needs.
<b>Area or Ward affected</b>	The events will occur in Frinton if approved. Any effect on businesses will be mainly local. Outreach and performances will be available in the wider district.

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

The Council has freehold ownership of The Greensward at Frinton. Frinton Summer Theatre, Registered Charity No: 1170429, has applied to erect a tent on the Greensward in order to put on a main summer production, specially licenced by Lord Lloyd-Webber, a secondary family production and community outreach activities including involvement of local children with special educational needs. The application was refused by officers at the first instance following informal discussion with the ward members.

The applicant has asked for the decision to be reviewed and has provided additional details and addressing specific concerns raised and suggested reduction in the duration of the productions or alternative locations. The full text of their responses is set out in the revised application appended to this report:

Views expressed by objectors have been received by the Portfolio holder, local Members and senior officers. Those objections that have been seen by the author are set out in Appendix B to the report.

<b>Issue/Suggestion</b>	<b>Position</b>
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## A.2 APPENDIX A1

Additional demand for public lavatories	The applicant is willing to contribute to running costs.
Effect on local businesses	The applicant has provided a petition signed by local businesses supporting the event.
Effect of additional parking	The applicant has secured the use of additional parking if needed.
Effect on the ground surface	The applicant offers an undertaking in respect of any remedial work.
Alternative timing	The timing requested, in particular the bank holiday is critical to the success of the production. Shorter timescales would reduce income and therefore impact on future activities as well as the proposed programme.
Alternative location	A Frinton location is significant to Frinton Summer Theatre. Alternative locations within the town are problematic in terms of access to facilities and nearby businesses.

Ordinarily this decision would be made at an officer level. In this case the ward members and some residents are opposed to the production whereas other local members, residents and businesses are in support. Given the diversity of local views It is proposed that the Portfolio Holder determines the matter in line with democratic principles and provisions in the constitution.

The applicant has provided details of local support and proposals for community activities and the use of any financial surplus within the charitable aims of the Theatre. Local members are concerned about potential commercialisation and degradation of amenity for residents.

On balance it is recommended that the Portfolio Holder determines that the full theatre programme be given consent. Further details including multi agency matters will also need to be considered by way of the Safety Advisory Group.

### PREVIOUS RELEVANT DECISIONS

Frinton Summer Theatre has put on a production on the greensward, with the agreement of the Council, in the preceding two summers. Frinton Mission carry out activities, with the agreement of the Council, on the greensward each year.

### BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None.

### APPENDICES

Application and supporting material provided by the applicant.

Objection comments

### REPORT CONTACT OFFICER(S)

<b>Name</b>	Andy White
<b>Job Title</b>	Assistant Director – Building and Public Realm
<b>Email/Telephone</b>	<a href="mailto:awhite@tendringdc.gov.uk">awhite@tendringdc.gov.uk</a> 01255 686933

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**Subject:**

FW: Greensward investigation

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**From:** Anne Davis <[Personal Information redacted -AW]>**Sent:** 22 March 2022 08:36**To:** Cllr M J. Talbot <[Personal Information redacted -AW]>**Cc:** Ian Davidson <[idavidson@tendringdc.gov.uk](mailto:idavidson@tendringdc.gov.uk)>; Ian Taylor <[itaylor@tendringdc.gov.uk](mailto:itaylor@tendringdc.gov.uk)>; Damian Williams<[dwilliams@tendringdc.gov.uk](mailto:dwilliams@tendringdc.gov.uk)>; Cllr N W. [Personal Information redacted -AW] <[\[Personal Information redacted -AW\]@tendringdc.gov.uk](mailto:[Personal Information redacted -AW]@tendringdc.gov.uk)>; Cllr Terry Allen<[\[Personal Information redacted -AW\]@tendringdc.gov.uk](mailto:[Personal Information redacted -AW]@tendringdc.gov.uk)>; Neil Churcher <[\[Personal Information redacted -AW\]@tendringdc.gov.uk](mailto:[Personal Information redacted -AW]@tendringdc.gov.uk)>; Alan Eldret <[\[Personal Information redacted -AW\]@tendringdc.gov.uk](mailto:[Personal Information redacted -AW]@tendringdc.gov.uk)>; Mick Carter<[\[Personal Information redacted -AW\]@tendringdc.gov.uk](mailto:[Personal Information redacted -AW]@tendringdc.gov.uk)>; [jenny.fawtc@btconnect.com](mailto:jenny.fawtc@btconnect.com)**Subject:** Greensward investigation

Dear Michael,

Further to our conversation yesterday, I can confirm that a licence for a 14 day pa use of the Greensward does exist. It is remembered clearly by previous secretaries of the Frinton Mission, which was allocated 12 of the 14 days. I am still trying to trace an actual copy of this document, but there is **no doubt** that it exists, and *TDC will retain a copy somewhere*. It will be dated 2005/6 Davis Hall was chief exec ( I think). Its purpose was for the protection and preservation of the greensward, in line with the expressed wishes of the philanthropist Richard Powell-Coopeer, who originally gifted the greensward to the people of Frinton. At that time covenants were put in place and confirmed in the bylaws, preventing any commercial enterprise on the Greensward.

Yesterday I spoke with the grandson of Richard Powell-Coopeer, who despite being a key member of the *Frinton and Walton Heritage Trust*, has not been approached or balloted by the Secretary of the Trust on this conundrum of the Musical Theatre application to use the greensward for one month. It is clear that letters you have received are from individuals and do NOT represent the membership of their groups, because the membership have not been asked for their views. *Frinton Residents Association* have confirmed that they have not had *time* to ballot their membership, so can only contribute individual views. The same is no doubt true of *Frinton in Bloom* - David Foster is very opposed to this application.

It has also become clear that in order to push the application, pro-active theatre 'ambassadors' have been using their foreknowledge to advantage, requesting supporters to write in support and also targeting shops with a petition in support. HOWEVER, it appears this has omitted to mention the time scale involved and shop owners have signed in ignorance, believing it to be a four day application as on the two previous occasions, rather than four week request. Kerry, the *Secretary of the Chamber of Commerce*, stated that she was asked to sign a petition that would 'help all the shops'. She saw no reference to the musical theatre OR a month long sojourn on the Greensward, and said she 'wished she could withdraw here signature'. She is very angry about the deception involved. Her concerns were centred on the lack of parking available, and the horrendous problems Frinton has suffered over the last two years especially, re lack of parking spaces. Her members have not been balloted.

I also spoke to *staff at G & T's cafe* at the sea end of the Avenue. They said they are always fully booked in Aug and extra folk coming into town for the theatre would not benefit them. I suspect the same is true for all the eateries in Frinton. The town is always heaving during the school summer holiday period and seats need to be booked in advance in any restaurant. Again, concern was raised about parking.

I went into the shoe shop at the end of the Avenue. The owner had not been contacted and knew nothing about the controversy, but was adamantly against this lengthy incursion onto the greensward.

Michael, it is clear that there has been a certain element of underhandedness in this concerted effort by some of the theatre trustees and supporters. This is exemplified, shamefully, in the approach of Ann Oxley when seeking support from Town Council members. She did **not** mention the time frame requested in this application, leaving members to assume a few days, as previously. By so doing, she gained the approval of at least one member, Delyth Miles, who subsequently withdrew her approval when the situation was fully explained. As has been previously alluded to, not all of the Town Council members were even contacted by Mrs Oxley.

This whole situation has been handled most regretfully.

- It appears no proper notice was given for groups/individuals to respond.
  
- It is clear that misleading and incomplete information was used to great effect by some of those in favour of this application
  
- Town Council was not properly informed, and the information we were given at the last FAWTC meeting was in part, inaccurate. No opportunity to discuss was afforded by the town mayor, Ann Oxley
- 
- Frinton Town Councillors were not asked for their opinion and/or consulted
- 
- Many residents are unaware of the threat to the greensward and potential for increased parking problems, and have heard only scant details via hearsay. They have had no opportunity to voice their opinion.
- This application would set a precedent. We do not want a situation of desperately attempting to shut the stable door after the horse has bolted.
- By laws were regulated in the 1980's to protect and control use of all our greensward. These make irrelevant claims that fairs and trading events held in long past generations on the the greensward are pertinent to the argument today.

During the school summer holidays the esplanade parking is almost all taken by 10am on sunny days. Particularly at the golf club end of the sward. If the Musical theatre were to be granted permission for a month's performances in high summer, where do you think people will park for matinees? In the evenings there will have been *some* movement of visitors leaving and easement of parking issues, but the *reality* is that Frinton residents living within the gates will need to park their cars in front of their driveways for a whole month, to protect from visitors parking across their driveways.

Might I request that if you are still considering granting permission for this application, you allow a proper and informed consultation period first? And preferably point the wonderful Musical Theatre in the direction of the equally wonderful Columbine Theatre.

Yours sincerely and respectfully,  
Anne



Cllr Anne Davis

**Tendring**  
District Council



[cldr.adavis@tendringdc.gov.uk](mailto:cldr.adavis@tendringdc.gov.uk)

Personal Information redacted -AW

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**From:** Cllr D. Miles  
**Sent:** 21 March 2022 16:43  
**To:** Cllr. Michael Talbot, Portfolio Holder for Environment and Public Spaces  
**Cc:** Ian Davidson; Damian Williams; Ian Taylor; Jenny Woodland; Cllr. Terry Allen; Cllr N W. Turner  
**Subject:** Summer Theatre Marquee on the Greensward, Frinton

Dear Councillor Talbot

I am writing, following our Town Council meeting held on Thursday, 10<sup>th</sup> March, when the issue of the Frinton's Summer Theatre's request to erect a marquee on the Greensward for up to five whole weeks in order to deliver a professional theatre production throughout the summer season was raised. I was shocked, to say the least, as when the Town Mayor, councillor Anne Oxley, telephoned me to seek my views on this at no stage did she mention that the proposal was for a period of five weeks and so my response was at that time that I had no strong views as this was not my ward but that I was sure that the Frinton councillors would strongly object. I did, however, say that I had found the number of small gazebos that had been erected in previous years totally unacceptable and unnecessary and that this should definitely not be allowed as their whole aim and purpose appeared to be for the sale of ice cream, alcohol etc. and thus distracted from the trade in Connaught Avenue. I understood that the proposal was for a few days only and at no stage was I advised differently and I find this in itself very worrying, disturbing and totally unacceptable as had I been aware that the proposal was for a five week period I would have immediately expressed the strongest objection to the proposal. Members must be given the full and accurate facts if they are to make informed decisions on issues and especially events such as these that may have a very negative impact on the residents of Frinton and beyond.

For a great many years the Frinton Mission has, and hopefully will continue, to run the Frinton Churches Together mission from a marquee on the Greensward during the first week of August (they also I believe run activities throughout the week from the different church buildings in Frinton) and this has always been extremely well received and well attended with, as far as I'm aware, no worrying issues or objections ever having been raised, in fact quite the contrary with a large number of residents and supporters volunteering their time freely and willingly to make the mission a success. This event is non commercial and no profits are made from any ticket sales that are delivered. However, the Frinton Summer Theatre is purely a commercial event with the main aim to raise considerable sums of money.

Informed residents, representatives of Frinton in Bloom, Frinton Residents Association et al spoke eloquently and informatively against this proposal during the public session of the meeting. They raised the current unique status of the greensward and reminded members of the bye laws and of a legal covenant dedicated by the philanthropist Richard Powel-Cooper that the greensward should not be used for commercial enterprise. It would seem to me that if this information is correct then there have been at least two occasions in the past when this legal covenant has been breached. How was this ever allowed to happen? Although, we cannot undo past wrongdoings we must ensure that we do not repeat these mistakes through lack of knowledge or deliberate intent.

I know how frustrating residents in the immediate vicinity of the Naze (and beyond) feel when they observe the blatant breach of the Tendring DC bye-laws eg no barbecues, no camping etc which are clearly listed on the signs displayed so we must make every effort to enforce these laws where they exist.

I am not sure if my distribution list includes the right officers so please accept my apologies if not.

Also, please excuse typos etc as still only using one finger/thumb to type these emails and having just spent a few days in hospital with Covid I fear my typos are worse than ever!!!

Kind regards

Delyth

Delyth Miles

District & Town Councillor for Walton

Tel: Personal information redacted

Mob: -AW

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**From:** Cllr N W. Turner  
**Sent:** 21 March 2022 13:34  
**Subject:** Frinton Summer Theatre Tent

Good Afternoon,  
I am not sure if you have seen this excellent letter from my neighbouring Ward Cllr. Anne Davis (Homelands Ward). Anne has sent it to the press and given me permission to pass on.

Also the veracity of the 3 pages? of business signatures is being called into question. I have not seen the question, but do know that Kerry as Chairwoman of the Chamber of Commerce has not made any comment one way or the other. The Frinton and Walton Heritage Trust have made comments. They have not asked me as very long standing Member of the Heritage Trust nor any other Members as far as I know.

The decision should not be about popularity. It is about principle and how a Town sees itself. I stand full square behind my statement in my Manifesto of 2019:  
***“We will continue to preserve the sanity of our fantastic Greensward and seafront. No commerce or prescriptive use.”***

Regards  
Nick.

Dear Sir,  
I have every sympathy with those that love the idea of a quality West End calibre musical on the Frinton Greensward for a few glorious days in the summer. However, like many others, I am not in favour and cannot support the current suggestion of a five week tenure from 1<sup>st</sup> of Aug to the first week in September. I am frankly shocked that such a deviation from the traditional concept of the greensward should ever have been considered. This would not be the thin end of the wedge so much as a battering ram mounted on coach and horses. The current unique status of the greensward, and the original, legally protected, intention of Richard Powel-Cooper was that the greensward should never be used for commercial enterprise. Both are threatened by this proposal.

The place for a five week professional musical theatre production is the wonderful Columbine Theatre, not the Frinton Greensward. The Columbine has a stage area larger than that of the Princes Theatre, with parking facility and much more besides. A five week booking for a West End quality show would be a stunning sell-out success, and do much to support the Columbine, with people coming from far and wide to enjoy the show. In high summer the Frinton Esplanade is still packed with cars at the start of show time. Many patrons would be dismayed to find they had to scour the sea front for a parking space and still have to walk a considerable distance should they chance upon one. The sale of alcohol

and other products from the side tent to the show would do nothing to support the local economy, and is inappropriate given the late finishing time and subsequent disturbance to residents living along the Esplanade.

In addition, the proposers of this outrage had clearly not understood that the first week of August is historically the week of the Frinton Mission, which has been established for over 100 years. Frinton Mission is not a commercial event. All the activities, from creche, children and teenage groups, to Bible teaching for adults, informal chat and cake times, the much loved tea dance in the marquee, are *free* events. All team members running these events are volunteers, as are the cooks supplying meals for the FM team members, helpers washing up after them, and the security team. ALL volunteers are unpaid. Accommodation is offered free to team members. Yes, there is ticketed evening entertainment, but at cost, with entertainers being paid a small fee, and no profit being made from ticket sales. The appreciation of the community *and visitors* who attend the Mission each year, is demonstrated by donations given to support the Mission, which itself supports our community in so many ways. Frinton Mission is as much part of our town's history and appeal as Frinton Summer Theatre in the MacGregor Hall

If permission were to be granted for this five week theatrical jamboree, how could it then be refused when other approaches were made? And how long would it take the greensward to recover from a five week cover up? A brown scar on the Esplanade for not an acceptable price to pay for a few weeks entertainment.

Frinton is a town by the sea beloved by visiting families in summer and residents all year round for its wonderful beaches and unspoilt greensward, its lack of commercialism and relative respite from the brashness of modern life. The integrity and sanctity of our greensward is a huge part of what makes Frinton special; it is our responsibility to recognise and protect it for future generations.

Yours sincerely

Cllr Anne Davis ( Homelands ward)

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**From:** Ian Davidson  
**Sent:** 17 March 2022 18:27  
**To:** Cllr A. Davis  
**Cc:** Damian Williams; Ian Taylor  
**Subject:** RE: Proposed Frinton Theatre Production on The Frinton Greensward

Dear Anne

Thank you for your email. Cllr Talbot is the Portfolio Holder who is responsible for making the decision. It is very contentious with representations from many on both sides.

Regards

Ian

---

**From:** Anne Davis <annehdavis@hotmail.co.uk>  
**Sent:** 17 March 2022 14:13  
**To:** Ian Davidson <idavidson@tendringdc.gov.uk>  
**Cc:** Damian Williams <dwilliams@tendringdc.gov.uk>; Ian Taylor <itaylor@tendringdc.gov.uk>  
**Subject:** Proposed Frinton Theatre Production on The Frinton Greensward

Dear Ian,

You will no doubt be aware of the controversial proposal that Frinton Greensward should be the venue for a Theatre production (and Marquee) later in the summer.

When Ann Oxley, (Town Mayor) phoned me asking my views on this issue, I responded that although I have sympathy with those that love the idea of a quality 'show' on the greensward, I was nevertheless, not in favour and would not support this request. However, I was unaware that the proposal was for a *five week* period (if memory serves, it was *four days* last year?) - and am frankly shocked that such a deviation from the traditional concept of the greensward should ever have been considered. This would not be the thin end of the wedge so much as a battering ram mounted on coach and horses. The current unique status of the greensward, and the original, legally protected, intention of Richard Powel-Cooper was that the Greensward should never be used for commercial enterprise. Both are threatened by this proposal.

The place for a five week professional theatre production is the wonderful Columbine Theatre, not the Frinton Greensward. Valid points were made at Thursday's Town council meeting about the sale of alcohol and other products from the side tent to the show last year, and also the late finishing time and subsequent disturbance to residents living on the Esplanade.

In addition, the proposers of this outrage had clearly not understood that the first week of August is historically the week of the Frinton Mission, which has been established for over 100 years. Frinton Mission is not a commercial event. All the activities, from creche, children and teenage groups, to Bible teaching for adults, informal chat and cake times, the much loved tea dance in the marquee, are *free* events. All team members running these events are volunteers, as are the cooks supplying meals for the FM team members, helpers washing up after them, and the security team. ALL volunteers are unpaid. Yes, the ticketed evening entertainment is done, but at cost, with entertainers being paid a small fee, and no profit being made from ticket sales.

The appreciation of the community *and visitors* who attend the Mission each year, is demonstrated by donations given to support the Mission, which itself supports our community in so many ways. Frinton Mission is as much part of our town's history and appeal as Frinton Summer Theatre in the MacGregor Hall

If permission were to be granted for this five week jamboree, how could it then be refused when other approaches were made? Frinton is a town by the sea beloved by visiting families in summer and residents all year round for its wonderful beaches and unspoilt greensward, its lack of commercialism and relative respite from the brashness of modern life. The integrity and sanctity of our greensward is a huge part of what makes Frinton special; it is our responsibility to recognise and protect it for future generations.

Yours ,  
Anne

Cllr Anne Davis

**Tendring**  
District Council



[cldr.adavis@tendringdc.gov.uk](mailto:cldr.adavis@tendringdc.gov.uk)

Personal information redacted  
-AW

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**From:** Cllr N W. Turner  
**Sent:** 17 March 2022 14:38  
**To:** Ian Davidson  
**Cc:** Damian Williams; Ian Taylor; Cllr. Michael Talbot, Portfolio Holder for Environment and Public Spaces  
**Subject:** summer theatre frinton greens ward

I write to formally voice my strong objection to the proposal for the summer theatre to perform on Frinton greensward during the summer - this proposal is contrary to everything that Frinton stands for, ie no commercialisation of the greensward - it was intended as a play area for people when it was first gifted to Frinton and has remained in that context for all of the thirty years that I have lived here until now. Now we are fighting to stop ice cream sellers, coffee sellers et al and to allow this production to take place would be wrong, wrong, wrong. There are many other suitable venues for this production which would not be contentious - this proposal is causing serious division in the town and should not be allowed.

Sue Turner  
2 Second Avenue  
Sent from my iPad



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**From:** Mick Carter <[Personal information redacted]-AW@n.com>  
**Sent:** 14 March 2022 17:19  
**To:** Damian Williams  
**Subject:** Proposed Frinton Theatre Production on The Frinton Greensward  
**Attachments:** Frinton Theatre- letter to Gazette and TDC councillors.docx

Dear Mr. Williams

I attach a copy of the letter I have sent to the Clacton and Frinton Gazette and all Frinton and Walton Town councilors, in respect of a proposal by the Frinton Theatre group to have a marquee on the Frinton Greensward for five weeks in August and September 2022 to perform various productions.

You will see that I was very concerned at the way this proposal was dealt with at the FWTC Meeting on Thursday, 10<sup>th</sup> March. There was total confusion about how many councilors were aware of the true circumstances surrounding this proposal and some councilors were even unaware of the proposal, despite the Mayor stating she had spoken to everyone. Some councilors were not able to attend this meeting on the 10<sup>th</sup> March. For those at the Meeting, you should be aware that there was strong opposition from Terry Allen, the Deputy Mayor, Nick Tuner and others. In addition I and members of Frinton Residents Association and Frinton in Bloom were totally opposed to this proposal. Our main objection is that this proposal is a clear commercial venture and Frinton Theatre are clearly out to make substantial profits from this venture. **However Commercial ventures are prohibited from taking place on the Greensward due to TDC By –laws that have been in force for very many years, as a result of the original gifting of the Greensward, by the philanthropist Richard Powell- Cooper, to the people of Frinton and covenants were put in place and contained in the by laws to prevent any commercial ventures on the Greensward. It is therefore against the law for such a commercial venture to take place on the Greensward and that surely should be the end of this matter.**

This is especially important, bearing in mind the countless complaints about various street traders, who have tried to operate their own commercial practices on the Greensward, the promenade and in the roads adjacent to the promenade. The FWTC has been making strong representations to TDC to have by laws introduced against these street traders which I believe have been approved and thus these street traders are now open to prosecution. How does the bringing in of the by laws against street traders sit with those who wish to have TDC license the Frinton Theatre proposal? If this proposal was agreed it would open the 'floodgates' to other commercial enterprises making similar applications and the Greensward as we know it would be gone forever, is that really what you would support? It would also mean that those individual street traders could well have a good defence, if prosecuted, in that they are doing nothing different to the actions of Frinton Theatre and could well get away with any prosecution. The word 'double standards' springs to mind.

I have now heard that Frinton Theatre supporters have been trawling sympathetic local residents and supporters from elsewhere than Frinton, to try and show there is no objections to their proposal to have a five week period of productions on the Greensward, in the height of the Summer holidays. This is totally outrageous proposal for reasons set out in my letter and in this email message. A few pages of signatures of support for this proposal pales into insignificance when compared with the population of Frinton and Walton of about 20000, the majority of whom are totally unaware of this proposal and I am sure if they knew of it wouldn't support it.

I would therefore ask that if you are on the committee asked to deal with this proposal that you refuse it on the basis that it can't be authorized as it is against the by- laws. In addition if approved it would encourage other commercial organisations, which would be very difficult to resist, to stage events on the Greensward which then would never be the same. In addition it would put into doubt, whether street traders, which TDC and FWTC have been trying to get banned this last few years, could be prosecuted due to a precedence set by Frinton Theatre. Please don't jeopardise

the future tranquility and beauty of our Greensward in order that Frinton Theatre can make a 'quick buck' at the expense of the residents of Frinton.

Many thanks

Mick Carter

Personal information redacted  
-AW

Personal information redacted  
-AW

Walton Road,  
Frinton on Sea,  
Essex  
CO13 0AB  
13<sup>th</sup> March 2022

Dear Sir ,

### **Proposed Frinton Theatre Production on Frinton Greensward**

I recently had heard a rumour that Frinton Theatre was hoping to apply to Tendring District Council for a licence to have a theatre production on Frinton Greensward for 5 weeks during August to September 2022. On the 10<sup>th</sup> March I attended the Frinton and Walton Town Council(FWTC) meetings I understood this matter was being raised. A member of the Frinton Residents Association raised a question about whether this rumour was true. The Mayor said that she had been approached about the view of FWTC over such a venture. She said she had either spoken to councilors or had left messages for councilors to contact her about their views and from those she had contacted she got the impression that they wouldn't raise any objections to the scheme. This created some disquiet amongst some of the councilors present, who said they hadn't spoken to the Mayor and hadn't received any messages on their mobile phones or emails asking them to contact the Mayor about this proposal. Unfortunately only about 8 councillors were present and it seemed many of those were not in favour of the proposal. The Mayor didn't want to pursue questions on this matter but I insisted on putting my questions and objections to this proposal.

In effect I said that the Greensward was there for the enjoyment of all the residents of Frinton and that Richard Powell- Cooper, a philanthropist and long term resident at the end of the 1890/early 1900, had bequeathed the Greensward for time immemorial to the residents of Frinton for their enjoyment and he had covenants put on his bequest that the Greensward must remain as it is and not have any commercial enterprises opened up on this land. His wishes have subsequently formed the basis of by-laws preventing such uses. Powell – Cooper had also owned much of The Avenues and thanks to his covenants on how that land was developed we have those roads kept in the style that Powell- Cooper had hoped.

I have only lived in the Frinton area for 12 years and recall that on 2 – 3 occasions a dispensation was granted to local churches to erect a marquee and for charitable functions to operate from the marquee but there was no commercial aspect to these groups functioning on the Greensward at the bottom of Connaught Avenue. In recent years several street traders have tried to operate on or near the Greensward to sell ice creams, drinks and confectionary. This has been actively discouraged by the Tendring DC (TDC) and FWTC and has resulted in firming up of the by-laws preventing this type of trading and all offenders can now be prosecuted.

Frinton Theatre operates for several weeks in July from Macgrigor Hall, excellent productions are put on and these are well supported by local residents and these events are well known nationally. It seems that the Frinton Theatre Group are not satisfied with any profits from their productions at Macgrigor Hall and now want to erect a marquee on the Greensward, presumably near the toilet block to put on full scale productions for 5 weeks in the height of the summer season. I presume that beside ticket sales they would also sell confectionary, memorabilia etc and may even apply for a licence to sell alcoholic drink etc. This is clearly a totally commercial venture that is in complete contravention of the terms of use for the Greenward and would be a flagrant abuse of the by-laws. Such a licence should not be granted by TDC as it would be unlawful and in the same group as those street traders who now face prosecution. I pointed out that Frinton Theatre could very easily put on any production at The Columbine Centre, Walton on The Naze where there is a purpose built theatre, licensed premises, toilet facilities and car parking facilities. This theatre is only two miles further on from Frinton, so getting there for the majority of patrons would present little difficulty and would be a boost to the town of Walton on the Naze.

I should add that in the FWTC Meeting on the 10<sup>th</sup> March that the Deputy Mayor – Terry Allen and councilor Nick Turner together with David Foster, of Frinton in Bloom, made impassioned arguments, like my own, as to why Frinton Theatre’s application for a license to operate a theatre production on the Greensward should be refused. The Greensward is for the enjoyment of all FWTC residents and those holidaymakers who visit our Town with their families to enjoy a day out at a traditional **unspoilt** town by the sea and not have to put up with commercial enterprises. If this proposal is agreed by TDC then this will open the ‘floodgates’ to other commercial enterprises applying to use the Greensward and with a precedence being set, such future applications would be very difficult to refuse.

Yours faithfully

Mick Carter -

Personal information redacted  
-AW

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**From:** Ian Taylor  
**Sent:** 25 February 2022 14:19  
**To:** Damian Williams; Andy White  
**Subject:** FW: FW: Event Application - Jesus Christ Superstar  
**Attachments:** Nick's Election addresses 1999-2019 .pdf

For information  
Ian

Ian Taylor  
Head of Public Realm

01255 686982  
itaylor@tendringdc.gov.uk

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**From:** t[Personal information redacted] <t[Personal information redacted]-AW>  
**Sent:** 25 February 2022 13:04  
**To:** Cllr. Terry Allen <cllr.tallen@tendringdc.gov.uk>; Ian Taylor <itaylor@tendringdc.gov.uk>  
**Subject:** Re: FW: Event Application - Jesus Christ Superstar

Good Day to you both,.  
Please excuse my lateness in replying to you.  
I agree with every word written in Terry's e-mail.

Attached please find all my election addresses/leaflets to the  
Electorate of Frinton since I first stood with Cllr. Allen in 1999.  
That is 5 Elections. I am now the longest serving Cllr. on the TDC.  
Just about to enter my 23rd year serving the Frinton Ward and Tendring.  
My approach to Frinton Ward has been and is consistent and constant.  
See leaflets  
No commercialisation whatsoever of our Promenade, Greensward and Esplanade.  
By Esplanade I mean seafront roads.  
No prescriptive uses of our Greensward.

The above is what makes Frinton-on-Sea individual and a place to visit.  
It is not like other Towns by the Sea.  
We are not a resort.

It is why people move here and visit.

As we cannot be discriminatory it has to be a blanket refusal.  
Otherwise what the Town does not want, will appear.

The Mission is unique and was granted permission in much easier times.  
That was when TDC could discriminate.  
Is not profit making, just wishes to cover its costs to supply all the Frinton Churches with  
a week of Christian activities with youth to the forefront.  
It is by custom and practise allowed to continue.  
There fore in my opinion not a precedent.

23 1999

## Your Conservative Candidates for Frinton Ward



**TERRY ALLEN** has served on both Tendring District and Frinton and Walton Town Council for the last eight years. He is married to Linda and has two daughters who are both at University.

Terry is a local businessman employing local people and is a school governor at the school his daughters attended.

His main interest is working for local people. Terry always has and always will put the wishes of Frinton residents first.



**IRIS JOHNSON** has lived in Frinton for 40 years, bringing up two daughters in the process, and assisting her husband, Brian, in his building business.

Employed by a local firm of solicitors for 12 years, she enjoys politics and is Political Deputy Chairman of the Constituency Conservative Association and Political Deputy Chairman of the Frinton Branch.

Her main aim is to see that Frinton has a pedestrian crossing in Connaught Avenue at the approach to Writton Wood Road, Greenway etc. where many children cross the roads for school.

She intends to continue to work hard for the electorate and will ensure that planning and development are carefully monitored.



**NICK TURNER** has been resident in the town for 9 years, married, living and working in Frinton as the proprietor of the Maplin Hotel, both he and his wife Sue are firmly rooted and totally committed to Frinton. He has enjoyed representing you on the Town Council for the last four years and reaching the heady heights of Chairman of the working party for Trees, Footpaths and Allotments!

He feels that Frinton is unique and it is our differences which maintain Frinton. These are our trump cards: no commercialisation whatsoever of our Esplanade, Greenward and Promenade; unrestricted parking and no pubs. If we lose any of these we will lose our differences. If elected to the District he promises to fight for Frinton, its values, to listen to you and represent your views.

# Frinton Ward

## election to Tendring District Council on Thursday 6<sup>th</sup> May

**VOTE**

Allen		X
Johnson		X
Turner		X

# Conservative

Published by Sue Powell, H.C.A. 84 Station Road, CLACTON ON SEA, CO15 1SP  
Printed by Rona Hammond, 187B London Road Slueway, COLCHESTER, CO3 9PB

# Nick Turner X

2003

Frinton Ward

- Nick Turner, 55, the Mayor of the Town Council of Frinton and Walton has lived in Frinton since 1990 when he bought the Maplin Hotel. This was sold in 2002 allowing him and his wife, Sue, to retire to the bottom of Second Avenue (with the Horse's Head – he said no!). This allows the Turners to enjoy sailing, cycling, golf and not having to work so hard.
- Having lived in, and been part of, several communities, mainly small ones, through his career as an Inkeeper and hotelier over thirty six years, Nick trained in Central London, Glasgow and the Pyrenees, managed hotels in Snowdonia, Hove and the South Downs and was proprietor of inns and hotels in Dedham, South Somerset and, finally, Frinton.
- Nick first became interested in politics at the age of 4, according to his father! The first opportunity to represent the community was in 1995, when he was elected to the Town Council of Frinton and Walton and again in 1999. At that election he was also elected to the District Council, where he sits on the Development and Control (Planning) and Sub-Licensing (Taxis and Entertainment Licences) Committees. For the District, he became a Governor of Colchester Institute and a Member of the Police Community Consultative Group.

Maintain and enhance has always been Nick's goal for Frinton. We must maintain what we have and then move on to add to our community and its heritage. Not by change but by evolving. Sudden change does damage – it takes time to weave change into our society. We cannot be set in stone for we will break, but when change comes we must make sure it is worthy of and for Frinton, its values, its views and its residents.

Over the last two years, your councillors have managed to prevent trading on our greensward and promenade. This requires constant vigilance, but the effort must go on, and it helps by being a member of the Regeneration, Development and Control Committee (Planning).

Police, or lack of, is another major concern. Nick is a member of the Police Community Consultative Group which is a county wide organisation, based at Police Headquarters, Chelmsford. This allows him to bring Frinton's concerns, complaints and occasional plaudits directly to the most senior officers in the Tending Division. Frinton now has occasional bobbies back on the beat. Nick will, at all times, try to act as an honest broker, a go-between for the powers that be and the demands and needs of Frinton. This Councillor, if relected, promises to maintain and enhance his fight for Frinton, its values and to listen to you and represent your views.

# Common Sense

## From Tending Conservatives

Tending District Council Elections  
Thursday 1st May 2003

# Nick Turner

for Frinton



# TURNER



Polls open  
8am - 9pm  
**Frinton  
Ward**

**Remember:**  
You don't need your  
polling card to vote!

Giles WATLING &  
Nick TURNER



Giles WATLING &  
Nick TURNER

Conservatives

Nick has fought tirelessly for Frinton-on-Sea. He believes in being involved in the local community.

Nick takes action on behalf of individuals, local organisations and clubs.

Nick will always continue to put Frinton first!



Nick TURNER

### Reasons to vote Conservative on May 3<sup>rd</sup>.

For many years our council has been run by an alliance of local politicians. This means that the council has done what suits them – rather than what local people want.

- 1 **Lower Council Tax** – our council should keep council tax down, not waste your money on their pet projects.
- 2 **Decent Planning Rules** – for a change!
- 3 **Beach Huts** – stop the Council's exorbitant charges!
- 4 **Action to tackle yob culture** – not more waffle from the Council

Fed up with  
Tending Council?

**IT'S TIME FOR CHANGE**



Promoted by Paul Honeywood on behalf of Nick Turner and Giles Watling, both at 84 Station Road, Clacton-on-Sea, Essex, CO15 1SP. Printed by the Clacton Constituency Conservative Association at 84 Station Road, Clacton-on-Sea, Essex, CO15 1SP

2007

Giles WATLING &  
Nick TURNER

Conservatives

Giles WATLING has lived in Frinton for many years, and in 1974 he was part of the team that saved Frinton Summer Theatre from closure. He became artistic director and ran it for seven years.

Giles lives in Frinton with his wife, Vanda, and their thirteen year old twin daughters.

Giles has decided to get involved in local politics because he believes that Frinton's uniqueness is worth preserving.



Giles WATLING

### Reasons to vote Conservative on May 3<sup>rd</sup>.

- 1 **Lower Council Tax** – our council should keep council tax down, not waste your money on their pet projects.
- 2 **Decent Planning Rules** – for a change!
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# Vote Conservative on 3<sup>rd</sup> May

Leaf

## “YOB CULTURE”

Where has the District Council been in helping us to combat this problem? We know we are a meeting point for the district's youth. Yet no visible help from the District Council.

## LICENSING OF OUR GREENSWARD

If we will not allow an ice cream to be sold or a set of goal posts to be erected, why oh why should we allow our Greensward to be licensed. Tendring District Council, leave it alone.

## BEACH HUTS

Love them or hate them, they are an integral part of our town. But, the District Council has failed in its primary duty as a landlord to maintain the ones on stilts (The Wailings).

To live up to its responsibilities and to ensure the future of the huts it has more than doubled the rent! The District's estimate for doing this work is 10 times more than other estimates. Yet The District will not give a reason for this difference.

## PLANNING

It seems hardly a month goes by without us being assaulted by yet another planning application to change our town, make the avenues and roads parking lots and pave paradise.

Why is the District Council not doing more to help us to maintain and enhance?

## THE GATES: SAFETY, SAFETY & SAFETY

Again we ask where is the district in helping us to maintain Frinton-on-Sea's integrity? Make no mistake, Network Rail's proposals will not only turn our entrance into a "Checkpoint Charlie", but also put all of us at much greater risk when we leave and enter our town.

## IT'S TIME FOR CHANGE

"It is time for Tendring to be led by a team of Councillors, who can work together for the good of the whole District, with a clear vision of what they want to achieve. Only The Conservatives can offer that leadership and that vision"

**in touch**

A Call to Arms...

Your Town Needs You!

Nick

Turner

Giles

Watling



We keep fighting to preserve our special place

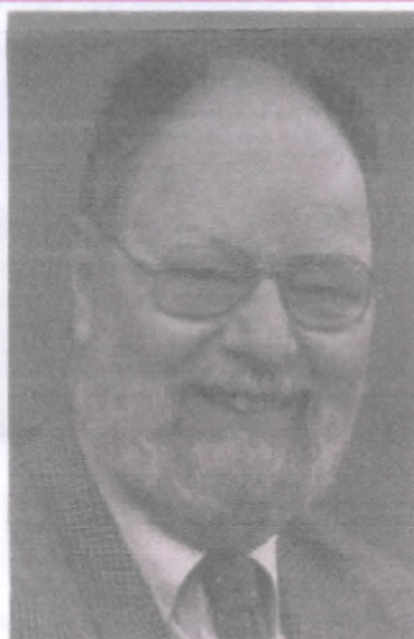


Keeping your Council Tax low



Maintaining, enhancing and encouraging growth

Keeping you in the picture!



We have assiduously defended Frinton from the worst excesses of those who want to change it from the delightful town by the sea that it is into a flash-brush resort – we have stopped faux Edwardian Lighting strung along the front and have supported sensitive development in the right places.

**We now ask for your help - for there is another madcap scheme being proposed...**

Some Town Councillors want to build a Multi-Use-Games-Area (MUGA) on the Greensward.

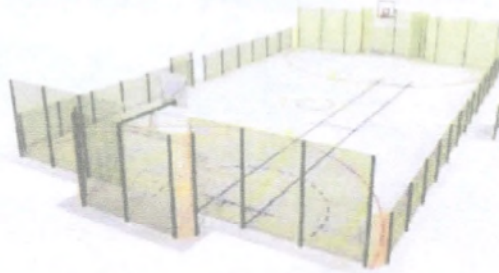
**A local press poll revealed a massive 82% against it and the Frinton Resident's Association Committee unanimously objected, yet these Councillors are intent on pushing their pet project through!**

The Town Council is to hold a consultation from the entire Frinton and Walton Town Council Area, **not just from inside the gates** – all we ask – very respectfully – is that you make **your** voice heard and tell the Council your views – whatever they are.

**We Conservatives will listen!**

**Please turn over to see exactly what a MUGA is and what it might bring to your unique Greensward!**

Don't be misled – a MUGA is not a children's playground. It is a cage, a fenced off prescriptive games area generally used by older children and teenagers.



This is an example of a typical MUGA. As you can see this example is laid out for basketball, but it could be six-a-side football. Whatever the layout chosen it would be, by its very nature, prescriptive.

**MUGAS** can be wonderful facilities **in the right place!** We believe that our wonderful greensward is already a superb play area which has been used with imagination by generations of children and it seems just daft to build a monstrous fenced-off games facility on top of what is already a superb games facility – the greensward!

The Greensward is a place for families and fun... If you want to play football, place a couple of sweaters on the ground and you have goalposts. If it's cricket, then a set of stumps and you are transported to Lords!

**An open space and a child's imagination is all you need...**

**PLEASE HELP US PRESERVE OUR BEAUTIFUL OPEN SPACE!**

**Take part in the Council's consultation. Contact:**

**The Council House  
Triangle Shopping Centre  
Frinton on Sea  
Essex  
CO13 0AU**

**fawtc@btconnect.com 01255 676666**

This photograph was taken on the 25<sup>th</sup> July 2012 when we briefly had a moment of summer! It is the area where the projected MUGA will be placed. The kiosk field. Help us save it!



**MAKE YOUR VOICE HEARD!**

**THANK YOU FOR YOUR ATTENTION – NOW, WHAT HAVE WE BEEN UP TO ON YOUR BEHALF OVER THE PAST FEW YEARS?**

We have kept our promise and reduced District Council Tax (our colleagues at Town have raised it by 4.8% - and have mooted a further 2% rise this year!) ... We stopped an unnecessary spend of £750,000 on just 100 beach hut stagings... We fight on to keep parking free along the Esplanade... Brought showers to the kiosk field area with a new Rock Garden nearby... Supported the 'Frinton in Bloomers' to success – 5 years as the Best Small Town in East Anglia... Have been instrumental in getting Frinton to the Chelsea Flower Show (Gold Award) and to RHS Tatton Park (the Chelsea of the North)... We have ensured that Frinton has been respected in its Conservation area and that the new District Plan is sensitive to Frinton's special nature... We have striven to integrate the various groups that look after Frinton's interests: The Frinton Resident's Association, The Beach Hut Owner's Association and the many Clubs, Chambers and Trusts with which we are blessed.

**Keep Frinton Conservative! Don't let the self-interest of minor parties destroy your beautiful Town by the Sea!**



Local Elections  
7th May

# Nick Turner Giles Watling

## 3 Reasons to Vote for Change

- ✓ Continue to keep rates low
- ✓ Encourage growth and recovery
- ✓ Local Councillors working hard to maintain our position as the jewel in Tendring's Crown



Tendring is a very special place with much to offer. We have one of the longer coastlines of any district in the country – we have safe, sandy beaches – secluded backwaters – miles of open countryside – ancient ports with connections across the world and the buzz of resorts like Clacton and Dovercourt.

And we have Frinton – the jewel in the crown of Tendring. We say "vive la difference!" – keep Frinton unique!

**We will make sure that our roads, public areas and beaches are cleaner and better maintained.**

**We will take a tough stance on crime and by doing so will diminish the fear of crime.**

**Wherever possible we will put Frinton at the forefront of District, County and National thinking.**



### What we want to do for you...

**Create a 21st Century landscaping scheme for the zig-zag steps with sea front shelter to match!**

**The Spinney opposite the station: A site to welcome home our residents and show our visitors an entrance worthy of our Town.**

**Our Avenue is one of the most successful High Streets on the Coast, but we need more trees to restore it to its former glory!!**

On May 3<sup>rd</sup> 2011 our manifesto said:

Low Council Tax – **Done**

Decent Planning Service – **Done**

Seafront Defences – **Done!**

We said then it was time for change and now that change is happening – don't stop us now...

We have kept our promise and reduced District Council Tax... Less now than four years ago.

We have applied pressure and had our potholes filled...

We have been proud to bring a policy of "Street Lights On Where Wanted" to the District Council...

We fight on to keep parking free along the Esplanade...

We will continue to push to expand our cultural horizons in our town. We will continue to support the Frinton Festival, the Summer Theatre, the Literary Festival and Shakespeare on the Greensward.

**We will bring planning decisions to a local level so that we can at last decide for ourselves how we want our area to be for generations to come, ending the outrageous imposition of development from remote out of touch bodies.**

We will ensure that the concerns of **Frinton** is always at the top of the list at County and District and we will work closely with your MP to keep us on the National radar.

We want you to tell us how you want your Community to be. Keep in touch!

**Frinton is unique, if you give us your vote of confidence at this election we will do all in our power to keep it the way you want it and make you all the more proud of it.**

#### Your Conservative Candidates have achieved:

- Blue Flag for our beaches – green flag for our Crescent Gardens – Six times winner of Anglia in Bloom – Gold Awards!!
- We were part of the team that created the conservation area status for parts of Frinton. We will strive to make this cover the whole town, bringing with it many advantages on development and style.
- We will continue to preserve the sanctity of our fantastic Greensward and Seafront. No commerce or prescriptive use!

Vote Conservative – Make sure that this time you get a  
Conservative Council!

Put Frinton First!



**Conservatives**

**YOUR PRIORITIES ARE OUR PRIORITIES!**

Local Elections  
Thursday 2<sup>nd</sup> May

**Nick  
Turner  
Miss Pamela  
Walford**

**3 Reasons to  
Vote for Change**

- ✓ Local Councillors working hard to maintain our position as the jewel in Tendring's Crown
- ✓ Continue to keep rates low
- ✓ Leave the Public Realm better than found.



Nick Turner

Tendring is a very special place with much to offer. It is an area you can work, rest and play in. We have one of the longer coastlines of any district in the country – we have safe, sandy beaches – secluded backwaters – miles of open countryside – ancient ports with connections across the world and the buzz of resorts like Clacton and Walton. A history stretching back to the first Roman appearance. Tendring is a place you go to, not through-unless you are Europe bound. We, who live here have, by and large, chosen to live here. If you like where you live you look after where you live. Your Conservative Candidates want to maintain and enhance Frinton at the same time help Tendring realise its potential. The first step is to make the District Council self funding. It can be done using solid Conservative values of self help, thrift and hard work. This will give us the ability to pick and choose and not be driven by the vagaries of Government.



Miss Pamela Walford

Our recent survey shows that the main issues are accessing Primary Care/Doctors, fear of crime is still high, state of some of our pavements, inconsiderate parking plus Developers and the Public Realm.

Your Conservative Candidates are working with each other and the MP to create the pathway that will lead from Parish to Westminster by way of District and County. This is with but one aim to **get things done**.

By voting for us you will give us the mandate to create Conservative Majority Councils.

Sharing powers with others only leads to poorer decisions and under achievement.

Your Conservative Candidates have achieved the Gold standard

Blue Flag for our beaches – green flag for our Crescent Gardens – Chosen as best small Town in Anglia, eight times in a row, by the RHS Anglia in Bloom.

Vigilance in keeping up our architectural integrity. Challenging some applications supporting others. Working with Town organisations, individuals and others to achieve the desired result

We will continue to preserve the sanctity of our fantastic Greensward and Seafront. No commerce or prescriptive use!

For the past 4 years Tendring District Council has been run by yet another Alliance. We are asking you to give the Conservative Party a clear mandate. We will deliver more value for your hard-earned pounds. The Town and District Councils should be delivering the best local services at lower cost, Where the Councils do not have direct power they will influence and adapt those services for the benefit of Tendring. Quite often up against seemingly unmoveable Policies from Quangos, Companies and other Councils. This is where Conservative Team Tendring ask their elected Members from Town, District, County and Westminster to all play their part to achieve the desired result.

All our Conservative Candidates are working with the MP to attempt to make ACE(Caradoc) much more accountable. By electing a Conservative, you are giving us the power to demand a much better service.

Tendring is suffering from a disproportionate influx of new residents, imposed upon us from the London Boroughs. It has overwhelmed our already fragile infrastructures. We have a robust Housing Policy that reflects the needs of Tendring. This requires constant re-enforcing. Only by voting Conservative will that policy be sustained.

The Town Council of Frinton and Walton supply 6 PCSOs. They have a gone long way to reduce the fear of crime, but fear is still there. We are working with the Police to provide more powers for our PCSOs and higher visibility.

We can take pride in helping to create one of the most successful and pleasing 'High Streets' in Essex, in Connaught Avenue. Our survey suggests it is too busy! Marks and Spencers and with Aldi coming to Walton has gone a long way to making this area very sustainable.

Leaving the Public Realm better than found particularly in relation to Developers is a major irritation to us. 90% + think developers should be more considerate, do more for our infrastructure and leave us better than found. This will allow your Conservative Candidates, if elected, to demand much, much more at nil cost to the ratepayer.

We hope that it has been noticed how many fewer potholes there are now compared to 18 months ago. Our County Councillor has been working tirelessly with your other Conservative Candidates to improve our road surfaces. This coming year the attention will be turned onto the pavements. This is yet another irritant that we must remove from the Public Realm.

Vote Conservative for District and Town Council –  
joined up thinking!

**Put Frinton First!**

 **Conservatives**

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**From:** Ian Taylor  
**Sent:** 25 February 2022 14:20  
**To:** Damian Williams; Andy White  
**Subject:** FW: Event Application - Jesus Christ Superstar

For information  
Ian

Ian Taylor  
Head of Public Realm

01255 686982  
itaylor@tendringdc.gov.uk

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**From:** Cllr. Terry Allen <cllr.tallen@tendringdc.gov.uk>  
**Sent:** 24 February 2022 09:26  
**To:** Ian Taylor <itaylor@tendringdc.gov.uk>; Cllr. Nicholas Turner <cllr.nturner@tendringdc.gov.uk>  
**Cc:** Junior Officer name redacted -AW@tendringdc.gov.uk; Personal Information redacted -@btinternet.com>  
**Subject:** RE: Event Application - Jesus Christ Superstar AW

Ian

Greensward event

I completely agree with the Councils rely to the request, to have any event especially such a large one during the peak holiday period or any period come to that on the Greensward is completely out of the question. The event mentioned far from doing good for the Town would put a huge strain on parking and facilities along with the availability of food and drinks causing many more problems. The greensward is for the many resident and visitors that rightly come and expect to use and enjoy the wide open aspect of the Greensward which should not be compromised in any way or form.

Regards

Councillor Terry Allen  
TDC Frinton Ward

---

**From:** Ian Taylor <itaylor@tendringdc.gov.uk>  
**Sent:** 23 February 2022 17:49  
**To:** Cllr. Nicholas Turner <cllr.nturner@tendringdc.gov.uk>; Cllr. Terry Allen <cllr.tallen@tendringdc.gov.uk>  
**Cc:** Junior Officer name redacted -AW@tendringdc.gov.uk  
**Subject:** FW: Event Application - Jesus Christ Superstar

Dear Councillors,  
Please see below a recent exchange between the Public Realm events team and Frinton Summer Theatre concerning an application to stage a production of Jesus Christ Superstar on the greensward adjacent to the Connaught Avenue toilets between the 8<sup>th</sup> August and 5<sup>th</sup> September.

The application was refused on the grounds stated.



It would be helpful however to receive your views as ward Councillors on this event should (as is likely) further communication be received.

Namely, would the event be acceptable for a shorter period of time, or with further restrictions? Or, do you consider this event in this location is something you could, or could not support, or would be supported by the Frinton community?

Any information would be extremely helpful and would be gratefully received.

Kind regards  
Ian

Ian Taylor  
Head of Public Realm

01255 686982  
[itaylor@tendringdc.gov.uk](mailto:itaylor@tendringdc.gov.uk)

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**From:** Junior Officer name redacted -AW [dringdc.gov.uk](mailto:dringdc.gov.uk)  
**Sent:** 18 February 2022 13:27  
**To:** Ian Taylor <[itaylor@tendringdc.gov.uk](mailto:itaylor@tendringdc.gov.uk)>  
**Subject:** FW: Event Application - Jesus Christ Superstar

Hi Ian,

No this was the only application I had come through and I did not get a response from them offering to change the date or length of time.

Thanks

Junior Officer name redacted  
-AW

min Officer

Tendring District Council

☐ 01255 686574  
Northbourne Depot, Vista Road, Clacton on Sea, Essex, CO15 6AY

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**From:** Holly O'Connor  
**Sent:** 02 February 2022 12:21  
**To:** 'clive@frintonsummertheatre.org' <[clive@frintonsummertheatre.org](mailto:clive@frintonsummertheatre.org)>  
**Subject:** Event Application - Jesus Christ Superstar

Good Afternoon Mr Brill,

Thank you for your event application.

Unfortunately, on this occasion we are going to have to deny your request as we do not believe that an event of this size is appropriate during this time of year.

The Frinton Greensward is a popular destination during the summer and therefore we believe having such a large amount of space taken up and for such a long amount of time will have a negative impact.

Apologies for any inconvenience.

Kind Regards

Junior Officer name redacted -  
AW

Junior Officer

Tendring District Council

Junior Officer name redacted -AW

Northbourne Depot, Vista Road, Clacton on Sea, Essex, CO15 6AY

Damian Williams  
Operations and Delivery Director  
Tendring District Council

8<sup>th</sup> March 2022

Dear Damian

**Frinton Summer Theatre Tent for Jesus Christ Superstar – revised application**

Please find attached a revised application to erect a tent on the Greensward this August so that Frinton Summer Theatre can stage Jesus Christ Superstar.

As you know from your meeting with my fellow Trustee Jacey Dias, and our Assistant Director Emma Filby, this is a superb opportunity for the Theatre and the wider community in the wake of the pandemic. We will not get this opportunity again as it is a special year for the musical itself and we have sole rights from Lord Lloyd Webber to stage the production in its 50<sup>th</sup> anniversary year.

I understand that Councillors have now been made aware of some additional factors, namely:

- The Outreach projects associated with this request
- The precedents for granting the application
- The strength of local business support

Evidence for all of this is included in the application along with responses to the legitimate logistical questions raised by council staff and Councillors.

If you find that there are outstanding questions within our application, please contact us as soon as possible so that we can clarify any points.

Yours sincerely

Personal Information  
Redacted - AW

Richard Max

Chair of Trustees  
Frinton Summer Theatre

## Event Application Form

Please use this form to apply to hold an event on Tendring District Council owned land, including Clacton Town Square. There are a number of areas of land owned by Tendring District Council that can be used for events and some of the more popular ones are:

Harwich Green

Cliff Park, Harwich

Bathhouse Meadow, Walton

West Greensward, Clacton-on-Sea

Low Road Recreation Ground

Vista Road Recreation Ground

Eastcliff Recreation Ground

If you require further guidance regarding green open spaces please email [openspaceenquiries@tendringdc.gov.uk](mailto:openspaceenquiries@tendringdc.gov.uk)

Please note that you will NOT be able to submit this form unless you have attached your current Public Liability Policy of Insurance and Risk Assessment on the final page of the form. We can accept a scanned copy or a photograph of the documents.

### Event Information

Name of event*	Jesus Christ Superstar
Event location*	Seafront and beaches
Full address or description of location of site you are applying to use	Greensward at the bottom of Connaught Avenue near public toilets. As in previous years.. Near CO13 9DW

Any proposed entrance fees must be discussed with the appropriate department (see contact details below) as compulsory admission charges may not be possible for legal reasons and this includes the sale of programmes.

Email the seafronts team: [seafronts@tendringdc.gov.uk](mailto:seafronts@tendringdc.gov.uk)

**Please note that all applications require at least 8 weeks notice.**

Event date*	8th Aug to 4th September (incl set up)
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### Organiser Details

Name of organisation	Frinton Summer Theatre
Event organiser(s)*	Clive Brill/Adam Smith/Emma Filby
Contact address:	
Select Address:	60 Connaught Avenue
Address Line 1:*	
Address Line 2:	
Address Line 3:	
Town:*	Frinton On Sea
County:*	Essex
Postcode:	CO13 9PR

Home telephone number

Work telephone number

Mobile telephone number

Email address\*

Personal information  
redacted - AW



## Event Details

Description of proposed event include exact location*	As in previous years - we would erect a tent and stage a musical production on The Greensward at the bottom of Connaught Avenue. We have been granted exclusive licence to stage "Jesus Christ Superstar". It would take a few days to set up and we plan to stage the musical for 21 performances.
Date and time to enter site for preparation*	8-10th August 2022 or possibly 14/15th August
Start time each day*	11.00
Finish time each day*	23.00
Date and time the site will be vacated after the event*	5th September 2022
Approximate number of people expected to attend (per day)*	350

If you are expecting 500 or more to attend, you must provide an Event Management Plan. You will need to upload this on the final page of this form.

Do you intend to utilise or permit any of the following attractions at the event? If so, please tick all boxes that apply. Please note that some may not be permitted at all sites.

<input type="checkbox"/>	Fireworks/pyrotechnics	<input checked="" type="checkbox"/>	Live music**
<input type="checkbox"/>	Carnival/procession	<input checked="" type="checkbox"/>	Live entertainment**
<input type="checkbox"/>	Fairground equipment****	<input checked="" type="checkbox"/>	Barrier/fencing
<input type="checkbox"/>	Aircraft/Parachutists	<input checked="" type="checkbox"/>	Marquees
<input type="checkbox"/>	Balloon launch	<input checked="" type="checkbox"/>	Portable generator*
<input type="checkbox"/>	Hot air balloons	<input checked="" type="checkbox"/>	Power supply
<input type="checkbox"/>	Motorcycles	<input type="checkbox"/>	Toilets
<input type="checkbox"/>	Other motor vehicles	<input checked="" type="checkbox"/>	Alcohol
<input type="checkbox"/>	Inflatables (eg bouncy castle)****	<input checked="" type="checkbox"/>	Food/drink concessions***
<input type="checkbox"/>	Portable staging	<input type="checkbox"/>	Bonfire/barbecue
<input checked="" type="checkbox"/>	P.A. system	<input type="checkbox"/>	Market stalls
<input checked="" type="checkbox"/>	Stewarding/security	<input type="checkbox"/>	Other

\* Generators are generally not permitted on the highway.

\*\* A Public Entertainment Licence may be required if your event is public and consists of music, dancing, singing or similar.

If you require further guidance please email [licensingsection@tendringdc.gov.uk](mailto:licensingsection@tendringdc.gov.uk)

\*\*\* If you are providing food/drink then you need to contact the [food safety team](#)

\*\*\*\* If you are providing fairground equipment you must provide ADIPS certificate

[www.adips.co.uk](http://www.adips.co.uk)

\*\*\*\* If you are providing inflatables (eg bouncy castle) you must provide PIPA certificate

[www.pipa.org.uk](http://www.pipa.org.uk)

Please supply as much information as possible in the box below about all of the items above or if your attraction is not listed.

Information about attraction(s)

All the above needed to stage a full production of JCSuperstar. We plan to offer refreshments/alcohol and ice cream as in previous years.  
Souvenir programmes will be sold.  
We will apply for the necessary licences.

## Traffic, parking and litter

Do you anticipate the need for any of the following:

Please select yes or no and tick the appropriate boxes below:      Yes

<input type="checkbox"/>	Road closure
<input type="checkbox"/>	Traffic diversion
<input type="checkbox"/>	On-street parking restriction
<input type="checkbox"/>	Car park closure
<input checked="" type="checkbox"/>	Car parking space for event staff
<input type="checkbox"/>	Car parking for general public

If you have selected any of the above, you will need to contact: [parkingservices@tendringdc.gov.uk](mailto:parkingservices@tendringdc.gov.uk) to organise the above. Please allow 6 weeks notice, particularly for formal traffic orders.

### Important information to note:

The event organiser should ensure that the site is regularly litter-picked during the event and at the end of each day to comply with the council's obligations under the Environmental Protection Act 1990 – Code of Practice on Litter and Refuse. If the event organiser fails to do this then the council reserves the right to carry out the works in default and charge the event organiser the cost incurred.

It is the event organiser's responsibility to arrange removal of all rubbish from the site. You will not be allowed to use any council skip/litter bins etc for disposal.

Where permanent catering facilities are available in the vicinity of the site where the event will take place, the organisers must advise the caterers at least one month before the event takes place of the refreshments they will be providing.

No cars or other vehicles are to be driven onto any promenade, greensward, or other restricted areas by persons attending the event. Under no circumstances are caravans or other vehicles to be permitted to park where they will cause a nuisance to other residents or visitors to the event, nor are dogs or other animals to be allowed to roam free.

If permission has been granted to use an open space for parking, the event organisers are responsible for safely marshalling the parking process. During periods of wet weather the council may refuse the use of open spaces for parking.

A hire charge may be payable for commercial events, this will be discussed during the application process.



## Insurance and documents

Event organisers are required to hold a current policy of insurance in respect of Public Liability or Third Party risks (including products liability where appropriate). The relevant limit of indemnity shall be an amount approved by the council's Risk and Insurance Section and Legal Section. Under no circumstances shall this be less than £5 million and the council reserves the right to require a higher limit if deemed necessary.

You must also provide evidence of insurance cover of any exhibitor, band/dance group, sub-contractor, caterer etc whom you have instructed/authorised to appear at the event.

More information regarding Risk Assessment can be obtained from the Health and Safety Executive - [www.hse.gov.uk](http://www.hse.gov.uk)

**If you are uploading a photograph of a document, please make sure that the quality is clear and all text is legible, otherwise we will not be able to process your application.**

### COVID-19 Risk Assessment

It is essential that you have undertaken and include a COVID-19 risk assessment. This can either be included as part of your standard risk assessment document or provided as a separate document.

Please select whether your COVID-19 risk assessment is included within your risk assessment document or a separate COVID-19 risk assessment document:\*

A separate COVID risk assessment document

Uploaded filename: Frinton Summer Theatre Ltd Schedule.pdf

Uploaded filename: FST 2022 Tent RA v1.xlsx

Your application will not be considered unless you have uploaded your public liability insurance document and your risk assessment.

Uploaded filename:

Uploaded filename:

If you are expecting 500 or more to attend, you must provide an Event Management Plan and your application will not be considered without one.

[Click here to upload](#)

Uploaded filename:

If appropriate please provide a site map. It could delay your application if we need to contact you to ask for a map to be provided.

[Click here to upload](#)

Uploaded filename:

## Emergency Services

Please tick boxes below to indicate which emergency services you have notified about your event.

<input type="checkbox"/>	Police
<input type="checkbox"/>	Ambulance Service
<input type="checkbox"/>	St John Ambulance

<input type="checkbox"/>	Red Cross
<input type="checkbox"/>	Fire
<input type="checkbox"/>	HM Coastguard
<input type="checkbox"/>	Other

## Agreement

If permission is granted for the event, I hereby agree to comply with terms and conditions (see link below) including any departmental terms and conditions and all reasonable instructions given by all authorised officers of the Council.

[Terms and conditions](#)

I agree:*	Yes
Position	Producer and Assistant Producer Frinton Summer Theatre
Today's date	9.3.22

Tendring District Council is required by law to protect the public funds it administers. In order to meet this obligation this may include sharing information internally and externally, where necessary, to prevent and detect fraud, improve the way it delivers services and for the purpose of performing any of its statutory enforcement duties. This may also include sharing information with other bodies responsible for auditing and administering public funds. All personal information will be processed in accordance with current data protection legislation.



## Frinton Summer Theatre

### Application to put on a professional production of Jesus Christ Superstar in a 'big top tent' on the Greensward in Frinton-on-Sea, Aug 2022.

#### Background and Reason for this Paper

As in previous years (2018 and 2019) Clive Brill, Producer of Frinton Summer Theatre (FST) submitted an application to use the Frinton Greensward via the TDC portal on 21.1.22 in the normal way. Previously the application had been approved and detailed arrangements as to the logistics of running a musical production were worked through and signed off by TDC officers via their subsequent process. Informal indications of support had been given to Mr Brill this year on email and in person, so he had no reason to believe permission would not be granted and details subsequently worked through in the normal way to ensure a safe and inclusive event could be provided for the local public and summer visitors.

This time a very brief email was received declining the application without any detail as to why the Tent application had been refused (Appendix 1 attached) Subsequent attempts to get clarification via discussions with Councillors, TDC Officers and the Frinton and Walton Mayor have uncovered a variety of different opinions as to why this application (with successful precedent) was declined.

FST Trustees have been requested by Senior TDC Officers and Councillors to put together a fuller document which

- a) Provides more background to the original application
- b) Deals with the concerns raised
- c) Considers some alternatives to the logistics of the original application.

The purpose of this document is to meet these 3 objectives outlined above. Should TDC deliberations result in further questions or concerns not covered in this paper, FST Trustees respectfully request the opportunity to discuss these matters before any final decision is made.

This paper has been prepared largely by: Jacey Dias, Trustee Frinton Summer Theatre and Emma Filby, Assistant Producer Frinton Summer Theatre on behalf of the Board of Trustees, and with supporting documentation as requested from other major stakeholders in this project.

## Introduction

Founded in 1934, Frinton Summer Theatre is the oldest surviving summer repertory theatre in England. It has hosted the early careers of Vanessa Redgrave, Sir Anthony Sher, Owen Teale and Lord Julian Fellowes to name a few. Sir Ian McKellen described the theatre as 'A jewel in the necklace of shows' when he performed his one man show with us in 2018.

*Frinton Summer Theatre is a registered charity, endeavouring to cover its operational costs each season and support its charitable aims. NB it is not a commercial entity generating profit for shareholders. Its activities are charitable as laid out in its Trust. There is a Board of Trustees all of whom are local volunteers.*

Like many regional theatres, in 2020, the Summer Theatre went silent. If it were not for the funding and grant support from Tendring District Council, The National Lottery Heritage Fund and Arts Councils 'Cultural Recovery Fund', the theatre would have collapsed. The theatre is currently a small player with only a main summer season, but our strategic aims are to develop into an all-year-round theatre to better support the local community. The theatre is an integral part of the Frinton landscape and many holiday makers visiting Frinton are thrilled to have a professional theatre on their doorstep. Frinton is unique, and the summer repertory theatre is equally unique. Simon Callow described repertory theatre as essential training for actors and theatre makers. 'For it is on the boards of the rep, that one learns the real craft of acting.'

In 2020 we launched our book: *Frinton Summer Theatre: 80 Glorious Years* by Trustee Jacey Dias. The book has raised over £10K and helped to cement the theatre as a regional theatre of great interest and historical importance. The Trustees have developed a five-year strategy to build on this.

## Project Summary

In 2021, in a bid to support the theatre's recovery from the covid pandemic, Lord Andrew Lloyd Webber and Don Black granted the Summer Theatre permission to perform the musical 'Tell Me on a Sunday' as part of its season to help raise funds during a really difficult time for the arts and culture sector. Now in 2022 Lord Andrew Lloyd Webber has granted the Summer Theatre the license to produce 'Jesus Christ Superstar'. Not only is this an incredible opportunity, but we have also been given the exclusive rights to produce this production in its 50<sup>th</sup> anniversary year before it heads out on a national tour in 2023.

Our request is to put this production on in a Circus Tent on the Frinton Greensward, as we have done previously with musicals in 2018 (Fiddler on the Roof) and 2019 (Me and My Girl).

We believe that this is a real opportunity; not only to boost the reputation of the theatre, its future development and its financial survival into the future, but an opportunity to really put Frinton-on-Sea and Essex on the map as the home of high-quality professional theatre.

This production is sure to bring in a great deal of revenue to the local town, and indeed the county, resulting in an increase in tourism and a welcomed boost to local businesses to support the economic recovery following the covid pandemic.

Furthermore, in line with the theatre's strategic aims to provide family entertainment at accessible prices we have secured a touring production of 'The Elephant in the Garden' by Michael Morpurgo (Author of Private Peaceful & War Horse) to be performed in the tent for a week. The tickets will be offered for a value price allowing one adult and one child entry. Family tickets will also be on offer.

In addition, we are being granted funding by St James's Place Foundation to provide an educational outreach project designed to support children/young adults with Special Educational Needs (SEN) from Market Fields school in Elmstead Market and Shorefields School in Clacton; we plan to host these workshops alongside children's activity and craft sessions supported by local artists and craft specialists in the tent also.

### **Strategic Considerations**

In consideration of the Everyone's Essex strategic aims, the theatre is committed to supporting the local community and the wider efforts of the Council to establish a stable and supporting environment from which you can live, grow, and work.

- Levelling up economically: Tendring region is a diverse area. The Theatre is a growing business and is a contributory factor to summer tourism across the county and indeed in Frinton-on-Sea. Because of the lack of hotels in Frinton, many of our guests over the summer stay at accommodation in Clacton-on-Sea and Weeley, driving money into these areas and boosting the economy. Furthermore, many of our theatre goers book a longer stay in the region when attending both the McGrigor Hall and the Tent; this too injects a great deal of money into the region, as people visit the wonderful attractions on offer.
- Levelling up families: The incentives to provide better access to the arts for families is heavily supported by this production. Not only for the production of JCS, but by hosting a children's show, craft activities, and SEN educational and support programme. The strategic aim of levelling up families is as the forefront of what we want to do this summer. *NB The Summer Theatre benefitted from grant funding during covid; the Trustees want to give something back to the wider community.*
- Levelling up green awareness: Everything we buy for the theatre to sell, is sourced from local suppliers: our programmes, posters, flyers are printed locally, our ice creams are made in East Anglia, and we purchase our wine from Wine Boutique in Frinton-on-Sea.
- Supporting the local recovery from the Covid Pandemic – levelling up regional communities: We have spent time walking up and down Connaught Avenue speaking to those who own businesses locally, to canvas the support behind the Tent on the Greensward. Out of the 62 small shops and independent businesses we visited on Connaught Avenue, not a single person raised a concern or expressed they would not be happy with the tent being hosted this summer on the Greensward. *The opposite is true – local businesses were delighted and especially at the prospect of the Tent being where it has previously been cited i.e. at the end of Connaught Avenue thereby increasing footfall past their shops, restaurants and cafes.* We have evidenced this support in a signed document. **(Appendix 2 attached)**

- Cllr Mark Durham, Chair of Visit Essex, has provided us with a letter of support for the project (Appendix 3 attached)
- Cllr Graham Butland, Cabinet Member Devolution, The Arts, Heritage and Culture, has provided us with a letter of support for the project (Appendix 4 attached)
- Cllr Alex Porter, Culture and Tourism Portfolio Holder, has provided us with an email confirming his support for the project (Appendix 5 attached)
- Ann Oxley, Mayor of Frinton and Walton, has expressed her support for the Tent being hosted on the Greensward in an email (Appendix 6 attached) following consultation with members of the Town Council; (Out of 16 members, 11 said yes, 5 said no, = 68.75% in favour).

### Community Support for the project

The early refusal from TDC to this application has created a lot of negative feeling locally. *Residents' support is evidenced by FST having already raised £50K to underwrite JCS from local families – this amount was raised within one week of launching a prospectus.* Trustees and local Councillors have received numerous emails in support of the venture, especially in the wake of 2 dreadful years without live performances or much joy. Other points to consider:

- The Friends of Frinton Theatre support (Appendix 7 attached)
- Residents letters of support (Appendix 8 attached)
- The Frinton & Walton Heritage Trust has expressed great support for this project; their forthcoming book *Frinton Seafront* shows postcards and photos of tents on the Frinton Greensward in the 1920's and 30s for agricultural and trade shows. I have included a letter outlining the historical context of tents on the greensward, and support by the Chair of the Frinton & Walton heritage Trust, John Barton. John has also included a postcard of the Frinton Greensward from 1906 which clearly shows a marquee on the grass. (Appendix 9 attached)
- Local businesses (many of whom are also residents overwhelmingly support this application (Appendix 2 – as above attached)

**Points for consideration: these points are based on concerns and questions raised by Councillors verbally to-date.**

*We endeavour here to explain why we don't foresee these as a risk and how we plan to deal with them/have dealt with them in the past*

**1) Location**

After a great deal of consideration, we have compiled our rationale for locating the on the Greensward at the bottom of Connaught Avenue.

- We have held this event on two occasions previously (2018 and 2019). It is known as the tent's location across our supporters and audience.
- In 2021, Essex Life magazine publicised a feature on the theatre and the importance of its cultural heritage to the area and to the national landscape of traditional repertory theatre. For this article they chose a picture of the Greensward tent as their front cover. This speaks volumes. The photograph highlights the beautiful coastline of Frinton-on-Sea whilst also shining light on its important arts and culture. **(Appendix 10 attached)**
- The Mission always receives council permission to host their tent in the similar location year on year.
- Proximity to the toilets – we have always paid TDC for the extra use of the toilets. Our audience can access the toilets by showing their ticket and we provide the payment to TDC to cover the extra cleaning and staffing costs. We are more than happy to do the same again this year.
- The location draws people down from Connaught Avenue. It centralises the foot traffic and prevents it from going down residential streets.
- It is in a better position to support the local economy as people stop for dinner and shopping before the show.

Other location options have been considered. However, our rationale for wanting to stick with the same location as our previous shows in 2018 and 2019 is as follows:

**The Leas end of the Greensward**

- This area is too far away from the central tourist areas of Connaught Avenue. It does not draw footfall down past the businesses in Connaught Avenue, and therefore would allow the audience to bypass the 62 businesses on Connaught Avenue that have provided their endorsement for the tent.
- The Toilet facilities are less accessible as they are down steps to the seafront and there are only 3 toilets for ladies. Not only does this provide accessibility issues, but the extra time it takes for the audience would require a longer interval, resulting in the production finishing late.

**The Kiosk Field**

- This location again is too far away from the main centre of Frinton and does not draw footfall down past the businesses in Connaught Avenue.

	<ul style="list-style-type: none"> <li>There are less facilities available (i.e. only 3 ladies toilets) and there is not a permanent toilet attendant on duty, this would impact our customer user experience and would again delay our performances making them go on late.</li> </ul> <p><b>The Columbine Centre</b></p> <ul style="list-style-type: none"> <li>We have been given this license by Lord Andrew Lloyd Webber as it is to take place in a big top tent. To hold this production inside a theatre space would impinge on the terms of the rights.</li> <li>Although our strategic aims are to develop an all year around programme for a wider locality, this production falls under the banner of Frinton Summer Theatre and would not be in line with our branding to host in Walton.</li> </ul>
<p><b>2) Length of time the tent is in position</b></p>	<p>In 2018 we had the tent in position for 12 days in total with 8 performances, this was a trial performance, but based on how well it was received we decided to increase the show the following year.</p> <p>In 2019 we had the tent in position for 17 days in total with 12 performances.</p> <p><b><i>(NB We have never just applied for the Tent to be in position for 5 days – this seems to be a ‘myth’ which has evolved from somewhere during discussions about our application)</i></b></p> <p>This time we have asked for 28 days in total which is an 11 day increase on 2019. However, out of the 28 days the show would only take place for 21 performance days and 7 days for Outreach and children’s activities.</p> <p>The reason we have requested an increase is because of our desire to host Outreach activities, but also, as this production is so iconic there is likely to be high demand for tickets; a few extra performances would boost our revenue (much needed post pandemic) and be sure to boost the local economy, drawing great attention from around the county and further afield.</p> <p>We have outlined our proposed options below with regard to the time the tent will be needed on the Greensward.</p> <p><u>Option 1 – Desired option (as per previous application)</u> Tent to be installed on 8<sup>th</sup> August and taken down on September 5<sup>th</sup></p> <ul style="list-style-type: none"> <li>8<sup>th</sup> - 11<sup>th</sup> August set up</li> <li>12<sup>th</sup> – 17<sup>th</sup> August: Outreach Activities, Children’s Show (The Elephant in the Garden), Family activities, and community support</li> <li>18<sup>th</sup> August – 4<sup>th</sup> September: production of Jesus Christ Superstar (totalling 16 performance days with 21 performances)</li> <li>Mondays off due to equity rules for working actors</li> <li>Tent taken down on 5<sup>th</sup> September.</li> </ul>

	<p><u>Option 2 – Condensed Option (Workable for FST but impacts on a reduction in revenue of £65 vs Option 1).</u> Tent to be installed on 14<sup>th</sup> August and taken down on September 5<sup>th</sup></p> <ul style="list-style-type: none"> <li>• 14<sup>th</sup> – 18<sup>th</sup> August set up</li> <li>• 19<sup>th</sup> August – 4<sup>th</sup> September Production of Jesus Christ Superstar (totalling 15 performance days and 19 performances – <b>resulting in a loss of £65K on ticket sales on option-1</b>)</li> <li>• Mondays off due to Equity rules for working actors.</li> <li>• 23<sup>rd</sup> August – 28<sup>th</sup> Outreach Activities, Children’s Show (The Elephant in the Garden), Family activities and community support (we would like to link up with graduate actors, and local artists, and community groups to produce children’s activities, face painting a craft sessions) This would take place in the tent during the day when JCS is on in the evening.</li> <li>• <b>Option 2 is requesting 23 days in total which equates to only 6 days more than previously. We would lose a large amount of potential revenue however with this option. And we may find ourselves in a position where we cannot meet audience demand.</b></li> </ul> <p><u>Option 3 – Unviable</u></p> <p>Tent to be installed on 16<sup>th</sup> August and taken down on September 5<sup>th</sup></p> <ul style="list-style-type: none"> <li>• 16<sup>th</sup> – 19<sup>th</sup> set up</li> <li>• 20<sup>th</sup> August – 4<sup>th</sup> September Production of Jesus Christ Superstar, totalling 14 performance days, 16 performances - <i>resulting in a loss of £160k revenue</i></li> <li>• Mondays off due to Equity rules for working actors.</li> <li>• <i>No Outreach activities – nothing for Children or young adults with Special Educational Needs due to time restraints and use of tent for matinees</i></li> <li>• Based on ticket revenue this would make the production unviable for us and would result in us having to go back to Lord Andrew Lloyd Webber and decline his offer. Of course, this would be very damaging to our reputation and brand and would hinder any chance of licensing Lord Lloyd Webber’s productions again. We have been given this lifeline by Lord Lloyd Webber and it would be unimaginable to refuse it.</li> </ul>
<p><b>3) Traffic impact plan and parking</b></p>	<ul style="list-style-type: none"> <li>• We have not experienced problems in the past with parking. The majority of our performances are during the evenings.</li> <li>• We have linked up with the Frinton-on-Sea Lawn Tennis Club to provide the theatre with overflow parking options on their site in Frinton, which will lessen any pressure on the greensward if required. <b>(Appendix 11 attached)</b></li> </ul>

<p><b>4) Potential Damage to the Greensward</b></p>	<ul style="list-style-type: none"> <li>• We have never experienced any permanent damage to the Greensward. Grass has grown back as we go into September and the weather changes.</li> <li>• Having taken consultation from local gardeners we have been informed that any damage to the grass can be fixed. For example, we can work with Tendring District Council to replenish the grass/soil to help it to grow back if needed.</li> <li>• We have been in contact with 'Paul Baines' regarding this who has a high profile as a landscape gardener in the Frinton area.</li> </ul>
<p><b>5) Increased use of the toilets</b></p>	<ul style="list-style-type: none"> <li>• In the past we have paid for the increased usage of the toilet's facilities by the audience. This payment covers the cleaning and staffing costs for the period the tent is in place. Audience members can access the toilets by showing their tickets. The toilets at the end of Connaught Avenue are clean, bright and modern and importantly there are enough of them to support our audience numbers. As stated earlier, the other site options mentioned by the Council do not have adequate toilet facilities.</li> </ul>
<p><b>6) Security</b></p>	<ul style="list-style-type: none"> <li>• We hire professional security for the event which includes overnight 24/7 monitoring.</li> </ul>
<p><b>7) Alcohol Licenses and sales of concessions</b></p>	<ul style="list-style-type: none"> <li>• We have always been issued with a TEN notice for this event to be able to sell alcohol etc.</li> <li>• Our production manager, (a highly esteemed theatre professional working for Sadler Wells theatre in London and internationally), confirms that at our previous tent productions a process was in place to prevent anyone from purchasing drinks without showing their tickets. The service kiosk is purposefully positioned so that only audience coming out or going into the tent can purchase items, and we have a policy that only FST staff (and not volunteers) can sell refreshment at the tent events.</li> <li>• We do not believe that we are in competition with any businesses in Frinton-on-Sea by selling pre-show and interval refreshments. We sell drinks and confectionary etc, which people could only buy from Sainsburys or the Co-Op at those times of night and following our canvasing of local businesses on Connaught Avenue not a single person raised the concern regarding us selling refreshments at the tent.</li> <li>• Selling concessions on the Greensward is no different to selling concessions at the McGrigor Hall, it is just the other end of Connaught Avenue, and neither result in competition with other businesses.</li> <li>• The reason we sell concessions, like all theatres, is that we only provide a 20-minute interval, and our customers would not have time to walk to the shops and back and enjoy their refreshments in that time. By extending the interval to allow adequate time for the audience to seek refreshments from Connaught Avenue would result in us ending the show much later.</li> </ul>



	<ul style="list-style-type: none"> <li>• We source all our refreshments from local companies. Our ice cream supplier is based in East Anglia, and we buy our wine from Wine Boutique in Frinton-on-sea. We feel that we are supporting local businesses in this way.</li> <li>• Local pubs, and restaurants have confirmed by signature of our canvassing, that they support this production in a tent on the Greensward. (Appendix 2 attached)</li> <li>• Our Assistant Producer Emma Filby has extensive experience working in the events and hospitality industry and has managed refreshment kiosk operations for both ITFC, CUFC and TFC. Our 2022 performance at the tent will be managed by strict rules also.</li> <li>• Examples of the tickets for the Mission Tent evening events are attached – they also charge entry and sell refreshments and other items without issue (Appendix 12 attached)</li> </ul>
<p><b>8) Numbers of people attending</b></p>	<ul style="list-style-type: none"> <li>• The tent will have a capacity of 320 – 350 per show which is the same capacity for our previous approved tent applications. We usually sell to 80 % capacity, but we expect this production to sell to 90% due to its popularity and anniversary year.</li> </ul>
<p><b>9) Our tent will set a precedent for others to do the same??</b></p>	<ul style="list-style-type: none"> <li>• We can not see how the approval of this tent could possibly open this up for others to have tents. Not only have we done this on two previous occasions, but the theatre has been a staple for the Frinton summertime for 80 seasons and is in no way similar to any pop-up event organisation.</li> <li>• The precedent has been set for years by the Mission Tent. Like FST, this is a charity and like FST it sells tickets to events during the evenings where it serves refreshments and sells items. It has not opened the floodgates to commercial activity on the Greensward – neither would FST.</li> </ul>

Finally, we include here a few items we believe are important to consider within our application:

### **Dispelling Myths**

There have been several non-truths which have fed into discussion around the authorisation for the Tent on the Greensward. We would like to take this opportunity to correct this information here:

- We are a charity. We are a not-for-profit organisation. None of our directors/board of trustees take any pay from the theatre. Our Artistic Director/Producer Clive Brill has invested his own time and money in the theatre and does not take a wage.
- Any reserve funds that we have go toward projects and our development as a community focused theatre. Our reserves go towards our strategic aims and the goals we have over the next 5, 10 and 20 years.
- Our reserves have come from our successful grant applications. Before 2021 the theatre was barely breaking even each year.
- We only have 2 freelance paid staff – Emma Filby our Assistant Producer and Helga Brandt our Marketing and Communications Manager.
- The Theatre has NEVER allowed people to purchase drinks on the Greensward when not attending a show. This is a rumour, and we take great pride in our management of the event in a professional and legal manner.
- We have increased our application request from 5 days to 28. Simply not true – see previous section on ‘timings’
- There has never been this sort of activity on the Greensward– the upcoming book from the Heritage Trust will dispel this myth and highlight the danger of selective use of history. The Greensward may have evolved, but its past demonstrates a Lido, a golf course, agricultural shows, a Mission.....

### **The impact of the delayed application and the lack of an appeals process**

- The initial communications informing us of the refusal in the application did not provide any information on what grounds the application was being denied; the follow up email from Cllr Ian Taylor did not come through for 4 days (Appendix 1 attached - as above)
- We were not provided with an opportunity to discuss the finer points and details, or to answer concerns until we pursued public support and contacted Councillors who support us. A selection of emails/letters of support have been attached.
- The above has led to it being a very negative and dispiriting experience for the Theatre’s Trustees who are all volunteers and have had to spend many hours working to find the cause of the refusal.
- We had hoped to launch the ticket sales for the Tent along with our new shop on Connaught Avenue, however this has not been possible. We are very concerned that this will have cost us presales ticket revenue. We rely very much on pre-sales to support the season.
- We have been unable to progress on the casting front for Jesus Christ Superstar. This has already cost us some big acting names who have now booked other jobs.

**Further request**

- We would also therefore ask for TDC support with advertising the production, assuming approval.
- In our options above, you will see that we will lose around £65k in ticket revenue by going with option 2 instead of option 1, therefore we request that due to the delay and the loss of sales with this option that TDC wave their licence fee of £1000

**Other supporting information:**

- Insurance documents
- Risk Assessment

From: Junior Officer name redacted AW

Date: 2 February 2022 at 12:20:39 GMT

To: [clive@frintonsummertheatre.org](mailto:clive@frintonsummertheatre.org)

Subject: Event Application - Jesus Christ Superstar

Good Afternoon Mr Brill,

Thank you for your event application.

Unfortunately, on this occasion we are going to have to deny your request as we do not believe that an event of this size is appropriate during this time of year.

The Frinton Greensward is a popular destination during the summer and therefore we believe having such a large amount of space taken up and for such a long amount of time will have a negative impact.

Apologies for any inconvenience.

Kind Regards

Junior Officer name redacted AW

Junior Officer

Tendring District Council

( 01255 686574

Northbourne Depot, Vista Road, Clacton on Sea, Essex, CO15 6AY

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**From:** Ian Taylor <itaylor@tendringdc.gov.uk>  
**Sent:** 01 March 2022 17:53  
**To:** 'richard@frintonsummertheatre.org'  
**Cc:** Andy White; 'clive@frintonsummertheatre.org'  
**Subject:** Event Application Frinton Summer Theatre

Junior Officer name  
redacted AW

Dear Mr Max,

Thank you for your recent email concerning the above which has been forwarded to me for reply.

Your application for use of Frinton Greensward by the Frinton Summer Theatre between the 8<sup>th</sup> August and 5<sup>th</sup> September 2022 is significantly longer than in previous years. I have consulted local Councillors whose general view is to preserve the amenity of the greensward and seafront for residents. There is some concern as to the impacts of large numbers of visitors over a longer period and the proposed event being during the busiest period of the year.

I note that you seek to appeal against our decision in the first instance. Although there is no formalised appeals process we will forward your application and the views of local members to the Portfolio Holder for further consideration. Of course we will forward any additional information you may wish to provide.

Given the reservations of local members it would be helpful to understand if you would consider alternative location(s) a shorter duration of the event or a slightly different time of year, any of which may assist to address concerns.

Please remember that in addition to consideration as a landowner proposals for events are also subject to multiple agency consideration by way of a Safety Advisory Group meeting. Also there will need to be agreement on terms and conditions for use such as fees for hire of the site, use of the public conveniences, electricity supply as well as the level of deposits or assurances in respect of damage to Council property should this occur.

I hope that this clearly sets out the position if you have any questions or queries please do not hesitate to contact me anytime.

Yours sincerely.

Ian Taylor  
Head of Public Realm

01255 686982  
itaylor@tendringdc.gov.uk

**From:** Richard Max <richard@frintonsummertheatre.org>  
**Sent:** Thursday, February 24, 2022 1:38:16 PM  
**To:** Junior Officer name redacted AW  
**Cc:** Clive Brill <clive@frintonsummertheatre.org>  
**Subject:** Event Application - Jesus Christ Superstar

Dear Ms Junior Officer name  
redacted AW

Further to your email dated 2 February addressed to Clive Brill concerning this application, I am writing to you to inform you that Frinton Summer Theatre Limited intends to appeal against this decision and this email should be taken as the commencement of our appeal.

Please would you confirm the appeal process that is to be followed and to whom details of our appeal should be sent.

Kind regards

**Richard Max**  
**Chairman - Frinton Summer Theatre**

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# FRINTON SUMMER THEATRE



PETITION TO TENDRING DISTRICT COUNCIL

Frinton Summer Theatre has been given the sole rights in the UK by Lord Andrew Lloyd Webber to put on a professional production this summer of Jesus Christ Superstar in a Tent on the Greensward.

The Tent will be cited as in previous years, near the toilets at the sea-end of Connaught Avenue.

As local businesses, we support this move which will bring much needed increased custom to our town after the difficult trading years of the pandemic.

NAME OF BUSINESS	SIGNATURE	PRINTED NAME & CONTACT DETAILS	DATE / Tel no
Bird & Bean	[Signature]	[Redacted]	[Redacted]
Flewetter's Florist	[Signature]	[Redacted]	[Redacted]
Rowlands Pharmacy	[Signature]	[Redacted]	[Redacted]
The gals Workshop	[Signature]	[Redacted]	[Redacted]
Lime House	[Signature]	[Redacted]	[Redacted]
THE LOCAL BARREL	[Signature]	[Redacted]	[Redacted]
WRIGHT Deli	[Signature]	[Redacted]	[Redacted]
No 24	[Signature]	[Redacted]	[Redacted]
GREAT DANES	[Signature]	[Redacted]	[Redacted]
Boucharde of Frinton	[Signature]	[Redacted]	[Redacted]
Emma Victoria Hair	[Signature]	[Redacted]	[Redacted]
HOME DOMUS	[Signature]	[Redacted]	[Redacted]
CAKE KITCHEN	[Signature]	[Redacted]	[Redacted]
Youngs of Frinton	[Signature]	[Redacted]	[Redacted]
MANICURE OF FRINTON	[Signature]	[Redacted]	[Redacted]
Holland & Barrett	[Signature]	[Redacted]	[Redacted]
NUCCASIN	[Signature]	[Redacted]	[Redacted]
Boydens	[Signature]	[Redacted]	[Redacted]
Townrow	[Signature]	[Redacted]	[Redacted]

Potential personal details redacted AW

# FRINTON SUMMER THEATRE



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Potential personal details redacted AW

NAME OF BUSINESS	SIGNATURE	PRINTED NAME & CONTACT DETAILS	DATE
PAVEYS EST AGENY	[Signature]	[Redacted]	7-3-22
D&A HEALTH & FET FOODS.	[Redacted]	[Redacted]	7-3-22
Frinton Kilt bath centre	[Redacted]	[Redacted]	7-3-22
GRANTLES FRINTON	[Redacted]	[Redacted]	7/3/22
COASTAL PHYSIO	[Redacted]	[Redacted]	7-3-22
KEVIN PEARCE	[Redacted]	[Redacted]	7/3/22 67-73.
John BRUCE	[Redacted]	[Redacted]	7/3/22
Linda BRUCE	[Redacted]	[Redacted]	7/3/22
MOM C2	[Redacted]	[Redacted]	7-3-22
PREMIER	[Redacted]	[Redacted]	7-7/3/22
CAXTONS.	[Redacted]	[Redacted]	7/3/22
Extreme	[Redacted]	[Redacted]	7/3/22
SPINNING STRAWBERRY	[Redacted]	[Redacted]	7/3/22
NUMBER 31	[Redacted]	[Redacted]	7/3/22
ALL SORTS -	[Redacted]	[Redacted]	7/3/22
Frinton Home Store	[Redacted]	[Redacted]	7/3/2022
Glossed	[Redacted]	[Redacted]	7-3-22
The old sweet shop	[Redacted]	[Redacted]	7/3/22
ALFRED ALAN	[Redacted]	[Redacted]	7-3-22
Caffe gloria	[Redacted]	[Redacted]	7-3-22
Card Factory	[Redacted]	[Redacted]	7-3-22
Joseph hard	[Redacted]	[Redacted]	7-3-22



# FRINTON SUMMER THEATRE



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NAME OF BUSINESS	SIGNATURE	PRINTED NAME & CONTACT DETAILS	DATE
Superdry	<i>[Signature]</i>	<i>[Redacted]</i>	7/3/22
MOCO	<i>[Redacted]</i>	<i>[Redacted]</i>	7/3/22
FRINTON YOUTH CENTRE	<i>[Redacted]</i>	<i>[Redacted]</i>	7-3-22
BRIORY ESTATES	<i>[Redacted]</i>	<i>[Redacted]</i>	7/3/22
P.G. OXLEY	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
N. Ellisons Solicitors	<i>[Redacted]</i>	<i>[Redacted]</i>	8.3.2022
PHOTOVOLVE STUDIO	<i>[Redacted]</i>	<i>[Redacted]</i>	8-3-2022
AVENUE BISTRO	<i>[Redacted]</i>	<i>[Redacted]</i>	8/03/2022
THORNTONS OF FRINTON	<i>[Redacted]</i>	<i>[Redacted]</i>	08/03/2022
LOTE CONSTRUCTION LTD	<i>[Redacted]</i>	<i>[Redacted]</i>	08/3/22
Sheen's	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
Brewers	<i>[Redacted]</i>	<i>[Redacted]</i>	8-2-22
ROSS + WHEELER	<i>[Redacted]</i>	<i>[Redacted]</i>	8-2-22
JOHNSONS CYCLE	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
YOUNGS THE PLAY	<i>[Redacted]</i>	<i>[Redacted]</i>	8/2/22
SMITHS NEWSAGENT	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
POPPINS	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
KITTY JULES	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
LILLY/S	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
MATHAIR CARDS	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22
BRUFF COOPER LTD	<i>[Redacted]</i>	<i>[Redacted]</i>	8/3/22

Potential personal details redacted AW

Essex County Council  
Cabinet Office  
County Hall  
Chelmsford  
Essex County Council  
CM1 1YS



8<sup>th</sup> March 2022

## **Jesus Christ Super Star Frinton Summer Theatre**

Dear Ms Dias,

I wanted to thank you for taking the time to contact Essex County Council with regards to the planned performances of Jesus Christ Super Star at the Frinton Summer Theatre.

I understand that you are planning to appeal the decision by Tendring District Council. As the chair of Visit Essex, I wanted to let you know that we would be hugely supportive of this event going ahead as this will attract visitors to Essex and support local economy to recover.

Tourism in Essex was worth £3.6bn to the local economy before the pandemic and dropped to £1.9bn last year and at Visit Essex we are keen to do all that we can through our recovery strategy to help this important sector to recover as it provides upwards of 70,000 jobs in Essex particularly in coastal areas in the north of the county. The fact that the previous production features on the cover of Essex Life Magazine shows the reach of the Summer Theatre and its importance to Essex.

The Visit Essex team are working with all our city, district, and borough colleagues to promote everything that Essex has to offer and through grant funded programmes from national government and SELEP will be undertaking targeted marketing campaigns aimed at new visitors to the county and our own residents many of whom do not know of opportunities on their doorstep. The production that you have planned fits exactly with our current campaign running on Sky where we showcase all the beautiful locations across the county and activities that people can do.

The pandemic saw record numbers of residents visit our country parks as people sought somewhere to go to see friends, socialise and exercise and we continued to enjoy higher visitor levels this year. We have also seen Firstsite awarded Museum of the Year and it is anchor institutions and events like your planned production which will help to showcase that Essex is more than its stereotypical headlines – we have 350 miles of beautiful coastline and events like yours to attend.

This production would support the local economy and provide a fantastic event for residents and visitors to attend.

I wish you the very best and hope that it is possible to go ahead with this production.

Yours sincerely

A handwritten signature in blue ink that reads "Mark Durham".

Cllr Mark Durham  
Chair Visit Essex

Essex County Council  
Cabinet Office  
County Hall  
Chelmsford  
Essex County Council  
CM1 1YS



8<sup>th</sup> March 2022

## **Jesus Christ Super Star Frinton Summer Theatre**

Dear Ms Dias,

I wanted to thank you for taking the time to contact me with regards to the planned performances of Jesus Christ Super Star at the Frinton Summer Theatre.

I understand that you are planning to appeal the decision by Tendring District Council and while this is a decision for the district council as the Cabinet Member for Devolution, the Arts, Heritage and Culture at Essex County Council I would be very supportive of this production going ahead as it is organisations and productions like yours that we want to see more of in Essex showcasing arts and culture as an important part of the Essex landscape.

Essex County Council has recently committed over £1m over the next 5 years to increase its support for arts and culture across Essex and will be providing grants to grassroots arts and culture organisations across Essex to increase the visibility of arts and culture in Essex for residents and visitors to enjoy. Many of these organisations, like yours, are charities and rely on the income from productions to keep afloat.

Essex is home to five National Portfolio Organisations (Colchester and Ipswich Museums Service, Colchester Arts Centre, Colchester Mercury Theatre, Essex Cultural Diversity Project and Firstsite) who benefit from funding of nearly £8million over every four-year funding period, and who lever significant additional funding into the county and engage with many thousands of Essex residents.

I am also very supportive of the outreach work that this production will support so that children and young adults can see and experience live theatre, which support the County Council's ambitions to level up opportunity to everyone.

I believe that this production would be hugely positive for Frinton and add to the Essex Summer of Culture which we support as this will increase visitors to the town, income into the high street and a hugely prestigious and popular production for people to attend. We want more events like this in Essex, where we can showcase the talent that we have and support local organisations.

I wish you the very best and hope that it is possible to go ahead with this production.

Yours sincerely

A handwritten signature in black ink, appearing to read "Graham Butland".

Cllr Graham Butland  
Cabinet Member Devolution, the Arts, Heritage and Culture, Essex County Council

**From:** Councillor Alex Porter <[clr.alex.porter@gmail.com](mailto:clr.alex.porter@gmail.com)>  
**Date:** 8 March 2022 at 08:28:05 GMT  
**To:** Jacey <[jacey@frintonsummertheatre.org](mailto:jacey@frintonsummertheatre.org)>  
**Cc:** Richard Max <[richard@frintonsummertheatre.org](mailto:richard@frintonsummertheatre.org)>, Clive Brill <[clive@frintonsummertheatre.org](mailto:clive@frintonsummertheatre.org)>, Peter Dias <[peter.m.dias@btinternet.com](mailto:peter.m.dias@btinternet.com)>  
**Subject:** Re: FW: Event Application - Jesus Christ Superstar - APPLICATION AND REASON FOR DECLINE FROM TDC..

Hi

Just to let you know, I've had quite a lot of discussion on this over the last week on how to move forwards, as it's clearly rather complicated.

In my position as Culture/Tourism Portfolio Holder I can and do support this taking place.

Feel free to contact Personal details redacted AW - happy to discuss further.

Kind regards

Alex Porter LLB LLM

**From:** ANN OXLEY <[Personal details redacted AW].com>  
**Date:** 8 March 2022 at 20:24:01 GMT  
**To:** Jacey <[jacey@frintonsummertheatre.org](mailto:jacey@frintonsummertheatre.org)>  
**Subject:** Re: Frinton Summer Theatre Tent

Dear Jacey  
Was more than happy to help let's hope all the hard work that you all put in pays off. Think if the shop keepers have issues they should email Damian Williams he lives in Frinton. Out of the three people who I was waiting to hear from two phoned me and said they supported so that was a good result.  
Keep safe and well Ann

Sent from my iPad

**From:** ANN OXLEY <[Personal details redacted AW].com>  
**Sent:** 08 March 2022 14:46  
**To:** Jacey Dias <[jacey@frintonsummertheatre.org](mailto:jacey@frintonsummertheatre.org)>  
**Subject:** Re: Frinton Summer Theatre Tent

Dear Jacey  
After the meeting on Monday with Tendring District officers and portfolio holders I went away and took on board what Michael Talbot said. He was interested to know what Town Council members thought regarding the marquee. As I am the current Mayor of Frinton and Walton and chair all meetings I decided to ring round and ask peoples views. Out of the sixteen members nine said yes five said no. I also left a message with the remaining two to ring me as yet I am still waiting. I think I would feel confident that both those members would support. I trust that Michael would be pleased that I went out to Town Council as I know he welcomes their views.  
Best Wishes Ann

Sent from my iPad

# FRIENDS OF FRINTON THEATRE



7th March 2022

To whom it may concern

I am writing to you in my capacity of being the Chairman of The Friends of Frinton Theatre, and I would like to offer my full support and endorsement to the exciting plans of Frinton Summer Theatre (Registered Charity: 1170429) on its proposal to stage a production of Andrew Lloyd Webber's multi award winning musical "Jesus Christ Superstar" in a tent on the Greensward during the Summer of 2022.

The Friends, who have been in existence for 48 years, have a far reaching membership database which consists of several hundred members, many of whom do reside within Frinton, but many more who live further afield and beyond Tendring. This I feel, is a testament to the popularity and legacy the Summer Theatre has created over its 80 years of existence.

Many of our Members are hugely keen supporters of the what we refer to as the traditional season of Summer Theatre, which has been held in The McGrigor Hall in Frinton-On-Sea for over 70 years, however this venue, the only operational one of its kind within the confines of Frinton, whilst being a wonderful venue has its limitations in respect of the productions it can stage. So for Frinton Summer Theatre to have had the ingenuity and foresight to bring the added venue of a Greensward Tent to The Esplanade should be truly applauded, as a wonderful temporary seasonal enhancement to help encourage tourism to visit the Tendring Peninsula.

Many have enjoyed in recent years the productions that were initially staged on the Greensward in the Frinton Mission Tent in conjunction with the Frinton Theatre, 'Joseph and His Technicolor Dreamcoat' and 'Oliver', but in more recent years a great many visitors to the area have also thoroughly enjoyed the productions that have also been staged in the Greensward Tent, namely "Fiddler on the Roof" and "Me and My Girl". The presence of Greensward Tent enabled on one very special evening a performance by the World famous 'Pasadena Roof Orchestra'.

I feel that the exceptionally high quality of these productions provides a great deal of benefit to not only local audiences and visitors alike but goes to further enhance the reputation of not only our very unique Frinton Summer Theatre but also of Frinton-On-Sea.

Yours sincerely

Mrs Pat Philbrick,  
Chairman, Friends of Frinton Theatre  
Email: chairmanfriendsfrintontheatre@gmail.com

jacey [Personal details redacted AW] .com

**From:** Helen Cole <[Personal details redacted AW] .com>  
**Sent:** 22 February 2022 19:34  
**To:** Jacey Graham  
**Subject:** Fw: Frinton Summer Theatre

Dear Jacey,

We are so cross about the decision on the marquee.

I've sent this to our councillors this evening.

The show must go on!!!!

xxx

---

**From:** Helen Cole  
**Sent:** 22 February 2022 19:27  
**To:** t[Personal details redacted AW] .com>; E[Personal details redacted AW] .com>  
**Subject:** Frinton Summer Theatre

Dear Councillors Turner and Allen,

We are extremely disappointed to hear that Frinton Summer Theatre has been refused permission to have a marquee on the Greensward for their performance of Jesus Christ Superstar this summer.

Frinton Summer Theatre has previously held stunning performances in a marquee on the greensward which have been a fabulous success, bringing much-needed tourism and visitors, helping to support our businesses in Connaught Avenue, and raising the profile of Frinton-on-Sea.

We are exceptionally lucky to have Frinton Summer Theatre, the oldest surviving weekly Summer Repertory Theatre company in England, and all those who work tirelessly behind the scenes to organise wonderful productions for us all. The council should be doing everything it can to support one of the cornerstones of Frinton's heritage, a theatre company that we should all be proud of.

The Summer Theatre is a great asset to Frinton and is a vital part of the town's blooming Arts scene. Many coastal towns have been re-invigorated by embracing the arts and have benefitted from the establishment of theatres, art galleries, and music festivals in their communities. Frinton is poised to do the same with its Summer Theatre, Music Festival, Literary Festival, Cinema on Sea, and Derek Nash Jazz, to mention just a few of our arts offerings that bring world-class performers to our town.

It seems hugely inappropriate to refuse the use of a marquee for such a high-profile and high-quality theatre performance when Visit Essex has recently launched an advertising campaign to improve the county's reputation with a focus on its history and culture.

It is a great honour for the theatre to have been given the opportunity by Sir Andrew Lloyd Webber to put on this show to celebrate the 50<sup>th</sup> anniversary of Jesus Christ Superstar (the only license for performance this year, we believe), and it is a wonderful boost to our local theatre and our town following two dreadful years of Covid.

We would appeal to you to reconsider your decision.

**From:** James Max <info@jamesmax.net>  
**Sent:** 28 February 2022 14:21  
**To:** Nick Turner  
**Cc:** Cllr Terry Allen  
**Subject:** Re: Frinton Summer Theatre and the Greensward

Thank you for your reply Cllr. Turner

Whilst I understand your view, we do indeed live in a different age. And the requirements of the community are, post pandemic, perhaps, different today from when you were first elected.

History tells us that the Mission have had a marquee on that spot for as long as I can remember. So I am not quite sure how that historic precedent sits with your decision that seems to have been taken without adequate consultation with the community. And we have had two years when the Summer Theatre held very successful events in a wonderful marquee that were both critically and locally acclaimed. And yes, the theatre may well be 'selling' tickets but if the entity that owns them is a charitable organisation, then it's hardly a commercial endeavour. I am not sure the 'come one come all' argument sits well as an excuse to refuse permission. Of course there are many ways in which the District Authority can refuse permission if there's only one slot or spot available. It cannot be beyond the capabilities of those in charge to define or refine a set of rules or regulations that would allow a decision to be taken on this case without any negative repercussions or precedent that you seem so concerned about.

I don't think anyone wishes to see the Greensward used in a way that would undermine its sanctity, however I think many residents and visitors alike would like to see us use the assets we have in a way that benefits the community allowing us to attract visitors and enhance the town and its offer for the residents too.

As I stated in my original email, the optics of this story from a media standpoint for the town and those in charge are poor. Anyway, I guess we will have to see how this plays out.

All the best

James Max

On 2022-02-28 13:40, Nick Turner wrote:



Dear Councillor Allen and Councillor Turner

I daresay I am not the first and probably won't be the last to email you about this matter. I do so in a personal capacity as a resident of Second Avenue but also with my Chairman's hat on, as I chair the Frinton-on-Sea Lawn Tennis Club and as a broadcaster for a national radio station. I would stress, however, that my brother who is involved with the theatre has not asked me to write but I felt compelled to do so.

I am somewhat surprised and very disappointed by the decision to turn down the application by the Frinton Summer Theatre to hold a special set of performances of Jesus Christ Superstar in a marquee on the Greensward.

I am fully in support, by the way, of the determination to keep the Greensward free of permanent commercial activities. However this is different. It's for a charity. There already is precedent (both for performance and also the citing of a marquee on that spot by the Mission) and also in the past too. Indeed I would have thought that dispensation for this particular activity would actually strengthen the case against other commercial activities because it allows for very specific conditions to be placed and for a ring fence of such activity to be given. Indeed, I am a trustee of the Royal Albert Hall where we have had similar (and successful) conversations with the Royal Parks over special performances - and I'd suggest this is a similar situation.

Frinton would benefit hugely from having such an event taking place both from a visitor point of view but also as a destination and talking point. As the town tries to recover from Covid and the impact of the pandemic, I would have thought that locals, businesses and anyone involved in making sure our town is vibrant and exciting would wish to see this production and performance come to our town. As a national broadcaster, this story as it is currently playing out reflects very negatively on Frinton-on-Sea, the Council, on its residents and indeed on our potential for recovery.

I'd be very interested to hear or indeed understand how you've reached your conclusion but also hope that you may at least reconsider your positions.

Yours sincerely

James Max

On 22 Feb 2022, at 17:41, Eloise Walduck <[redacted]@uk> wrote:

Dear Mr Turner and Mr Allen

We are writing to you today in regards to the production of Jesus Christ Superstar which the Frinton Summer Theatre are putting on this year.

We, as residents of Frinton are simply delighted that an 'Andrew Lloyd Webber' musical is coming to town. What an amazing boost for the theatre after two dreadful Covid years and for the town of Frinton on Sea.

We are exceptionally lucky to have the Frinton Summer Theatre and all those who work tirelessly behind the scenes organising these wonderful productions for us all.

So as you can imagine, we were extremely disappointed and actually horrified to hear that the FST application for this production, has been turned down by the council.

We are racking our brains to understand why??

The missionary church have had a tent for many years on the greensward.

The Frinton Summer Theatre have already had productions in a tent on the greensward in previous years which were incredible, the star attraction which brought much needed business to our struggling high street.

Where has the community spirit gone???

We need something special to look forward to.

This is pretty special and needs the support of the council.

Yours faithfully

Eloise Walduck and Jayesh Padania

Miss E L Walduck and Mr J Padania

[redacted] venue

Frinton on Sea

Essex [redacted]

Sent from [Mail](#) for Windows

jacey Personal details redacted AW .com

**From:** Simon Martin-Redman <Personal details redacted AW .com>  
**Sent:** 02 March 2022 12:35  
**To:** Nick Turner, Personal details redacted AW .com  
**Cc:** Claire Smith  
**Subject:** Frinton Summer Theatree

Dear Nick and Terry

I am sure that you have had numerous emails and letters about the proposed 'Jesus Christ Superstar' performance this coming Summer, however, I felt I should also add my two-penneth as there seems to be a lot of conjecture over this, which is at times unhelpful.

I have heard that the Town Council have vetoed the application to have the tent erected on the Greensward. Is this correct and if so on what grounds?

The two productions of 'Fiddler on the Roof' and 'Me and My Girl' were both exceptionally successful and loved by the residents of this fine town and also the visitors that attended.

The enormous benefit to the town to have the Andrew Lloyd Webber musical here, in this particular year, is to be encouraged not discouraged. The gains to the prestige of Frinton, in being the only place in the UK showing this production this year, are only exceeded by the economic gains to the local traders with the influx of visitors.

Nothing infuriates voters more than illogical decision making and this seems to be an argument notable for its illogicalities due to the precedent of the 'tent' being there for two consecutive years already. In my 10 years in Frinton I cannot remember a subject that has caused so much anger amongst all I meet.

I would very much appreciate knowing the facts not the conjecture but nevertheless, I am sure that public opinion should have some bearing on decision making.

Regards

Simon

**Simon Martin-Redman**

Personal details redacted AW

VENUE  
FRINTON ON SEA  
ESSEX

Personal details redacted AW

**Mob: 07** Personal details redacted AW

# Frinton & Walton Heritage Trust

Charity Reg. No. 289885

Personal details  
redacted AW

Frinton-on-Sea  
Essex, CO

Personal details  
redacted AW

Tel: 01223 812345  
Email: [info@frinton-walton-heritage-trust.co.uk](mailto:info@frinton-walton-heritage-trust.co.uk)



9<sup>th</sup> March, 2022

Trustees  
Frinton Summer Theatre

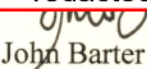
Dear Trustees

On behalf of Frinton & Walton Heritage Trust, we write in support of the very special proposal that Frinton Summer Theatre, Charity Reg. No: 1170429, perform the musical show, *Jesus Christ Superstar*, in a marquee on Frinton's Greensward during the summer of 2022.

The Trust has evidence in its archives and in the memories of many of our members, of other organisations holding events in marquees since the early 1900s on the Greensward with permission of the successive local authorities, i.e. Frinton Urban District Council, Frinton & Walton UDC and Tendring District Council. These organisations include The Children's Special Services Mission, The Frinton Mission, Frinton & District Horticultural Society and latterly Frinton Summer Theatre whose previous two shows were exceptionally well received and proved popular and beneficial to the Town.

Yours sincerely

Personal details  
redacted AW

  
John Barter  
Chair

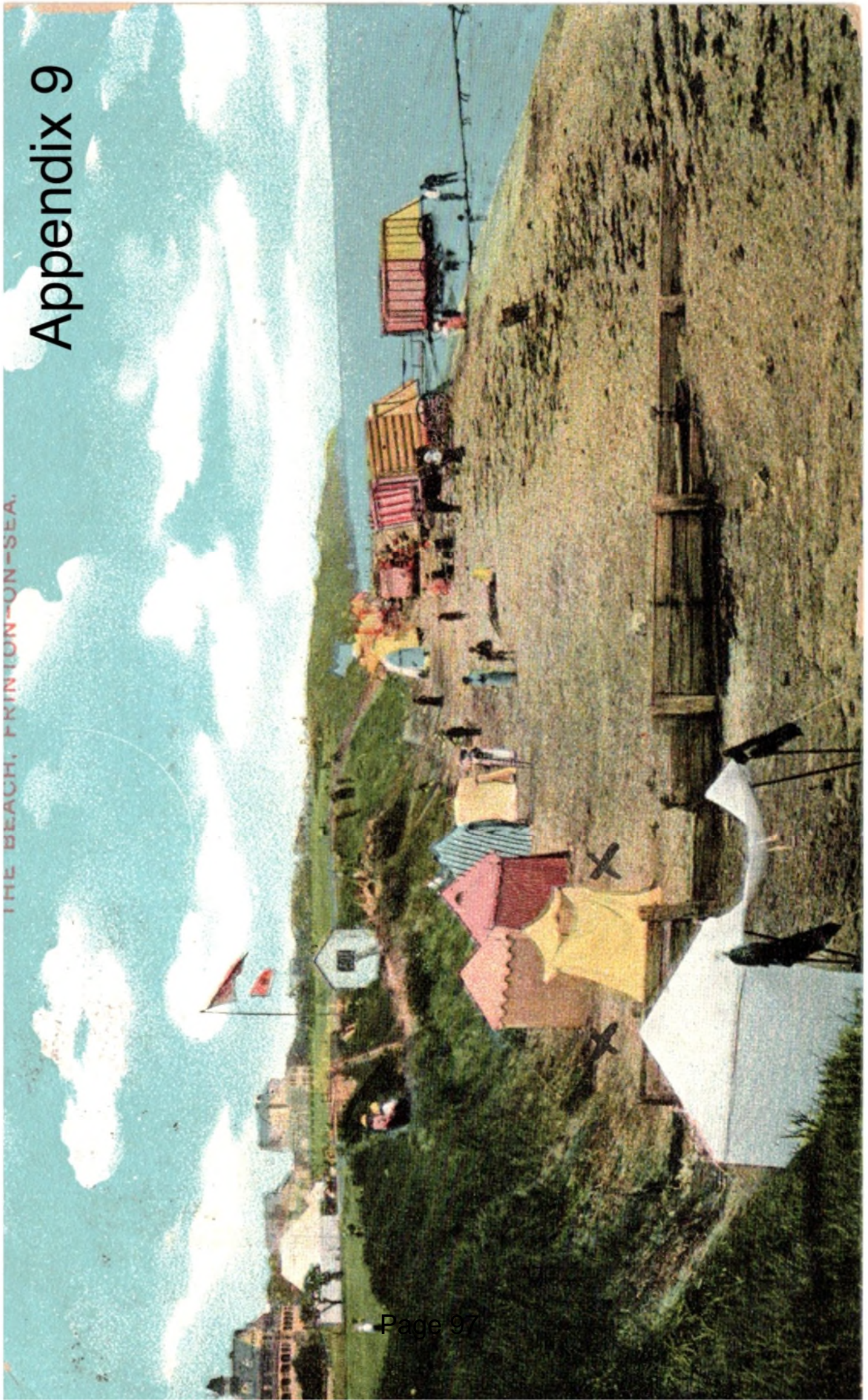
[fwheritage.co.uk](http://fwheritage.co.uk)



Registered Office:  
Crossing Cottage,  
Station Approach,  
Frinton-on-Sea,  
Essex, CO13 9JT

THE BEACH, FRINTON-ON-SEA.

# Appendix 9





**Jacey**

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**From:** James Max <chairman@fosltc.com>  
**Sent:** 08 March 2022 07:54  
**To:** jacey@frintonsummertheatre.org  
**Subject:** Application support and parking

Hi Jacey

I wanted to write on behalf of the Frinton-on-Sea Lawn Tennis Club to support the Frinton Summer Theatre application for a temporary marquee to be erected on the Greensward for the 50th anniversary celebration performance run of Jesus Christ Superstar this summer. Not only is this a wonderful opportunity for the town to galvanise around the unique opportunity this presents but also to offer the Club's support in providing parking, should it be required, to either artistes and performers or visitors. In addition, if it was of interest, the Club would be happy to open its doors to guests and to extend hospitality, food and drinks to visitors too.

As we all try to recover from the pandemic, this should mean new ways to cooperate and work together for the good of the town, our residents and visitors alike. At the Club and with full support of the Board, we are happy to do what it takes to help you achieve your charitable and artistic objectives.

With kind regards

**James Max**  
**Club Chairman**



**Monday 29th | 7:30pm**

# FM Quiz Night

Doors open 6:45pm.

Space limited, so please be prepared to join another team if asked.

£1 entry at the door ONLY.

Bring your own refreshments



**Tuesday 30th | 7:30pm**

# Hog Roast with Bart Gee

Eat, laugh and be inspired with Bart

ticket : £7.50

👍 2

2 shares



**Wednesday 31st | 7:30pm**

# Simeon Wood

An evening of music and laughter with multi-instrumentalist

Simeon Wood

Ticket : £7

👍 2

2 shares



the bigger picture:



**Friday 2nd | 7:30pm**

### **Ceilidh & Jacket Potatoes**

Join us for exciting barn dancing with Jasper Ceilidh Band and tasty jacket spuds with fillings, all for £5

 4

2 shares



**Saturday 3th | 3pm**

### **Art Exhibition & Café**

Enjoy local art and a cuppa...and cake!



**Saturday 3rd | 7:30pm**

### **Tony James**

An evening of 'Rat pack,' Swing, and more with Tony James and featuring Steph Shilton

Ticket : £7.50

## Andy White

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**From:** Jacey <jacey@frintonsummertheatre.org>  
**Sent:** 10 March 2022 09:34  
**To:** Andy White; 'Emma Filby'  
**Cc:** Cllr. Giancarlo Guglielmi, Deputy Leader; Damian Williams; Cllr. Michael Talbot, Portfolio Holder for Environment and Public Spaces  
**Subject:** RE: Revised Application for a Tent on the Greensward | Frinton Summer Theatre

Dear Andy

Thank you very much for your email.

Re the Columbine Centre, the land in front of it is referred to locally as Bath House Meadow. Just so you know, Trustees did also consider this but

- a) Operationally it's very low lying and can become marshy/boggy with excess rain. We are of course hoping for a nice summer but....who knows, and we didn't want the risk of a sinking tent!
- b) The more fundamental reason for discounting this however, is that it doesn't fit with the current and historic summer theatre branding/centre of operations if we ran the production in Walton. We've had feedback from residents and theatre goers (and businesses) that they want to keep the production in Frinton.

Going forward, and largely assuming we have a successful season in 2022, the Trustees are developing a longer-term strategy which sees an entity called 'Frinton Theatre' taking productions further out into local communities, working with schools etc whilst still keeping 'Frinton Summer Theatre' alive in Frinton. So our longer term aim is to be more inclusive and have a larger focus on Outreach across Tendring. As I said, this depends on how well we do this year and our success with grant applications.

We would very much like to share this broader strategy with Councillors and Officers when it is ready – it's going to underpin an Arts Council Funding application which Trustees are preparing.

I hope that helps,

Kind regards

Jacey Dias  
Trustee Frinton Summer Theatre

Personal Information redacted -  
AW

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**From:** Andy White <awhite@tendringdc.gov.uk>  
**Sent:** 09 March 2022 20:24  
**To:** Emma Filby <emma@frintonsummertheatre.org>  
**Cc:** Cllr. Giancarlo Guglielmi, Deputy Leader <cldr.gguglielmi@tendringdc.gov.uk>; Jacey Dias <jacey@frintonsummertheatre.org>; Damian Williams <dwilliams@tendringdc.gov.uk>; Cllr. Michael Talbot, Portfolio Holder for Environment and Public Spaces <cldr.mtalbot@tendringdc.gov.uk>  
**Subject:** RE: Revised Application for a Tent on the Greensward | Frinton Summer Theatre

Dear Emma.

Thank you for your detailed information provided.

Colleagues and Councillors will consider the submission and may well have further questions.

For myself I imagined that when we discussed the Columbine Centre as a location it would be one of the grass spaces around the centre, with the tent erected on that rather than the performance being actually in the centre, although on reflection I can see why you considered that as an option.

As you can see I have included Councillor Talbot in this message. I have also forwarded your submission to him by separate email.

I should mention at this stage that our role as council officers has shifted, because of the circumstances, to supporting Councillors, providing information and helping them as required to reach decisions. Councillor Talbot mentioned during our meeting on Monday his practice of discussing potentially contentious decisions with his fellow cabinet members. The opportunity for that presents itself this Friday, 11 March 2022.

I anticipate either Damian or me being able to respond to you in full shortly.

Regards

*Andy White*

Assistant Director: Building and Public Realm  
Tendring DC

**From:** Emma Filby <[emma@frintonsummertheatre.org](mailto:emma@frintonsummertheatre.org)>  
**Sent:** 09 March 2022 19:07  
**To:** Damian Williams <[dwilliams@tendringdc.gov.uk](mailto:dwilliams@tendringdc.gov.uk)>  
**Cc:** Andy White <[awhite@tendringdc.gov.uk](mailto:awhite@tendringdc.gov.uk)>; Cllr. Giancarlo Guglielmi, Deputy Leader <[cllr.gguglielmi@tendringdc.gov.uk](mailto:cllr.gguglielmi@tendringdc.gov.uk)>; Jacey Dias <[jacey@frintonsummertheatre.org](mailto:jacey@frintonsummertheatre.org)>  
**Subject:** Revised Application for a Tent on the Greensward | Frinton Summer Theatre

Dear Damien,

Please find attached a covering letter from Richard Max (Chair of Frinton Summer Theatre Charity), and our revised documents in relation to our application to hold the 50th anniversary production of Lord Andrew Lloyd Webbers Jesus Christ Superstar on the Greensward in Frinton-on-sea in August 2022.

I have included our updated application document as provided by Andy White. I have also included our Project Plan/Proposal document which highlights the various items we discussed at our meeting on Monday. We believe that we have addressed all of the concern that were raised and provided some additional information to support these.

We have also attached an Appendix document which is filled with corresponding evidence and supporting documentation for the items discussed in our project plan. This includes the responses from Town Council (which Ann Oxley followed up on after our meeting on Monday)

I greatly appreciate your time on this. I would also be very grateful if you can come back to me with any question you have. I would hate to receive a decline for the event application over a question that could so easily be answered or clarified.

Very best wishes,

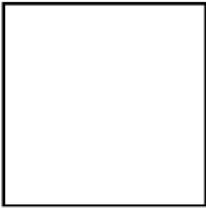
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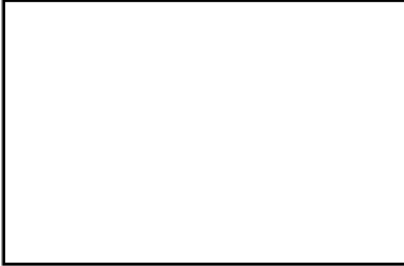
**Emma Filby**  
**Assistant Producer**  
[Emma@frintonsummertheatre.org](mailto:Emma@frintonsummertheatre.org)

MOBILE: Personal Information redacted - AW

Website: [Frintonsummertheatre.org](http://Frintonsummertheatre.org)



Frinton Summer Theatre is a charity - Registration number 1170429  
You can make a donation [Here](#). Your support is greatly appreciated.



Frinton Summer Theatre [Facebook](#)

Frinton Summer Theatre [Twitter](#)

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# Opinio

## We don't want to spoil lovely town

WITH reference to the proposed Summer Theatre tent on the greensward (*Gazette*, March 16, "Outrage over plans for summer theatre big tent") we are awaiting the council's decision on our revised application.

However, we would like to address some points we feel deserve clarification.

First, Frinton Summer Theatre is a non-profit organisation and a charity with the purpose of benefitting the community of Frinton-on-Sea and beyond.

It is not a commercial enterprise and all income made from sales – be it tickets, refreshments, programmes etc. – is used to cover the running costs of the charity.

In this respect, the Frinton Summer Theatre is the same as the Frinton Mission, which has been running successfully (also as a charity) for many years on the greensward. Neither are a "commercial" operation.

Frinton Summer Theatre's previous musical productions in 2018 and 2019 ran for two weeks and two and a half weeks respectively, rather than just "a number of days".

This time we have proposed two options: The first (three weeks) is not significantly different from what has been approved twice before. The second (four weeks) will enable a better outreach programme to be offered.

We always had very positive feedback about the productions in the tent, and never had any complaints about parking, toilets or any other issues that residents might feel concerned about.

We do take these concerns very seriously, and they have formed part of our discussions with Tendring District Council.

Furthermore, many of us are Frinton residents ourselves, who love and appreciate the uniqueness of our town. We would not want to do anything to spoil it.

The reason we applied for a slightly longer timeframe this year is that we want to widen our offer to the community and also to use the tent in a more efficient way during the daytime.

We propose: A children's theatre production of *An Elephant in the Garden*, a play by Michael Morpurgo, author of – among others – *Private Peaceful* and *War Horse*; offering theatre workshops for young adults and children with Special Educational Needs from schools in the area; finally, the tent will host performances by Frinton's new community choir, the Jupiter Singers

We hope this letter dispels any concerns.

**Richard Max**  
**Chair of Trustees of Frinton Summer Theatre**

**Clive Brill**  
**Producer and Artistic Director, Frinton Summer Theatre**

Iconic Jesus Christ Superstar to be performed on Frinton greensward

# Theatre fans 'over the moon' at show plans

A THEATRE director says its supporters are "over the moon" at plans for Sir Andrew Lloyd Webber's spectacular musical Jesus Christ Superstar to be staged in a big tent on Frinton's greensward.

Some town councillors and residents were left enraged by Frinton Summer Theatre's proposal to use the revered greensward for weeks during the summer holidays.

The popular theatre, based at the McGrigor Hall in Fourth Avenue, usually puts on seven plays in seven weeks throughout July and August.

In recent years it has hosted a mu-

By **JAMES DWAN**  
james.dwan@newsquest.co.uk

sical in a big tent on Frinton Greensward for a number of days.

Councillors, who do not want the tranquil seafront spot to be commercialised, were concerned this year's show could go on for up to five weeks, causing parking and other problems for most of the summer holidays.

But Clive Brill, Frinton Summer Theatre's artistic director, said many businesses and theatre-lovers in the town are backing the idea.

"It's certainly true we applied for

slightly longer this time, but it is for three weeks rather than five," he said, "and that will include some outreach work in the community.

"We sell alcohol, under licence from the council, but people need to know that we are a charity - we are not making money on this.

"We have not had problems with parking before and no-one has complained. Businesses in the town love the idea - we walked down Connaught Avenue and every business we spoke to was in favour."

Mr Brill said the theatre was thrilled to get the rights to put on the West End

phenomenon Jesus Christ Superstar. "We are incredibly fortunate to get the rights," he said. "It just happened that because of Covid the rights were available.

"We have a good relationship with Andrew Lloyd Webber's company - and they liked our production of Tell Me On a Sunday last year.

"For me it's a passion project and our supporters are over the moon about it."

It is hoped the show will be staged in August if the theatre is granted permission to use the greensward by Tendring Council.

**RECORD OF EXECUTIVE DECISION**

Date	Decision Maker	Decision	Reason(s) for Decision	Alternative Options Considered	Conflicts of Interest Declared <small>(and Dispensations granted by the Monitoring Officer)</small>	Consultation with relevant Ward Member(s)  Yes/No	Subject to Call-in?  Yes/No
01 April 2022	PORTFOLIO HOLDER FOR ENVIRONMENT AND PUBLIC SPACE	To give consent for the use of the section of Greensward identified between <del>08/14</del> August 2022 and 05 September 2022 by the Frinton Summer Theatre.	To facilitate the provision of productions and activities by the Frinton Summer Theatre. The shorter timescale preferred having listened to local concerns.	Not granting consent, alternative timing, alternative locations	None	Yes	Yes

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**URGENT DECISIONS ONLY (If non-urgent go to "Agreement to Decision" below):-**

<b>GENERAL EXCEPTION APPLIES?</b> <small>(Rule 14 Access to Information Procedure Rules)</small>	YES/NO	If yes, has at least 5 clear days notice been given to the Chairman of the relevant overview and scrutiny committee?	YES/NO
<b>SPECIAL URGENCY APPLIES?</b> <small>(Rule 15 Access to Information Procedure Rules)</small>	YES/NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?	YES/NO
<b>EXEMPTION FROM CALL-IN APPLIES?</b> <small>(Rule 18i Overview and Scrutiny Procedure Rules)</small>	YES/NO	If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?	YES/NO
<b>URGENT &amp; OUTSIDE BUDGET OR POLICY FRAMEWORK?</b> <small>(Rule 6 Budget and Policy Framework Procedure Rules)</small>	YES/NO	If yes, why is it not practical to convene a quorate meeting of full Council?	
		If yes, has the Chairman of the relevant overview and scrutiny committee's consent been obtained?	YES/NO

**AGREEMENT TO DECISION:-**

Signed:-  ..... <i>Signed by the Portfolio Holder</i> ..... Decision Maker	Date:-  ..... <i>01 April 2022</i> .....	Delegated Power Reference (in Part 3 of the Constitution):-  ..... <i>3.33 Open Spaces</i> .....
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**Original signed copy to be retained by Service.  
Electronic copy to be sent to (Committee Services) for publication.**

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## RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

17 OCTOBER 2022

### REPORT OF THE ASSISTANT DIRECTOR FINANCE & IT

#### **A.3 FINANCIAL OUTTURN 2021/22**

(Report prepared by Richard Barrett)

##### **PURPOSE OF THE REPORT**

To provide an overview of the Council's financial outturn for the year 2021/22 and the allocation of the associated General Fund Variance for the year.

##### **BACKGROUND**

On 15 July 2022 Cabinet considered the Financial Outturn 2021/22 and it was resolved that Cabinet:

- (a) *notes the financial outturn position for 2021/22, as set out in the Portfolio Holder's report and its appendices;*
- (b) *approves the financing of General Fund capital expenditure for 2021/22, as detailed in Appendix D to the Portfolio Holder's report;*
- (c) *approves the movement in uncommitted and earmarked General Fund reserves for 2021/22, as set out in Appendix E to the Portfolio Holder's report;*
- (d) *notes the requested carry forwards totalling £17.890m (£12.948m Revenue, COVID Funding £1.077m (net) and £3.865m Capital), as was set out in Appendix K to the Portfolio Holder's report;*
- (e) *authorises the Section 151 Officer, in consultation with the Portfolio Holder for Corporate Finance and Governance, to approve the carry forwards with the outcome to be reported to Cabinet in September 2022;*
- (f) *in respect of the HRA, approves the movement on HRA balances for 2021/22 including any commitments set out within Appendices H and/or I to the Portfolio Holder's report, along with recharges to the HRA from the General fund of £2.543m for the year and the financing of the HRA capital expenditure set out in Appendix I to the Portfolio Holder's report;*
- (g) *approves the use of £0.050m from HRA General Balances to meet the cost of additional improvements to the Council's Housing Repairs and Maintenance system in 2022/23;*
- (h) *notes the various COVID 19 grant funding amounts set out in Appendix K (ii) to the Portfolio Holder's report and approves the use of the funding as set out in that same Appendix and main body of the report and authorises the Portfolio Holder for Corporate Finance and Governance to agree further allocations from this funding where it supports the on-going recovery from the COVID19 pandemic;*
- (i) *approves the overall General Fund Outturn Variance for the year of £0.252m being transferred to the existing contingency budget for further consideration as part of the updated Financial Forecast and Quarter 1 position for 2022/23 that will be presented*

to Cabinet in September 2022;

- (j) *approves the use of £0.900m from the funding received from Local Health Partners to deliver the improvements set out in the Portfolio Holder's report, and authorises the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for Housing, to implement the associated schemes and projects;*
- (k) *approves an additional exemption from procurement rules to regularise the additional cost of £0.033m to deliver the Octopus Ahoy sculpture trail in 2021/22;*
- (l) *delegates approval of the identification of the necessary additional funding to support the delivery of the new artificial pitch at Clacton Leisure Centre to the Portfolio Holder for Corporate Finance and Governance; and*
- (m) *authorises the Council's Section 151 Officer, in consultation with the Corporate Finance and Governance Portfolio Holder, to adjust the outturn position for 2021/22 along with any corresponding adjustment to earmarked reserves as a direct result of any recommendations made by the Council's External Auditor during the course of their audit activities relating to the Council's 2021/22 accounts.*

The report submitted to Cabinet referred to above is attached as **Appendix A**.

#### **RECOMMENDATION**

**That the Resources and Services Overview and Scrutiny Committee considers the report set out as Appendix A and determines whether it has any recommendations it wishes to put forward to the relevant Portfolio Holder or Cabinet.**

#### **APPENDICES**

**Appendix A – Financial Outturn 2021/22 (considered by Cabinet on 15 July 2022)**

## CABINET

15 JULY 2022

### REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER

#### A.6 FINANCIAL OUTTURN 2021/22

(Report prepared by Richard Barrett and the Accountancy Team)

#### PART 1 – KEY INFORMATION

##### **PURPOSE OF THE REPORT**

To provide an overview of the financial outturn for the year 2021/22 and to seek approval of associated financial decisions related to the end of year accounting processes.

##### **EXECUTIVE SUMMARY**

###### **INTRODUCTION**

In previous years, the outturn position has been agreed by the Corporate Finance and Governance Portfolio Holder following which the allocation of the overall actual outturn figure for the year is considered at a subsequent meeting of Cabinet. However, given the on-going and favourable change to the timing of the Statement of Accounts, only a Cabinet report has been prepared this year, which covers all of the previous elements of the Portfolio Holder Report along with the allocation of the outturn position for the year, which remains a Cabinet function.

There has been a significant adverse impact on a number of budget areas in 2021/22 some of which would have been highlighted in the quarterly financial performance reports presented to Members earlier in the year, e.g. the operational difficulties at the Crematorium. However, a number of further adverse budget issues within Services only came to light as part of finalising the outturn position for the year. This has potential major consequences on the Council's financial position. Although the issues have been accommodated within the overall outturn position for the year, they have significantly reduced the available outturn variance at the end of 2021/22. This has an 'knock on' impact on the ability to respond to significant financial issues the Council faces in 2022/23 and beyond as set out later on in this report along with the ability to timely invest in its priorities and objectives going forward. A repeat of this situation must be avoided in 2022/23.

Given the severity of this situation, the Chief Executive has now established regular Budget, Performance and Delivery Review meetings with Senior Managers. Assurances around this issue were also considered by the Audit Committee who met on 30 June 2022.

As set out in the report considered by the Audit Committee, these regular Budget, Performance and Delivery Review meetings will consider the following key issues throughout the year:

- High level review of the in-year budget position for each Directorate / Department, which needs to aim to draw out any potential financial issues ahead of the associated impact on the budget e.g. potential overspends, underspends and / or other financial issues / pressures;
- following on from the point above, to promote and oversee any associated decision making / governance processes;
- to identify financial pressures that may impact on the Council's long term financial plan;
- to promote connections / linkages with the recently implemented Corporate

Investment Plan;

- to review the in-year performance against the Council's key aims and objectives and other key delivery targets;
- to identify and oversee any other key governance issues; and
- set against all of the above, keep under on-going review the level of resources / capacity to meet the various demands on the Council's departments and services.

Further updates will be presented to Members as part of the quarterly Financial Performance monitoring reports during 2022/23.

### **Outturn 2021/22**

Following the completion of the comprehensive end of year processes, the financial outturn position for 2021/22 has been prepared across the various areas of the budget with a summary of the position set out below.

#### **Summary by Key Areas of the Budget**

Key Area	Outturn Position
<b>General Fund</b>	
<b>General Fund Revenue</b> - Overall favourable variance after allowing for the carry forwards requested by services	<b>(£0.252m)</b>
<b>Capital Programme</b> – Overall adverse net variance after allowing for carry forwards requested by services.	<b>£0.148m</b>
<b>Housing Revenue Account</b>	
Net Deficit for the year met from calling money out of HRA General Balances (over and above the budgeted use of the reserve)	<b>£0.079m</b>
<b>General Fund Reserves (excluding requested carry forwards)</b>	
<b>Earmarked Reserves –</b>	
Reduced use of reserves compared to budget	<b>nil</b>
Additional Contributions to reserves compared to the budget ( <i>excluding carry forwards</i> )	<b>£0.337m</b>
<b><i>There was no change in the level of the Uncommitted Reserve which remains at £4.000m</i></b>	

### **Reserves**

The Council's overall general fund reserves total **£38.071m** at 31 March 2022. However, **£34.071m** is in respect of earmarked reserves, which relate to future years commitments (including the 2021/22 carry forwards requested by services). The total earmarked reserves also include the balance on the Forecast Risk Fund of **£3.205m**, which is in-line with the amount required to support the long term financial sustainability plan. Earmarked reserves are predominantly for previously identified priorities of the Council.

The balance of **£4.000m** is the level of uncommitted reserves, which includes a working balance requirement of **£1.600m**. This level of uncommitted reserves matches that previously approved.

It is important to highlight that in addition to the earmarked reserves figures highlighted above, there were also various COVID 19 funding streams received by the Council during the year, which will need to be carried forward into 2022/23 to meet any associated costs or to be repaid to the Government. **Appendix K (ii)**, provides a high level summary of the most up to date position against the various COVID 19 grant funding schemes. Further details are set out within the same appendix and further on in this report in respect of the proposed use of this funding as part of the outturn 2021/22 and in 2022/23.

In respect of the HRA, further details behind the variance set out in the table above are discussed in more detail further in this report along with a request to utilise **£0.050m** from HRA General Balances in **2022/23** to fund improvements to the Council's Housing Repairs and Maintenance System.

### **Financial Challenges 2022/23 and Beyond**

Global factors are continuing to have a major impact on the economy and in turn the financial position of the Council. A number of challenges lay ahead including local issues, some of which are likely to not only have an impact in 2022/23, but are also likely to continue into 2023/24 and beyond. Some examples of the financial pressures faced by the Council include:

- On-going impact from the closure of the Crematorium
- Utility / Fuel costs
- General Inflation
- Increases in the cost of delivering capital projects – key issues relating to supply chain / commodity price pressures. This may also have an impact on 'usual' operational costs of the Council.
- Increases in salary costs

Although there are likely to be additional financial pressures over and above the items listed, this relatively limited list of items could alone see additional costs in excess of **£2.000m** over current budgets. This could have a significant impact on not only day to day service delivery but also on the scale and speed that the Council can invest in its priorities.

It is important to highlight that our suppliers and contractors are also likely to experience similar cost pressures, which could have a 'knock on' impact on their ability to continue to fulfil contractual obligations. With this in mind, Departments are being asked to review their business continuity plans to ensure that they are robust and effective if faced with such events.

The Corporate Investment Plan was originally planned to be presented to Cabinet at the same meeting as this report. However, work is underway as part of informing the Financial Performance Report for the first quarter of 2022/23 and it is therefore felt prudent to have a clearer position on the potential financial impacts faced by the Council in light of the outturn

## A.3 APPENDIX A

position and emerging financial pressures before any further investment decisions can be considered for funding from the Corporate Investment Reserve.

The Corporate Investment Plan will therefore be presented to the September 2022 meeting of Cabinet alongside the updated Financial Forecast and in-year position for 2022/23.

The 2022/23 financial forecast will be supported by a zero based approach to budget setting, which will be an even more important element of the budget setting process going forward and will also need to reflect the outturn position for 2021/22.

Following on from the discussions above, additional costs associated with the delivery of the new artificial pitch at Clacton Leisure Centre are already being anticipated. To provide the flexibility to respond to this issue whilst maintaining momentum behind the timely delivery of the project that is being undertaken in partnership with the Football Foundation, a delegation is included within the recommendations to enable the Portfolio Holder for Corporate Finance and Governance to explore with Officers how these additional costs could be met. An update will be provided as part of the Corporate Investment Plan report that will be presented to Cabinet in September.

As set out later on in this report, it is proposed to use **£0.900m** of funding received from our Local Health Partners to deliver a range of projects within Jaywck Sands in 2022/23.

In addition to the above, an additional exemption from procurement rules is included in the following recommendations to regularise the additional costs of the Octopus Ahoy Sculpture Trail in 2021. An original procurement exemption was agreed earlier in the year based on expected costs of **£0.100m**, with the proposed additional exemption decision now covering the final cost of **£0.133m**.

### **Use of Outturn Variance for the Year**

Given the position highlighted above, it is proposed to allocate the overall favourable variance for the year of **£0.252m** to the existing contingency budget of **£0.322m**. This will therefore form part of the Council's financial planning going forward, with the next update being presented to Cabinet in September as mentioned above.

### **RECOMMENDATION(S)**

**That Cabinet:**

- (a) notes the financial outturn position for 2021/22 as set out in this report and appendices;**
- (b) approves the financing of General Fund capital expenditure for 2021/22 as detailed in Appendix D;**
- (c) approves the movement in uncommitted and earmarked General Fund reserves for 2021/22 set out in Appendix E;**
- (d) notes the requested carry forwards totalling £17.890m (£12.948m Revenue, COVID Funding £1.077m (net) and £3.865m Capital) as set out in Appendix K;**
- (e) subject to (d) above, delegates the approval of the carry forwards to the S151 Officer in consultation with the Portfolio Holder for Corporate Finance and Governance, with the outcome reported back to Cabinet in September;**

(f) in respect of the HRA, approves the movement on HRA balances for 2021/22 including any commitments set out within Appendices H and/or I along with recharges to the HRA from the General fund of £2.543m for the year and the financing of the HRA capital expenditure set out in Appendix I;

(g) that subject to (f) above, approves the use of £0.050m from HRA General Balances to meet the cost of additional improvements to the Council's Housing Repairs and Maintenance system in 2022/23;

(h) that subject to the above, notes the various COVID 19 grant funding amounts set out in Appendix K (ii) and approves the use of the funding as set out in the same Appendix and main body of this report;

(i) that subject to the above, approves the overall General Fund Outturn Variance for the year of £0.252m being transferred to the existing contingency budget for further consideration as part of the updated Financial Forecast and Q1 position for 2022/23 that will be presented to Cabinet in September;

(j) approves the use of £0.900m from the funding received from Local Health Partners to deliver the improvements set out later on in this report, along with a delegation to the Director for Operations and Delivery to implement the associated schemes and projects in consultation with the Portfolio Holder for Housing;

(k) approves an additional exemption from procurement rules to regularise the additional cost of £0.033m to deliver the Octopus Ahoy sculpture trail in 2021/22; and

(l) agrees to a delegation to the Council's S151 Officer, in consultation with the Corporate Finance and Governance Portfolio Holder, to adjust the outturn position for 2021/22 along with any corresponding adjustment to earmarked reserves as a direct result of any recommendations made by the Council's External Auditor during the course of their audit activities relating to the Council's 2021/22 accounts.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

Careful planning to ensure financial stability underpins the Council's capacity to deliver against its priorities. Both the capital and revenue budgets of the authority are prepared and monitored with the aim of supporting key objectives. The outturn position reflects this process and supports the successful financial planning process.

### FINANCE, OTHER RESOURCES AND RISK

#### Finance and other resources

The main financial implications for each section of the Council's accounts are as set out in this report.

#### Risk

Although there are no direct risks associated with the outturn position, there are various 'knock on' risks to the Council's financial position going forward which are set out elsewhere within this report. As highlighted, the financial position for 2022/23 and 2023/24 and beyond will be reviewed in light of the outturn, with an updated position reported to Cabinet in September as part of the Financial Performance Report for Q1 2022/23.

### LEGAL

The Council is legally required to calculate a Council Tax requirement each financial year. Within this framework is the requirement to monitor and report accordingly on the financial position of the authority against this requirement.

The outturn position set out in this report and the actions proposed are within the Council's powers and reflect the statutory requirements and responsibilities of the Council in the preparation of its accounts.

The approval of the outturn position each year is delegated to the Corporate Finance and Governance Portfolio Holder, which is followed by a subsequent meeting of Cabinet where the allocation of the overall outturn variance for the year is agreed.

However, as set out earlier in this report, given the revised timing of the preparation of the Statement of Accounts, only one Outturn Report has been prepared for the consideration of Cabinet this year, that addresses both the items that would have been previously agreed by the Portfolio Holder for Corporate Finance and Governance and the allocation of the overall outturn variance for the year, which has always remained a Cabinet function.

### OTHER IMPLICATIONS

**Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.**

**Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.**

Although there are no direct equality and diversity issues, the overall Financial Strategy and budget process aims to recognise any such issues where appropriate within the Council's wider Financial Framework.

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

The Financial Outturn for 2021/22 forms the basis of the information included in the Council's Statement of Accounts which will be published 'Subject to Audit' by the end of July 2022. The external audit of the Statement of Accounts is required to be completed by the end of November 2022.

Details around specific items such as Revenue, Capital, Reserves and Carry Forwards are set out in the following separate sections of the report along with the appendices.

### GENERAL FUND REVENUE OUTTURN 2021/22 – A DETAILED ANALYSIS

The following table sets out a summary of the outturn position after taking into account the carry forwards / commitments requested by services discussed further on in this report. A more detailed Portfolio and Departmental analysis is set out within the appendices.



## Overall Summary of General Fund Revenue Account Outturn 2021/22

	Budget	Outturn	Variance
	£m	£m	£m
<b>Total Net Outturn Position</b> <i>(after requested carry forwards and reserves adjustments)</i>	<b>7.616</b>	<b>7.708</b>	<b>0.092</b>
<b>Financing</b>			
Business Rates	(4.599)	(4.943)	<b>(0.344)</b>
Revenue Support Grant	(0.431)	(0.431)	<b>0</b>
Council Tax (including Collection Fund)	(2.586)	(2.586)	<b>0</b>
<b>Total</b>	<b>(7.616)</b>	<b>(7.960)</b>	<b>(0.344)</b>
<b>Total Variance for 2021/22</b> <i>(Contribution to the Contingency Budget via Reserves)</i>			<b>(0.252)</b>

A number of issues emerging earlier in the year were addressed via the quarterly financial performance reports and are therefore reflected in the budget rather than being presented as a variance at the end of the year. In addition, a number of the variances that have remained at the end of the year have already been highlighted via the in-year financial performance reports.

It is important to highlight that there are a number of adverse variances at the end of the year with departments spending more than budgeted by over **£1.000m** when aggregated. This is a significant issue, as in effect the expenditure did not follow the necessary decision making processes before the actual expenditure was incurred. This is a situation that cannot be repeated in 2022/23, given the issues highlighted within the Executive Summary earlier on in this report. With this in mind, the Chief Executive has established regular Budget, Performance and Delivery meetings to identify at the earliest opportunity where key financial decisions may be required during the year. The adverse issues have in effect been regularised as part of this outturn report, which were supported, by a number of emerging favourable variances that also emerged at the end of the fourth quarter.

**Appendix C** sets out the detailed outturn position across the three departments, with the net variance shown in column (e) of that appendix. The net variance has been further analysed by direct costs and indirect costs and is set out in columns (f) and (g) of the same appendix. Indirect costs continue to include a number of technical accounting adjustments such as those relating to pension costs.

A departmental headline outturn summary is set out in **Appendix A**, which highlights the key variances within each of the three departments.

**COVID 19 Grant Funding**

As set out in reports, a significant level of COVID 19 funding was made available by the Government and ECC to support a number of associated activities. This has ranged from general new burdens funding to specific funding relating to business support grants and

business adaptation grants. A comprehensive summary of the various COVID 19 grants paid to the Council and its use is set out in **Appendix K (ii)**

The Council has remained committed to ensuring that any money that does not have to be returned to the Government or ECC is, in the first instance, made available to form part of supporting the district's recovery from the COVID 19 pandemic with any unspent amounts proposed to be carried forward to enable associated activities to continue in 2022/23. This primarily applies to the COVID 19 New Burdens Grant funding set out at the top of **Appendix K (ii)**, with a total of £850k being requested to be carried forward into 2022/23.

In addition, set out within **Appendix K (ii)** is how this COVID 19 New Burdens grant funding has been used in 2021/22. Full details are set out at the bottom of that appendix which includes a number of items that form part of the agreement to the overall outturn position for 2021/22. This includes the allocation of **£0.059m** in 2022/23 to support a number of previously successful Summertime plan activities over the coming months.

In addition to the amounts set out in **Appendix K (ii)**, the Council also received grant funding as part of the Government's Sales, Fees and Charges Compensation Scheme. The 2021/22 scheme only covered the first quarter of the year, with **£0.247m** being the reconciled figure for the year that will be claimed from the Government. This is based on the Government covering 75% of income 'lost' after a deductible of 5%.

### **Allocation of the Overall Outturn Variance for the Year**

As discussed earlier in this report, it is proposed to transfer the overall favourable variance for the year of **£0.252m** to the existing Contingency Budget of **£0.322m**, which can therefore be utilised to support the budget in 2022/23 and beyond. This will form part of further financial considerations as part of the Quarter 1 Financial Performance Report that will be presented to Cabinet in September.

During the external audit of the Council's Accounts over the coming months, adjustments or amendments may be recommended by the Council's External Auditor. Although subject to the actual adjustments that may be recommended by the Auditor, they may have a direct impact on the overall outturn position for the year rather than be just presentational changes. They would then be included in the Statement of Accounts that would be presented to the Audit Committee later in the year for approval. To enable the right level of flexibility in responding to any changes recommended by the External Auditor, a delegation is included in the recommendations above to enable the Council's S151 officer, in consultation with the Corporate Finance and Governance Portfolio Holder, to make the necessary adjustments to the 2021/22 outturn position.

### **Other Issues**

As part of the Corporate Investment Plan Report that was considered by Cabinet in March, the following was agreed:

*"the acceptance of a grant from our Local Health Partner of £1.65m, and requests Officers to continue to develop schemes and projects that can be supported by this funding for consideration within the Corporate Investment Plan process."*

In response to the above, Officers are continuing to develop a number of associated projects in Jaywick Sands, which include the following:

- Addressing poor quality housing
- Environmental / Waste Clean-ups

## A.3 APPENDIX A

- Open and Green Spaces

The above programme of works is supported by **£0.900m** of the **£1.650m** mentioned above. It is proposed to develop these projects further, with a delegation to the Director for Operations and Delivery in consultation with the Portfolio Holder for Housing to enable their implementation as soon as possible. An update will be included within the Corporate Investment Plan that will be presented to Cabinet in September.

During 2021/22, a procurement exemption was obtained to enable the delivery of a sculpture trail across the District. The final costs incurred totalled **£0.133m**, which was **£0.033m** more than the price of **£0.100m** that was set out in the associated procurement decision. A recommendation is therefore set out above that regularises this difference, which was identified as part of the finalising the outturn for the year.

### GENERAL FUND CAPITAL OUTTURN POSITION FOR 2021/22

Full details of the outturn position for each scheme together with the total carry forwards requested are set out in **Appendix D**. However a summary is set out in the following table:

	<b>Budget 2021/22</b>	<b>Outturn 2021/22</b>	<b>C/Fwd</b>	<b>Remaining Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>GF Capital Expenditure</b>	16,508,570	4,308,200	12,439,830	239,460

### Financing the Capital Programme

A summary of the proposed financing of the capital expenditure in 2021/22 is set out in the following table, with a more detailed analysis being provided in **Appendix D** to this report:

	<b>Budget 2021/22</b>	<b>Outturn 2021/22</b>	<b>To Fund C/fwds</b>	<b>Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
External Contributions	(852,090)	(141,114)	(710,980)	(4)
S106	(5,790)	(640)	(5,150)	0
Government Grants	(8,082,080)	(1,130,057)	(7,043,060)	(91,037)
Capital Receipts	(815,060)	0	(815,060)	0
Revenue Contributions	(2,243,220)	(222,010)	(2,170,910)	(149,700)
Use of Earmarked Reserves	(4,510,330)	(2,814,379)	(1,694,670)	1,281
<b>Total</b>	<b>(16,508,570)</b>	<b>(4,308,200)</b>	<b>(12,439,830)</b>	<b>(239,460)</b>

As set out in the second table above, additional government grant of **£0.091m** became available to support the Cliff Stabilisation Scheme along Clacton and Holland Seafront. After taking this into account, along with a number of small favourable variances, the overall capital programme was overspent by **£0.148m**. As set out with **Appendix A1**, this relates to the Clacton Leisure Centre and the Cliff Stabilisation Schemes, which has required an additional contribution to be

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made to the capital programme from the revenue budget to fully fund these two projects in 2021/22.

The overall budget for the year takes into account adjustments that have occurred since the position was last reported to members within the Q3 financial performance report. These adjustments have been reflected in the outturn position presented in **Appendix D** as part of agreeing the overall outturn figures for the year.

### GENERAL FUND REVENUE AND CAPITAL CARRY FORWARDS INTO 2022/23

It is recognised that due to the size, nature and lead-in times of some schemes, expenditure can span financial years with some schemes not completed by the 31 March in any one year. Therefore commitments for goods and services are likely to remain outstanding at the 31 March each year, examples of which include uncompleted work that the Council has a contractual obligation against or the project is either currently underway or will be started shortly with payment dates or trigger points within the process yet to be reached, finalised and paid.

All carry forwards requested by services have been reflected in the year end position and are shown in **Appendices C and D**. These broadly follow the principles applied in previous years such as:

- There is a 'contractual commitment';
- There is a related long term project which is expected to span a number of financial years;
- There is non-recurring item for which no budget provision exists in the following year;

In addition to the qualifying carry forwards under the above criteria, there will also be a number of requests to carry money forward to support initiatives and projects that although not strictly complying with the above criteria, it could be advantageous for them to be agreed as they further the delivery of priorities etc.

The total amount of money that is subject to a request by the relevant Service to carry it forward into 2022/23, is as follows:

Area of the Budget	Total Carry Forwards Requested
General Fund Revenue – General (Excl. COVID 19 Grant Funding) ( <b>Appendix Ki</b> )	£12,948,570
General Fund Revenue – <b>NET</b> COVID 19 Grant Funding ( <b>Appendix Kii</b> )	£1,076,640
General Fund Capital Schemes (Contributions from Earmarked Reserves and Direct Revenue Contributions) ( <b>Appendix D</b> )	£3,865,580
<b>TOTAL</b>	<b>£17,890,790</b>

In light of the challenging financial position faced by the Council in 2022/23 and beyond as discussed earlier, all of the requested carry forwards are currently being considered further in consultation with Departments. If any carry forwards are deemed essential to continue the delivery of the associated projects and they fit the key criteria highlighted above, then a delegation is included within the recommendations to enable these to be agreed by the S151 Officer in consultation with the Portfolio Holder for Corporate Finance and Governance. The

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outcome from this review will also be included within the Financial Performance Report for Q1 2022/23 that will be presented to Cabinet in September, which will include a review of any items not agreed under the above delegation.

In terms of the amounts set out in **Appendix K (ii)**, which relate to external COVID 19 grant funding from the Government / ECC, the majority of this money is returnable to the Government / ECC in 2022/23 following associated reconciliation processes. In terms of the money returnable, this is due to the fact that the Council received money 'on account' for the various schemes where the actual cost / demand was unknown. The money returnable therefore primarily reflects this difference rather than any local issues in rolling out the various grant schemes.

Within the overall COVID 19 funding made available, **£2,276,130** relates to a General New Burdens Grant to support Local Authorities throughout the period of the COVID 19 pandemic and beyond. **£1,425,620** of this funding has been used as set out at the end of **Appendix K (ii)**, some of which would have been subject to earlier decisions during the year, with others forming part of finalising the outturn position for 2021/22. Therefore, the recommendations seek approval of the expenditure set out at the end of **Appendix K (ii)** along with an additional **£59,000** to support the previously successful Summertime Plan in 2022.

The balance remaining against this New Burdens Funding is **£791,510** (after allowing for the **£59,000** highlighted above). The use of this funding will be considered by Cabinet as part of the Financial Performance Report for Q1 2022/23 in September.

### GENERAL FUND RESERVES OUTTURN POSITION FOR 2021/22

Earmarked reserves are shown in more detail in **Appendix E** and include the adjustments set out elsewhere in this report.

The change in the budgeted net use of earmarked reserves of **£18.480m** takes into account the proposed level of revenue and capital carry forward requests. The change in reserves also includes the overall outturn variance of **£0.252m**, which is proposed to be transferred to the existing Contingency Budget in 2022/23 via the Revenue Commitments Reserve. The overall change in the budgeted use of reserves also includes an amount of **£0.337m** which is the amount required to 'top up' the contributions to the forecast risk fund to meet the **£0.500m** committed to pay into this reserve each year that in turn supports the long term forecast.

The overall level of reserves at the end of 2021/22 is **£38.071m**, made up of **£18.662m** for commitment reserves, **£15.449m** for other earmarked reserves and **£4.000m** for uncommitted reserves.

Within the **£15.449m** other earmarked reserves figure mentioned above, an amount totalling **£4.998m** is included, which supports the on-going technical adjustment associated with the accounting treatment of COVID 19 business rate reliefs, that also forms part of the overall collection fund figures.

In terms of the overall level of reserves, it should be noted however, that transfers to earmarked reserves are not an increase in the Council's longer-term unallocated general resources as it relates to future years commitments. It is important to highlight that the Council has 'cash-backed' the delivery of its priorities rather than being based on an assessment of affordability at some time in the future, with delivery planned to continue on a range of schemes / projects.

The Financial Strategy has continued to aim to maintain the Uncommitted Reserve, including

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the minimum working balance of **£1.600m**, at **£4.000m**. At 31 March 2022, the uncommitted reserve stands at **£4.000m** so it remains in line with this requirement.

### INCOME COLLECTION PERFORMANCE AND INCOME FROM S106 AGREEMENTS

The position against council tax, business rates, housing rents and general debt is set out in **Appendix F**.

As reported at the start of the year, 2021/22 was the start of the transition back to pre-pandemic collection performance and with this in mind, it is helpful to see a largely improving position in 2021/22 compared to 2020/21 across the various major income streams set out within **Appendix F**.

The overall business rates income position for the year was also supported by remaining a member of the Essex Business Rates Pool. The overall benefit of being a pool member was **£0.622m** in 2021/22, which was partly offset by an additional 'levy' payable to support other pool members who had experienced a reduction in estimated business rate income during the year. As set out in **Appendix A.1**, there was still a net overall favourable position against business rates of **£0.533m**. It is however, worth highlighting that the final position for the pool remains subject to an ongoing reconciliation process across the pool members. The Council remains a member of the pool in 2022/23, which provides the opportunity to accommodate any further changes to the 2021/22 position if they arise as part of this on-going reconciliation process.

In terms of how the collection performance for Council Tax and Business Rates translates into the corresponding collection fund positions, this was more positive than originally budgeted, with the position being **£0.270m** and **£0.933m** ahead of expectations respectively at the end of March 2022. The end of year amounts retained within the collection fund therefore provide a strengthened position heading into 2022/23 and 2023/24.

Details around the use of income from S106 agreements is set out in **Appendix G**. There are no significant issues to highlight and no money was returned to developers during the year.

### A REVIEW OF THE HRA OUTTURN POSITION FOR 2021/22

The Housing Revenue Account (HRA) reflects a statutory obligation to account separately for the income and expenditure arising from the Council's landlord functions.

A summary of the Council's Housing Revenue Account for 2021/22 is set out in the table below with a more detailed analysis provided in **Appendix H** to this report.

	<b>Budget 2021/22</b>	<b>Outturn 2021/22</b>	<b>Variance</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
Expenditure	6.679	6.800	0.121
Income	(13.696)	(13.572)	0.124
Indirect Income / Expenditure	8.003	6.880	(1.123)
<b>Net Use of HRA Reserves</b>	<b>(0.985)</b>	<b>(0.108)</b>	<b>0.877</b>
<b>Total HRA General Balance as at 31 March 2022</b>			<b>4.246</b>

*Net use of HRA Reserves includes a contribution from HRA General Balances of £0.202m (which includes the deficit position for the year of £0.079m set out below).*

### Housing Revenue Account Overview

The outturn position for the year was an overall deficit of **£0.079m**, with more detailed figures set out in **Appendix H**.

There were a limited number of key issues behind this overall variance, many of which were highlighted earlier in the year and include:

#### 1) Rents Receivable - £0.056m

Although income was lower than budgeted by the above amount, it reflects a significant improvement when compared to 2020/21, with 2021/22 seeing continuing improvements in the level of voids. This position was supported by regular review meetings chaired by the Chief Executive and attended by Senior Officers and relevant Portfolio Holders.

The Service continues to work on delivering a void rate in-line with the pre-pandemic rate of 2%. Further updates will continue to be presented via the quarterly Financial Performance reports during 2022/23.

#### 2) Council Tax Payable on Empty Properties - £0.097m

As reported earlier in the year, the level of void periods has a knock on impact on the council tax payable for periods when the properties are untenanted, with the figure above reflecting the final position for the year.

There were a number of additional items, which reflect a mix of favourable and adverse variances including additional expenditure on housing repairs of **£0.075m**.

General Fund recharges to the HRA totalled **£2.543m**, an increase of **£0.093m** against the budget for the year. Agreement to this level of recharge forms part of the recommendations set out earlier on in this report.

Taking the above into account, along with aggregate of other variances at the end of the year, the overall deficit on the HRA is **£0.079m**. This amount has therefore been 'drawn down' from general balances along with the budgeted use of the same reserve of **£0.123m** resulting in a total use of reserves of **£0.202m**.

### HRA Capital Programme

A summary of the Council's HRA Capital Programme for 2021/22 is set out in the table below with a more detailed analysis provided in **Appendix I** to this report.

	<b>Budget 2021/22</b>	<b>Outturn 2021/22</b>	<b>C/Fwd</b>	<b>Remaining Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>HRA Capital Expenditure</b>	10,255,690	4,316,789	5,869,500	(69,401)

### Financing the HRA Capital Programme

A summary of the proposed financing of the capital expenditure in 2021/22 is set out in the following table, with a more detailed analysis being provided in **Appendix I** to this report:

	<b>Budget 2021/22</b>	<b>Outturn 2021/22</b>	<b>To Fund C/fwds</b>	<b>Variance</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>

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Major Repairs Reserve	(3,957,200)	(3,088,465)	(801,830)	66,905
Revenue funding from the HRA	(1,143,680)	(187,410)	(956,270)	0
Capital Receipts	(67,600)	(67,600)	0	0
S106	(1,110,030)	(774,150)	(333,380)	2,500
External Contributions	(3,977,180)	(199,164)	(3,778,020)	(4)
<b>HRA Total</b>	<b>(10,255,690)</b>	<b>(4,316,789)</b>	<b>(5,869,500)</b>	<b>69,401</b>

The overall variance of **£0.069m** is largely due to the timing and programme of works along with no expenditure being incurred against the cash incentive scheme. Capital Works will continue in 2022/23 and beyond supported by the Major Repairs Reserve within a wider stock condition / refurbishment programme.

As set out within the **Appendix I**, additional expenditure of **£0.055m** was incurred in completing of the 10 new homes in Jaywick Sands, the cost of which has been accommodated within the overall capital programme in 2021/22.

**Appendix I** reflects changes to the financing of the capital programme made as part of the outturn position for the year to maximise the benefit from the use of S106 or 1-for-1 capital receipts. Therefore agreeing the outturn position as set out in this report regularises these changes.

### HRA Balances and Reserves

The overall level of HRA General Balances has reduced to **£4.246m**. Full details of HRA Reserves are set out in **Appendix J**, which reflect the adjustments discussed above.

### Other Issues Relating to the HRA

The in-house housing repairs team operate a job management system, which has been the subject of on-going implementation over the last year. It is proposed to purchase a number of additional modules to strengthen internal control arrangements and efficiencies in the delivery of the service. It is important to implement these additional modules as soon as possible as they support a number of improvement actions recently identified by Internal Audit that were discussed at the Audit Committee meeting on 30 June 2022. It is estimated that the cost of implementing these changes to the system will be **£0.050m**. It is proposed to fund these from the HRA General Balance above of **£4.246m**, which is reflected in the recommendations earlier on in this report.

### BACKGROUND PAPERS FOR THE DECISION

None

### APPENDICES

**Appendix A (1 - 3)**      **Key Outturn Variances by Department 2021/22**

**Appendix B**              **GF - Portfolio / Department Outturn Summary 2021/22**



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<b>Appendix C</b>	<b>GF – Revenue Departmental / Directorate Outturn 2021/22</b>
<b>Appendix D</b>	<b>GF - Capital Outturn 2021/22</b>
<b>Appendix E</b>	<b>GF - Reserves</b>
<b>Appendix F</b>	<b>Collection Performance – Council Tax, Business Rates, Housing Rents and General Debts</b>
<b>Appendix G</b>	<b>Income from S106 Agreements</b>
<b>Appendix H</b>	<b>HRA – Revenue Outturn 2021/22</b>
<b>Appendix I</b>	<b>HRA – Capital Outturn 2021/22</b>
<b>Appendix J</b>	<b>HRA – Reserves</b>
<b>Appendix K</b>	<b>General Fund Carry Forward Requests From Services (Including COVID 19 External Funding)</b>

*(The variance figures set out in these appendices that are presented in brackets represent either a net underspend position or additional income received)*

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<b>Department - Chief Executive, Finance, IT, Governance and Partnerships</b>		
<b>Headline Summary</b>	<b>Variance</b>	<b>Comments</b>
	<b>£</b>	
Overall Variance Before Carry Forwards	(13,751,420)	
Less Carry forward Requests	10,555,120	
General Outturn Position Transferred to Contingency Budget	252,084	
<b>Variance After Carry Forwards</b>	<b>(2,944,216)</b>	
<b>Variance Summary</b>		
<b>General</b> - Employee Costs (Including Vacancy Allowance)	(3,516)	
<b>Insurance Recharge Account</b> - General Expenditure	(36,528)	There are a number of smaller underspends that make up the overall variance for the year such as consultancy costs and provisions for insurance excesses.
<b>COVID 19 Compliance &amp; Enforcement</b> - net grant income	(140,295)	Grant income has been applied to meet the associated cost of internal staff resources where there is already an underlying budget. This therefore remains as a net favourable outturn position for the year.
<b>Other Corporate Costs</b> - Corporate Finance Strategy Allowance	(216,240)	Money was set aside as part of the 2021/22 budget to reflect specific risks such as changes in recharges to the HRA and salary costs during the year, which have subsequently not been required.
<b>Other Non-Specific Grants</b> - New Burdens Grants not allocated	(304,865)	A number of new burdens grant payments are not required to be allocated to any specific service area so they remain as favourable variances at the end of the year.
<b>Interest Payable and Similar Charges</b> - Expected Credit Loss Model Impairment	(89,614)	This relates to the general provision for bad debts where the position fluctuates over time.
<b>Benefits and Revenues Service Unit</b> - General Expenditure (excl.employee costs)	(51,346)	This reflects the aggregate of a number of smaller variances within the Service Area that in turn reflects the flexible approach to responding to the roll out of Universal Credit and other related changes to Service Delivery.
<b>Benefits and Revenues Service Unit</b> - Reimbursement of Court Costs	(114,599)	Court costs have been reimbursed by HM Courts & Tribunal Services as they identified that Local Authorities had been overcharged in prior years.
<b>Finance, Revenues and Benefits</b> - Rent Allowances and Rent Rebates net costs	(280,778)	Similarly to previous years, this reflects the difference between housing benefit paid and subsidy receivable along with overpayments recovered, with the position only becoming clear when the comprehensive end of year adjustments to this technical area of the budget are finalised.
<b>Career Track</b> - income	51,873	Income has remained behind the budget at the end of the year although the Service remains committed to working towards a more positive position going forward.
<b>Careline</b> - Net Income	(102,263)	Additional income was generated during the year which offsets some general increases in costs including the additional staffing costs that are included within the employee figure above. The overall net position for the year including employee costs was £80k.
<b>Licensing</b> - Income	43,240	Overall licensing income remained behind the budget at the end of the year.

<b>Finance - Contribution to / (from) Earmarked Reserves - Contribution to the Forecast Risk Fund</b>	337,288	This reflects the required contribution to the forecast risk fund to bring the total contribution for the year to £500k.
<b>Business Rates - Net Income</b>	(532,860)	The variance at the end of the year relates to the timing of when income from business rates can be recognised in the accounts along with the benefit of remaining a member of the Essex Business Rates Pool. Further details are set out in the main body of the report.
General - Aggregate of General / Smaller Net Variances	(372,859)	
<b>General Outturn Position for the Year Contributed to the Contingency Budget</b>	252,084	
<b>Net Direct Costs</b>	<b>(1,561,278)</b>	
<b>Indirect Costs</b>	(1,382,938)	This includes the pension adjustment required as part of the year end accounting processes.  Within indirect costs, there is an overspend of £148k against the revenue contributions to the Capital Programme budget. This reflects additional expenditure that incurred across two schemes - £44k relating to the refurbishment of Clacton Leisure Centre and £106k relating to the Cliff Stabilisation works along Clacton and Holland Seafront.
<b>Total</b>	<b>(2,944,216)</b>	

<b>Department - Operations and Delivery</b>		
<b>Headline Summary</b>	<b>Variance</b>	<b>Comments</b>
	<b>£</b>	
Overall Variance Before Carry Forwards	724,547	
Less Carry forward Requests	941,620	
<b>Variance After Carry Forwards</b>	<b>1,666,167</b>	
<b>Variance Summary</b>		
<b>General</b> - Employee Costs	269,584	This position primary reflects the additional staff resources within Engineering Services to support internal departments. Please see comment below relating to the overall position for Engineering Services.
<b>Coast Protection General</b> - Special / Building Maintenance	(87,271)	This reflected a managed position taken by the service to help offset additional net expenditure within the service as highlighted above and below.
<b>Town Centre Enhancement Project</b> - Building Repairs and Maintenance	58,240	Additional town centre cleaning and repair work was undertaken during the year.
<b>Engineering Services</b> - Net Income	(196,625)	This largely reflects the position after recharging time spent by the service in supporting other service areas - e.g. the Office Transformation budget highlighted below. After taking into account the additional employee costs highlighted above, there was an overall net overspend by the Service of just over £63k which reflects 'unchargeable' time.
<b>Transport</b> - Lease Costs	(87,755)	A number of leasing budgets remained underspent at the end of the year.
<b>Crematorium</b> - Expenditure	(72,547)	Due to the closure of the facility, a number of underspends remained at the end of the year e.g. fuel costs, which partly offset the loss of income highlighted below.
<b>Crematorium</b> - Income	916,634	This reflects impact of the closure of the facility earlier in 2021. Please see the main body of the report for more details looking ahead to 2022/23.
<b>Open Spaces</b> - Fixed Plant	35,858	Additional expenditure was incurred during the year.
<b>Parking</b> - Expenditure	83,492	This primary reflects the increase in payment card processing costs as customers switch to a digital way of making payment. This has however been offset by additional income as highlighted below.
<b>Parking</b> - Income	(92,513)	Income has remained strong over the year with a favourable position being maintained at the end of March 2022.
<b>Waste &amp; Recycling</b> - Expenditure	122,628	This position reflects two key issues - 1) Contract costs are facing upward pressure such as from the rate of inflation which the annual contract costs uplifts are tied to. 2) Over £100k was spent on recycling boxes during the year which was partly offset by the use of New Homes Bonus which reflects an historic decision. The processes for issuing these boxes will need to be reviewed in 2022/23 to identify alternatives, given this potentially unsustainable position.
<b>Waste &amp; Recycling</b> - Income	(118,839)	Additional recycling credit income has been achieved which supports the additional expenditure highlighted above.

<b>Office Transformation - Building Repairs</b>	124,637	Additional costs have been incurred as part of completing the project, which has been supported by the in-house engineering team as highlighted above.
<b>Homelessness - Net Expenditure</b>	64,184	This is a demand led service which has seen an increase in costs over 2021/22. This budget has been supported by the COVID New Burdens funding which is set out elsewhere within this report.
General - Aggregate of General / Smaller Net Variances	13,579	
<b>Net Direct Costs</b>	<b>1,033,286</b>	
<b>Net Indirect Costs</b>	<b>632,881</b>	
<b>Total</b>	<b>1,666,167</b>	

<b>Department - Place and Economy</b>		
<b>Headline Summary</b>	<b>Variance</b>	<b>Comments</b>
	<b>£</b>	
Overall Variance Before Carry Forwards	(5,116,000)	
Less Carry forward Requests	6,394,050	
<b>Variance After Carry Forwards</b>	<b>1,278,050</b>	
<b>Variance Summary</b>		
<b>General</b> - Employee Costs Including Training	71,078	Although these areas of the budget are showing a overspend at year end, they are supported by planning income and other favourable variances as set out below. This reflects the similar position at the end of each quarter during the year where associated budget adjustments are made.
<b>Development Control</b> - Expenditure	51,163	
<b>Planning &amp; Enforcement</b> - External Legal Advice	27,278	
<b>Development Control</b> - Planning Income	(180,683)	Actual income for the year was in excess of the budgeted figure, which supports the adverse variances highlighted above.
<b>Building Control</b> - Fee Income	(40,468)	Income was in excess of the budgeted figure at the end of the year.
<b>Misc. Seafront Activities</b> - Building Repairs and other costs	68,059	Additional expenditure was incurred in excess of the amount budgeted for.
<b>Clacton 150</b> - Events	39,612	Additional expenditure was incurred in delivering the Octopus Ahoy Sculpture Trail.
<b>Land Charges</b> - Search Income	(18,199)	Additional income for the year was achieved.
<b>Sports and Leisure Centres</b> - Net Position Including Employee Costs	89,145	This reflects the final position for the year after taking into account the Government's COVID 19 Sales, Fees and Charges Compensation Scheme and use of COVID New Burdens Funding. Please see separate appendix. This remaining variance relates to the additional cost of building and maintenance work (primarily at Clacton Leisure Centre).
General - Aggregate of General / Smaller Net Variances	(27,742)	
<b>Net Direct Costs</b>	<b>79,243</b>	
<b>Net Indirect Costs</b>	<b>1,198,807</b>	
<b>Total</b>	<b>1,278,050</b>	

## General Fund Position at the end of March 2022

### Portfolio Summary

	2021/22 Budget	2021/22 Actual	2021/22 Variance
	£	£	£
Leader	4,503,360	2,709,422.15	(1,793,937.85)
Corporate Finance and Governance	(1,694,460)	(6,263,941.03)	(4,569,481.03)
Environment and Public Space	9,167,550	9,701,116.79	533,566.79
Housing	3,638,990	2,365,454.78	(1,273,535.22)
Partnerships	1,741,650	813,164.58	(928,485.42)
Business and Economic Growth	5,167,800	618,465.66	(4,549,334.34)
Leisure and Tourism	7,062,350	7,970,590.76	908,240.76
Budgets Relating to Non Executive Functions	733,210	613,523.61	(119,686.39)
<b>Net Cost of Services</b>	<b>30,320,450</b>	<b>18,527,797.30</b>	<b>(11,792,652.70)</b>
Revenue Support for Capital Investment	6,754,190	3,037,028.06	(3,717,161.94)
Financing Items	(5,745,000)	(8,371,501.78)	(2,626,501.78)
<b>Total Before use of Reserves</b>	<b>31,329,640</b>	<b>13,193,323.58</b>	<b>(18,136,316.42)</b>
Contribution to / (from) Earmarked Reserves*	(23,713,110)	(5,232,956.58)	18,480,153.42
<b>Net Total</b>	<b>7,616,530</b>	<b>7,960,367.00</b>	<b>343,837.00</b>
<i>Financed by:</i>			
Business Rates (including Tariff and Levy)	(4,598,900)	(4,942,742.00)	(343,842.00)
Revenue Support Grant	(431,170)	(431,165.00)	5.00
Collection Fund Surplus/Deficit	6,017,640	6,017,640.00	0.00
Income from Council Tax Payers	(8,604,100)	(8,604,100.00)	0.00
<b>Total</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>

### Department Summary

	2021/22 Budget	2021/22 Actual including Reserves Adj and C/fwds	2021/22 Variance
	£	£	£
Chief Executive, Finance, IT, Governance and Partnerships (including income from Council Tax)*	(27,182,020)	(30,126,236.47)	(2,944,216.47)
Operational Services	13,650,640	15,316,806.96	1,666,166.96
Planning and Regeneration	13,531,380	14,809,429.51	1,278,049.51
<b>Total</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>

\* this includes the contribution to the Contingency Budget via reserves of the general outturn position of £0.252m



## General Fund Position at the end of March 2022

### Department - Chief Executive, Finance, IT, Governance and Partnerships

Analysis of the Variance in column (e) by Direct and Indirect

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
<b>Analysis by Type of Spend</b>	<b>2021/22 Budget</b>	<b>2021/22 Actual</b>	<b>2021/22 Reserves Adjustment</b>	<b>2021/22 C/fwd requests</b>	<b>2021/22 Variance after Reserves Adj and C/fwds</b>	<b>Direct Variance</b>	<b>Indirect Variance</b>
	£	£	£	£	£	£	£
<b>Direct Expenditure</b>							
Employee Expenses	10,564,020	9,862,057.15	0.00	660,000.00	(41,962.85)	(41,962.85)	0.00
Premises Related Expenditure	361,210	342,898.01	0.00	78,400.00	60,088.01	60,088.01	0.00
Transport Related Expenditure	111,910	95,944.45	0.00	0.00	(15,965.55)	(15,965.55)	0.00
Supplies & Services	32,641,530	15,566,762.46	0.00	15,926,590.00	(1,148,177.54)	(1,148,177.54)	0.00
Third Party Payments	67,790	30,000.00	0.00	37,790.00	0.00	0.00	0.00
Transfer Payments	46,640,120	39,489,742.99	0.00	886,500.00	(6,263,877.01)	(6,263,877.01)	0.00
Interest Payments	17,800	10,514.95	0.00	0.00	(7,285.05)	(7,285.05)	0.00
<b>Total Direct Expenditure</b>	<b>90,404,380</b>	<b>65,397,920.01</b>	<b>0.00</b>	<b>17,589,280.00</b>	<b>(7,417,179.99)</b>	<b>(7,417,179.99)</b>	<b>0.00</b>
<b>Direct Income</b>							
Government Grants	(77,274,730)	(61,090,439.96)	0.00	(10,265,680.00)	5,918,610.04	5,918,610.04	0.00
Other Grants, Reimbursements and Contributions	(2,609,650)	(2,251,605.54)	0.00	(634,060.00)	(276,015.54)	(276,015.54)	0.00
Sales, Fees and Charges	(1,289,800)	(1,282,722.99)	0.00	0.00	7,077.01	7,077.01	0.00
Rents Receivable	(46,300)	(45,449.00)	0.00	0.00	851.00	851.00	0.00
Interest Receivable	(419,050)	(459,196.96)	0.00	0.00	(40,146.96)	(40,146.96)	0.00
RSG, Business Rates and Council Tax	(7,616,530)	(7,960,367.00)	0.00	0.00	(343,837.00)	(343,837.00)	0.00
<b>Total Direct Income</b>	<b>(89,256,060)</b>	<b>(73,089,781.45)</b>	<b>0.00</b>	<b>(10,899,740.00)</b>	<b>5,266,538.55</b>	<b>5,266,538.55</b>	<b>0.00</b>
<b>Net Direct Costs</b>	<b>1,148,320</b>	<b>(7,691,861.44)</b>	<b>0.00</b>	<b>6,689,540.00</b>	<b>(2,150,641.44)</b>	<b>(2,150,641.44)</b>	<b>0.00</b>
<b>Total Indirect Income/Expenditure</b>	<b>(4,617,230)</b>	<b>(9,865,748.45)</b>	<b>0.00</b>	<b>3,865,580.00</b>	<b>(1,382,938.45)</b>	<b>0.00</b>	<b>(1,382,938.45)</b>
<b>Net Contribution to/(from) Reserves</b>	<b>(23,713,110)</b>	<b>(5,232,956.58)</b>	<b>(17,890,790.00)</b>	<b>0.00</b>	<b>589,363.42</b>	<b>589,363.42</b>	<b>0.00</b>
<b>Total for Chief Executive, Finance, IT, Governance and Partnerships</b>	<b>(27,182,020)</b>	<b>(22,790,566.47)</b>	<b>(17,890,790.00)</b>	<b>10,555,120.00</b>	<b>(2,944,216.47)</b>	<b>(1,561,278.02)</b>	<b>(1,382,938.45)</b>

## **Department - Chief Executive, Finance, IT, Governance and Partnerships**

	(a)	(b)	(c)	(d)	(e)
<b>Analysis by Section/Function</b>	<b>2021/22 Budget</b>	<b>2021/22 Actual</b>	<b>2021/22 Reserves Adjustment</b>	<b>2021/22 C/fwd requests</b>	<b>2021/22 Variance after Reserves Adj and C/fwds</b>
	£	£	£	£	£
<b>Chief Executive and Administration</b>	61,890	0.00	0.00	0.00	(61,890.00)
<b>Finance and IT Management and Administration</b>	0	0.00	0.00	0.00	0.00
<b>Finance</b>	39,840	0.00	0.00	76,480.00	36,640.00
<b>Finance - Other Corporate Costs</b>	(2,725,070)	(8,208,343.06)	0.00	4,815,310.00	(667,963.06)
<b>Finance - Financing Items</b>	(23,063,630)	(10,732,229.96)	(17,890,790.00)	3,865,580.00	(1,693,809.96)
<b>Finance - RSG, Business Rates and Council Tax</b>	(7,616,530)	(7,960,367.00)	0.00	0.00	(343,837.00)
<b>Revenues and Benefits</b>	2,079,150	808,941.55	0.00	590,510.00	(679,698.45)
<b>IT, Emergency Planning and Business Continuity</b>	227,740	105,158.60	0.00	195,180.00	72,598.60
<b>Governance Management and Administration</b>	3,750	0.00	0.00	0.00	(3,750.00)
<b>Legal</b>	16,160	0.00	0.00	45,060.00	28,900.00
<b>Democratic Services</b>	1,499,810	1,328,867.80	0.00	118,170.00	(52,772.20)
<b>Partnerships Management and Administration</b>	0	0.00	0.00	0.00	0.00
<b>HR and OD</b>	303,420	156,696.74	0.00	221,220.00	74,496.74
<b>Community Partnerships</b>	1,328,430	789,021.49	0.00	627,610.00	88,201.49
<b>Communications</b>	1,710	0.00	0.00	0.00	(1,710.00)
<b>Customer and Commercial</b>	661,310	921,687.37	0.00	0.00	260,377.37
<b>Total for Chief Executive, Finance, IT, Governance and Partnerships</b>	(27,182,020)	(22,790,566.47)	(17,890,790.00)	10,555,120.00	(2,944,216.47)

## APPENDIX C

### *Analysis of the Variance in column (e) by Direct and Indirect*

(f)	(g)
<i>Direct Variance</i>	<i>Indirect Variance</i>
£	£
(13,088.40)	(48,801.60)
5,202.11	(5,202.11)
59,902.48	(23,262.48)
(852,316.79)	184,353.73
496,970.20	(2,190,780.16)
(343,837.00)	0.00
(774,782.55)	95,084.10
(38,864.21)	111,462.81
4,001.05	(7,751.05)
(8,072.01)	36,972.01
(81,522.54)	28,750.34
3,632.47	(3,632.47)
55,189.77	19,306.97
(128,145.71)	216,347.20
764.29	(2,474.29)
53,688.82	206,688.55
(1,561,278.02)	(1,382,938.45)

## APPENDIX C

*Analysis of the Variance in column (e) by Direct and Indirect*

## General Fund Position at the end of March 2022

### Department - Operations and Delivery

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
<u>Analysis by Type of Spend</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fws	Direct Variance	Indirect Variance
	£	£	£	£	£	£	£
<b>Direct Expenditure</b>							
Employee Expenses	6,454,240	6,451,839.07	0.00	275,040.00	272,639.07	272,639.07	0.00
Premises Related Expenditure	2,356,910	2,440,404.65	0.00	44,180.00	127,674.65	127,674.65	0.00
Transport Related Expenditure	567,870	490,461.86	0.00	34,760.00	(42,648.14)	(42,648.14)	0.00
Supplies & Services	3,010,740	2,867,965.86	0.00	560,080.00	417,305.86	417,305.86	0.00
Third Party Payments	5,289,230	5,595,518.35	0.00	0.00	306,288.35	306,288.35	0.00
Transfer Payments	191,340	363,760.31	0.00	0.00	172,420.31	172,420.31	0.00
<b>Total Direct Expenditure</b>	<b>17,870,330</b>	<b>18,209,950.10</b>	<b>0.00</b>	<b>914,060.00</b>	<b>1,253,680.10</b>	<b>1,253,680.10</b>	<b>0.00</b>
<b>Direct Income</b>							
Government Grants	(1,160,380)	(1,199,830.14)	0.00	(6,020.00)	(45,470.14)	(45,470.14)	0.00
Other Grants, Reimbursements and Contributions	(1,631,510)	(1,758,884.56)	0.00	0.00	(127,374.56)	(127,374.56)	0.00
Sales, Fees and Charges	(3,471,210)	(3,267,746.48)	0.00	33,580.00	237,043.52	237,043.52	0.00
Rents Receivable	(207,730)	(222,995.00)	0.00	0.00	(15,265.00)	(15,265.00)	0.00
Direct Internal Income	(1,061,950)	(1,331,277.67)	0.00	0.00	(269,327.67)	(269,327.67)	0.00
<b>Total Direct Income</b>	<b>(7,532,780)</b>	<b>(7,780,733.85)</b>	<b>0.00</b>	<b>27,560.00</b>	<b>(220,393.85)</b>	<b>(220,393.85)</b>	<b>0.00</b>
<b>Net Direct Costs</b>	<b>10,337,550</b>	<b>10,429,216.25</b>	<b>0.00</b>	<b>941,620.00</b>	<b>1,033,286.25</b>	<b>1,033,286.25</b>	<b>0.00</b>
<b>Total Indirect Income/Expenditure</b>	<b>3,313,090</b>	<b>3,945,970.71</b>	<b>0.00</b>	<b>0.00</b>	<b>632,880.71</b>	<b>0.00</b>	<b>632,880.71</b>
<b>Total for Operations and Delivery</b>	<b>13,650,640</b>	<b>14,375,186.96</b>	<b>0.00</b>	<b>941,620.00</b>	<b>1,666,166.96</b>	<b>1,033,286.25</b>	<b>632,880.71</b>

## Department - Operations and Delivery

	(a)	(b)	(c)	(d)	(e)
<u>Analysis by Section/Function</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds
	£	£	£	£	£
CD Operations and Delivery Management and Administration	(43,690)	0.00	0.00	0.00	43,690.00
Building and Public Realm Management and Administration	0	0.00	0.00	0.00	0.00
Building and Surveyors	(549,210)	30,187.17	0.00	0.00	579,397.17
Engineering	3,094,730	3,062,234.49	0.00	50,000.00	17,504.49
Public Realm	3,417,290	4,153,008.38	0.00	175,210.00	910,928.38
Waste Management	4,849,160	4,788,016.60	0.00	139,460.00	78,316.60
Assets	360,930	158,646.79	0.00	87,930.00	(114,353.21)
Housing and Environment Management and Administration	3,750	0.00	0.00	0.00	(3,750.00)
Housing and Homelessness	1,328,340	1,186,429.19	0.00	262,950.00	121,039.19
Environment Health Services	1,189,340	996,664.34	0.00	226,070.00	33,394.34
<b>Total for Operations and Delivery</b>	<b>13,650,640</b>	<b>14,375,186.96</b>	<b>0.00</b>	<b>941,620.00</b>	<b>1,666,166.96</b>

## APPENDIX C

Analysis of the Variance in column (e) by Direct and Indirect

(f)	(g)
Direct Variance	Indirect Variance
£	£
35,675.14	8,014.86
10,276.53	(10,276.53)
41,311.65	538,085.52
(8,402.55)	25,907.04
832,543.94	78,384.44
(30,260.24)	108,576.84
134,555.14	(248,908.35)
(2,977.94)	(772.06)
12,409.01	108,630.18
8,155.57	25,238.77
<b>1,033,286.25</b>	<b>632,880.71</b>

## APPENDIX C

*Analysis of the Variance in column (e) by Direct and Indirect*

## General Fund Position at the end of March 2022

### Department - Place and Economy

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
<u>Analysis by Type of Spend</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds	Direct Variance	Indirect Variance
	£	£	£	£	£	£	£
<b>Direct Expenditure</b>							
Employee Expenses	5,511,840	5,327,891.52	0.00	0.00	(183,948.48)	(183,948.48)	0.00
Premises Related Expenditure	1,315,220	1,393,241.69	0.00	6,340.00	84,361.69	84,361.69	0.00
Transport Related Expenditure	45,210	23,437.66	0.00	7,080.00	(14,692.34)	(14,692.34)	0.00
Supplies & Services	10,854,850	4,783,387.58	0.00	6,449,040.00	377,577.58	377,577.58	0.00
Third Party Payments	45,870	56,337.12	0.00	0.00	10,467.12	10,467.12	0.00
<b>Total Direct Expenditure</b>	<b>17,772,990</b>	<b>11,584,295.57</b>	<b>0.00</b>	<b>6,462,460.00</b>	<b>273,765.57</b>	<b>273,765.57</b>	<b>0.00</b>
<b>Direct Income</b>							
Government Grants	(1,172,640)	(1,426,033.25)	0.00	6,130.00	(247,263.25)	(247,263.25)	0.00
Other Grants, Reimbursements and Contributions	(779,430)	(1,163,442.71)	0.00	(74,540.00)	(458,552.71)	(458,552.71)	0.00
Sales, Fees and Charges	(5,032,880)	(4,521,727.47)	0.00	0.00	511,152.53	511,152.53	0.00
Rents Receivable	(411,230)	(411,090.24)	0.00	0.00	139.76	139.76	0.00
<b>Total Direct Income</b>	<b>(7,396,180)</b>	<b>(7,522,293.67)</b>	<b>0.00</b>	<b>(68,410.00)</b>	<b>(194,523.67)</b>	<b>(194,523.67)</b>	<b>0.00</b>
<b>Net Direct Costs</b>	<b>10,376,810</b>	<b>4,062,001.90</b>	<b>0.00</b>	<b>6,394,050.00</b>	<b>79,241.90</b>	<b>79,241.90</b>	<b>0.00</b>
<b>Total Indirect Income/Expenditure</b>	<b>3,154,570</b>	<b>4,353,377.61</b>	<b>0.00</b>	<b>0.00</b>	<b>1,198,807.61</b>	<b>0.00</b>	<b>1,198,807.61</b>
<b>Total for Place and Economy</b>	<b>13,531,380</b>	<b>8,415,379.51</b>	<b>0.00</b>	<b>6,394,050.00</b>	<b>1,278,049.51</b>	<b>79,241.90</b>	<b>1,198,807.61</b>

## Department - Place and Economy

	(a)	(b)	(c)	(d)	(e)
<u>Analysis by Section/Function</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds
	£	£	£	£	£
Place and Economy Management and Administration	626,250	14,345.11	0.00	615,010.00	3,105.11
Planning Management and Administration	0	0.00	0.00	0.00	(0.00)
Development	1,335,240	1,059,862.02	0.00	364,650.00	89,272.02
Enforcement	459,290	379,089.17	0.00	85,220.00	5,019.17
Building Control	222,020	249,469.91	0.00	0.00	27,449.91
Economic Growth and Leisure Management and Administration	0	0.00	0.00	0.00	0.00
Economic Growth	3,463,510	1,021,077.85	0.00	2,572,390.00	129,957.85
Sport, Leisure, Tourism, Heritage and Culture	4,000,020	5,034,856.28	0.00	32,760.00	1,067,596.28
Local Plan and Place Shaping Management and Administration	0	0.00	0.00	0.00	0.00
Strategic Planning	1,055,590	768,464.17	0.00	245,960.00	(41,165.83)
Place	2,369,460	(111,785.00)	0.00	2,478,060.00	(3,185.00)
<b>Total for Place and Economy</b>	<b>13,531,380</b>	<b>8,415,379.51</b>	<b>0.00</b>	<b>6,394,050.00</b>	<b>1,278,049.51</b>

## APPENDIX C

Analysis of the Variance in column (e) by Direct and Indirect

(f)	(g)
Direct Variance	Indirect Variance
£	£
(50,351.62)	53,456.73
6,807.72	(6,807.72)
(244,160.63)	333,432.65
23,081.77	(18,062.60)
62,665.22	(35,215.31)
5,464.23	(5,464.23)
31,483.22	98,474.63
248,596.92	818,999.36
15,105.73	(15,105.73)
(18,445.66)	(22,720.17)
(1,005.00)	(2,180.00)
<b>79,241.90</b>	<b>1,198,807.61</b>

## General Fund Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Variance Over/(Under)	2021/22 Carry Forward	2021/22 Variance
	£	£	£	£	£
<b>Expenditure</b>					
<b>Business and Economic Growth Portfolio</b>					
SME Growth Fund Capital Grants	43,250	-	(43,250)	43,250	-
Starlings and Milton Road Redevelopment	1,257,510	94,805	(1,162,705)	1,162,700	(5)
	<b>1,300,760</b>	<b>94,805</b>	<b>(1,205,955)</b>	<b>1,205,950</b>	<b>(5)</b>
<b>Corporate Finance and Governance Portfolio</b>					
Information and Communications Technology Core Infrastructure	129,140	128,119	(1,021)	-	(1,021)
Agresso e-procurement	84,000	-	(84,000)	84,000	-
Enhanced Equipment replacement - Printing and Scanning	6,210	-	(6,210)	6,210	-
Office Rationalisation	78,510	77,242	(1,268)	-	(1,268)
Treadwheel Crane	186,790	157,402	(29,388)	29,390	2
Carnarvon House Demolition	80,000	-	(80,000)	80,000	-
	<b>564,650</b>	<b>362,763</b>	<b>(201,887)</b>	<b>199,600</b>	<b>(2,287)</b>
<b>Environment and Public Space Portfolio</b>					
Cranleigh Close, Clacton, landscaping works	640	652	12	-	12
Environmental Health Database Migration	5,250	-	(5,250)	5,250	-
Laying Out Cemetery	150,250	9,007	(141,243)	141,240	(3)
Bath House Meadow Security Measures	5,570	-	(5,570)	5,570	-
Clacton Multi-Storey car park repairs	136,840	136,839	(1)	-	(1)
Public Convenience Works	40,000	-	(40,000)	40,000	-
Works at Halstead Road Play Area, Kirby	5,150	-	(5,150)	5,150	-
Weeley Crematorium Works	1,539,140	-	(1,539,140)	1,539,140	-
Purchase of Hot Wash Street Cleaner	35,000	35,000	-	-	-
	<b>1,917,840</b>	<b>181,498</b>	<b>(1,736,342)</b>	<b>1,736,350</b>	<b>8</b>

## General Fund Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Variance Over/(Under)	2021/22 Carry Forward	2021/22 Variance
	£	£	£	£	£
<b><i>Housing Portfolio</i></b>					
Careline - Replacement Telephone System	14,240	-	(14,240)	14,240	-
Replacement Scan Stations	12,000	-	(12,000)	12,000	-
Housing in Jaywick	404,730	-	(404,730)	404,730	-
Private Sector Renewal Grants/Financial Assistance Loans	287,170	-	(287,170)	287,170	-
Disabled Facilities Grants	7,838,950	505,879	(7,333,071)	7,333,070	(1)
Financial Assistance Grants	160,120	160,116	(4)	-	(4)
Private Sector Leasing	75,660	-	(75,660)	75,660	-
Green Homes Grant	13,000	13,000	-	-	-
Empty Homes funding	152,220	-	(152,220)	152,220	-
	<b>8,958,090</b>	<b>678,995</b>	<b>(8,279,095)</b>	<b>8,279,090</b>	<b>(5)</b>
<b><i>Leisure and Tourism Portfolio</i></b>					
CLC - Spa and Wetside Re-development	592,230	636,190	43,960	-	43,960
Walton Leisure Centre - Replacement Boilers	44,180	44,176	(4)	-	(4)
CLC - Replacement of All Weather Pitch	668,750	1,020	(667,730)	667,730	-
Clacton Skate Park Improvement Scheme	250,000	-	(250,000)	250,000	-
CLC - Pool Cameras	36,510	-	(36,510)	36,510	-
New Beach Huts	64,600	-	(64,600)	64,600	-
Clacton/Holland Cliff Stabilisation	2,110,960	2,308,753	197,793	-	197,793
	<b>3,767,230</b>	<b>2,990,139</b>	<b>(777,091)</b>	<b>1,018,840</b>	<b>241,749</b>
<b>Total Approved General Fund Capital Programme</b>	<b>16,508,570</b>	<b>4,308,200</b>	<b>(12,200,370)</b>	<b>12,439,830</b>	<b>239,460</b>



## General Fund Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Variance Over/(Under)	2021/22 Carry Forward	2021/22 Variance
	£	£	£	£	£
<b>Financing</b>					
<b>Specific Financing</b>					
External Contributions	(852,090)	(141,114)	710,976	(710,980)	(4)
Section 106	(5,790)	(640)	5,150	(5,150)	0
Government Grant re Coast Protection	(360,020)	(451,062)	(91,042)	-	(91,042)
Governments Grants - Other	(165,220)	(13,000)	152,220	(152,220)	0
Disabled Facilities Grant	(7,556,840)	(665,995)	6,890,845	(6,890,840)	5
	<b>(8,939,960)</b>	<b>(1,271,811)</b>	<b>7,668,149</b>	<b>(7,759,190)</b>	<b>(91,041)</b>
<b>General Financing</b>					
Capital Receipts	(815,060)	-	815,060	(815,060)	0
Direct Revenue Contributions	(2,243,220)	(222,010)	2,021,210	(2,170,910)	(149,700)
Capital Commitments Reserve	(2,929,640)	(1,270,203)	1,659,437	(1,658,160)	1,277
Leisure Capital Project Reserve	(80,690)	(44,176)	36,514	(36,510)	4
Beach Recharge Reserve	(1,500,000)	(1,500,000)	0	-	0
	<b>(7,568,610)</b>	<b>(3,036,389)</b>	<b>4,532,221</b>	<b>(4,680,640)</b>	<b>(148,419)</b>
<b>Total Funding of Approved General Fund Capital Programme</b>	<b>(16,508,570)</b>	<b>(4,308,200)</b>	<b>12,200,370</b>	<b>(12,439,830)</b>	<b>(239,460)</b>

## General Fund Reserves as at 31 March 2022

### Contributions from/to Reserves - Actual Position for the Year

	Balance 31 March 2021	Contribution from Reserves 2021/22	Contribution to Reserves 2021/22	Balance 31 March 2022
	£	£	£	£
<b>Earmarked Reserves</b>				
Revenue Commitments Reserve	16,738,132	(16,427,132)	14,434,325	14,745,325
Capital Commitments Reserve	3,129,340	(3,117,720)	3,865,590	3,877,210
Forecast Risk Fund	3,753,240	(1,048,630)	500,000	3,204,610
Asset Refurbishment / Replacement Reserve	1,269,288	0	0	1,269,288
Beach Recharge Reserve	1,500,000	(1,500,000)	0	0
Benefit Reserve	999,790	0	0	999,790
Building for the Future Reserve	1,238,810	(270,040)	685,470	1,654,240
Business Rate Resilience Reserve	8,225,822	(6,044,730)	2,817,000	4,998,092
Commutated Sums Reserve	426,492	(20,000)	100,210	506,702
Crematorium Reserve	154,252	0	0	154,252
Election Reserve	30,000	0	30,000	60,000
Haven Gateway Partnership Reserve	75,000	0	0	75,000
Leisure Capital Projects Reserve	82,000	(80,690)	50,000	51,310
Planning Inquiries and Enforcement Reserve	79,000	(20,000)	0	59,000
Section 106 Agreements Reserve	1,603,021	(71,138)	884,528	2,416,411
	<b>39,304,187</b>	<b>(28,600,080)</b>	<b>23,367,123</b>	<b>34,071,230</b>
<b>Uncommitted Reserve</b>	4,000,000	0	0	4,000,000
<b>Total Reserves</b>	<b>43,304,187</b>	<b>(28,600,080)</b>	<b>23,367,123</b>	<b>38,071,230</b>

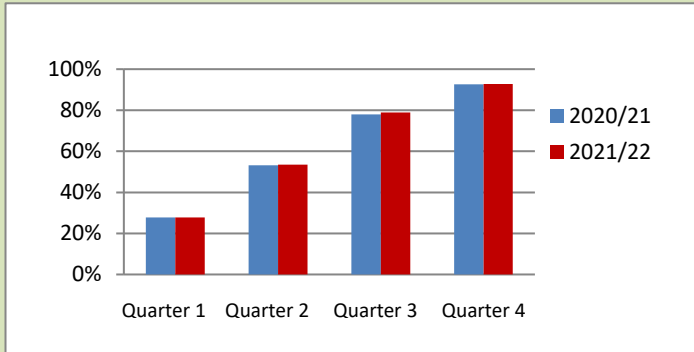
### Contributions from/to Reserves - Summary of Actual Position Compared to the Budget

	2021/22 Budget	2021/22 Actual	Variance
	£	£	£
<b>Earmarked Reserves</b>			
Contributions from	(28,600,070)	(28,600,080)	(10)
Contributions to	4,886,960	23,367,123	18,480,163
<b>Total</b>	<b>(23,713,110)</b>	<b>(5,232,957)</b>	<b>18,480,153</b>
<b>Uncommitted Reserve</b>			
Contributions from	0	0	0
Contributions to	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Reserves</b>	<b>(23,713,110)</b>	<b>(5,232,957)</b>	<b>18,480,153</b>

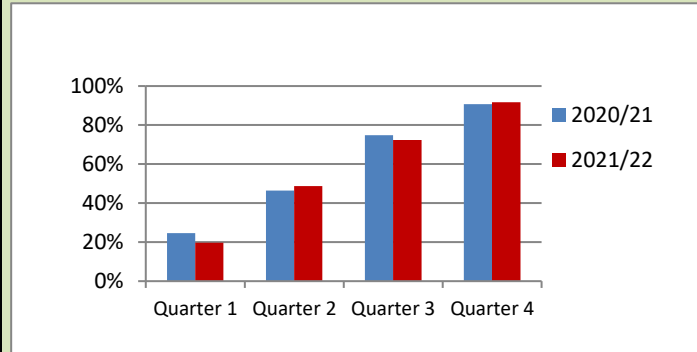
## Collection Performance : Position at the end of March 2022

The collection performance against Council tax, Business Rates, Housing Rents and General Debt collection are set out below.

### Council Tax (against annual amounts)

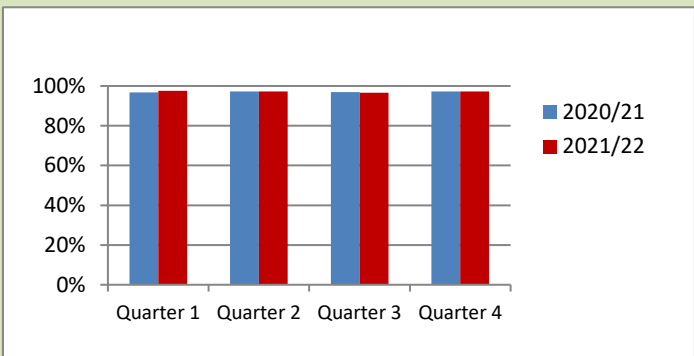


### Business Rates (against annual amounts)

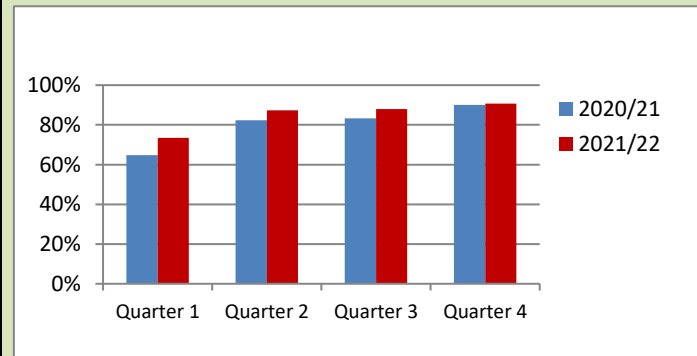


	2020/21	2021/22		2020/21	2021/22
Quarter 1	27.79%	27.82%	Quarter 1	24.55%	19.64%
Quarter 2	53.20%	53.45%	Quarter 2	46.37%	48.69%
Quarter 3	77.96%	78.88%	Quarter 3	74.79%	72.33%
Quarter 4	92.66%	92.81%	Quarter 4	90.66%	91.67%

### Housing Rents



### General Debt



	2020/21	2021/22		2020/21	2021/22
Quarter 1	96.78%	97.50%	Quarter 1	64.75%	73.40%
Quarter 2	97.17%	97.25%	Quarter 2	82.35%	87.38%
Quarter 3	96.95%	96.58%	Quarter 3	83.30%	87.94%
Quarter 4	97.30%	97.20%	Quarter 4	90.00%	90.73%

## **Income from S106 Agreements: Outturn Position at the end March 2022**

Information in respect of S106 income has been split across two areas in the table below - Where money has been formally allocated / being spent and where money remains unallocated / uncommitted.

The information below relates to only S106 amounts applicable to TDC.

### **ALLOCATED / BEING SPENT**

Scheme	Amount Spent / Committed to be Spent
	£000
GF Revenue Schemes	6
GF Capital Schemes	228
HRA Capital Schemes	774
<b>TOTAL</b>	<b>1,008</b>

### **UNALLOCATED / UNCOMMITTED TO DATE**

Permitted Use as per S106 Agreement	Amount Held / 'Spend by' Date			
	Less than 1 year	1 to 2 years	2 to 4 years	4 years +
	£000	£000	£000	£000
Regeneration Programme and Other Initiatives	-	-	-	2
Affordable Housing	-	-	-	1,283
Town Centre Improvements	-	22	-	22
Cycle Facilities	-	-	22	-
Conservation and Habitat Preservation	-	-	-	340
Open Space *	4	12	96	1,734
<b>TOTAL</b>	<b>4</b>	<b>34</b>	<b>118</b>	<b>3,381</b>

\* See the below 'spend by' dates for schemes ending in less than one year:  
 £2k by August 2022  
 £2k by February 2023

## Outturn Reporting - Housing Revenue Account (HRA) Position at the end of March 2022

<u>Analysis by Type of Spend</u>			
	2021/22 Budget	2021/22 Actual	2021/22 Variance
	£	£	£
<b>Direct Expenditure</b>			
Employee Expenses	1,208,340	1,130,145.82	(78,194.18)
Premises Related Expenditure	3,656,410	3,837,663.05	181,253.05
Transport Related Expenditure	23,870	18,014.31	(5,855.69)
Supplies & Services	449,660	471,964.12	22,304.12
Third Party Payments	1,030	500.00	(530.00)
Transfer Payments	17,000	19,067.78	2,067.78
Interest Payments	1,322,220	1,322,216.61	(3.39)
<b>Total Direct Expenditure</b>	<b>6,678,530</b>	<b>6,799,571.69</b>	<b>121,041.69</b>
<b>Direct Income</b>			
Other Grants, Reimbursements and Contributions	(8,440)	(7,699.64)	740.36
Sales, Fees and Charges	(572,790)	(508,690.54)	64,099.46
Rents Receivable	(13,101,800)	(13,048,694.33)	53,105.67
Interest Receivable	(13,350)	(6,804.89)	6,545.11
<b>Total Direct Income</b>	<b>(13,696,380)</b>	<b>(13,571,889.40)</b>	<b>124,490.60</b>
<b>Net Direct Costs</b>	<b>(7,017,850)</b>	<b>(6,772,317.71)</b>	<b>245,532.29</b>
<b>Total Indirect Income/Expenditure</b>	<b>8,002,810</b>	<b>6,880,467.55</b>	<b>(1,122,342.45)</b>
<b>Net Contribution to/(from) Reserves</b>	<b>(984,960)</b>	<b>(108,149.84)</b>	<b>876,810.16</b>
<b>Total for HRA</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>

## Housing Revenue Account Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Over/(Under) Spending	2021/22 Slippage/ Completed	2021/22 Variance
	£	£	£	£	£
<b>Expenditure</b>					
Improvements, enhancement & adaptation of the Council's housing stock	2,877,200	2,576,707	(300,493)	259,020	(41,473)
Spendells House Project	600,000	149,361	(450,639)	450,640	1
IT Upgrade & Replacement	20,000	-	(20,000)	-	(20,000)
Disabled Adaptations	400,000	307,827	(92,173)	92,170	(3)
Cash Incentive Scheme	60,000	-	(60,000)	-	(60,000)
Jaywick Sands - New Build/Starter Homes	-	54,570	54,570	-	54,570
Jaywick Sands - Flexible Workspace Project	3,977,180	199,164	(3,778,016)	3,778,020	4
HRA - New Build & Acquisitions - To Be Allocated	958,620	-	(958,620)	956,270	(2,350)
HRA - Acquisitions - Council Dwellings	1,177,630	841,752	(335,878)	333,380	(2,498)
HRA - Acquisitions - Non-Dwellings	185,060	187,408	2,348	-	2,348
<b>Total Housing Revenue Account Capital Programme</b>	<b>10,255,690</b>	<b>4,316,789</b>	<b>(5,938,901)</b>	<b>5,869,500</b>	<b>(69,401)</b>
<b>Financing</b>					
Major Repairs Reserve	(3,957,200)	(3,088,465)	868,735	(801,830)	66,905
Direct Revenue Contributions	(1,143,680)	(187,410)	956,270	(956,270)	-
Section 106	(1,110,030)	(774,150)	335,880	(333,380)	2,500
Capital Receipts	(67,600)	(67,600)	-	-	-
External Contributions	(1,972,000)	(199,164)	1,772,836	(1,772,840)	(4)
ECC Contributions	(2,005,180)	-	2,005,180	(2,005,180)	-
<b>Total Funding of Approved HRA Capital Programme</b>	<b>(10,255,690)</b>	<b>(4,316,789)</b>	<b>5,938,901</b>	<b>(5,869,500)</b>	<b>69,401</b>

## Housing Revenue Account Reserves as at 31 March 2022

Contributions from/to Reserves - Actual Position for the Year				
	Balance 31 March 2021	Contribution from Reserves 2021/22	Contribution to Reserves 2021/22	Balance 31 March 2022
	£	£	£	£
<b>HRA Reserves</b>				
HRA General Balance	4,447,281	(201,559)	0	4,245,722
HRA Commitments	862,854	(862,854)	956,264	956,264
Major Repairs Reserve	5,448,402	(3,088,465)	3,176,410	5,536,347
<b>Total Reserves</b>	<b>10,758,537</b>	<b>(4,152,878)</b>	<b>4,132,674</b>	<b>10,738,333</b>

Contributions from/to Reserves - Summary of Actual Position Compared to the Budget			
	2021/22 Budget	2021/22 Actual	Variance
	£	£	£
<b>HRA General Balance</b>			
<b>General Outturn for the Year</b>			
Contributions from	(122,400)	(201,559)	(79,159)
Contributions to	0	0	0
<b>Total</b>	<b>(122,400)</b>	<b>(201,559)</b>	<b>(79,159)</b>
<b>HRA Commitments</b>			
Contributions from	(862,560)	(862,854)	(294)
Contributions to	0	956,264	956,264
<b>Total</b>	<b>(862,560)</b>	<b>93,410</b>	<b>955,970</b>
<b>Major Repairs Reserve</b>			
Contributions from	(3,957,200)	(3,088,465)	868,735
Contributions to	3,176,410	3,176,410	0
<b>Total</b>	<b>(780,790)</b>	<b>87,945</b>	<b>868,735</b>
<b>Total Reserves</b>	<b>(1,765,750)</b>	<b>(20,204)</b>	<b>1,745,546</b>

## General Fund Revenue Carry Forward Requests

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<b>Chief Executive, Finance, IT, Governance and Partnerships</b>			
<i>Finance</i>	Computer - Application Software	Accountancy Service Unit	24,740
<i>Finance</i>	Computer - Application Software	Procurement	13,950
<i>Finance</i>	Contract Payment	Procurement	37,790
Total for Finance			76,480
<i>Finance - Other Corporate Costs</i>	Project Expenses	Corporate Investment Plan	962,680
<i>Finance - Other Corporate Costs</i>	Project Expenses	Enforcement Activities	227,440
<i>Finance - Other Corporate Costs</i>	Project Expenses	Garden Communities Project	1,300,000
<i>Finance - Other Corporate Costs</i>	Building Repairs	Climate Emergency Initiatives	78,400
<i>Finance - Other Corporate Costs</i>	Consultancy Fees	Climate Emergency Initiatives	47,420
<i>Finance - Other Corporate Costs</i>	Energy Performance Certificate Costs	Climate Emergency Initiatives	35,860
<i>Finance - Other Corporate Costs</i>	Fin Strat Employee Budget Allowances	Other Corporate Costs	417,170
<i>Finance - Other Corporate Costs</i>	Corporate Financial Strategy Allowances	Other Corporate Costs	100,000
<i>Finance - Other Corporate Costs</i>	Member Small Grants	Member Small Grants Scheme	48,000
<i>Finance - Other Corporate Costs</i>	Project Expenses	Back to Business	425,820
<i>Finance - Other Corporate Costs</i>	Contingency	Contingency	322,010
Total for Finance - Other Corporate Costs			3,964,800



<b>Service</b>	<b>Account</b>	<b>Cost Centre</b>	<b>Requested C/fwd Amount (£)</b>
<i>Revenues and Benefits</i>	Council Tax Hardship Payments	Hardship Fund	425,010
<b>Total for Revenues and Benefits</b>			<b>425,010</b>
<i>IT, Emergency Planning and Business Continuity</i>	Project Expenses	IT Resilience and Cyber Security	187,030
<i>IT, Emergency Planning and Business Continuity</i>	Hired Services - IT	IT Direct Service Costs	3,150
<i>IT, Emergency Planning and Business Continuity</i>	Project Expenses	Emergency Planning	5,000
<b>Total for IT, Emergency Planning and Business Continuity</b>			<b>195,180</b>
<i>Legal</i>	Salaries	Governance and Legal Services Service Unit	19,330
<i>Legal</i>	Salaries - National Insurance	Governance and Legal Services Service Unit	1,880
<i>Legal</i>	Salaries - Pension	Governance and Legal Services Service Unit	3,850
<i>Legal</i>	External Legal Advice	Governance and Legal Services Service Unit	20,000
<b>Total for Legal</b>			<b>45,060</b>
<i>Democratic Services</i>	Salaries	Leadership Support Service Unit	3,210
<i>Democratic Services</i>	Salaries - National Insurance	Leadership Support Service Unit	320
<i>Democratic Services</i>	Salaries - Pension	Leadership Support Service Unit	640
<i>Democratic Services</i>	Equipment & Tools	Members - Other Costs	114,000
<b>Total for Democratic Services</b>			<b>118,170</b>

<b>Service</b>	<b>Account</b>	<b>Cost Centre</b>	<b>Requested C/fwd Amount (£)</b>
<i>HR and OD</i>	Salaries	People, Performance and Projects Service Unit	17,600
<i>HR and OD</i>	Salaries - National Insurance	People, Performance and Projects Service Unit	1,420
<i>HR and OD</i>	Salaries - Pension	People, Performance and Projects Service Unit	3,920
<i>HR and OD</i>	Training - Courses	Qualification and Other Training	40,580
<i>HR and OD</i>	Co-Investment Costs - App Levy	Qualification and Other Training	5,050
<i>HR and OD</i>	Advertising - Recruitment	HR Direct Service Costs	43,240
<i>HR and OD</i>	Removal Costs - Relocation	HR Direct Service Costs	10,550
<i>HR and OD</i>	Training - Workforce Development Courses	HR Direct Service Costs	11,090
<i>HR and OD</i>	Training - New Programme Development Courses	HR Direct Service Costs	9,860
<i>HR and OD</i>	Training - Management Development Courses	HR Direct Service Costs	23,590
<i>HR and OD</i>	Training - e-Learning	HR Direct Service Costs	6,140
<i>HR and OD</i>	Training - Equality & Diversity	HR Direct Service Costs	7,880
<i>HR and OD</i>	Salaries	Career Track	6,450
<i>HR and OD</i>	Salaries - National Insurance	Career Track	490
<i>HR and OD</i>	Salaries - Pension	Career Track	1,710
<i>HR and OD</i>	Grants	Career Track	18,000
<i>HR and OD</i>	Project Expenses	Career Track	3,150
<i>HR and OD</i>	Project Expenses	Kickstart Initiative	10,500
<b>Total for HR and OD</b>			<b>221,220</b>

<b>Service</b>	<b>Account</b>	<b>Cost Centre</b>	<b>Requested C/fwd Amount (£)</b>
<i>Community Partnerships</i>	Materials & Consumables	Wellbeing Hub and other Health Partner Schemes	16,120
<i>Community Partnerships</i>	Consultancy Fees	Wellbeing Hub and other Health Partner Schemes	15,540
<i>Community Partnerships</i>	Hired Services - Payments to Contractors	Wellbeing Hub and other Health Partner Schemes	30,450
<i>Community Partnerships</i>	Project Expenses	Wellbeing Hub and other Health Partner Schemes	55,400
<i>Community Partnerships</i>	Miscellaneous Expenses	Wellbeing Hub and other Health Partner Schemes	13,400
<i>Community Partnerships</i>	Contingency	Wellbeing Hub and other Health Partner Schemes	22,500
<i>Community Partnerships</i>	Miscellaneous Expenses	Essex Family Needs Project	16,050
<i>Community Partnerships</i>	Project Expenses	Community Safety Projects	35,330
<i>Community Partnerships</i>	Project Expenses	Health Partner Initiatives	365,000
<i>Community Partnerships</i>	Grants	Community Safety	20,510
Total for Community Partnerships			590,300
<b>Total for Chief Executive, Finance, IT, Governance and Partnerships</b>			<b>5,636,220</b>
<b>Operations and Delivery</b>			
<i>Engineering</i>	Project Expenses	Highways TDC - Highway Rangers	50,000
Total for Engineering			50,000
<i>Public Realm</i>	Plant purchases	Transport	34,760
<i>Public Realm</i>	Building Repairs	Crematorium	14,900

<b>Service</b>	<b>Account</b>	<b>Cost Centre</b>	<b>Requested C/fwd Amount (£)</b>
<i>Public Realm</i>	Project Expenses	Nature Conservation	22,690
<i>Public Realm</i>	Playground Maintenance	Playgrounds	2,000
<i>Public Realm</i>	Building Repairs	Shelters - General	19,330
<i>Public Realm</i>	Surface Maintenance	Car Parks - Off St	7,950
<i>Public Realm</i>	Project Expenses	Car Parks - Off St	40,000
<i>Public Realm</i>	Car Parking - Fees And Charges	Car Parks - Off St	30,000
<i>Public Realm</i>	Income from External Accounts	Horticultural Services	3,580
<b>Total for Public Realm</b>			<b>175,210</b>
<i>Waste Management</i>	Salaries	Recycling & Waste Collection	19,280
<i>Waste Management</i>	Salaries - National Insurance	Recycling & Waste Collection	1,930
<i>Waste Management</i>	Salaries - Pension	Recycling & Waste Collection	3,860
<i>Waste Management</i>	Advertising	Weekly Collection Grant	3,180
<i>Waste Management</i>	Miscellaneous Expenses	Weekly Collection Grant	4,360
<i>Waste Management</i>	Hired Services - IT	Weekly Collection Grant	3,300
<i>Waste Management</i>	Materials & Consumables	Recycling Rewards Scheme	12,170
<i>Waste Management</i>	Printing & Stationery	Recycling Rewards Scheme	2,090
<i>Waste Management</i>	Hired Services - Payments to Contractors	Recycling Rewards Scheme	5,000
<i>Waste Management</i>	Advertising and Promotion	Recycling Rewards Scheme	360
<i>Waste Management</i>	Project Expenses	Recycling Rewards Scheme	21,750

<b>Service</b>	<b>Account</b>	<b>Cost Centre</b>	<b>Requested C/fwd Amount (£)</b>
<i>Waste Management</i>	Miscellaneous Expenses	Recycling Rewards Scheme	1,000
<i>Waste Management</i>	Project Expenses	Garden Waste Collection Service	61,180
<b>Total for Waste Management</b>			<b>139,460</b>
<i>Assets</i>	Agency Staff	Property Services Management Service Unit	66,410
<i>Assets</i>	Legal & Professional Expenses	Emerging Property Projects	15,000
<i>Assets</i>	Consultancy Fees	Emerging Property Projects	12,540
<i>Assets</i>	Government Grants - Current Year	Martello Tower Repair Works	(6,020)
<b>Total for Assets</b>			<b>87,930</b>
<i>Housing and Homelessness</i>	Salaries	Private Sector Housing MH Support Pilot	183,560
<i>Housing and Homelessness</i>	Grants	Home Improvement Agency	29,980
<i>Housing and Homelessness</i>	Purchase of Research Data	Private Sector Innovation & Enforcement Grant	49,410
<b>Total for Housing and Homelessness</b>			<b>262,950</b>
<i>Environment Health Services</i>	Project Expenses	Fast Food Initiative	51,740
<i>Environment Health Services</i>	Project Expenses	Public Health - Improvement Projects	117,080
<i>Environment Health Services</i>	Project Expenses	Public Health - Local Delivery Pilots	33,930
<b>Total for Environment Health Services</b>			<b>202,750</b>
<b>Total for Operations and Delivery</b>			<b>918,300</b>

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<b>Place and Economy</b>			
<i>Place and Economy Management and Administration</i>	Hired Services - Payments to Contractors	Community Housing Trust Grant	615,010
<b>Total for Place and Economy Management and Administration</b>			<b>615,010</b>
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Premises Leasing Costs	Tourism Publicity Marketing Promotion	2,760
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Project Expenses	Dovercourt Swimming Pool & All Weather Facilities	7,500
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Project Expenses	Frinton & Walton Swimming Pool	7,500
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Project Expenses	Leisure Centre Clacton	15,000
<b>Total for Sport, Leisure, Tourism, Heritage and Culture</b>			<b>32,760</b>
<i>Development</i>	Consultancy Fees	Development Control - Chargeable Account	19,540
<i>Development</i>	Projects and Initiatives Supported by 20% Fee Increase	Development Control - Chargeable Account	345,110
<b>Total for Development</b>			<b>364,650</b>
<i>Enforcement</i>	Miscellaneous Expenses	Planning and Enforcement	85,220
<b>Total for Enforcement</b>			<b>85,220</b>
<i>Economic Growth</i>	Car/Cycle Allowances - Officers	Regeneration Service Unit	7,080
<i>Economic Growth</i>	Printing & Stationery	Regeneration Service Unit	2,470
<i>Economic Growth</i>	Energy Costs - Electricity	Public Halls-Jaywick Community Centre	3,580
<i>Economic Growth</i>	Subscriptions Paid	Enabling Fund	8,460

<b>Service</b>	<b>Account</b>	<b>Cost Centre</b>	<b>Requested C/fwd Amount (£)</b>
<i>Economic Growth</i>	Project Expenses	Seed Funding for Local Events	12,500
<i>Economic Growth</i>	Project Expenses	Rural and Urban Infrastructure Fund	1,184,310
<i>Economic Growth</i>	Grants to Voluntary Organisations	Tendring Community Fund	356,000
<i>Economic Growth</i>	Grants	SME Growth Fund	51,780
<i>Economic Growth</i>	Computer - Application Software	Business Investment and Growth	1,090
<i>Economic Growth</i>	Grants	Business Investment and Growth	36,410
<i>Economic Growth</i>	Contributions to Other Public Organisations	Business Investment and Growth	347,980
<i>Economic Growth</i>	Advertising	Business Investment and Growth	4,850
<i>Economic Growth</i>	Project Expenses	Business Investment and Growth	349,570
<i>Economic Growth</i>	Miscellaneous Expenses	Business Investment and Growth	6,970
<i>Economic Growth</i>	Miscellaneous Expenses	Jaywick Sands Team	2,850
<i>Economic Growth</i>	Project Expenses	Tendring 4 Growth Events	73,680
<i>Economic Growth</i>	Miscellaneous Expenses	Town Team Partners	17,500
<i>Economic Growth</i>	Government Grants - Non-Ringfenced	Town Team Partners	(17,500)
<i>Economic Growth</i>	Project Expenses	NEEB - Collaboration & Funding Agreement	16,370
<i>Economic Growth</i>	Government Grants - Current Year	NEEB - Collaboration & Funding Agreement	(16,370)
<i>Economic Growth</i>	Project Expenses	Creative and Cultural Strategy	100,000
<i>Economic Growth</i>	Project Expenses	Economic Strategy	22,810
<b>Total for Economic Growth</b>			<b>2,572,390</b>

<b>Service</b>	<b>Account</b>	<b>Cost Centre</b>	<b>Requested C/fwd Amount (£)</b>
<i>Strategic Planning</i>	Project Expenses	Planning Policy and Conservation	10,000
<i>Strategic Planning</i>	Local Development Frame Work/Local Plan	Planning Policy and Conservation	195,960
<i>Strategic Planning</i>	Government Grants - Non-Ringfenced	Planning Policy and Conservation	40,000
<b>Total for Strategic Planning</b>			<b>245,960</b>
<i>Place</i>	Project Expenses	Clacton Town Centre Projects	2,291,460
<i>Place</i>	Project Expenses	FHSF Business Case Expenses	186,600
<b>Total for Place</b>			<b>2,478,060</b>
<b>Total for Place and Economy</b>			<b>6,394,050</b>
			<b>12,948,570</b>



Service Area	Description	Amount Carried Forward from 2020/21	Government / External Grant Funding 2021/22	Total Available 2021/22	Spent / Committed 2021/22	Remaining Balance / Carry Forward into 2022/23	Comments
<b>COVID 19 GOVERNMENT / ECC FUNDING - POSITION AND CARRY FORWARDS</b>							
<i>Finance - Other Corporate Costs</i>	COVID 19 - General New Burdens (including Business Rates Administration Support)	1,252,920	1,023,210	2,276,130	1,425,620 <i>See separate detailed breakdown below</i>	850,510	This money can be retained by the Council rather than having to be returned to the Government. Further commitments against this carryforward will therefore be considered as part of the Quarter 1 Financial Performance Report 2022/23. However it is proposed to agree an amount of £59k to support the Summertime Plan in 2022/23 as part of this report given its timing.
<i>Finance, Revenues and Benefits</i>	COVID 19 - Track and Trace Support (excl. administration but including ECC Grant funding of £295,990)	482,990	577,000	1,059,990	598,500	461,490	Unspent balance to be repaid to Government / ECC in 2022/23.
<i>Finance - Other Corporate Costs</i>	COVID 19 - Business Grants - Mandatory	10,457,282	8,104,320	18,561,602	8,349,238	10,212,360	Unspent balance to be repaid to Government / ECC in 2022/23.
<i>Finance - Other Corporate Costs</i>	COVID 19 - Business Grants - Discretionary Schemes	3,737,900	81,170	3,819,070	3,781,743	37,330	Unspent balance to be repaid to Government / ECC in 2022/23.
<i>People, Performance and Projects</i>	COVID 19 - Community Champions	220,000	0	220,000	191,580	28,420	Unspent balance to be repaid to Government / ECC in 2022/23.
<i>Regeneration</i>	COVID 19 - ECC Business Adaptations Scheme	196,000	1,657,140	1,853,140	1,778,601	74,540	Unspent balance to be repaid to ECC in 2022/23.
<i>Finance - Other Corporate Costs</i>	COVID 19 - ECC Compliance and Enforcement	272,030	369,560	641,590	363,199	278,390	Approval has been obtained from ECC to enable £230k of this money to be applied to the cost of Community Ambassadors in 2022/23 and 2023/24. The balance of this funding is subject to being repaid to the Government if unspent at the end of June 2022.
<i>Finance - Other Corporate Costs</i>	COVID 19 - ECC Clinically Vulnerable	75,670	0	75,670	0	75,670	Unspent balance to be repaid to ECC in 2022/23.
<i>Housing and Environmental Health</i>	COVID 19 - ECC Night Time Economy	23,320	0	23,320	0	23,320	Unspent balance to be repaid to ECC in 2022/23.
<i>People, Performance and Projects</i>	COVID 19 - ECC Emergency Assistance	8,890	0	8,890	0	8,890	Unspent balance to be repaid to ECC in 2022/23.
<b>NET Carry Forward after taking into account the necessary 'technical' treatment of expenditure and income</b>						<b>1,076,640</b>	

<i>Detailed Breakdown of COVID 19 General New Burdens Grant highlighted above</i>	<b>Spent / Committed 2021/22</b>
<b>Agreed as part of a Previous Decision (although amount subject to change as part of finalising the Outturn for 2021/22)</b>	
Street Sweeping Additional Services (Including Bins)	62,000
Extension of 2 Street Ranger posts to the end of December 2021	12,550
Temporary Customer Support Assistant to respond to additional customer demand	19,200
Additional Communication Officer support - Social Media / Media Support	5,500
Summertime Plan - Communication Plan 2021	90,000
Caros Waiving of Rent	39,260
Treadwheel Crane Repair / Refurbishment	46,700
Leisure Facilities - loss of Income over and above Government's Sales Fees and Charges Compensation Scheme Grant	422,300
Building Security Pier Avenue / Town Hall	5,000
Business Grants Advertising	10,000
Additional Staff Capacity / Support	92,120
<b>Allocated as part of finalising the Outturn 2021/22</b>	
Council Tax Sharing Agreement reduction in income from ECC	190,180
Revenue and Benefits Reduced Income from Court Fees	272,120
Health & Safety - PPE	12,000
Opening High Streets Safely Grant Scheme - Unclaimable costs	21,690
New Committee Room - Interim Hire of Recording / Microphone System	13,670
Business Grants Balance - amounts that cannot be charged against the associated Government Grant	21,810
General additional Homelessness Costs	76,910
Additional Business Grants Advertising	12,610
	<b>1,425,620</b>