

TENDRING DISTRICT COUNCIL

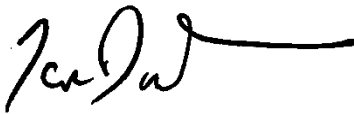
Committee Services
Room 29
Town Hall
Station Road
Clacton-on-Sea
Essex
CO15 1SE

20 November 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 28 November 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 long horizontal flourish.

Ian Davidson
Chief Executive

To: All members of the
Tendring District Council

TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on Tuesday, 28 November 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 - 16)

The Council is asked to approve, as a correct record, the minutes of the ordinary meeting of the Council held on 26 September 2023.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests or Non-Registerable 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

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

9 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.

10 Report of the Leader of the Council - A.1 - Urgent Cabinet or Portfolio Holder Decisions (Pages 17 - 20)

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

11 Minutes of Committees (Pages 21 - 56)

The Council will receive the minutes of the following Committees:

- (a) Audit of Thursday 5 October 2023;
- (b) Planning Policy & Local Plan of Thursday 5 October 2023;
- (c) Tendring / Colchester Borders Garden Community Joint Committee of Monday 9 October 2023; and
- (d) Human Resources & Council Tax of Thursday 12 October 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).

12 Motions to Council

Council will consider any Motions on Notice submitted in accordance with the provisions of Council Procedure Rule 12.

13 Reference from the Cabinet - A.2 - Adoption of a new Corporate Plan for the period 2024-2028 (Pages 57 - 84)

The Council is asked to consider the recommendation submitted to it by the Cabinet in respect of the final proposals for 'Our Vision', the Corporate Plan 2024/28.

14 Reference from the Cabinet - A.3 - The Local Council Tax Support Scheme, Discretionary Council Tax Exemptions/Discounts/Premiums for 2024/25 and Annual Minimum Revenue Provision Policy Statement 2024/25 (Pages 85 - 140)

Council is asked to consider the recommendations submitted to it by the Cabinet in respect of the Local Council Tax Support Scheme 2024/2025, Council Tax Exemptions, Discounts and Premiums for 2024/2025 and the Annual Minimum Revenue Provision Policy Statement 2024/2025.

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

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

16 Reference from the Planning Committee - A.4 - Request to change the Commencement Time of Meetings of that Committee (Pages 141 - 142)

To enable Full Council to consider a formal request from the Planning Committee that the commencement time for meetings of the Committee be amended from 6.00 p.m. to 5.00 p.m.

17 Report of the Chief Executive - A.5 - Tendring/Colchester Borders Garden Community Joint Committee - Appointment of TDC Representative (Member from a Political Group that is not Represented on the Cabinet) (Pages 143 - 146)

To enable a Member from a political group that is not represented on the Cabinet to be appointed to serve on the Tendring / Colchester Borders Garden Community Joint Committee (TCBGCJC) as one of Tendring District Council's three Member representatives.

This is in accordance with the terms of reference of the TCBGCJC, which are set out in Schedule 5 to Part 3 of the Council's Constitution.

This is due to the fact that Councillor Guglielmi, who was appointed to the TCBGCJC in that capacity at the Annual Meeting of the Council on 23 May 2023, has subsequently become a member of the TCBGCJC by right in his capacity as the Chairman of the Planning Policy & Local Plan Committee (Minute 10 – 5.10.23 refers). That meant there was automatically a vacancy for a Member from a political group that is not represented on the Cabinet.

18 Report of the Chief Executive - A.6 - Resignation of Councillor Ian Lennard (Pages 147 - 148)

To formally report that Ian Lennard has resigned as a Member of Tendring District Council.

19 Report of the Chief Executive - A.7 - Approval of Non-Attendance at Meetings (Pages 149 - 150)

To approve the reason for Councillor Jim Codling's non-attendance at meetings of the Council etc. if he does not attend before 16 February 2024.

20 Report of the Chief Executive - A.8 - Membership of Committees & Deputy Leader of the Labour Group (Pages 151 - 152)

To inform Council of changes in the membership of Committees that have occurred since the last Ordinary Meeting of the Council on 26 September 2023. In addition, to inform Council that the Labour Group has a new Deputy Leader.

21 Report of the Chief Executive - A.9 - Resignations from the Conservative Group and the formation of a new Political Group on Tendring District Council (Pages 153 - 154)

To report the resignations from the Conservative Group of Councillors Bray and Harris and the formation of a new Political Group on Tendring District Council.

22 Report of the Monitoring Officer - A.10 - Local Government and Social Care Ombudsman Finding (Pages 155 - 156)

The Constitution (Article 12.03(a)) requires the Monitoring Officer to report to Council (or to Cabinet for executive functions) if any decision or omission has given rise to maladministration. This report concerns an omission that the Local Government and Social Ombudsman ('the Ombudsman') has determined was maladministration.

23 Questions Pursuant to Council Procedure Rule 11.2

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

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

24 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).

25 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 26 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."

26 Exempt Minute of the Meeting of the Human Resources & Council Tax Committee held on Thursday 12 October 2023 (Pages 157 - 158)

The Council will receive the exempt minute of the meeting of the Human Resources & Council Tax Committee held on Thursday 12 October 2023.

NOTES:

- (1) The above exempt minute is presented to Council **for information only**. Members can ask questions on its content to the Committee's Chairman but questions as to the accuracy of the minute **must** be asked at the meeting of the Committee when the exempt minute is 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 minute any such recommendations are not approved at this stage of the proceedings).

Date of the Next Scheduled Meeting of the Council

Tuesday, 30 January 2024 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.