

**TENDRING DISTRICT COUNCIL**

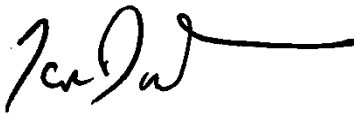
Committee Services  
Room 29  
Town Hall  
Station Road  
Clacton-on-Sea  
Essex  
CO15 1SE

15 September 2023

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held at 7.30 p.m. on Tuesday 26 September 2023 when the business specified in the accompanying Agenda is proposed to be transacted. The meeting will be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea, CO15 1SE.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ian Davidson', followed by a horizontal line extending to the right.

Ian Davidson  
Chief Executive

To: All members of the  
Tendring District Council

TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on Tuesday, 26 September 2023

**Prayers**

**1 Apologies for Absence**

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

**2 Minutes of the Last Meeting of the Council (Pages 1 - 18)**

The Council is asked to approve, as a correct record, the minutes of the ordinary meeting of the Council held on Tuesday 11 July 2023.

**3 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registrable Interests or Non-Registrable Interests, and the nature of it, in relation to any item on the agenda.

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

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

**5 Announcements by the Chief Executive**

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

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

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

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

**7 Statements by Members of the Cabinet**

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

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

**8 Petitions to Council: Report of the Chief Executive - A.1 - E-Petition to Council: Waste Management (Pages 19 - 20)**

To report an e-petition received in accordance with the Scheme approved by the Council.

**9 Petitions to Council: Report of the Chief Executive - A.2 - E-Petition to Council: 'Brightlingsea Stench' (Pages 21 - 24)**

To report an e-petition received in accordance with the Scheme approved by the Council.

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

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

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

## **11 Report of the Leader of the Council - Urgent Cabinet or Portfolio Holder Decisions (Pages 25 - 28)**

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

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

## **12 Minutes of Committees (Pages 29 - 80)**

The Council will receive for noting the minutes of the following Committees:

- (a) Resources and Services Overview & Scrutiny of Tuesday 27 June 2023;
- (b) Community Leadership Overview & Scrutiny of Monday 3 July 2023;
- (c) Human Resources & Council Tax of Thursday 6 July 2023;
- (d) Audit of Thursday 13 July 2023;
- (e) Standards of Wednesday 19 July 2023; and
- (f) Planning Policy & Local Plan of Thursday 27 July 2023.

### **NOTES:**

- (1) The above minutes are presented to Council **for information only**. Members can ask questions on their contents to the relevant Chairman but questions as to the accuracy of the minutes **must** be asked at the meeting of the Committee when the relevant minutes are approved as a correct record; and
- (2) If any recommendations to Council have been made by those Committees, these are included within separate reports for Council to decide upon (i.e. by noting the minutes those recommendations are not approved at this stage of the proceedings).

## **13 Motions to Council**

Council will consider any Motions on Notice which will have been submitted in accordance with Council Procedure Rule 12.

## **14 Recommendations from the Cabinet**

Council will consider any recommendations submitted to it by the Cabinet.

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

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

**16 Report of the Chief Executive - A.4 - Membership of Committees (Pages 81 - 82)**

To inform Council of changes in the membership of Committees that have occurred since the last Ordinary Meeting of the Council on 11 July 2023.

**17 Report of the Deputy Chief Executive & Monitoring Officer - A.5 - External Audit Delays that caused delay to the publication of Certified Accounts for 2022/23 (Pages 83 - 92)**

To inform Council of a breach of a statutory reporting deadline along with the associated circumstances and the actions taken in response.

**18 Questions Pursuant to Council Procedure Rule 11.2 (Pages 93 - 94)**

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

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

One such question has been submitted for this meeting of the full Council.

**19 Urgent Matters for Debate**

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

**20 Exclusion of Press and Public**

Council is asked to consider passing the following resolution:

“That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 25 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A, as amended, of the Act.”

**21 Exempt Minutes of the Meeting of the Human Resources & Council Tax Committee held on Thursday 6 July 2023 (Pages 95 - 98)**

The Council will receive for noting the exempt minutes of the meeting of the Human Resources & Council Tax Committee held on Thursday 6 July 2023.

**NOTES:**

- (1) The above exempt minutes are presented to Council **for information only**. Members can ask questions on their contents to the Committee's Chairman but questions as to the accuracy of the exempt minutes **must** be asked at the meeting of the Committee when the exempt minutes are approved as a correct record; and
- (2) If any recommendations to Council have been made by that Committee, these will be included within separate reports for Council to decide upon (i.e. by noting the exempt minutes any such recommendations are not approved at this stage of the proceedings).

**Date of the Next Scheduled Meeting of the Council**

Tuesday, 28 November 2023 at 7.30 pm - Princes Theatre - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

## **INFORMATION FOR VISITORS**

### **PRINCES THEATRE FIRE EVACUATION PROCEDURE**

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

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

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

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

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

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

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

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

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

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

from the meeting for the consideration of exempt or confidential business.

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

The Council will provide reasonable facilities to facilitate reporting.

### **Public Behaviour**

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

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

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

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

### **Filming by the Council**

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for up to 24 months (the Council retains one full year of recordings and the relevant proportion of the current Municipal Year). The Council will seek to avoid/minimise footage of members of the public in attendance at, or participating in, the meeting.