

**MINUTES OF THE MEETING OF THE COUNCIL,
HELD ON TUESDAY, 30TH JANUARY, 2024 AT 7.30 PM
IN THE PRINCES THEATRE, AT THETOWN HALL, STATION ROAD, CLACTON-ON-
SEA, CO15 1SE**

Present:	Councillors Scott (Chairman), Casey (Vice-Chairman), Alexander, Amos, Baker, Barrett, Barry, Bensilum, Bray, Bush, Calver, Chapman BEM, A Cossens, M Cossens, Davidson, Doyle, Everett, Fairley, Ferguson, Fowler, Goldman, Griffiths, Guglielmi, Harris, I Henderson, J Henderson, P Honeywood, S Honeywood, Kotz, Land (items 91 - 98 (part) only), McWilliams, Morrison, Newton, Oxley, Placey, Platt, Skeels Jr., Smith, Steady, G Stephenson, M Stephenson, Sudra, Talbot, Thompson, Turner, White and Wiggins
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Keith Simmons (Head of Democratic Services and Elections & Deputy Monitoring Officer), Ian Ford (Committee Services Manager), Kai Aberdeen (Theatre General Manager (Technical)), Keith Durran (Committee Services Officer), Bethany Jones (Committee Services Officer) and Simon Kedge (Casual Technician (Princes Theatre))

91. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Codling.

92. REPORT OF THE RETURNING OFFICER ON THE DISTRICT COUNCIL BY-ELECTION - BLUEHOUSE WARD

The Returning Officer (Ian Davidson) formally reported that the result of the by-election in the Bluehouse Ward of the District held on 11 January 2024 had been as follows:-

Gareth Luke Bayford	Independent	45 votes
John Philip Carrington	Labour Party	83 votes
John Chittock	Independent	6 votes
Bernard Goldman	Independent	181 votes
Josie Holland	No description	24 votes
Anthony Mack	Reform UK	54 votes
Danny Richard Mayzes	Independent	52 votes
Andrew Pemberton	UK Independence Party	38 votes
Alex Oliver James Porter	Conservative	91 votes
Kane Anthony Silver	Liberal Democrats	22 votes

The Returning Officer further reported that BERNARD GOLDMAN had been duly elected a Councillor for the Bluehouse Ward of the District of Tendring and had since made a Statutory Declaration of Acceptance of Office.

The Chairman of the Council (Councillor Scott) congratulated Councillor Goldman on his election and welcomed him to Tendring District Council. He wished Councillor Goldman an enjoyable term of office and then led Members in a round of applause.

Council noted the foregoing.

93. MINUTES OF THE LAST MEETING OF THE COUNCIL

It was moved by Councillor M E Stephenson, duly seconded and:-

RESOLVED that the minutes of the ordinary meeting of the Council held on 28 November 2023 be approved as a correct record and be signed by the Chairman.

94. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members on this occasion.

95. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

The Chairman of the Council (Councillor Scott) informed Members that, since the last meeting of the Full Council on 28 November 2023, he had attended in the run up to Christmas and around the District many events such as judging best Christmas Tree/House decorations; Christmas Tree lighting up occasions; Christmas Carol Services and Christmas Markets. More recently, on Friday 26 January 2024, Councillor Scott, accompanied by the Vice-Chairman of the Council (Councillor Casey), had attended the Holocaust Memorial Service in Clacton seafront memorial gardens. Councillor Scott stated that it had been a moving service led by Mr. Harvey Newman.

96. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were no announcements made by the Chief Executive on this occasion.

97. STATEMENTS BY THE LEADER OF THE COUNCIL

The Leader of the Council (Councillor M E Stephenson) drew everyone's attention to the welcome redecoration of both the Princes Theatre and the Essex Hall. Much of the work had been undertaken by the in-house Theatre Team and he congratulated and thanked them for their dedicated efforts and hard work which should stand the Council in good stead for several decades to come.

The Chairman of the Council (Councillor Scott) endorsed those sentiments.

98. STATEMENTS BY MEMBERS OF THE CABINET

Economic Growth, Regeneration and Tourism Portfolio

The Portfolio Holder (Councillor I J Henderson) informed Council that, as well as having a positive local impact, the new 'Sunspot' building in Jaywick Sands was now receiving national recognition. He reported that The Observer newspaper's architectural journalist, Rowan Moore, had listed the Sunspot as one of his top 5 new buildings in the country in 2023. In addition, the national Royal Institute of British Architecture's Journal had just selected the Sunspot as one of its three 'highly commended' new build projects in 2023/24.

Councillor Henderson also referred to a recent article in the Clacton Gazette which had reported positively on this Council's help and encouragement for the new small

businesses starting up in the Sunspot. He also reported that 19 business units were now let out and the last retail unit had been taken up.

Councillor Henderson then responded to a question from Councillor Guglielmi in relation to acknowledging the role of the previous Administration and Essex County Council in making the Sunspot project a success story.

Partnerships Portfolio

The Portfolio Holder (Councillor Placey) was delighted to announce that the OfSTED report, following its inspection visit in November 2023, had rated the Council's Career Track service as 'Good' in all areas.

Councillor Placey further informed Members that the Council had hosted, the previous week, a very successful STEAM (Science, Technology, Engineering, Arts and Maths) event for nine primary schools (Year 6) with a diverse range of employers with the aim of 'sowing the seeds early' for pupils future career aspirations.

Councillor Placey then responded to a question from Councillor Guglielmi in relation to providing an in-depth briefing on the Career Track service for the benefit of the Councillors who were newly elected in 2023.

Leisure and Public Realm Portfolio

The Portfolio Holder (Councillor Barry) was pleased to report that the Tour de Tendring 2024 had gone 'live' with a website run by Bike Events. The event itself would take place on Sunday 19 May 2024 and would have, for the first time, two start and finish points namely the usual one in Dovercourt plus one in Clacton (Hazlemere Road Car Park). The route would take in St. Osyth, Great Bentley and Great Oakley with a full 60 mile route plus routes of smaller distances for families with children. Councillor Barry stated that this event was fully supported by Essex Pedal Power and that a lot of enthusiasm was already building up.

Councillor Barry then undertook to respond in writing to Councillor Guglielmi in response to his question relating to the financial cost to the Council of putting on this event.

99. PETITIONS TO COUNCIL

No petition had been received, in accordance with the scheme approved by the Council, on this occasion.

100. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

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

No such questions had been received, on notice, from members of the public on this occasion.

101. REPORT OF THE LEADER OF THE COUNCIL - URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

In accordance with the requirements of Rule 16.2 of the Access to Information Procedure Rules and Rule 18(i) of the Overview and Scrutiny Procedure Rules, Council would receive a report from the Leader of the Council which would notify Members of any recent Executive Decision(s) taken in the circumstances set out in Rule 15 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules and/or Rule 6(b) of the Budget and Policy Framework Procedure Rules.

There was no such report required of the Leader of the Council on this occasion.

102. MINUTES OF COMMITTEES

It was moved by Councillor M E Stephenson and:-

RESOLVED that the minutes of the following Committees, as circulated, be received and noted:-

- (a) Resources and Services Overview & Scrutiny of Tuesday 19 September 2023;
- (b) Community Leadership Overview & Scrutiny of Tuesday 14 November 2023;
- (c) Planning Policy & Local Plan of Wednesday 20 December 2023;
- (d) Resources and Services Overview & Scrutiny of Wednesday 10 January 2024; and
- (e) Community Leadership Overview & Scrutiny of Thursday 11 January 2024.

103. MOTIONS TO COUNCIL

No Motions on Notice had been submitted in accordance with Council Procedure Rule 12 for this meeting.

104. RECOMMENDATIONS FROM THE CABINET

Council would consider any recommendations that had been submitted to it by the Cabinet.

No such recommendations had been submitted by the Cabinet to full Council on this occasion.

105. REPORTS SUBMITTED TO THE COUNCIL BY AN OVERVIEW AND SCRUTINY COMMITTEE

Council would consider any reports submitted to it by an Overview and Scrutiny Committee.

No such reports had been submitted for consideration at this meeting.

106. REPORT OF THE CHIEF EXECUTIVE - A.1 - MEMBERSHIP OF COMMITTEES

The Chief Executive formally reported that, in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to him, the following appointment had been duly made since the last ordinary meeting of the Council, namely:-

Planning Committee

Councillor Mark Cossens had been appointed to serve in place of Councillor Peter Harris.

Council noted the foregoing.

107. REPORT OF THE CHIEF EXECUTIVE - A.2 - CHANGE IN MEMBERSHIP OF A POLITICAL GROUP

The Chief Executive formally advised Council that, following the by-election in the Bluehouse Ward held on 11 January 2024 and pursuant to Regulation 9(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Bernard Goldman had served formal notice on the Council that he wished to be treated as a member of the Tendring Independents political group. That notice had been duly counter-signed by the Leader of the Tendring Independents Group (Councillor Mark Stephenson).

Councillor Goldman had informed Officers that they wished to exercise their right under Section 15(1)(e) of the Local Government and Housing Act 1989 and Regulation 17(c) of the Local Government (Committees and Political Groups) Regulations 1990 to have a review of the allocation of seats to political groups carried out at that time. The results of that review were reported to Council elsewhere on the Agenda for this meeting.

Council noted the foregoing.

108. REPORT OF THE CHIEF EXECUTIVE - A.3 - REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS ON THE COUNCIL

The Chairman informed Members that this item stood deferred until the next ordinary meeting of the Council on 19 March 2024.

The Chief Executive explained that he had, shortly before the meeting had commenced, received a formal Notice that had affected the membership of the Conservative Group. This meant that the figures upon which the statutory proportionality calculations had been based on for the allocation of committee et cetera seats to the political groups on the Council within report A.3 and its appendix were now factually incorrect and that therefore this matter could no longer proceed.

Council noted the foregoing.

109. JOINT REPORT OF THE MONITORING OFFICER AND THE CABINET - A.4 - PROPOSED MINOR AMENDMENTS TO THE COUNCIL'S CONSTITUTION (COUNCIL PROCEDURE RULES)

In accordance with the provisions of Article 15.02 (a) and (c) of the Council's Constitution, Council's approval was sought for the recommended changes to the Constitution (Council Procedure Rules) put forward by the Monitoring Officer and the Cabinet following a review undertaken by the former Portfolio Holder for Corporate Finance and Governance (Councillor Guglielmi) through the Councillor Development Portfolio Holder Working Party.

It was reported that the Cabinet, at its meeting held on 15 December 2023 (Minute 63 referred) had considered and had decided to recommend for approval proposed

amendments to the Council Procedure Rules 33.3, 34.3 and 34.4, in order to ensure the Council's Constitution remained effective, efficient and consistent at an operational level and continued to be an expression of best practise and to meet expectations of Members.

A summary of the proposed changes compared to the existing CPRs 33.3, 34.3 and 34.4 was provided in the background section of the joint report of the Monitoring Officer and the Cabinet (A.4).

Having considered the outcome of the review of the mandatory training of Members carried out by the Councillor Development Portfolio Holder Working Party and the Cabinet's recommendation arising therefrom, and in order to enable that recommendation to be approved and adopted:-

It was moved by Councillor M E Stephenson, seconded by Councillor Guglielmi and:-

RESOLVED that the Council's Constitution be amended to reflect the proposed changes, as set out in the Appendix attached to item A.4 of the Joint Report of the Monitoring Officer and the Cabinet.

110. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

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

No such questions had been submitted for this meeting of the Council.

111. SEATING PLAN FOR MEETINGS OF THE FULL COUNCIL

The Chairman informed Council that this item now stood deferred to its next ordinary meeting on 19 March 2024.

The Chief Executive explained that the seating plan now needed further revision to reflect the change in membership of the Conservative Group that had been referred to earlier in the meeting under Minute 108 above.

Council noted the foregoing.

112. URGENT MATTERS FOR DEBATE

No urgent matters had been submitted in accordance with Council Procedure Rules 3(xv), 11.3(b) and/or 13(p) for this meeting.

The Meeting was declared closed at 7.55 pm

Chairman