

# Public Document Pack

## TENDRING DISTRICT COUNCIL

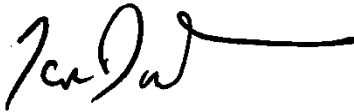
Committee Services  
Room 29  
Town Hall  
Station Road  
Clacton-on-Sea  
Essex  
CO15 1SE

19 January 2024

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 30 January 2024 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, 30 January 2024

**Prayers**

**1 Apologies for Absence**

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

**2 Report of the Returning Officer on the District Council By-Election - Bluehouse Ward (Pages 1 - 2)**

The Council will receive the Returning Officer's Report on the by-election held on 11 January 2024 in the Bluehouse Ward.

**3 Minutes of the Last Meeting of the Council (Pages 3 - 18)**

The Council is asked to approve, as a correct record, the minutes of the ordinary meeting of the Council held on 28 November 2023.

**4 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.

**5 Announcements by the Chairman of the Council**

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

**6 Announcements by the Chief Executive**

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

**7 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.*

**8 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.*

**9 Petitions to Council**

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

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

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**

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

#### **12 Minutes of Committees (Pages 19 - 88)**

The Council will receive the minutes of the following Committees:

- (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.

#### **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 that have been submitted in accordance with the provisions of Council Procedure Rule 12.

#### **14 Recommendations from the Cabinet**

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

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

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

**16 Report of the Chief Executive - A.1 - Membership of Committees (Pages 89 - 90)**

To inform Council of changes in the membership of Committees that have occurred since the last Ordinary Meeting of the Council on 28 November 2023.

**17 Report of the Chief Executive - A.2 - Change in Membership of a Political Group (Pages 91 - 92)**

To inform Council of a change in the membership of a political group on the Council following the result of the by-election held on 11 January 2024.

**18 Report of the Chief Executive - A.3 - Review of the Allocation of Seats to Political Groups on the Council (REPORT IS TO FOLLOW)**

To inform Council of the outcome of a review of the allocation of seats to political groups carried out in accordance with Section 15(1) (e) of the Local Government and Housing Act 1989 and Regulation 17(b) and (d) of the Local Government (Committees and Political Groups) Regulations 1990.

**19 Joint Report of the Monitoring Officer and the Cabinet - A.4 - Proposed Minor Amendments to the Council's Constitution (Council Procedure Rules) (Pages 93 - 100)**

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

**20 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.

**21 Seating Plan for Meetings of the Full Council (Pages 101 - 102)**

Council's approval is sought for a revised seating plan for its meetings held in the Princes Theatre, within the Town Hall, Station Road, Clacton-on-Sea.

The seating plan has been amended to reflect both the outcome of the by-election in the Bluehouse Ward on 11 January 2024 and the formation of the Tendring Residents' Alliance political group.

**22 Urgent Matters for Debate**

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

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

Tuesday, 13 February 2024 at 7.30 pm - Princes Theatre - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE (BUDGET & COUNCIL TAX SETTING)

# **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.

# Agenda Item 2

## COUNCIL

30 JANUARY 2024

### RETURNING OFFICER'S REPORT

#### DECLARATION OF RESULT OF POLL

#### BLUEHOUSE WARD

The result of the by-election in the Bluehouse Ward of the District held on 11 January 2024 was 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

BERNARD GOLDMAN was duly elected a Councillor for the Bluehouse Ward of the District of Tendring and has made a Statutory Declaration of Acceptance of Office.

This item is submitted for **INFORMATION ONLY**.

**IAN DAVIDSON**  
**RETURNING OFFICER**

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**MINUTES OF THE MEETING OF THE COUNCIL,  
HELD ON TUESDAY, 28TH NOVEMBER, 2023 AT 7.30 PM  
IN THE PRINCES THEATRE, AT THE TOWN HALL, STATION ROAD, CLACTON-  
ON-SEA, CO15 1SE**

<b>Present:</b>	Councillors Scott (Chairman), Casey (Vice-Chairman), Alexander, Amos, Barrett, Barry, Bensilum, Bray, Bush, Calver, Chapman BEM, A Cossens, M Cossens, Davidson, Doyle, Everett, Fairley, Ferguson, Fowler, Griffiths, Harris, I Henderson, J Henderson, P Honeywood, S Honeywood, Kotz, Land, McWilliams, Morrison, Newton, Oxley, Placey, Skeels Jnr., Smith, Steady, G Stephenson, M Stephenson, Sudra, Talbot, Turner, White and Wiggins
<b>In Attendance:</b>	Ian Davidson (Chief Executive), Lee Heley (Corporate Director (Place & Economy)), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Madeline Adger (Leadership Support Manager), Keith Durran (Committee Services Officer) and Bethany Jones (Committee Services Officer)

**63. SILENT TRIBUTE**

The Chairman of the Council (Councillor Gary Scott) led the Council in a silent tribute to the memory of former Councillors Robert Bucke and Peter Cawthron who had both recently deceased.

**64. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Baker, Codling, Guglielmi, Platt and Thompson.

**65. MINUTES OF THE LAST MEETING OF THE COUNCIL**

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

**RESOLVED** that the minutes of the ordinary meeting of the Council held on 26 September 2023 be approved as a correct record and be signed by the Chairman.

**66. DECLARATIONS OF INTEREST**

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

**67. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL**

The Chairman informed Members that, since the last meeting of the Full Council on 26 September 2023, he had attended the following civic events:-

- 3<sup>rd</sup> October – Tendring Youth Awards 2023
- 5<sup>th</sup> October – Tendring for Growth Awards
- 13<sup>th</sup> October – Baby Loss Awareness event
- 16<sup>th</sup> October – Grand Opening ceremony for the Little Pals Forest School Nursery

17<sup>th</sup> October – Clacton Carnival presentations  
27<sup>th</sup> October – Baby Loss Awareness Tree Planting  
28<sup>th</sup> October – Clacton Lions Charter Night Dinner  
29<sup>th</sup> October – Halloween Judging at Elmstead Market  
30<sup>th</sup> October – Launch of Civic MoU with University of Essex  
11<sup>th</sup> November – Armistice Day Service at Alresford  
12<sup>th</sup> November – Remembrance Sunday Parade & Service at Clacton Town Hall and seafront Memorial Gardens  
18<sup>th</sup> November – Victorian Christmas market for Charity  
21<sup>st</sup> November – Latimer presentation to CVST  
23<sup>rd</sup> November – Pride of Tendring Awards Judging Panel

The Chairman invited Members to join him in the Chairman’s Parlour after the meeting for Mince Pies and refreshments.

**68. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE**

The Chief Executive made the following announcement:-

*“Mr. Chairman, Members, I need to inform Council that, due to unforeseen circumstances, two meetings have needed to be cancelled.*

*With the approval of the Chairman of the Standards Committee (Councillor Michael Talbot), the formal meeting of that Committee due to have taken place on Wednesday 6<sup>th</sup> December 2023 has been cancelled and will be re-arranged in due course for early in the New Year. However, we are still hoping to provide Committee Members with the planned training on conducting Standards Hearings but, unfortunately, Officers will not be in a position to confirm this until tomorrow morning at the earliest.*

*In addition, with the approval of the Chairman of the Review of the Constitution Portfolio Holder Working Party (Councillor Mark Stephenson), the meeting of that Working Party which was due to be held tomorrow afternoon has been cancelled.*

*The business that would have been transacted at that meeting will be re-arranged for the next meeting of the Working Party which is due to be held on Wednesday 13<sup>th</sup> December 2023.*

*Thank you, Chairman.”*

**69. STATEMENTS BY THE LEADER OF THE COUNCIL**

The Leader of the Council stated that he had also attended a good number of meetings on behalf of the Council. Particular highlights had included the Tendring Youth Awards and the signing of the Memorandum of Understanding with the University of Essex.

**70. STATEMENTS BY MEMBERS OF THE CABINET**

Portfolio Holder for Leisure & Public Realm

The Portfolio Holder for Leisure & Public Realm (Councillor Barry) updated Council on his activities over the last six months. One priority had been to deliver a Leisure and Activity Strategy for the District. He stated that he had worked diligently with Officers

and in consultation with relevant partners to lay the groundwork for an inclusive and far-reaching approach that would improve health and well-being opportunities for all of the District's residents. Work on a delivery framework for that Strategy was also at an advanced stage.

He went on to state that he intended to revive the Tour de Tendring cycle event in May 2024. It had last taken place in 2019. This was an open, mass participation event and it would be expanded to have starts in both Dovercourt and Clacton that would hopefully enable even more people to take part. There was also an intention to utilise the relationship with the Arts Council to enhance the event with some Street Theatre and entertainment on the day.

Councillor Barry also took the opportunity to pay tribute to the professionalism of staff at Walton and Dovercourt Leisure Centres who had intervened on separate occasions to provide CPR and use the defibrillator to save the lives of two individuals who were suffering heart attacks. He commended the calmness and quick thinking of these employees in very difficult and challenging circumstances. Those officers were Sam Wilkinson, Glen Alston, Jane Hodges and Alan French (Walton Leisure Centre) and Cheryl Williams, Tom Crane and Sam Norman (Dovercourt Leisure Centre).

Councillor Barry then responded to questions asked by Councillors J Henderson and Fairley.

**71. PETITIONS TO COUNCIL**

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

**72. 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.

**73. REPORT OF THE LEADER OF THE COUNCIL - A.1 - 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 received a report from the Leader of the Council which notified 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.

(1) Accept Swimming Pool Support Fund Allocation from Sport England

It was reported that, on 9 October 2023, the Assistant Director (Economic Growth, Culture and Leisure) (Mike Carran), acting on behalf of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance, in view of the urgency of the issue concerned, and in accordance with Rule 18(i) of the Overview & Scrutiny

Procedure Rules, sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Leader of the Council & Portfolio Holder for Corporate Finance and Governance's decision relating to the Swimming Pool Support Fund allocation from Sport England, would be exempted from the call-in procedure.

The Leader of the Council & Portfolio Holder for Corporate Finance and Governance's decision had been as follows:-

*"To accept funding to the value of £388,717 from the Government's Swimming Pool Support Fund, as administered by Sport England."*

It had been felt that any delay likely to be caused by the call-in process would have seriously prejudiced the Council's and the public's interest for the following reason:-

*"The funding needed to be accepted by the Council by Tuesday 9th October, in order to secure the Government funding. If the Executive Decision was subject to call in, then it would not be possible to accept the funding on time, which would result in the Council missing out on this significant funding."*

#### Background

*In the 2023 Spring Budget, the Chancellor announced the Swimming Pool Support Fund (SPSF), making available £60 million for public swimming pool providers. The funding was to be distributed in two phases:*

*Phase 1 (which this decision refers to) offers £20 million to alleviate immediate cost pressures by providing revenue support, via a competitive grant application process. The SPSF is to fund increased costs associated with the operation of swimming pools for utility and pool chemical costs. Successful bids can receive a minimum of £10,000 and a maximum of £500,000, for all the facilities. The Council has been informed by Sport England that its bid to the fund for £388,717 towards in the increase in costs experienced at Clacton Leisure Centre, Dovercourt Bay Lifestyles and Walton on the Naze Lifestyles has been successful.*

*With that in mind, this decision is to accept the funding, to mitigate against that increase in costs. The funding can only be used to offset increased energy and chemical costs at Clacton Leisure Centre, Dovercourt Bay Lifestyles and Walton on the Naze Lifestyles and cannot be passed on to any other provider.*

*It should be noted that if any of the facilities do not remain open for three years following acceptance, the Council will need to contact Sport England for their approval, or the money could be 'clawed back'. The specific condition in the funding agreement is as below:*

*- The period during which the Applicant must comply with the terms of this Agreement (including continuing to operate or procure the operation of the Facilities) starts on the date of this Agreement and ends on the third anniversary of the date of this Agreement. The Applicant must obtain Sport England's approval if it wishes to close or limit the availability of any of the Facilities before the end of this period, and Sport England will consider any request for approval in accordance with clause 4.6 of Schedule 3.*

*clause 4.6 for reference:*

*Sport England will consider a request for approval under clause 4.4 or clause 4.5 acting reasonably and taking into account the Applicant's plan for the provision of public access to swimming facilities in its local area. The Applicant will provide Sport England with any information that Sport England may request in order to enable it to assess the request."*

It was moved by Councillor M E Stephenson and:-

**RESOLVED** that the contents of the report be noted.

**74. 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) 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.

**75. MOTIONS TO COUNCIL**

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

**76. REFERENCE FROM THE CABINET - A.2 - ADOPTION OF A NEW CORPORATE PLAN FOR THE PERIOD 2024-2028**

Council was informed that, at its meeting held on 10 November 2023 (Minute 47 referred), the Cabinet had considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance (A.2), which had sought its approval and recommendation to Full Council, of the final proposals for 'Our Vision' (the Corporate Plan 2024/28) following full consultation with the public, key partners and stakeholders.

It had been reported to Cabinet that the consultation process had included submission to the Resources and Services Overview and Scrutiny Committee, and consultation with residents and key partners (other Local Authorities, health service bodies, Fire & Rescue, Police and voluntary sector) and businesses. The feedback from the consultation process had been summarised within the Leader's report.

It was felt that the final proposals for the Corporate Plan continued to follow the principles which had previously been agreed by the Cabinet, namely a "Plan on a Page" and with Community Leadership at its heart.

Cabinet was informed at their meeting that, through the consultation, there was broad support for the key themes, proposed at the 21 July 2023 meeting of Cabinet namely:-

*Pride in our area and services to residents;  
Raising aspirations and creating opportunities;  
Championing our local environment;  
Working with partners to improve quality of life; and  
Financial Sustainability and openness.*

Members had also been made aware that the three themes with the most relevance to the lives of respondents had been: “Pride in our area and services to residents”; “Championing our local environment”; and “Financial Sustainability and openness.”

The consultation outcomes had been set out in Appendix C to the Leader’s report, and based upon the findings and further reflection, some changes to the proposed text for the Themes, including an additional one around Tourism, had been shown in red in Appendix B to the Leader’s report.

The previously agreed timetable for completion of the Corporate Plan had still stood and sought approval by Full Council at this meeting.

In order to ensure that the views of local residents, businesses and partners (as expressed in the consultation findings set out in this report) were fully considered and to then facilitate the adoption of an informed Corporate Plan 2024-28 Cabinet had:-

**“RESOLVED that -**

- (1) *the outcome of the consultation (set out at Appendix C to the Leader’s report (A.2)) on the emerging Corporate Plan (‘Our Vision’) themes and supporting text, approved on 21 July 2023 (and repeated at Appendix A), be received and considered, including:*
  - a. *The consistently positive relevance of the themes in the emerging corporate plan to respondents and their lives – and particularly the themes around ‘Championing the Local Environment’, ‘Pride in our Area’ and ‘Financial Sustainability and Openness’;*
  - b. *The strong messaging from residents around services provided by partner organisations (including the condition of pavements and roads and access to health services) that underpins the proposed theme of ‘Working with partners to improve quality of life’;*
  - c. *The need to recognise the long term socio-economic necessities around a skilled workforce to sustain and enhance the vibrancy of the District and the consequential needs to promote actions designed to “Raise aspirations and create opportunities” (and the adoption of a Corporate Plan theme around this); and*
  - d. *Almost one third of respondents wishing to see more tourism to further promote our area and boost economic opportunities and almost half of respondents supporting the current levels of tourism to the District which, combined, suggest that there should be a new theme in the Corporate Plan around “Attracting visitors to our District and encouraging them to stay longer” (which itself accords with the Council’s existing Tourism Strategy;*

- (2) *based on (1) above, the final proposals for 'Our Vision', the Corporate Plan 2024/28, as set out in Appendix B be approved and recommended to Full Council for approval; and*
- (3) *Officers be requested to review the Council's Communication Strategy and Community Engagement Strategy and their operation, taking into account the feedback received through the consultation with the public, partners and businesses, with a view to the outcomes being presented to a future meeting of the Cabinet."*

Council had before it a copy of the published Leader of the Council's report (and its appendices) to the Cabinet meeting held on 10 November 2023, which was attached to item A.2 of the Reference from Cabinet.

Councillors M E Stephenson, Bush and I J Henderson addressed the Council on the subject matter of this item.

It was moved by Councillor M E Stephenson and:-

**RESOLVED** that Council approves and formally adopts the final proposals for 'Our Vision', the Corporate Plan 2024/28, as set out in Appendix B to item A.2 of the report of the Leader of the Council, as submitted to the meeting of the Cabinet held on 10 November 2023 [Appendix 3 to item A.2 of the Reference from Cabinet].

77. **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**

Council was informed that, at its meeting held on 10 November 2023 (Minute 53 referred) the Cabinet had considered a joint report of the Housing & Planning Portfolio Holder and Corporate Finance & Governance Portfolio Holder (A.8), which had sought its agreement for recommending to Full Council the following:

- *Local Council Tax Support Scheme 2024/25 (LCTS);*
- *Exceptional Hardship Policy);*
- *Discretionary Council Tax Exemptions, Discounts and Premiums for 2024/25; and*
- *Annual MRP Policy Statement for 2024/25.*

Having conducted the annual review of the above matters, those Portfolio Holders had proposed to Cabinet:-

- (i) to continue with the principles of providing financial stability wherever possible to Tendering claimants;
- (ii) to keep the 2024/25 LCTS scheme the same as for 2023/24, which provided for a maximum discount of 80% for working age claimants;
- (iii) to not make any changes to the associated hardship policy;
- (iv) to not make any changes for 2024/25 in relation to existing discretionary council tax discounts, exemptions and premiums (including discounts for young people leaving care;
- (v) to now charge from 1 April 2024 a 100% council tax premium on properties empty for one to five years;

- (vi) to introduce from 1 April 2025 a 100% council tax premium on properties occupied periodically ('second homes'); and
- (vii) to not make any changes to the Annual Minimum Revenue Provision Policy Statement for 2024/25.

Cabinet had been made aware that the Government was also considering introducing council tax premium exemptions as they had recognised that there were circumstances where it might not be appropriate for premiums to apply e.g. properties undergoing probate. It was understood that those would be mandatory exemptions, which would therefore be applied from 2024/25 alongside any newly enacted legislation.

Members were informed at that Cabinet meeting that, if it was agreed that no changes were necessary to the proposed LCTS scheme, there would be no need for public consultation. However, if any amendments were proposed and approved at this Full Council meeting, then public consultation would be required before the final scheme could be agreed and adopted. Consequently, if consultation was required, this Council would have to notify the precepting authorities that the final council tax base would be delayed and would not be available until late on in the budget cycle.

Given the recommendation to continue with the existing LCTS scheme, it had not been proposed at Cabinet to formally refer it for scrutiny to the Resources and Services Overview and Scrutiny Committee, on grounds that it would be considered by Full Council at this meeting.

In order to proceed towards the implementation of an LCTS Scheme in 2024/25 along with the required council tax discounts, exemptions and premiums and an MRP Policy Statement Cabinet had:-

***“RESOLVED*** that Cabinet agrees that -

- (a) *the LCTS scheme for 2024/25 remains the same as the current year (2023/24);*
- (b) *the Council Tax Exceptional Hardship Policy be as set out in Appendix B to the joint report; and*
- (c) *the discretionary Council Tax exemptions, discounts and premiums for 2024/25 be as set out in the appendices to the Portfolio Holders' joint report.*

***RECOMMENDED TO COUNCIL*** that –

- (i) *the LCTS, as set out as Appendix A to the joint report, be approved with the maximum LCTS award being 80% for working age claimants;*
- (ii) *the Assistant Director (Finance and IT), in consultation with the Housing and Planning Portfolio Holder, be authorised to undertake the necessary steps to implement the LCTS scheme from 1 April 2024;*
- (iii) *the locally determined council tax discounts, as set out in Appendix C, be approved;*
- (iv) *the council tax discount policy for young people leaving care, as set out in Appendix D, be approved;*



- 
- (v) *the discretionary council tax premiums, as set out in Appendix E, be approved;*
- (vi) *a discretionary council tax premium of 100% is charged on properties occupied periodically ('second homes') from 1 April 2025;*
- (vii) *the Assistant Director (Finance and IT), in consultation with the Housing & Planning Portfolio Holder and subject to (vi) above, be authorised to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2024; and*
- (viii) *the Annual Minimum Revenue Provision Policy Statement for 2024/25, as set out in Appendix F, be approved."*

Council had before it a copy of the published Housing & Planning Portfolio Holder and the Corporate Finance and Governance Portfolio Holder's joint report (and its appendices) to the Cabinet meeting held on 10 November 2023 as attached to item A.3 of the Reference from Cabinet.

Councillors M E Stephenson, Bray and Harris addressed the Council on the subject matter of this item.

It was moved by Councillor M E Stephenson and:-

**RESOLVED** that Council approves that –

- (a) the LCTS scheme for 2024/25 remains the same as the current year, as set out as Appendix A to item A.8 of the joint report of the Housing & Planning Portfolio Holder and Corporate Finance & Governance Portfolio Holder as submitted to the meeting of the Cabinet held on 10 November 2023 with the maximum LCTS award being 80% for working age claimants [APPENDIX 2];
- (b) the Assistant Director (Finance and IT), in consultation with the Housing & Planning Portfolio Holder, be authorised to undertake the necessary steps to implement the LCTS scheme from 1 April 2024;
- (c) the locally determined council tax discounts, as set out in Appendix C to the aforesaid joint report as submitted to the meeting of the Cabinet held on 10 November 2023 be approved [APPENDIX 4];
- (d) the council tax discount policy for young people leaving care, as set out in Appendix D to the above mentioned joint report as submitted to the meeting of the Cabinet held on 10 November 2023 be approved [APPENDIX 5];
- (e) the discretionary council tax premiums, as set out in Appendix E to the aforementioned joint report as submitted to the meeting of the Cabinet held on 10 November 2023 be approved [APPENDIX 6];
- (f) a discretionary council tax premium of 100% is charged on properties occupied periodically ("second homes") from 1 April 2025;
- (g) the Assistant Director (Finance and IT), in consultation with the Housing & Planning Portfolio Holder and subject to (f) above, be authorised to undertake the necessary

steps to implement the council tax exemptions, discounts and premiums from 1 April 2024; and

- (h) the Annual Minimum Revenue Provision Policy Statement for 2024/25, as set out in Appendix F to the aforesaid joint report as submitted to the meeting of the Cabinet held on 10 November 2023 be approved [APPENDIX 7].

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

No reports had been submitted to Council by an Overview and Scrutiny Committee for Council's consideration on this occasion.

**79. REFERENCE FROM THE PLANNING COMMITTEE - A.4 - REQUEST TO CHANGE THE COMMENCEMENT TIME OF MEETINGS OF THAT COMMITTEE**

Council was informed that, the Planning Committee, at its meeting held on 28 September 2023 (Minute 41 referred) had considered, at the request of its Chairman (Councillor Fowler), whether to amend the start time of future meetings of the Planning Committee.

An update sheet had been circulated to Members prior to that meeting with advice from the Council's Monitoring Officer that had stated that the Planning Committee did not have the delegated power and that only Full Council could amend the permanent start time of a Committee's meetings under the Council's Constitution (Council Procedure Rule 35.1 (Ordinary Meetings of Committees)). The Monitoring Officer had also suggested a way forward for the Planning Committee on this matter.

Having discussed the matter, the Planning Committee had resolved, by six votes in favour to one against, that -

- (a) *the meetings of the Planning Committee due to be held on Tuesday 24 October 2023 commencing at 6.00 p.m. and on Tuesday 21 November 2023 commencing at 6.00 p.m. be cancelled;*

- (b) *the Chairman of the Planning Committee be requested to exercise their delegated power under Council Procedure Rule 35.2 (Special Meetings) and to call special meetings of the Planning Committee to be held on the following dates:-*

*Tuesday 24 October 2023 commencing at 5.00 p.m.*

*Tuesday 21 November 2023 commencing at 5.00 p.m.*

- (c) *Full Council be requested to change the permanent commencement time of meetings of the Planning Committee from 6.00 p.m. to 5.00 p.m.*

It was moved by Councillor Fowler that the permanent commencement time of meetings of the Planning Committee be changed from 6.00 p.m. to 5.00 p.m.

Councillor M E Stephenson moved and Councillor I J Henderson seconded, by way of an amendment, that the proposal from the Planning Committee for its scheduled meetings to commence at 5.00 p.m., rather than 6.00 p.m., be referred to the Review of

the Constitution Portfolio Holder Working Party for its consideration, and recommendation thereon to Cabinet, and thence back to Council for its final determination.

The Leader of the Council (Councillor M E Stephenson) addressed Council on his amendment as follows:-

*"I have seen the change proposed by the Planning Committee and I'm actually a great believer that Committees should be able to manage their own business in the way that works best for the Members of those Committees. However, Full Council has approved a schedule of meetings based on a defined start time for Planning Committee Meetings of 6pm. And we should not lightly set aside such decisions. In fact, when other changes in arrangements for the Planning Committee have been considered (such as whether to continue with site visits) we have had a custom and practice of considering these through the Constitutional Review Working Party. I think that route has worked in the past and I think this proposal should be referred there and, via Cabinet, come back here after that Group has considered the proposal. I'm moving that as a proposal because I think we can then try to make sure we give all Councillors the opportunity to reflect on the positives and any negatives of the proposal. In the meantime, as I started by saying, I would hope that we can give the Planning Committee the freedom to regulate its affairs and allow the Chairman to call special meetings at 5pm on the scheduled dates for meetings. I will do my best to bring this matter back to Council at the earliest opportunity following consideration by the Constitutional Review Working Party."*

Councillors M A Cossens, Calver, Griffiths, Harris, P B Honeywood and Fowler addressed the Council on the subject matter of Councillor Stephenson's amendment.

The amendment on being put to the vote was declared **CARRIED**.

Councillor Stephenson's amendment on being put to the vote as the substantive motion was declared **CARRIED**.

**80. 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)**

Council was aware that, under the jointly agreed terms of reference for the Tendring / Colchester Borders Garden Community Joint Committee (TCBGCJC), three Members of the TCBGCJC must be appointed by Tendring District Council. Those terms of reference for the TCBGCJC had been jointly approved by Essex County Council, Colchester City Council and Tendring District Council (TDC).

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

Members recalled also that, at its meeting held on 30 November 2021 (Minute 93 refers), this Council had decided that those three Members would consist of:-

- (i) *the Chairman of the Planning Policy and Local Plan Committee;*

- 
- (ii) a member of the Cabinet who will be duly appointed by the Leader of the Council; and*
  - (iii) a Member from a political group that is not represented on the Cabinet.*

In addition, a Member would be appointed, who would act as TDC's Substitute Member of the TCBGCJC when required.

At the Annual Meeting of the Council held on 23 May 2023 (Minute 21 referred) Council had resolved that –

- (a) the appointment of the Chairman of the Planning Policy and Local Plan Committee to serve on the Tendring / Colchester Borders Garden Community Joint Committee be endorsed;*
- (b) Councillor Guglielmi be appointed as the Member from a political group that is not represented on the Cabinet to serve on the Tendring / Colchester Borders Garden Community Joint Committee;*
- (c) Councillor Baker be appointed to serve as this Council's Substitute Member on the Tendring / Colchester Borders Garden Community Joint Committee; and*
- (d) the Leader of the Council be requested to appoint a member of the Cabinet to serve on the Tendring Colchester Borders Garden Community Joint Committee.*

Subsequently, the Leader of the Council (Councillor M E Stephenson) had appointed Councillor Bush as the member of TDC's Cabinet to serve on the TCBGCJC.

Since that time, Councillor Guglielmi had subsequently become a member of the TCBGCJC by right in his capacity as the recently elected Chairman of the Planning Policy & Local Plan Committee (Minute 10 – 5.10.23 referred). That meant that there was, automatically, a vacancy for a Member from a political group that was not represented on the Cabinet.

It was moved by Councillor M E Stephenson, seconded by Councillor P B Honeywood and:-

**RESOLVED** that Councillor M A Cossens be now appointed to serve on the Tendring / Colchester Borders Garden Community Joint Committee in order to fill the current vacancy.

The Vice-Chairman of the Tendring / Colchester Borders Garden Community Joint Committee (Councillor Bush) welcomed Councillor Cossens to the Joint Committee.

**81. REPORT OF THE CHIEF EXECUTIVE - A.6 - RESIGNATION OF COUNCILLOR IAN LENNARD**

The Chief Executive formally reported that, on 3 November 2023, Councillor Ian Lennard had resigned as a Member of Tendring District Council. In his letter of resignation, he had wished all Members, and Officers, the very best in the Council's continuing important work.

The relevant declaration of vacancy in the office of District Councillor for the Bluehouse Ward had been given and the formal Notice of the vacancy had been posted at the Town Hall and on the Council's website.

The Chief Executive further informed Council that, if the by-election was contested, the Poll would take place on Thursday 11 January 2024.

Council noted the foregoing.

**82. REPORT OF THE CHIEF EXECUTIVE - A.7 - APPROVAL OF NON-ATTENDANCE AT MEETINGS**

Council was informed that the last meeting, which Councillor Codling had attended, had been that of the Miscellaneous Licensing Sub-Committee meeting on 16 August 2023.

It was reported that Councillor Codling had emailed the Committee Services Manager on 11 October 2023 to inform the Council that, unfortunately due to health issues, he would be unable to attend Council et cetera meetings for the next three to four months i.e. until mid-January 2024 at the earliest.

Council was reminded that, if a Councillor did not attend any meeting of the Council (or any of its Committees or Sub-Committees) for a consecutive period of six months, Section 85 of Part V of the Local Government Act 1972 disqualified them unless the Full Council had approved the reason for non-attendance before the end of that period.

In the event that Council did approve his non-attendance, Councillor Codling would need to attend a meeting of Council, or a Council Committee, before 16 August 2024 in order to remain a Councillor (or otherwise be subject to a fresh approval of absence by Council prior to that date).

Members were made aware that this report could have been submitted to the Full Council meeting, due to be held on 30 January 2024, as that meeting was the last scheduled meeting of the Full Council before the six-month period expired, however, it had been submitted to this meeting of Full Council, in case that January meeting should need to be cancelled, for example, as a result of Winter bad weather, or a lack of business.

It was moved by Councillor M E Stephenson, seconded by Councillor P B Honeywood and:-

**RESOLVED** that the Council approves Councillor Codling's reason (namely health issues) for non-attendance at meetings of the Council in the event of his not attending a meeting before 16 February 2024.

**83. REPORT OF THE CHIEF EXECUTIVE - A.8 - MEMBERSHIP OF COMMITTEES & DEPUTY LEADER OF THE LABOUR GROUP**

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

Audit Committee

Councillor Pam Morrison had been appointed to serve in place of former Councillor Ian Lennard.

Planning Committee

Councillor Lynda McWilliams had been appointed to serve in place of Councillor Jeff Bray.

Planning Policy & Local Plan Committee

Councillor Maria Fowler had been appointed to serve in place of former Councillor Ian Lennard.

In addition, the Chief Executive formally reported that Councillor Peter Kotz was the new Deputy Leader of the Labour Group in the stead of former Councillor Ian Lennard.

Council noted the foregoing.

84. **REPORT OF THE CHIEF EXECUTIVE - A.9 - RESIGNATIONS FROM THE CONSERVATIVE GROUP AND THE FORMATION OF A NEW POLITICAL GROUP ON TENDRING DISTRICT COUNCIL**

The Chief Executive formally reported that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillors Jeffrey Bray and Peter Harris on 20 November 2023, had each served formal notice on the Council that they no longer wished to be treated as a member of the Conservative political group.

He further formally reported that, also on 20 November 2023, Councillor Bray and Councillor Harris, pursuant to Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, had served formal notice on the Council that they wished to be treated as a political group. The name of the political group was to be the Tendring Residents' Alliance Group. The Leader of the Tendring Residents' Alliance Group was to be Councillor Bray and Councillor Harris was to be the deputy Group Leader.

Council was informed that, in accordance with Section 15(1) (e) of the Local Government and Housing Act 1989 and Regulation 17(b) of the Local Government (Committees and Political Groups) Regulations 1990 a review of the allocation of seats to political groups would be carried out. The outcome of that review, as agreed by Group Leaders, would be reported to the next ordinary meeting of the Full Council, which was due to be held on 30 January 2024.

Council noted the foregoing.

85. **REPORT OF THE MONITORING OFFICER - A.10 - LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN FINDING**

Council was reminded that the Constitution (Article 12.03(a)) required the Monitoring Officer to report to Council (or to Cabinet for executive functions) if any decision or

omission had given rise to maladministration. This report concerned an omission that the Local Government and Social Ombudsman ('the Ombudsman') had determined was maladministration.

It was reported that the complaint concerned the way the Council had handled a planning application for the change of use of land near the complainant's home. The Ombudsman's conclusion on this point was that there had been no fault in the Council's consideration of the change of use application. However, the Ombudsman had found fault in the Council's failure to include a specific condition limiting activities around that new use of the site.

The Council had acknowledged the frustration and uncertainty caused to the complainant by the failure to attach the specific condition referred to above. The Council had also reaffirmed its commitment to investigate any noise nuisance complaints, which might arise from the land with the approved change of use.

No financial payment had been made to the complainant in respect of the finding and the Ombudsman had not recommended such a payment.

Council noted the foregoing.

**86. 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.

**87. 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.

**88. EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

**RESOLVED** 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.

**• EXEMPT MINUTE OF THE MEETING OF THE HUMAN RESOURCES & COUNCIL TAX COMMITTEE HELD ON THURSDAY 12 OCTOBER 2023**

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

**RESOLVED** that the exempt minute of the meeting of the Human Resources & Council Tax Committee held on Thursday 12 October 2023 be received and noted.

**90. SEASONAL SALUTATIONS**

The Chairman of the Council (Councillor Scott) wished everyone a Merry Christmas and a prosperous New Year. He hoped that everyone would have a wonderful time during the festive season.

The Meeting was declared closed at 8.27 pm

**Chairman**



**MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW  
AND SCRUTINY COMMITTEE,  
HELD ON TUESDAY, 19TH SEPTEMBER, 2023 AT 7.30 PM  
IN THE SUNSPOT - SUNSPOTS**

<b>Present:</b>	Councillors P Honeywood (Chairman), Doyle, Griffiths, S Honeywood, Newton, Scott, Smith and Steady
<b>Also Present:</b>	Councillor I Henderson, Portfolio Holder Economic Growth, Regeneration and Tourism
<b>In Attendance:</b>	Lee Heley (Corporate Director (Place & Economy)), Keith Simmons (Head of Democratic Services and Elections), Barbara Pole (Economic Growth & Enterprise Manager), William Lodge (Communications Manager) and Keith Durran (Committee Services Officer)

**23. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Bensilum (with Councillor Scott substituting) and Councillor Cossens.

**24. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the minutes of the last meeting of the Committee, held on Tuesday 27 June 2023, be approved as a correct record.

**25. DECLARATIONS OF INTEREST**

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

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

On this occasion no Councillor submitted notice of a question.

**27. DEPUTY LEADER'S INTRODUCTION TO THE ECONOMIC GROWTH, REGENERATION AND TOURISM PORTFOLIO AND ITS FOCUS**

The Portfolio Holder for Economic Growth, Regeneration, and Tourism outlined the Councils administration's commitment to delivering tangible benefits to local residents. The Committee heard of the ongoing consultation on the emerging corporate plan, emphasizing themes such as pride in the area, raising aspirations, championing the local environment, working with partners, and ensuring financial sustainability and openness. The Portfolio Holder highlighted priority projects within his Portfolio, including the Sunspot development, Orwell Place in Harwich, and the significant "Levelling Up" initiatives, aimed to turn words into reality for community benefits.

The Committee also heard details of various projects under his Portfolio, such as a Content Hub, improvements to town centres, and the Freeport East initiative, which

aimed to bring skills training and job opportunities to the region. He highlighted the success of the Freeport-related developments and the positive impact on the local economy.

It was reported to Members that the UK Shared Prosperity Fund, with 54 applications/bids received to the value of £1.2 billion against a £500,000 budget, officers were now working through those bids. The Portfolio Holder expressed optimism about the potential benefits for skills, town centres, and the visitor economy. He concluded by mentioning the 30th-anniversary celebration of an air show in Clacton on Sea and the Council's commitment to reviewing and improving the event for the following year. Despite acknowledging financial challenges, the Portfolio Holder commended the Council's community leadership role and recognized the hardworking team contributing to the projects.

The Committee thanked the Portfolio Holder for his update.

**28. REVIEW OF THE WORK PROGRAMME**

The Committee heard from the Chairman of Committee, who was also Chairman of the Enforcement Arrangements Task and Finish Group, that the Task and Finish Group had met for its first meeting on 14 September 2023 and was now in the process of setting a date for its second meeting.

The Committee considered and noted the progress set out in its Work Programme 2023/24 as submitted to the meeting.

**29. POST DELIVERY SCRUTINY OF THE SUNSPOT COMMERCIAL WORKSPACE**

In accordance with the decision of Council on 11 July 2023 (minute 37 refers) the Committee undertook a post decision scrutiny of the Sunspot commercial workspace in Brooklands, Jaywick Sands. As part of its enquiry, immediately prior to the Committee's meeting, its Members had been provided with a tour of the new premises and the adjacent community garden. During the tour the Committee's Members had met with the intended operator of the café on site.

The Portfolio Holder for Economic Growth, Regeneration and Tourism spoke to the Committee and expressed gratitude for the support received and provided an update on the Sunspot project, highlighting its positive progress. He mentioned the availability of 24 affordable commercial units, with 14 businesses already signed up, surpassing the initial expectation set out in its business plan. The operations and facilities manager, though absent for this meeting due to illness, was now employed to support tenants, and the Deputy Leader outlined the diverse spaces within the building, including a covered market, committee room, and a café with an experienced operator.

The Portfolio Holder also emphasized the potential for skills development and job opportunities within the project, citing the café's intention to take on apprentices. They acknowledged past challenges, including cost overruns and delays, attributing them to capital cost inflation and external factors such as the COVID-19 pandemic. Despite the challenges, he likened the project's journey to overcoming a "perfect storm" and

acknowledged the collective effort to reach the current stage. He also acknowledged Essex County Council's funding support.

The Corporate Director for Place and Economy (Lee Heley) addressed concerns related to costs and provided a detailed timeline of the Sunspot project. The feasibility study commenced in January 2020, and the application for further funding to the local Enterprise Partnership was submitted in September 2020. The initial estimate was 13 units for £1.97 million. Changes, including an increase to 24 units and an additional £300,000, were made after advisors reviewed the scope in February 2021.

Members heard that tenders were sought in December 2021 for a £2.1 million project. Cost consultants estimated a potential increase to £2.7 million, but the lowest tender came in at £3.9 million. Despite challenges, including cost overruns and delays, the decision was made to continue, securing investment from partners, including Essex County Council. The construction contract was awarded in April 2022.

The Corporate Director for Place and Economy highlighted the unique challenges faced, including unexpected ground conditions and the need for additional funding, leading to a total cost increase of £760,000. Refinancing was necessary, involving discussions with partners around the refinance process. The speaker emphasized the importance of closely monitoring costs, refining project scopes, and considering potential challenges for future projects.

It was reported to the Committee that the cost increases in the project were due to capital costs going up globally due to COVID and the Ukraine war.

It was **RESOLVED** to **RECOMMEND** to Cabinet:

- a) That the positive news about occupancy rates for the Sunspot Centre, Jaywick Sands and the intentions around the on-site market be noted; and
- b) that the capacity and expertise of the Council in costing and programme managing major capital schemes of the Council be strengthened to avoid or minimise unforeseen "mission creep" in schemes and unrealistic cost assessments being presented as part of approval mechanisms (that then needing to be repeated when true market costings are subsequently identified).

It was further **RESOLVED**:

- c) That delivery against the business plan compared with the experience in the first six months operation of the Sunspot Centre, Jaywick Sands be confirmed in the Committee's Work Programme for April 2024.

### **30. CORPORATE PLAN (OUR VISION) CONSULTATION**

The Members had before them a report that outlined how Tendring had amazing opportunities and some deep-seated challenges. The Council's emerging Corporate Plan for 2024 -2028, would reflect this as the Council's focus. It needed to recognise the challenging financial position, with financial sustainability being key for delivery. The Council also recognised that it was a deliverer, influencer and facilitator, which would be the only way it could achieve ambitious Corporate Plan aspirations.

The report explained that the Council had an established set of arrangements to set out its long and medium term aims and to monitor progress in delivering them. This included a long-term Corporate Plan (agreed by Full Council), Annual Priorities and Projects in line with the Corporate Plan (agreed each year by Cabinet), and quarterly performance reporting. In addition, Departmental Plans were prepared annually at an operational management level to deliver against the long-term corporate plan.

The Committee was made aware that Cabinet on 27 July 2023 had approved the following (minute 23 refers).

- a) Notes and endorses the initial emerging themes for a Corporate Plan (Our Vision) for 2024-28 as set out at Appendix A to the report it was considering;
- b) requests officers to undertake consultation with the public, stakeholder organisations, Councillors and staff on the initial emerging themes referred to in (1) above;
- c) receives the outcome of that consultation to the meeting of Cabinet on 10 November 2023 with a view to development of finalised Corporate Plan (Our Vision) themes for 2024-28 being then recommended to Council on 28 November 2023; and
- d) endorses engaging a social research company to support the consultation referred to in (2) above and, in view of the limited capacity within the Council, authorises that the costs of that support (up to £25,000) be met from corporately accrued vacancy savings to date in 2023/24, where this will not impact on service delivery.

The consultation was still underway on the emerging themes and all Councillors could respond in that capacity as well as in their capacity as residents.

Picking up on the themes already referred to, the Cabinet would be developing its highlight priorities for 2024/25 and these could be considered by the Committee too.

It was **RESOLVED** to note the report to cabinet on 27 July 2023 in respect of the emerging Corporate Plan.

The meeting was declared closed at 8.17 pm

**Chairman**

# Public Document Pack

Community Leadership Overview and  
Scrutiny Committee

14 November 2023

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**MINUTES OF THE MEETING OF THE COMMUNITY LEADERSHIP OVERVIEW AND  
SCRUTINY COMMITTEE,  
HELD ON TUESDAY, 14TH NOVEMBER, 2023 AT 7.30 PM  
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors Steady (Chairman), Barrett (Vice-Chairman), Davidson, Doyle, Guglielmi, Griffiths, McWilliams and Oxley
<b>Also Present:</b>	Councillor Gina Placey (Portfolio Holder Partnerships)
<b>In Attendance:</b>	Keith Simmons (Head of Democratic Services and Elections), Katie Wilkins (Head of People), Leanne Thornton (Safer Communities Manager), Jenny Brouard (Enforcement & Community Safety Co-ordinator), Keith Durran (Committee Services Officer) and Bethany Jones (Committee Services Officer)

**8. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor Codling and Councillor Ferguson (substituted by Councillor Guglielmi).

**9. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the minutes of the meeting of the Committee held on Monday 3 July 2023 be approved as a correct record.

**10. DECLARATIONS OF INTEREST**

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

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

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

*“Can we clarify why it takes over a year to produce a Health and Wellbeing Strategy? With a general election next year, and the possibility of a change of government, is there not a possibility that any strategy considered by the cabinet at the start of next year, could have to be reviewed due to a change in political direction at national government level”?*

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

*“The Health and Wellbeing Strategy was considered for review in late 2022. To update the document requires a review of data, for which the 2021/22 information has only recently been made available, and consideration of potential future priorities in alignment with partners.*

*With an election in May 2023 it was appropriate to await the result of the election before proceeding as the strategy highlights the Council's health and wellbeing priorities. The high level priorities of the Council are currently being drafted and there is the potential for the Strategy to be included.*

*Whilst determining priorities consideration is given to the focus of our partners to ensure effective partnership working and alignment.*

*The Health and Wellbeing Strategy is now being aligned to the developing place planning work undertaken by the North East Essex Health and Wellbeing Alliance which will see a greater focus on place within Tendring.*

*Alignment with partners priorities to help deliver a system based approach which is soundly based on data is likely to remain a consistent approach even if there is political change”.*

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

*“At the meeting of the Full Council held on 11th July 2023, the Cabinet Member for Partnerships informed the Council that the new Clacton CCTV cameras and work associated with the scheme regarding upgrades, etc., which is being funded by the £317,000 of Essex Safer Streets funding, would be started soon in mid July 2023. It was also said that the system would be fully operational by October 2023.*

*As this system has not yet been in operation, could you please inform me as to why this has not yet occurred and when it is expected to be completed and fully operational”?*

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

*“The Portfolio Holder for Partnerships is delighted that the Council was successful in its Essex Safer Streets bid. The work has indeed begun with the ordering of lighting upgrades for parts of the seafront gardens and the successful procurement of CCTV equipment for the work.*

*Regrettably, since the update provided to the Council in July, the officer team has identified some additional complexities around consents and procedures, including planning permissions (part including a conservation area matter), highway consents and the like, that need to be resolved in terms of the detailed locations of new poles and cameras.*

*This is regrettable, of course, but the officer team has been widened to include the necessary specialism to further address the intricacies referred to.*

*Due to the aforementioned complexities, the team has secured the extension of the funding period to March 2025 and is in the process of reviewing the proposals in order to ensure that the relevant processes, procedures and consents are followed or put in place as applicable.*

*The officer team is preparing a revised timeline for the works, which will begin with further lighting upgrades in the short term and necessary consultations and applications*

*with the camera installations to follow, beginning with equipment in current locations, and new poles and equipment on them forming the final phase.*

*I am sure that fellow members may be disappointed that progress has been checked. However, I am confident that the officer team, from the various necessary professional backgrounds, will be working as hard as possible to get each tranche of the works completed (as soon as they can properly be done), whilst ensuring that the enhanced system will be as effective as it can be and that benefit to the community is maximised.*

*Furthermore, I have been informed by officers that Clacton will receive ten years of funding and support totalling £20 million over the decade. This investment will focus on long-term strategic transformations as well as shorter-term improvements. The funding will be focused on high streets, heritage and regeneration, and public safety and security. So, there is also the opportunity in Clacton for long-term support to improve public safety and reduce anti-social behaviour”.*

12. **POLICE, FIRE AND CRIME COMMISSIONERS REVISED POLICE AND CRIME PLAN AND ITS APPLICATION TO THE DISTRICT ALONGSIDE THE WORK PROGRAMME OF THE COMMUNITY SAFETY PARTNERSHIP**

The Chairman welcomed everyone to the meeting for this item. He indicated that there were a number of speakers and that as such (in order to ensure all those present had the opportunity to submit details of their activities) there was likely to be a restriction on the time for the Committee Members to question each speaker. However, this approach had been agreed by Committee Members in advance of the meeting and areas for further questions/exploration would be recorded would be captured and then prioritised to support the development of the enquiry.

The Committee then heard an opening statement from Councillor Gina Placey in her role as Portfolio Holder for Partnerships:

*“Good evening. As chair of Tendring CSP I am pleased to be able to welcome you to the first meeting of the Community Leadership Overview and Scrutiny Committee since its formal designation as the statutory Crime and Disorder Committee; I would also like to thank the partners engaged in the Community Safety Partnership both for their ongoing contribution and for their attendance this evening.*

*Members of the committee are reminded that the CSP is made up of a number of statutory partners, including Tendring District Council, whose responsibilities include working together in formulating and implementing strategies to tackle local crime and disorder in the area and to address the partnerships identified priorities through a local CSP Delivery Plan.*

*The partnership has three key priorities:*

*The first: Tackling ASB and the root causes; this priority supports repeat and vulnerable victims of ASB. We are all aware that ASB affects families and communities so by working together to address the root causes we can help to improve the quality of life in the community.*

*Secondly: Preventing and reducing serious violence; this priority covers many areas, including Domestic Abuse, Sexual Offences, Exploitation, Gang related Violence, Hate Crime, Modern Day Slavery, Human Trafficking and Violent Extremism, to name but a few.*

*Our final priority speaks for itself as it relates to emerging threats and trends. The CSP works alongside the Police, Fire and Crime Commissioner (PFCC) for Essex, who unfortunately cannot be here this evening, however we will be hearing presentations from several Essex Police Officers in relation to how the partnership supports schemes to address domestic abuse and anti-social behaviour, as well as other crime types as identified within the PFCC's overall plan for Essex.*

*The partners here this evening will be able to update us on general policing, crime and ASB statistics over the last five years, numbers of Officers in Tendring, county lines and cuckooing, as well as all partners being able to answer any other questions relating to the delivery of the CSP delivery plan, which is annexed in your pack.*

*You will see from the Delivery Plan there is a lot of fantastic work being carried out by all partners including many charitable/voluntary organisations, such as Youth Unity's 1-2-1 mentoring programme.*

*Colleagues also have on the committee agenda tonight an item considering the proposed themes of the emerging Corporate Plan; I hope that they can see how those help to support these objectives and TDC's role within the CSP; in particular the theme of 'working with partners to improve quality of life'.*

*As Members will be aware, we received interesting and useful feedback as part of the consultation on the new Corporate Plan, and this is being considered further by officers for a wide range of applications, including our work within the CSP.*

*Senior officers from the Tendring Council Community Safety Team are also in attendance tonight to answer any particular questions relating to the delivery plan or any other matters not covered in your pack of information.*

*I look forward to working with the Crime and Disorder Committee to achieve the CSP's key objective of tackling local crime and disorder in the district. Thank you".*

The Committee was joined by a varied panel of guests (as follows):

Chief Inspector Ella Latham – Essex Police District Commander for Tendring – General Policing Update

Sargeant Wendy Byrne – Essex Police – presentation on Domestic Abuse

Inspector Aaron Homatopoulos – Essex Police

Mark Shorter – Suffolk and North East Essex Integrated Care Board (SNEE ICB) - Health

Quentin Sage - Essex County Fire and Rescue Service

Dave Sexton – Chair - Tendring Neighbourhood Watch

Adam Scott – National Farmers Union (NFU) County Advisor Essex

Roger Hirst, Police, Fire and Crime Commissioner (PFCC), Jane Gardener, Deputy Police, Fire and Crime Commissioner and Detective Superintendent Gary Biddle –



Essex Police, had also been invited to attend. However, they had sent their apologies for not being in attendance.

The Head of People (Katie Wilkins) introduced the report submitted to the Committee in respect of the scrutiny enquiry being undertaken. She mentioned that this was the first enquiry by the Committee concerning crime and disorder matters since its designation as the statutory Crime and Disorder Committee of the Council. As such it was appropriate that the Committee considered the very broad nature of the work of the Council and the other responsible authorities for crime and disorder strategies in the District of Tendring.

The Committee heard that, by its nature, this would involve significant explanation from the Council's partners around the respective roles of the Council and also responsible authorities, including how they would themselves have regard to the strategies and directions provided by the Police, Fire and Crime Commissioner as well as the views of the public on the subject of crime and disorder.

Members were reminded that, as part of its remit, was to consider whether it wished to make any reports or recommendations to the Local Authority with respect to the decisions made or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions.

The Chairman invited Chief Inspector Latham to address the Committee with an oral update on Crime and Disorder in the District. The focal point of the discourse centered on the police response to the three priorities delineated in the Community Safety Partnership (CSP), with particular attention to addressing anti-social behaviour (ASB).

The Committee heard that, in collaboration with local police forces and the CSP, there had been a commendable 44% reduction in ASB over the preceding 12 months. Noteworthy initiatives, including Operation Gingerbread, were executed to address ASB in the town centres through coordinated patrols with local ambassadors and targeted interventions in hotspot areas. The success of Operation Gingerbread was underscored, emphasizing a 48% reduction in ASB during the summer of 2023 in comparison to the antecedent year.

Furthermore, Operation Sunbeam was introduced as a responsive measure to heightened summer demand within the district. This initiative encompassed dedicated foot patrols, reinforcing the endeavours of Operation Gingerbread, resulting in a 48% reduction in ASB during the stipulated period. The report delineated 199 stop searches, reflecting an 11% increase from the previous year, with positive outcomes. The overall success of these operations was underscored, with indications of plans to perpetuate analogous initiatives in the future.

Subsequently, the assembly addressed initiatives to forestall and diminish serious crime, focusing on gangs and county lines. The strategically positioned Raptor team responded to instances of serious violence associated with gangs and county lines. Notably, 212 arrests of county line nominals were made, with only 21 arrests associated with county lines in the Tendring District. The speaker accentuated collaboration with referral agencies and the Prevention, Prepare, and Protect team in safeguarding individuals involved in county lines.

The ensuing discussion delved into the support and prevention of domestic abuse, with Acting Detective Inspector Wendy Burn who was a specialist in the field of domestic abuse, who had been part of the Tendering Domestic Abuse Investigation Team for the past five years, conveyed that recent figures indicated a decline in domestic abuse incidents. The detection rate had concurrently risen, showcasing a positive trend. The speaker outlined the team's focus on medium and high-risk cases, with a notable 16.3% reduction in crime related to such cases over the past year. Additionally, cases with a standard-risk rating had witnessed a reduction of 21.1%. The speaker attributed these successes to the collaborative efforts of specialized teams, including the Domestic Abuse Problem Solving Team and independent advisors from an organisation named 'Next Chapter' that specialised in support around domestic violence. These teams worked diligently to break the cycle of abuse, enforce court orders, and support victims through various initiatives.

Furthermore, the speaker highlighted recent operations, such as Operation Advance targeting outstanding suspects and Operation Nightshade focusing on apprehending the most dangerous offenders. The speaker expressed a deep commitment to ensuring the safety of individuals and giving victims the voice they deserved. Despite the challenges posed by the silent nature of domestic abuse, the team managed to achieve a significant reduction in incidents while successfully detecting more crimes, reflecting a commendable accomplishment in addressing this pervasive issue.

The Chairman invited Quentin Sage from Essex County Fire and Rescue Service to deliver an oral up to the Committee, he reported that deliberate fires in the Tendering area had seen a notable reduction over the past few years. Collaborating with community partners, efforts had been focused on preventing fires, educating youth through fire cadet programs, and engaging in training initiatives. The strategy involved community partners working in schools to enhance education among the younger generation. Tactical responses were employed in towns and villages, offering free smoke alarms to community members, with these resources still available through the official website. Targeted interventions and reduction plans were implemented in areas with a high number of fire-related calls. Additionally, motorcycle teams actively engaged with motorcyclists as part of the broader reduction program, not only addressing deliberate fires but also contributing to road traffic collision reduction efforts.

The Chairman had invited Adam Scott, representing the National Farmers Union (NFU), to give an oral presentation. He provided a comprehensive report on the reduction of deliberate fires in the Tendering area and shed light on the multifaceted challenges posed by rural crime. Mr. Scott, who also farmed on the other side of Colchester, highlighted that the NFU, primarily known as a trade association for farmers, had increasingly found itself engaged in discussions about rural crime, a topic often overshadowed by more visible urban crime issues. With approximately 920 NFU members in Essex, Mr. Scott emphasized the prevalence of rural crime in the county, where 71% of the area was rural, and 14% of reported crimes were categorized as rural crime, translating to around 23,000 incidents in villages or on rural businesses and farms.

Members heard of four significant challenges faced by farmers, starting with the theft of machinery and plant equipment, including tractors and telly handlers, often spirited away through ports like Harwich and Felixstowe. The theft of GPS (global positioning system) equipment, essential for modern farming practices, was also noted as a

growing concern. He detailed the organized nature of these thefts, highlighting the challenges farmers faced beyond the financial losses, included disruption to work schedules, insurance costs, and potential linkage to organized crime networks. The second issue Mr. Scott discussed was illegal hair coursing, a practice that extended beyond a seemingly innocuous sport, revealing an intricate world of gambling, streaming events for betting purposes, and even intimidation. Mr. Scott acknowledged Operation Galileo's success in reducing hare coursing in Essex but noted its potential relocation to neighbouring areas.

Members also heard the third challenge highlighted was the issue of illegal encampments, which, though improved due to consistent policing efforts, continued to pose a problem. Mr. Scott commended the work of Deputy PFCC Jane Gardner in ensuring a more consistent approach across Essex and advocated for continued efforts to discourage illegal encampments. The final challenge addressed was fly-tipping, a problem exacerbated by both industrial-scale waste dumping and individuals improperly disposing of domestic waste. Mr. Scott underscored the importance of public awareness about using licensed waste carriers to curb this issue. While discussing these challenges, Mr. Scott emphasized the need for farmers to strike a balance between securing their properties and maintaining the rural way of life. He urged farmers to report incidents, build trust with law enforcement, and work collaboratively to address the vulnerabilities inherent in living in remote areas. Despite noting improved relationships with Essex police over the last several years, Mr. Scott acknowledged that challenges persisted, emphasizing the ongoing need for vigilance and collaboration to safeguard rural communities effectively.

Lastly the Chairman invited David Sexton, of the Tending Neighbourhood Watch, to address the Committee. He provided an overview of the organization, comprising 90 individual Street Watches with approximately 1,500 members across the Tending area. At the time of the meeting they were conducting an audit to determine the exact membership count, they faced challenges due to Data Protection (GDPR) restrictions held by street watch coordinators. Despite difficulties in obtaining responses during the audit, the primary goal of the Tending Neighbourhood Watch was to enhance community safety by encouraging members to report crimes. They disseminate information received from various sources. Additionally, the organization had begun analysing crime reports to gain valuable insight and actively supported the police, maintaining affiliation with Essex County Council.

The Members of the Committee had the opportunity to ask a number of questions of the guests in attendance and they asked their questions. The Chairman invited further questions and none were indicated.

The Chairman thanked the guests for their attendance and the valuable insights provided and that they looked forward to working with them in the future as the Committee utilised the information provided by its Members for further examination in the process described earlier in this Minute. The offer from Chief Inspector Ella Latham to visit Clacton on Sea Police Station would be pursued as would an offer from Acting Detective Inspector Wendy Byrne to visit the Police Station and discuss measures to address Domestic Violence further. There was also a wish to visit the Traffic Police 'hub' at the Thorpe-le-Soken Police Station.

After a short adjournment to facilitate those guests who had addressed the Committee to leave, the Committee reconvened and discussed what was reported to them and **RESOLVED** to press ahead with the approach previously agreed by Committee Members and submit areas to Officers for further questions/exploration to then be prioritised to support the development of the enquiry.

**13. WORK PROGRAMMING INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SCRUTINY OF FORTHCOMING DECISIONS**

The Committee was provided with a written report which provided an update on its approved Work Programme for 2023/24 (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. In respect of recommendations monitoring, the report set out the Cabinet's decisions (from its meeting on 21 July 2023 (Minute 20 refers)) on this Committee's recommendations from its meeting on 7 March 2023 (Minute 26 refers) in respect of children missing from education.

The Committee heard an update on the Mainstream and Community Transport Provision Task and Finish Group from its Chairman, Councillor Steady. He outlined that the Group had undertaken one meeting with representations from Essex County Community Transport Groups and that a future meeting was to include the private transport companies.

The Committee also heard an update on the School Age Education Provision Task and Finish Group from its Chairman, Councillor Barrett. He outlined the position of the Group, having decided their two main focus areas, the first being attendance and absenteeism and the second being mental health provision for students. He informed the Committee that the Group had met once so far and had sent out letters to five schools in the District requesting permission for Members of the Task and Finish group to visit the schools and discuss the matters as addressed in the scope of the Task and Finish Group. The next meeting of the task and Finish was to be held on 11 December 2023.

The Committee **RESOLVED** to note the report including the updated provided at the meeting.

**14. CORPORATE PLAN (OUR VISION) CONSULTATION**

The Committee received a copy of the report provided to the Cabinet meeting on 21 July 2023 in respect of the emerging Corporate Plan for 2024-28. The Head of Democratic Services and Elections introduced the report, he explained that the corporate plan consultation had concluded, and that Cabinet had recently approved a revised version of the Corporate Plan to be submitted to the next Council meeting.

The Committee were informed that Members would soon receive an electronic copy of the agenda for the upcoming Full Council meeting (with the revised version of the Corporate Plan 2024/28) and that Cabinet aimed to present the initial version of its highlight priorities for 2024/25 at its December meeting, along with tangible actions to

implement the Corporate Plan in that first year of its term. These highlight priorities could be provided to the Committee as it considered elements of the budget for 2024/25. The Committee, although dealing with a discrete element of the Council's budget, could review the Cabinet's highlight priorities against the budget during its meeting on 11 January, particularly focusing on working with partners and grant funding for improvements in the quality of life, and funds received from entities like health bodies.

It was **RESOLVED** that the proposal for the Cabinet's highlight priorities to be provided to the Committee at the meeting where it considers elements of the budget for 2024/25 be approved.

The meeting was declared closed at 9.09 pm

**Chairman**

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# Public Document Pack

Planning Policy and Local Plan Committee

20 December 2023

**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN  
COMMITTEE,  
HELD ON WEDNESDAY, 20TH DECEMBER, 2023 AT 6.00 PM  
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-  
ON-SEA, CO15 1SE**

<b>Present:</b>	Councillors Guglielmi (Chairman), Bush (Vice-Chairman), M Cossens, Fairley, Newton, Scott and Skeels
<b>Also Present:</b>	Councillor Baker (Portfolio Holder for Housing & Planning)
<b>In Attendance:</b>	Gary Guiver (Director (Planning)), Ian Ford (Committee Services Manager), Paul Woods (Planning Policy Team Leader), Will Fuller (Senior Planning Policy Officer), Keith Durran (Committee Services Officer) and Eleanor Storey (Planning Policy Officer)

**17. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Councillors Chapman BEM and Fowler. There were no substitutions.

**18. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the Minutes of the last meeting of the Committee, held on Thursday 5 October 2023, be approved as a correct record and be signed by the Chairman.

**19. DECLARATIONS OF INTEREST**

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

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

No questions on notice pursuant to Council Procedure Rule 38 had been submitted on this occasion.

**21. PUBLIC SPEAKING**

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, no member of the public had registered to ask at this meeting a question or to make a statement regarding the matters contained in the reports of the Director (Planning).

**22. REPORT OF THE DIRECTOR (PLANNING) - A.1 - COMMENCING THE REVIEW OF THE LOCAL PLAN**

The Committee considered a detailed report of the Director (Planning) (A.1) which advised it of the legal and policy requirements to review Local Plans and accordingly sought its approval to commence the first mandatory review of the current Tendring District Local Plan. In doing so, this report provided initial advice on the likely scope and timeframe for the Local Plan review; set out a series of overarching 'guiding principles'

for the Committee's consideration; and sought its agreement to carry out an initial 'call for sites' consultation exercise in early 2024.

Members were reminded that legislation required Councils to review and update Local Plans every five years in order to ensure that they remained up-to-date and effective, complied with the latest national policy and were adjusted accordingly to respond to changing circumstances. Failure to keep a Local Plan up-to-date could, and did, result in Councils losing control of planning decisions, particularly if they had begun to fall behind on housing land supply and the delivery of new homes.

The Committee recalled that the 'Tendring District Local Plan 2013-2033 and Beyond' had been formally adopted by the Council in two sections – Section 1 in January 2021 and Section 2 in January 2022. Therefore, this Council's Local Plan would need to be reviewed and updated by January 2026; i.e. within five-years of adopting the Section 1 Local Plan.

Members were made aware that the Government was proposing significant changes to the system for producing Local Plans through the Levelling Up and Regeneration Act 2023 which were designed to streamline and speed up the plan-making process but also to simplify the content of Local Plans and reduce the amount of detail contained within local policies. However, there was a 'transition period' within which Councils could still progress a Local Plan review under the current arrangements so long as the updated Plan was submitted to the Secretary of State by June 2025.

The timetable for reviewing the Local Plan under the current system was therefore very tight, however Officers considered it both necessary and prudent to commence the review of the Local Plan under the transitional arrangements in order to avoid a situation by which the Council found itself with an out-of-date Local Plan come 2026. Another advantage of progressing the Local Plan review under the current arrangements was that the Council could extend the life of the Local Plan through a focussed update of its policies and proposals, rather than having to re-write the Plan from 'scratch'.

With that approach in mind, and to assist in scoping out the work required to review the Local Plan, Officers had undertaken a preliminary assessment of all the Policies in the current Local Plan in order to identify where amendments and updates might need to be considered in response to changes in national policy or legislation, changes on the ground (for example, where developments had been built), or where practical issues had arisen in the application of certain policies in the determination of planning applications. Initial consideration had also been given to the technical and background evidence that might need to be updated and reviewed to ensure the Local Plan continued to be based on robust and proportionate evidence – having regard to the cost and necessity of studies and assessments.

Officers had also developed a set of overarching 'guiding principles' for the Committee's consideration which were designed to provide an initial focus and direction for the Local Plan review, but which could be kept under review in their own right as work progressed.

Members were informed that the indicative timetable for progressing the Local Plan review through the key stages of the plan-making process, as set out in the main body of this report, would be reported back to the Committee in greater detail in early 2024, as part of an updated 'Local Development Scheme (LDS) document'.



The Committee was advised that, in reviewing and rolling forward the timescale of the Local Plan to 2041 or beyond, there would be a need to consider the requirement for further housing and employment land and other forms of development and to make provision for additional land for those purposes. Whilst it was anticipated that some of the developments in the current Local Plan (particularly the Tendring Colchester Borders Garden Community and the Hartley Gardens development in Clacton) would contribute to meeting the longer-term requirements, there was likely still to be a residual requirement (yet to be determined) that would require further land allocations.

To help inform the Council's consideration of potential options and the availability of land across the District for different forms of development, Officers had recommended the carrying out of an initial 'call for sites' consultation exercise in early 2024. This would be a focussed consultation, targeted mainly at landowners, developers and planning agents (but open to others) to invite proposals and suggestions for housing and mixed-use developments of different scales or commercial development as well as any community-led or environmental-led proposals for community facilities, habitat creation or open space.

The Committee also had before it an Update Sheet prepared by Planning Officers and circulated prior to the commencement of the meeting which summarised the key issues and changes made contained within the new version of the National Planning Policy Framework (NPPF) published by the Government on 19 December 2023. This meant that all subsequent work to review and update the Local Plan would need to be undertaken in accordance with the most recent NPPF. References to NPPF paragraph numbers in the report appendices could now be out-of-date and would be reviewed by Officers in due course.

The Director (Planning) (Gary Guiver) gave a comprehensive oral presentation of the report and its appendices with a particular focus on the newly published NPPF and the guiding principles for the review of the Local Plan, as set out in Appendix 1 to report A.1. Mr Guiver then responded to Members' questions thereon.

At the invitation of the Chairman, the Housing & Planning Portfolio Holder (Councillor Baker) commented on the contents of the report A.1.

Having duly taken all of the above information into account and having discussed the matter:-

It was moved by Councillor M Cossens, seconded by Councillor Scott and unanimously:-

**RESOLVED** that the Planning Policy and Local Plan Committee –

- a) notes the requirement for the Councils to review their Local Plan every five years, the changes that Government may introduce to the plan-making system and the potential implications for the District of Tendring, as explained in report A.1;
- b) authorises Officers to commence the mandatory five-year review of the Tendring District Local Plan under the current plan-making system with the aim of submission to the Secretary of State by June 2025 and adoption by January 2026;

- c) having considered the overarching 'guiding principles' set out in report A.1, agrees that these should underpin the focus and approach for the Local Plan review, but that these principles shall themselves be kept under review as work progresses;
- d) notes that an updated Local Development Scheme, setting out more detail of the proposed timetable for the Local Plan review and the associated evidence base, will be brought to the Committee for approval in early 2024; and
- e) authorises the Director (Planning) to run an initial 'call for sites' consultation exercise in early 2024, inviting landowners, developers, planning agents and others to put forward sites, ideas and proposals for the Council's consideration as options as part of the Local Plan review process.

**23. REPORT OF THE DIRECTOR (PLANNING) - A.2 - MONITORING REPORT AND UPDATED HOUSING SUPPLY POSITION**

The Committee considered a detailed report of the Director (Planning) (A.2) which reported to it:-

- (1) the findings of the most recently updated Strategic Housing Land Availability Assessment (SHLAA) including:
  - (i) the number of new homes built in Tendring during the 2022/23 financial year and the up-dated year-by-year 'trajectory' for future housebuilding; and
  - (ii) the current housing land supply position (the 'five-year' supply).
- (2) the findings of the Authority's Monitoring Report (AMR), which monitored the key indicators set out in the adopted Local Plan.

Housing Supply Position

Housing Requirement

The Committee was aware that Section 1 of the Local Plan set out the 'objectively assessed housing need' (OAN) for Tendring of 550 homes a year, and that the housing requirement for the period of the Local Plan 2013-2033 was therefore 11,000 homes. With approximately 5,850 homes already built between 2013 and 2023, the remaining requirement between now and 2033 stood at approximately 5,150 and the historic shortfall in housing delivery had now been addressed. Officers felt that there was sufficient land allocated for housing development in the adopted Local Plan, along with sites that already had planning permission, to comfortably achieve the District's housing requirement up to 2033 without the need to consider the release of additional sites. The Council would however, as part of the mandatory five-year Local Plan review, revisit the housing requirement in order to comply with the latest national planning policies and to meet longer-term needs over the rolled-forward plan period.

Housing Completions and Future Trajectory

It was reported that in the period 1 April 2022 to 31 March 2023, a total of 810 (net) new homes had been completed within the District. This meant that the housebuilding target of 550 homes a year had now been achieved for a seventh year in succession.

Officers had updated the Council's 'Strategic Housing Land Availability Assessment' (SHLAA) which contained a trajectory for future housing building up to 2033. Information from developers as well as Officers' own monitoring of building sites had informed the forecast for the coming years.

#### Five Year Housing Supply and Decision Making

Members were aware that the Government required Councils to demonstrate an ongoing 'five year supply' of deliverable housing sites in order to ensure that they were well placed to meet their future housing needs.

Taking into account the future trajectory set out in the SHLAA, it was the opinion of Officers that the Council could demonstrate a 6.44 year supply of deliverable housing sites. Around 3,700 homes were expected to be built within the five years 2023/24 – 2027/28, against a five-year requirement of approximately 2,900 homes. This meant that the Council remained in a strong position to resist speculative and unwanted housing developments that fell outside of the settlement development boundaries set out within the Local Plan unless there were material benefits that might exceptionally justify a departure from Local Plan policy.

#### Authority's Monitoring Report

The Committee was informed that, following the first full financial year since the adoption of the Local Plan, Officers had prepared the Authority's Monitoring Report (AMR) which presented high level information in relation to the key indicators set out in the monitoring chapter of the Local Plan.

The AMR included chapters relating to the Local Development Scheme, Housing Delivery, and Employment, Commercial and Retail development. There was also information about the provision of infrastructure and community facilities, protection of the natural and historic environments, and the Tourism Strategy.

The structure of the report would enable an annual update that would be beneficial to the process of reviewing and updating the Local Plan.

The Planning Policy Team Leader (Paul Woods) gave a detailed oral presentation that highlighted the salient points of the information contained within report A.2 on the SHLAA and the AMR. He drew the Committee's attention to typing errors in three places within that report that referred to the financial year 2021/22. However, the data being reported was in fact for the period 1<sup>st</sup> April 2022 – 31<sup>st</sup> March 2023 (i.e. the financial year 2022/23).

Mr. Woods also referred to the fact that, under the newly released NPPF, Local Planning Authorities (such as Tendring District Council) with an up-to-date Local Plan (i.e. less than five years from adoption) were no longer required to demonstrate annually that they could identify a five year housing land supply for decision-making purposes, if their adopted Local Plan had identified at least a five year supply of specific, deliverable sites at the time that its examination had been concluded. However, he felt that the SHLAA was a useful document to have so Officers intended to continue to make that annual calculation.

Mr. Woods then responded to Members' questions in relation to the above.

At the invitation of the Chairman, the Housing & Planning Portfolio Holder (Councillor Baker) commented on the contents of report A.2.

Having duly discussed this matter:-

It was moved by Councillor Fairley, seconded by Councillor Bush and unanimously:-

**RESOLVED** that the Planning Policy and Local Plan Committee -

- (a) endorses the contents of report A.2;
- (b) notes that the new Strategic Housing Land Availability Assessment demonstrates an up-to-date housing land supply position for the purposes of determining planning applications and contesting planning appeals; and
- (c) notes that the Authority Monitoring Report forms a baseline assessment of the key monitoring indicators set out in the Local Plan which will help inform the upcoming review of the Local Plan.

**24. REPORT OF THE DIRECTOR (PLANNING) - A.3 - UPDATED STATEMENT OF COMMUNITY INVOLVEMENT**

The Committee considered a detailed report of the Director (Planning) (A.3) which sought its approval of the updated Statement of Community Involvement (SCI). The SCI detailed the way in which the public would be consulted on all planning matters. Therefore, there was an expectation that SCIs would be reviewed regularly, in order to ensure that they remained up-to-date and contained appropriate measures for engaging with the community.

Members recalled that the SCI had been updated in 2017 in order to allow for the preparation of the Garden Community Development Plan Document (DPD) and again in 2020 in order to incorporate the amended consultation requirements which the Government had introduced as part of their broader legislative package in response to the Coronavirus pandemic.

It was reported that Officers had now reviewed the Council's adopted SCI in advance of the Local Plan review commencing and they had proposed only minor changes to ensure that it was consistent with the most recent guidance and good practice. The updated SCI itself was required to be the subject of public consultation, and it was proposed that this would take place early in 2024 in order to enable the updated document to be adopted before the statutory consultation began on the Local Plan review.

The Senior Planning Policy Officer (Will Fuller) introduced this item and responded to Members' questions thereon.

It was moved by Councillor M Cossens, seconded by Councillor Fairley and unanimously:-

**RESOLVED** that the Planning Policy and Local Plan Committee –

- (a) agrees the recommended revisions to the Council's Statement of Community Involvement (SCI) (as shown in Appendix 1 to report A.3) to reflect the specific requirements arising from national guidance, and
- (b) authorises the Director (Planning) to publish the updated SCI on the Council's website for public consultation for a period of six weeks.

The meeting was declared closed at 7.58 pm

**Chairman**

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# Public Document Pack

Resources and Services Overview and  
Scrutiny Committee

10 January 2024

**MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW  
AND SCRUTINY COMMITTEE,  
HELD ON WEDNESDAY, 10TH JANUARY, 2024 AT 6.45 PM  
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors P Honeywood (Chairman), M Cossens (Vice-Chairman), Bensilum, Griffiths, S Honeywood, Newton, Smith and Steady
<b>Also Present:</b>	Councillors Baker (Housing & Planning Portfolio Holder), Barry (Leisure & Public Realm Portfolio Holder) and M Stephenson (Leader of the Council & Corporate Finance and Governance Portfolio Holder) (all item 34 (part) only)
<b>In Attendance:</b>	Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Damian Williams (Corporate Director (Operations and Delivery)), Lee Heley (Corporate Director (Place & Economy)), Gary Guiver (Director (Planning)), Richard Barrett (Assistant Director (Finance & IT) and Section 151 Officer), Ian Ford (Committee Services Manager), Keith Durrant (Committee Services Officer) and Bethany Jones (Committee Services Officer)
<b>Also in Attendance:</b>	Anastasia Simpson (Assistant Director (Partnerships))

**31. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

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

**32. DECLARATIONS OF INTEREST**

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

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

On this occasion no Councillor submitted notice of a question.

**34. GENERAL FUND AND HRA BUDGET PROPOSALS 2024-25**

The Committee heard how the initial General Fund and the Housing Revenue Account (HRA) Budget proposals for 2024/25 had been considered by Cabinet on 15 December 2023.

The Committee had been provided, as part of the material for them to consider, the following:

- 1) Appendix A, Updated General Fund Financial Forecast / Budget 2024/25

At its meeting on 15 December 2023, it was resolved that Cabinet:

- a) *approves the updated Financial Forecast and proposed budget position for 2024/25 as set out in report the Cabinet report and its appendices (Appendix A); and*
- b) *requests the Overview and Scrutiny Committees' comments on this latest financial forecast and proposed budget position for 2024/25.*
- 2) Appendix B, Updated Housing Revenue Account Business Plan and Budget Proposals 2024/25

At its meeting on 15 December 2023, it was resolved that Cabinet:

- (a) *approves the updated Housing Revenue Account (HRA) 30 year Business Plan, which includes the proposed revised position for 2023/24 along with budget proposals for 2024/25; and*
- (b) *requests the Resources and Services Overview and Scrutiny Committee's comments on this latest HRA financial forecast.*

The Committee had before them the Leader of the Council, supported by the Assistant Director of Finance and IT, the Portfolio Holder for Housing and Planning, supported by the Corporate Director for Operations & Delivery and the Portfolio Holder for Leisure and Public Realm, supported by the Corporate Director for Place and Economy.

A series of written questions had been previously compiled by the Committee and put to the Portfolio Holders. The Portfolio Holders' responses had been provided in writing and circulated to the Committee prior to the commencement of the meeting. The Minutes of this meeting record those questions and responses below. Further supplementary questions were asked of Cabinet Members and responses provided and they are also recorded below.

During the question and answer section of this item, Councillor Steady, with the aim of transparency, reminded the Committee that both he and Councillor Barry were Members of Brightlingsea Town Council.

<u>Question to which Portfolio Holder</u>	<u>Question from Member of the Committee</u>	<u>Submitted Question</u>	<u>Answer from Portfolio Holder</u>
<b>HOUSING REVENUE ACCOUNT</b>			
Cllr Baker	Cllr P Honeywood	Can you set out for me how the HRA budget aligns with the Council's approved existing Housing Strategy 2020-2025 'Delivering Homes to meet the needs of local people'?	I do not believe it does, the Strategy was published just before we were hit with the Covid pandemic, and since then we have seen high inflation, meaning higher prices, along with the current Cost of Living crisis. The aspiration to



			<p>build/deliver 200 new council homes was highly ambitious, however currently the demands of impending regulation from the Regulator of Social Housing, building safety, a new decent homes standard and an increasing claims culture, are factors that take use of resources away from these aspirations, and towards ensuring the existing stock meets the appropriate standards, and is upgraded where necessary.</p> <p>The demands on the services supporting the HRA and Housing Stock are putting a strain on resources and I, together with officers, will be considering our approach to the scope of the Housing Investment Programme, recharges, procurement, and the use of any headroom within the 30-year business plan, which are considered necessary in order to meet the challenges ahead.</p> <p>Within the next few weeks, I will be speaking with officers to review the Housing Strategy 2020 – 2025, and am hoping to bring forward a revised strategy by the end of 2024.</p>
Cllr Baker	Cllr P Honeywood	<p><u>Supplementary questions</u></p> <p>Are we looking at joint ventures as a way to increase the Council's stock?</p> <p>It appears that the Council is</p>	<p>A written answer will be provided to this Committee.</p> <p>The original strategy had big aspirations that we</p>

		moving further away from the housing strategy, which was decided by Full Council last year, can this be explained?	feel need to be reviewed, so we are constantly reviewing and revising it, but we are not looking to rewrite it.
Cllr Baker	Cllr Steady	<p>Is the HRA sustainable with the current size of the Council's social housing stock? From a budgetary point of view, if there was an optimal size of housing stock what would that be?</p> <p>Thinking of the public purse, is the Council actively taking steps to identify and dispose of those Council homes that take disproportionately greater amounts of maintenance/cost more to maintain (including any are listed); replacing those with homes acquired using the receipt for the disposed of properties? If not, should that not be actively pursued?</p> <p>The Council has a stated policy of aspiring to deliver 200 additional Council homes in the District by 2025 (100 being in Jaywick Sands</p>	<p>The Council has a 30 year business plan for the housing service that demonstrates the future sustainability of the service based on all of the current circumstances and information.</p> <p>I do not think I can give an answer to that question, as I have just stated the Council has a 30-year business plan, which is currently sustainable, in regard to our current stock. Social Housing provision is a challenging environment, and providers, big and small, are facing significant challenges in meeting their own aspirations. Therefore, officer resource is directed at dealing with the stock we have.</p> <p>The disposal of any dwelling requires careful evaluation and the consent of the Secretary of State. There are a number of properties within the current housing stock that take a disproportionate amount of resource to maintain/repair, and therefore it is considered that it would be better for those to be disposed of, in order that resources can be focussed on the</p>

		<p>and 100 in other parts of the District). Is this a continuing commitment of this administration?</p> <p>Has any consideration been given to the transfer of the M&amp;S store building in Clacton on Sea, to the HRA for conversion to Housing? If not the whole store, would it not be helpful to consider the upper floor for a Living Over the Shop (LOtS) scheme?</p> <p>Can you set out for us the main loans used to fund the purchase of the Council's housing stock and when those loans have or will be settled? In this regard, on page 59 of the agenda pack it shows at line 10 the interest payments and line 11 the principal payments on those loans. In 2027/28, the interest payments reduce by some £330K. per annum. What does Cabinet propose to do with this opportunity?</p>	<p>remaining stock. A number of proposals are currently being prepared for formal consideration. It is highly likely that further properties will be identified and a framework to deal with this, in the form of a Housing Asset Management Plan, is currently being prepared for formal consideration.</p> <p>There is a commitment of this administration to add properties into our housing stock, by the various means available, and where it is affordable to do so. As I have stated already, the aspiration to build/deliver 200 homes within the current Housing strategy was highly ambitious, but I personally do not believe that figure is achievable within the current strategy's time period. I have already outlined what I propose to do in regard to the Housing Strategy.</p> <p>The building is currently under lease, until 2027, and is occupied by a retailer. There are a number of use and conversion options that may be considered in the future.</p> <p>The following 6 loans were taken out to fund the 'purchase' of the Council's Housing Stock back in 2012: Loan 1 £1.5m over 5 years with the loan being</p>
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			<p>fully repaid in 2017 Loan 2 £2.5m over 10 years with the loan being fully repaid in 2022 Loan 3 £5m over 15 years with the loan being fully repaid in 2027 Loan 4 £7.5m over 20 years with the loan being fully repaid in 2032 Loan 5 £8.5m over 25 years with the loan being fully repaid in 2037 Loan 6 £11m over 30 years with the loan being fully repaid in 2042</p> <p>You are asking me to comment about something 3 years away, but I would suggest that any reduction in outgoing payments would be retained within the HRA account to support that budget, as although it may seem we will be £300k better off, but no one can predict what the maintenance costs, or other costs, within the HRA budget, might be at that time.</p>
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<u>Question to which Portfolio Holder</u>	<u>Question from Member of the Committee</u>	<u>Question to be asked</u>	<u>Answer from Portfolio Holder</u>
<b>GENERAL FUND BUDGET</b>			
Cllr Stephenson	Cllr P Honeywood	<p>In relation to the overall budget.</p> <p>What measures have you taken already and will take to ensure the expenditure in your Portfolio contributes to the savings requirement set out in the proposed budget for 2024/25, 2025/26 and 2026/27?</p>	<p>We have been and we will be continuing to work with Officers in the weeks and months ahead to identify options to support the Council's long-term financial future. The forecast risk fund has provided us with the time and flexibility to make well informed decisions and it is essential that we use this time wisely to maximise opportunities such as securing efficiencies, getting the most out of assets and generating additional income where possible. However, we recognise that given the scale of the savings required, avoiding reductions to the services we currently provide will not be possible. No member wants to see reductions in services but we need to recognise the tough decisions that have to be made, as the alternative is far worse. We do not want to end up like various Council's across the country that cannot set a balanced budget and have run out of money, which will have such a detrimental knock on impact on their local people and communities and will likely take them</p>

			<p>years to recover. In reflecting on our pledge to be open, honest and transparent we need to make sure we both inform and involve members and our residents in the associated activities and be clear about why such decisions will be necessary.</p> <p>Additional comments across the various portfolios are set out elsewhere in response to questions to the Portfolio Holders.</p>
<p>Cllr Stephenson</p>	<p>Cllr P Honeywood</p>	<p><u>Supplementary Questions</u></p> <p>Having read the report and the answers you have already supplied to my questions, I find them lacking detail, could you be more specific in how you are going to make up the shortfalls in the budget?</p>	<p>At present we are looking at:</p> <p>Careline review, this is underway and looking favourable.</p> <p>Homelessness, pushing Spendells to completion has helped us realise cost savings.</p> <p>Leisure, we are looking at ways to reduce our energy consumption and water bills but some of these solutions are too sensitive to talk about in this meeting. We have received a £200,000 grant from Government under a "Save the Swimming Pools" initiative.</p> <p>While we can't make a profit we are continuously looking at ways to reduce cost.</p>

			We have to consider that closing the leisure centre would also infer its own costs and they must be taken into account for any decision can be made.
Cllr Stephenson	Cllr Cossens	Can we not put more effort into raising income rather than saving costs? This could be in conjunction with other Councils – has the Leader lobbied Government? (either on behalf of this Council or in conjunction with other Essex Authorities, or both)	As highlighted earlier, opportunities to generate additional income will continue to be an important element of supporting the Council's financial position now and in the future. The Council has always taken the opportunity to lobby the government wherever possible, which is something that I will be keen to continue doing, which may involve joining forces with our partners where necessary.
Cllr Stephenson	Cllr Cossens	<u>Supplementary Question</u>  As Leader do you think that we could use scrutiny to engage with other Local Authorities and lobby Government to change the law that stops us a local authority from making a surplus?	While sharing your sentiment, I haven't seen an appetite from other Councils to engage in such lobbying.
Cllr Stephenson	Cllr P Honeywood	Applying for grant funding in a more proactive manner may be a way of taking forward Council priorities without incurring additional cost pressures on the Council. Does the Leader believe this would be a positive way forward and see this approach adopted wholeheartedly?	Maximising external funding opportunities will be essential going forwards. This is also something that fits neatly with the list of potential future cost pressures that was mentioned earlier where we can explore opportunities to lever in external funding against the various items identified and it will also undoubtedly be a key

			activity to support the delivery of our corporate priorities.
Cllr Stephenson	Cllr Griffiths	<p>Where are we with the sign off by the External Auditors of the previous year's accounts, which I believe still includes the accounts for 2020/21, and what are the risks of nasty surprises once they are signed off?</p> <p>Between 10 November and 15 December, the forecasts show £1.024M of additional cost increases. Over £1M in about 5 weeks. What does that say about the budget management going forward for the Council?</p>	<p>Frustratingly we are still awaiting the sign off of the 2020/21, 2021/22 and 2022/23 accounts by our outgoing Auditors. I understand that they will be providing an update to the next meeting of our Audit Committee towards the end of January. The risk of any surprises emerging from the audit of these outstanding accounts is negligible as the statement of accounts process relates more closely to the accuracy of the preparation and presentation of the Council's financial position rather than issues that will have a direct financial impact on the Council's budget.</p> <p>As set out in earlier Financial Performance report, it was highlighted that work remained ongoing with Departments and Portfolio Holders with the aim of remaining 'sighted' on potential future cost pressures for consideration as part of finalising the draft budget that will be presented to Cabinet in December 2023. Earlier reports also listed a number of potential items. The work undertaken to date has therefore been based on updating this cost pressure position. The list of potential future</p>



			cost pressures is maintained on a 'live' basis which demonstrates good budget management and therefore avoids surprises and ensures financial decisions are made in the context of the most complete financial picture as possible.
Cllr Stephenson	Cllr Griffiths	<p><u>Supplementary Question</u></p> <p>From a Cabinet point of view, is there concern that the mechanism for reporting costs may leave Cabinet members unsighted on both budgets and Council initiatives due to fluctuating forecasts?</p>	<p>I don't think Cabinet Members are short-sighted most of them meet with their relevant Directors and Officers almost on a week basis. I certainly meet mine on a weekly basis. Are we shortsighted on it? Definitely not.</p> <p>Historically we had quarterly reports, now with regular reporting we have a chance to get ahead of problems.</p>
Cllr Stephenson	Cllr Steady	<p>Is there any opportunity through schemes to be funded from the Levelling Up Fund and Future of Towns projects in Clacton-on-Sea and the Government's Capital Regeneration Project in Dovercourt for the Council's own revenue or capital schemes to be reduced (by displacing that expenditure with Government funding)?</p>	<p>No, the schemes which we are bringing forwarded through additional levelling up funding aim to be cost neutral, given the capacity funding that comes with them, but they are required to be for additional work, not to replace current investment in services that the Council already provides.</p>
Cllr Stephenson	Cllr Steady	<p><u>Supplementary Question</u></p> <p>If we're already partaking in</p>	<p>I met with Government</p>

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		a scheme somewhere, a levelling up scheme or an initiative that is going to start adjacent to that, is there any way that there could be a spin-off for the initiative in as much that enhancing the overall scheme?	officials today, in Clacton, they're here for a long deep dive into our project pipeline and that question was asked. The answer is no, they were very clear that the money is for Clacton only.
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<u>Question to which Portfolio Holder</u>	<u>Question from Member of the Committee</u>	<u>Question to be asked</u>	<u>Answer from Portfolio Holder</u>
Cllr Baker	Cllr Doyle	<p>On page 55 of the Agenda Pack I see reference to a £0.5M cost pressure per year from next year due to homelessness – including temporary (or emergency) housing. This cost pressure is after taking account of the Spendells Scheme to provide a set of temporary/emergency housing units rather than booking bed and breakfast rooms. What plans are in place to avoid that cost pressure and otherwise reduce the cost of temporary/emergency housing? For instance, providing further units like Spendells?</p> <p>What is being done to limit the time and therefore expenditure, of people in temporary accommodation?</p>	<p>The project to bring Spendells House back into use is due to be completed by the end of the financial year 2023/24. The aim of that project is to reduce the cost pressures on the General Fund, That pressure will not be realised straight away but I am hopeful that it will be quite quickly. I am very committed in exploring the potential for similar schemes, both within the current housing stock and also by potential acquisition of suitable properties. I am unable to give exact details but I can confirm that officers, in consultation with me, have considered two potential sites for acquisition within the last six months. Unfortunately, neither was suitable but I, and officers, will continue to look for potential and suitable locations.</p> <p>I am determined that the Spendells Project will be delivered on time, and this will assist with reducing the expenditure on temporary accommodation. Homelessness is a national problem, being a consequence of the broader housing and affordability crisis and</p>

			<p>beyond the Council's immediate control, and budgetary pressures are created by the ever-increasing homelessness presentation being seen by local authorities across the country. Investing in increased staffing, I am determined that the service will be more proactive in preventing homelessness. I would also point out that a new Temporary Allocations Policy and Homelessness Prevention Policy will be coming forward to Cabinet in the very near future.</p> <p>Reducing the time spent in temporary accommodation is dependent on the availability of suitable, and affordable, rented accommodation, both in the private and social/affordable sections.</p> <p>The Council works proactively to source private sector landlords and to ensure that new developments contribute new affordable homes under planning obligations.</p> <p>I have also asked officers to look at using, on a short-term basis, those properties that are potentially going to be listed to be disposed of and currently void, to assist where possible as temporary accommodation.</p>
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Cllr Baker	Cllr Steady	<p><u>Supplementary Questions</u></p> <p>Homelessness is a national a national problem as you as you stated in in your answer in the last paragraph where you've sked officers to look at using short-term bases properties that are potentially going to be listed and disposed of. Are these Tendring Council properties?</p> <p>Have we considered a scheme, which has been utilised in other Authorities, whereby Glamping Pods are used within properties to give homeless people address? Primarily with the potential of using the M&amp;S building in Clacton to facilitate it?</p>	<p>Yes, we do have a couple of voids that are on a list to be disposed of they are expensive to maintain, and we potentially would have to spend a lot of money to get them up to recent home standards, which is coming soon, but at the moment they are void so they're not being occupied. A couple of them can be used in this manner, as far I'm as aware one of them is being used but I'm not sure about the other one.</p> <p>The building you are speaking if is still under lease at present so that is not possible.</p> <p>They are called Homelessness Pods and I have spoken to Officers about this as I was at a presentation in relation to this topic, from a large social housing provider who has supplied 10 of these Pods to York Council, unfortunately those ones cost £100k each, but it is something I would like to explore further.</p>
Cllr Baker	Cllr P Honeywood	<p><u>Supplementary Questions</u></p> <p>What is the current situation with Voids?</p>	<p>We are at about 2%.</p>
Cllr Baker	Cllr P Honeywood	<p>In relation to the overall budget.</p> <p>What measures have you taken already and will take to</p>	<p><u>Housing:</u> A potential cost pressure of £500k to deal with homelessness has been identified, however as</p>

		<p>ensure the expenditure in your Portfolio contributes to the savings requirement set out in the proposed budget for 2024/25, 2025/26 and 2026/27?</p>	<p>already stated Spendells House is due to be completed by the end of the financial year 2023/2024. I am hopeful that will relieve some, not all, of the pressure, as no one can predict the number of people that will come to the council claiming to be homeless. Work on prevention is also key, and the more that we as a council can do to help in this is vital, and this is why a new Homelessness Prevention Policy is being brought forward soon. Helping to keep people in their homes is surely a much better option than having to be placed in temporary accommodation. Potentially acquiring more properties of our own, to be used as temporary accommodation, similar possibly to Spendells House, would also help, and I refer to my previous answer to Councillor Doyle's question.</p> <p><u>Planning</u>: The review of the Local Plan is to be progressed in line with overarching principles agreed by the Planning Policy and Local Plan Committee in December 2023 that include updating rather than re-writing the Plan, using best use of existing information and evidence and carrying out only proportionate, necessary</p>
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			<p>and affordable updates to relevant technical evidence – with the aim of ensuring the updated Plan has a sound basis whilst achieving best value for money for Tendring’s residents at a time of significant financial pressure.</p> <p>In the Development Management process, the Planning Team has been delivering various improvements to its processes and procedures to improve efficiency and performance in the determination of planning applications. This includes reviewing the local validation list and Council’s pre-application service with the intention of improving the quality of planning applications and to ease the amount of time and resource required to determine them. The Council has secured funding through the government’s planning skills grant to assist with this.</p> <p>Through increased training for Planning Committee Members, we look to minimise the risk of planning decisions that, on appeal, could be deemed unreasonable and that could expose the Council to awards of costs.</p>
Cllr Baker	Cllr Steady	The budget identifies £500,000 per annum for homelessness services – how can that be more effectively	I would refer you to my answer to Councillor Doyle’s question, and point out that the sum of

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		delivered?	£500k is a forecasted 'cost pressure' for 2024/2025. As I have previously said, I believe more work to prevent people from becoming homeless is vital, and officers will be undertaking this going forward in line with the upcoming Homelessness Prevention Policy.
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<u>Question to which Portfolio Holder</u>	<u>Question from Member of the Committee</u>	<u>Question to be asked</u>	<u>Answer from Portfolio Holder</u>
Cllr Barry	Cllr P Honeywood	<p>In relation to the overall budget.</p> <p>What measures have you taken already and will take to ensure the expenditure in your Portfolio contributes to the savings requirement set out in the proposed budget for 2024/25, 2025/26 and 2026/27?</p>	<p>There are two broad areas I have focused on so far to bring contribute to savings.</p> <p>Firstly, energy reduction, as Leisure facilities use energy intensively. Further details are included in my answer to Cllr Steady, but if we are successful in current funding bids to the Swimming Pool Support Fund, in addition to the projects already funded such as the swimming pool covers, are projects to save well over £100,000 a year. The Council also applied for and received £388,717 from the Government’s Swimming Pool Support Fund to cover additional energy costs for the three leisure centres.</p> <p>The second is to increase income, and here I have had the opportunity to build on the work started under the previous administration. The Leisure Centres have 4,800 members, which is expected to bring £1.2 Million a year. This is nearly double the number of members the gym had a year ago. This increase in income is a mix of the right pricing strategy and inclusive range of courses and activities on offer in our facilities. It also includes the 3G pitch which is now operational</p>

			<p>and bringing in £32K since opening in July. I look forward to bringing forward a Sports and Activity strategy in Spring to Cabinet, and financial sustainability will of course be part of that work.</p>
Cllr Barry	Cllr Steady	<p>What is being done in respect of Leisure Centres (including swimming pools) to reduce energy charges incurred in running those centres/pools?</p>	<p>To reduce energy charges incurred in running these facilities, the following is being undertaken:</p> <p>Variable speed drives have been installed across the leisure centre pools. Estimated energy savings per year are £12,500.</p> <p>Procurement for new LED lights across all leisure centres within the facilities and car parks is underway, and we hope to have a contractor appointed in February. The exact costs and savings will be established at that time, and orders will be raised following a decision by the corporate director, in consultation with the portfolio holder for corporate finance and governance.</p> <p>Contracts are being finalised at present for the pool covers across the centres, and it is hoped that these will be installed by the end of March. Estimated energy savings per year are £79,400.</p> <p>Two bids have been submitted to the Swimming Pool Support Fund Phase 2 for the following projects; TDC should hear back on</p>

			<p>whether they have been successful by the end of January:</p> <ol style="list-style-type: none"> <li>1. Oil boiler replacement at Clacton Leisure Centre. Estimated Energy Savings per Annum is £9,000</li> <li>2. New Building Management System at Walton on the Naze Lifestyles Estimated energy savings per year are £4,050.</li> <li>3. New Air Handling Unit at Walton on the Naze Lifestyles: Estimated Energy Savings Per Annum: £21,800</li> </ol> <p>Additionally, the appointment of contractors to prepare plans for lower-carbon heating systems in the council's estate is underway.</p>
Cllr Barry	Cllr Steady	<p><u>Supplementary Questions</u></p> <p>I am concerned that the “good news” stories are not getting out there enough.</p>	<p>The Communications Team do a great job in getting the news out there. Some of these are still going through the process and have not been published yet.</p> <p>The new Communications Strategy is being drafted and will be submitted to Cabinet in the near future. I do agree with the sentiment that TDC needs to do more to promote itself and be more visible to the public.</p>

Cllr Barry	Cllr Doyle	<p>What is being done to make Leisure Centres more cost neutral to the Council, including local tourism facility marketing, through hotels etc? By way of an example, there could be hotels without swimming pools offering access to the Council's pools for guests and thereby extending the offer from the hotel as well as bringing new trade to the Council's Leisure facilities with payment coming from the hotels.</p>	<p>I have set out in detail in answers to other councillors the work we have underway to increase income, to reduce energy costs, and to bring forward a Sports and Activity Strategy in the Spring.</p> <p>At present, Leisure Services uses social media, internal marketing, and also links into local schools to advertise activities, encouraging more people to take up sessions.</p> <p>This approach is working well, as demonstrated by the substantial increase in members, almost doubled to 4,800 overall and 3000 for Clacton Leisure Centre. The financial impact of these are referenced in my earlier reply to Cllr Paul Honeywood's question.</p> <p>In the past, there has been a direct arrangement with hotels and holiday parks whereby the leisure centres have provided passes for the pools to allow those staying in the local area to use the centres with their families and friends.</p> <p>We will review the potential to reinstate this offer in in our future marketing plans.</p>
Cllr Barry	Cllr Smith	<p>Who owns the solar panels on the Clacton Cricket Club pavilion next to the Clacton Leisure Centre in Vista Road, Clacton-on-Sea?</p>	<p>The solar panels are owned by a private company called Freetricity Commercial Limited. The company occupies the roof of the building under a 25 year and 6 month underlease granted by</p>

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			Clacton Sports Club in March 2012.
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**THE FOLLOWING QUESTIONS ARE TO PORTFOLIO HOLDERS WHO HAVE PROVIDED WRITTEN REPLIES AS FOLLOWS. AS THEY WERE NOT REQUIRED TO ATTEND THE COMMITTEE MEETING THE QUESTIONS AND REPLIES WILL NEED TO BE READ INTO THE RECORD OF THE MEETING.**

<u>Question to which Portfolio Holder</u>	<u>Question from Member of the Committee</u>	<u>Question to be asked (followed by supplementary question(s) based on response – initially from questioner – and others only if time permits)</u>	<u>Answer from Portfolio Holder (If time is tight the question and the response may be read into the record rather than spoken)</u>
Cllr I Henderson	Cllr P Honeywood	<p>In relation to the overall budget.</p> <p>What measures have you taken already and will take to ensure the expenditure in your Portfolio contributes to the savings requirement set out in the proposed budget for 2024/25, 2025/26 and 2026/27?</p>	<p>The Economic and Tourism portfolio has focused on bringing funding into the Council to deliver priorities, and drawing on the capacity funding that comes alongside the awards to enable delivery of the schemes.</p> <p>For example, there is or will be the following capacity funding available for levelling up schemes:</p> <p>Levelling Up Fund: £70,000 has been received in the 23/24 financial year, and DLUHC have advised that a further £40-£60,000 will also be made available. This can also be used to support CRP if needed</p> <p>Long term plan for Towns: £50,000 has been received</p> <p>Levelling Up Partnership: £45,000 has been received</p> <p>Accelerator: we will receive £50,000 for this which can be used for support if need be, but after discussions with the MP this will be used directly on projects</p> <p>In relation to the Airshow, the Council is considering</p>

			<p>how best to draw in sponsorship to reduce the costs of the event to the Council.</p> <p>In addition, we continue to work with funding partners such as the Arts Council and the Heritage Lottery to consider options for future investment in the District.</p>
Cllr Placey	Cllr P Honeywood	<p>On page 57 of the Agenda Pack, it states that there will be a one-off unavoidable net cost for Careline in this year of £120k and £296k in 2024/25. Can you set out what those cost pressures are and why a break-even position is not possible? How certain are we that that cost pressures will end in 2024/25 or will we see costs pressures then in 2025/26?</p>	<p>A staffing restructuring is taking place to reduce costs and an Options paper will be submitted to Cabinet over the next few months. The cost pressures relate to staffing and the digital switchover.</p> <p>The Options paper is the key document which will determine the future of the service. At this stage, you have the worst-case scenario cost pressure for 2024/25 and until the Options paper is completed, I would not like to comment on 2025/26, as we need to see the outcome of the review, which is being undertaken by a specialist Officer from the Finance team.</p>
Cllr Placey	Cllr P Honeywood	<p>In relation to the overall budget.</p> <p>What measures have you taken already and will take to ensure the expenditure in your Portfolio contributes to the savings requirement set out in the proposed budget for 2024/25, 2025/26 and 2026/27?</p>	<p>I keep all service areas under review to ensure that they are contributing the Corporate priorities, including savings requirements. It should be noted in Partnerships that I have a number of posts that are externally funded by the Alliance and DWP that are contributing to the delivery of the Council's priorities.</p> <p>I have two service areas where I have implemented</p>

			<p>additional reviews :</p> <p>Careline - An Options review and a restructuring are currently being undertaken. The restructuring consultation is taking place this month and the Options paper will be submitted to Cabinet over the next few months.</p> <p>Career Track - The Council's apprenticeship service, Career Track, is supported by the Council in its work to provide employment opportunities for those within the District who may otherwise struggle to progress. The service does not break even due to the fixed fees that can be charged which are set by national government. These fees have not been increased since they were established in 2017. The service is however, going to commence charging for re-sits to support the budget position going forward. The authority provides an additional investment into the service on an annual basis.</p>
Cllr Bush	Cllr P Honeywood	<p>In relation to the overall budget.</p> <p>What measures have you taken already and will take to ensure the expenditure in your Portfolio contributes to the savings requirement set out in the proposed budget for 2024/25, 2025/26 and 2026/27?</p>	<p>We are preparing for new waste and recycling collection and street sweeping arrangements from 2026. I cannot guarantee that the new arrangements will offer a financial saving as inflationary pressures are not in our favour in this respect. I can assure you though, that we will be seeking best value for money in what is delivered.</p>



			<p>Engineering: My team of officers is working towards a programme of replacement of drop in flood boards as part of a longer term investment to save scheme.</p> <p>The team is preparing proposals for a Cliff and Coast Policy that is aimed at limiting liabilities by providing for judicious interventions and the seeking out of external funding opportunities.</p> <p>Currently we are reviewing the Climate Change Action Plan that was originally adopted in 2020. The focus of the action plan is carbon reduction, which is primarily reducing the amount of energy the council uses, and so what it spends on energy. So whilst this action plan includes potential expenditure, it provides opportunities to spend to save by reducing energy usage. A briefing paper on the progress with the Climate Change Action Plan is being prepared for the Committee to be circulated later this month.</p> <p>Streets/lighting - The team has put in place a trial group of solar powered streetlights at Jaywick. Evaluation is ongoing but the idea has potential to create revenue savings and contribute to carbon reduction.</p> <p>I have also asked for an unadopted roads policy to be drafted. There is significant demand for such</p>
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			<p>discretionary works but that demand has to be carefully evaluated against available budgets.</p> <p>Transport - The team is evaluating options for a fleet decarbonisation strategy with the aim of finding efficient ways to procure and use vehicles that are both suitable for the various works uses and as low carbon as they can be.</p>
Cllr Kotz	Cllr P Honeywood	<p>In relation to the overall budget.</p> <p>What measures have you taken already and will take to ensure the expenditure in your Portfolio contributes to the savings requirement set out in the proposed budget for 2024/25, 2025/26 and 2026/27?</p>	<p>As mentioned elsewhere, maximising efficiencies will play a key role in balancing the budget / forecast. IT will undoubtedly be a key element in helping to unlock such efficiencies and we will continue to work with Services alongside our external partners such as other local authorities and software providers to generate savings opportunities for the Council.</p> <p>I have asked the property team to review the 72 sites that had been identified as potentially surplus in order to narrow down the areas of work and prioritise activity into a sharper focus in order to drive forward receipts and efficiency where it is appropriate to do so.</p> <p>The Property team is managing the redevelopment of the Honeycroft site. Work is about to start on site and will generate saving through homelessness reduction.</p> <p>I have requested resolution of a number of leasehold</p>

			<p>matters where lease renewals or other matters have been outstanding for some time. The council is supportive of community groups through the CAROS scheme and it is important that all of the beneficiaries and potential beneficiaries are taking part on a level playing field. Having up to date agreements is also important with regard to legal and other risks and liabilities.</p> <p>In the bereavement area I have asked officers to investigate ways in which the wider financing of the service including balancing of incomes and costs across the service and the development of ideas for added customer value.</p> <p>Public conveniences are facilities that are sensitive in terms of public support. However, the provision is costly. A review of the strategy will have to look at delivery options and rationalisation.</p>
Cllr Kotz	Cllr Steady	<p>Have we still got a preferred contractor list? If we have, can others be added? When work is completed is it checked to ensure we are getting value for money? Is it easy for a contractor to be taken off the list if the above is not obtained?</p>	<p>Services may have their own preferred contractor contacts, however, procurement rules still apply when seeking services and the relevant values for particular tender processes apply.</p> <p>Services should be managing the contract and any performance/standard issues throughout.</p> <p>Specifically in relation to Operational Services, there is no preferred list.</p>

			All of the work that is carried out at a larger scale is subject to competitive quotes or tenders. Where projects are tendered, they are open to all. Anyone wishing to bid for works or supplies can begin at the Doing Business With the Council page on our web site.
Cllr Kotz	Cllr Steady	<p><u>Supplementary Questions</u></p> <p>I am concerned at the use of the words “may” and “should”, the language should be more positive and certain.</p>	A written answer to be provided.
Cllr Stephenson	Cllr Bensilum	<p><u>Supplementary Questions</u></p> <p>There's some very basic cost savings, LED lighting, to pool covers I that occurs to me that very basic cost savings and we're only doing it now.</p> <p>Why do you think that is and more importantly can we commission some sort of review to look for other very basic cost savings?</p>	<p>Unlike the public sector, we have lengthy processes to go through, a procurement process and very specific governance, before we can take action on most things.</p> <p>Every department is asked to review their spending each year and try to find cost savings measures but if a recommendation was to come from this Committee to undertake a review, it would be considered at Cabinet.</p>
Cllr Barry	Cllr Bensilum		The Climate Change Action plan is due for renewal and it will address measures taken, build on them and look to bring in new measures to balance spend.

After an in depth discussion it was moved by Councillor P Honeywood, seconded by Councillor Griffiths and unanimously **RESOLVED** that the following recommendations be submitted to the Cabinet namely that:-

- (a) Portfolio Holders review the individual cost pressures and cost savings across their respective service areas and explain how they are managing that process;

- (b) this Committee must be consulted on both the review of the Housing Strategy and on any revised Strategy proposals that come forward before the Cabinet makes any decisions on this matter;
- (c) a longer term Savings Plan be produced to ensure longer term financial sustainability and that it be submitted to this Committee for scrutiny in the first quarter of 2024/2025;
- (d) a review be carried out of the Council's preferred service providers/contractors to ensure compliance with the Council's Procurement Procedure Rules; and
- (e) a review be carried out on whether to introduce a "traffic light" risk management system to manage cost pressures.

**35. INTERIM REPORT OF THE COUNCIL'S ENFORCEMENT ARRANGEMENTS TASK AND FINISH GROUP**

The Committee heard from the Director of Planning as he outlined a report that provided the Committee with the interim Report from its Council Enforcement Arrangements Task and Finish Group. This interim report had been submitted as the Task and Finish Group had concluded the element of its enquiry concerning Planning Enforcement. The interim report was set out in the Appendix to the Officer's report. The intention of the whole enquiry was recorded as:

*"To identify the extent to which here are further steps that can be taken to further achieve a fair and equitable use of enforcement powers, taking account of relevant information and that the resources made available for enforcement are used to best effect."*

Members heard that the Council, on 11 July 2023, had approved an enquiry through this Committee into the matters set out below. The Committee had subsequently approved that this enquiry would be undertaken through a Task and Finish Group and following a published decision the Task and Finish Group had been formed and the enquiry was underway.

*"Council Enforcement arrangements, including:*

- (a) Planning Enforcement (and other areas) where decisions are taken 'in the public interest' whether to take particular enforcement action. To look at written statements to support the basis of such judgements and the matters demonstrably weighed up in reaching such decisions,*
- (b) The existing and possible opportunities for information to be provided by Ward Councillors in respect of matters which may attract enforcement action and decisions to not take enforcement (given the unique role of Councillors in representing their Ward).*
- (c) The extent to which enforcement powers are looked at in a silo or corporate way to ensure that (within the purposes of particular enforcement powers) the Council considers the ability to address non-compliances robustly.*
- (d) The experience of fly tipping on public land and the actions to deter such fly tipping*

- (e) *The use of mobile CCTV cameras overly and covertly to identify offences and, potentially, offenders.”*

The enquiry had addressed, to this point, elements (a), (b) and (c) above in relation to Planning Enforcement. The interim report referenced the enquiry to this point. Further phases of the enquiry would concentrate on points (d) and (e) from the above scope and that it might return to points (b) and (c) as it considered other enforcement matters within the scope of the enquiry.

After a brief discussion it was moved by Councillor P Honeywood, seconded by Councillor Griffiths and unanimously **RESOLVED** that the following recommendations be submitted to the Cabinet to approve on the basis that the relevant recipient of the approved recommendations will have the recommendation concerned referenced to them namely that:-

- (1) the pilot monthly update list on planning enforcement cases (showing Ward, location, alleged planning breach and reference number) be rolled out to all Councillors from the start of January 2024 and that, in the list, those cases relating to the same premises be cross referenced or be shown sequentially and allegations of breaches around the creation of Houses in Multiple Occupation be clearly identified.
- (2) moves be made to utilise the functionality built into the Planning computer software system, Uniform/Public Access, in order to provide up to date details on planning enforcement cases through the website. This use should be timed to commence from 1 April 2024 for new cases, that existing live cases be added as updates are made to those cases during 2024/25 and that in March 2025 a report be provided to Councillors of those cases not available at that point on the website through the stated software packages.
- (3) the following be instigated in relation to arrangements across the Council to support joined up and effective enforcement:
  - a. The pilot arrangements for action logs being created for meetings of the Operational Enforcement Group (that are associated with matters discussed at meetings of that Group (and are then monitored away from meetings of the Operational Enforcement Group)) be implemented fully going forward. These action logs would also include relevant responses concerning information held by other service areas of the Council about premises that are referenced to the Group by any one of the service areas who are represented on the Group (including ‘NIL’ responses if appropriate).
  - b. A mechanism of alerting service areas who are represented on the Operational Enforcement Group of live enforcement cases in each of the other service areas on that Group, an ongoing basis, be developed and implemented so as to improve the knowledge flow in the Council of allegations and provide for appropriate enforcement and timely interventions to be made to secure the best interests of the Council, its residents and businesses with a view to raising public confidence in the

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Council's competence to secure those best interests and deliver 'smarter' working across service areas.

- c. A protocol be developed setting out the corporate expectations on individual service areas to identify the types of information that service areas hold, and examples of where that information could reasonably be expected to be utilised to support enforcement action or service delivery in that service area or another service area. By way of example, Council Tax Collection could usefully benefit from information around properties being empty for a year as the Council Tax payer may then be subjected to an empty property premium being applied to the Council Tax bill for the property. Another example would be around information that the Licensing Team were to revoke a Licence held by a Business and the potential need for swift action to recover unpaid Business Rates.

- (4) a mechanism for reviewing activity in respect of planning enforcement cases which have been live for over a year be developed and maintained with a view to avoiding the status quo continuing and resulting in an ever reducing harm assessment in respect of those cases to the point that the infringement/non-compliance becomes permitted by default/legal action is not an option as it is then out of time. The intention of the review is to ensure that issues are not missed and appropriate action is taken by the Council.

- (5) as part of good and reasoned decision making, a policy statement be developed or reviewed on the use of 'public interest' within Planning Enforcement as the reason for either taking or not taking particular enforcement action. The policy statement is to set out the considerations officers must take account of. In each case where 'public interest' is to be utilised to support a planning enforcement decision, an assessment of the competing elements of the public interest in taking or not taking that particular enforcement action are to be set out in writing with an indication as to why taking or not taking action outweighs the other public interest and that assessment is to be endorsed by a more senior officer.

**36. DELIVERING AGAINST THE COUNCIL'S CORPORATE PLAN 2022-28 - INITIAL PROPOSALS FOR HIGHLIGHT PRIORITIES FOR 2024-25**

The Committee heard that at Cabinet's meeting held on 15 December 2023 (Minute 62 referred), Cabinet had considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance (A.2), which had reminded Members that the Council's strategic direction was set out in its Corporate Plan which was a fundamental element of the Council's Policy Framework. The Corporate Plan ('Our Vision') had been adopted unanimously by Council on 28 November 2023 (Minute 76 referred) and covered the period 2024-28. Key elements of delivering against the adopted Corporate Plan would be through annual highlight priority actions approved by the Cabinet. The 2024/25 initial proposals for highlight priorities had been set out at Appendix B to the Portfolio Holder's report. Through that report, Cabinet had been invited to adopt those initial proposals for consultation purposes before finalising its

highlight priorities for 2024/25; which would involve consideration of the outcome of the consultation undertaken.

It was reported to Members that recognising the rationale for the Portfolio Holder's recommendations was to set out openly for all concerned the initial proposals for highlight priorities for 2024/25 and that this supported the openness agenda of the Council and provided an opportunity for engagement with the public, businesses and partners on those initial proposals. Through consultation it was hoped that the views received could help shape the priorities that would finally be adopted (within the reality of the Council's budgetary position). Cabinet had therefore -

**“RESOLVED** that Cabinet resolves that -

- (a) *the initial highlight priorities for 2024/25, as set out at Appendix B to report A.2, be approved for consultation;*
- (b) *all Councillors, other partners and the public be invited to consider the initial priorities referred to in (a) above; and*
- (c) *the outcome of the consultation referred to in (b) above be reported to Cabinet on 15 March 2024 in order that Cabinet can formally adopt its finalised highlight priority actions for 2024/25.”*

A copy of the published Leader of the Council's report (and its appendices) to the Cabinet meeting held on 15 December 2023 were attached to Officer's covering report.

Members heard that in relation to the stewardship of the Tendring Colchester Boarders Garden Community, for any development to take place, stewardship must be in place or planning applications would be rejected.

After some discussion it was moved by Councillor P Honeywood, seconded by Councillor Griffiths and unanimously **RESOLVED** that –

- (a) the following recommendations be submitted to the Cabinet namely that:-
  - (1) any new measures arising from the new Climate Change Action Plan must be fully costed and resourced or planned to be fully costed and resourced and set out how they will be funded; and
  - (2) the performance against the delivery of the Priorities must be closely monitored.
- (b) Cabinet be also informed that, in the opinion of this Committee, the Stewardship Arrangements for the Tendring Colchester Garden Community must be treated as a priority as they are vital to the success of this project.

The meeting was declared closed at 8.33 pm

**Chairman**



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Community Leadership Overview and  
Scrutiny Committee

11 January 2024

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**MINUTES OF THE MEETING OF THE COMMUNITY LEADERSHIP OVERVIEW AND  
SCRUTINY COMMITTEE,  
HELD ON THURSDAY, 11TH JANUARY, 2024 AT 7.30 PM  
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors Steady (Chairman), Barrett (Vice-Chairman), Davidson, Doyle, Ferguson, Griffiths, McWilliams and Oxley
<b>Also Present:</b>	Councillor M Stephenson (Leader of the Council) and Councillor Placey (Portfolio Holder, Partnerships)
<b>In Attendance:</b>	Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), John Fox (Head of Health & Community), Ian Ford (Committee Services Manager), Keith Durran (Committee Services Officer) and Bethany Jones (Committee Services Officer)

**15. INTRODUCTION FROM THE CHIEF EXECUTIVE**

*“Thank you very much for granting me the privilege of speaking before your agenda. As many of you know, we're currently in the midst of a by-election tonight. I'll be heading straight off to handle postal votes before participating in the count. I appreciate your indulgence in allowing me to speak first.*

*Tonight, I'd like to discuss the broader concept of partnership in anticipation of your later discussion. For many councils, partnership is important, but for us, dealing with challenges like poor health, low education achievement, and economic drivers makes it even more crucial.*

*Our work as a district council becomes vital, and our investments must align with addressing these challenges. Whether we are the deliverer, facilitator, or influencer, our efforts make a significant difference in the lives of our residents.*

*I want to set the stage for a discussion on the importance of our investments, whether they are our own or from external sources. Ensuring these investments deliver positive outcomes is a key aspect of our work.*

*One example of our impact is the 4.7% improvement in the health index for our district, compared to the England average of 0.8%. This demonstrates that our efforts, far from being mere 'fluffy stuff,' genuinely achieve positive results.*

*Reducing ambulance journey times and supporting diagnostic hospitals are among our collaborative efforts, benefiting both residents and regional services. Our partnership with the ICB, the new health structure, has been recognized as one of the best in the country through an LGA peer review.*

*In conclusion, our unique challenges make partnership work even more crucial. The recent visit from the director and their team highlighted that our focus on partnership*

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*delivery is equally, if not more, important than physical asset projects. Let's continue working collaboratively and focus on the outcomes we can achieve collectively”.*

The Chief Executive excused himself from the remainder of the meeting as he had to attend the Count centre for a by-election in the District, the Chairman thanked him for speaking and said that any questions to him would be submitted to him in writing.  
him in writing.

**16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

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

**17. DECLARATIONS OF INTEREST**

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

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

On this occasion no Councillor submitted notice of a question.

**19. GRANT FUNDING**

At Cabinet's meeting on 10 November 2023, (minute 48 referred) the Leader of the Council had confirmed that external funding matters within the Cabinet's initial Budget proposals for 2024/25 would be scrutinised by the Community Leadership Overview & Scrutiny Committee.

The Committee had before it in attendance the Leader of the Council, supported by the Assistant Director of Finance and IT, plus the Portfolio Holder for Partnerships, supported by the Assistant Director of Partnerships and the Head of Health and Community.

Members were provided with a report (agenda item 5, appendix A) that was to be submitted to Cabinet on 16 February 2024. This report was to meet the recommendation within the Cabinet report in respect of the creation of a subsidy scheme for the purposes of direct grant funding for Citizens Advice Tendring which had been submitted to Cabinet on 21 July 2023. One of the recommendations arising from that July meeting was that a review of grant funding across the Council be carried out and a report following that review considering the options available during 2023/24 then be presented to Cabinet in readiness for 2024/25.

Members heard that the Council allocated a significant amount of funding across the voluntary and community sector, either from external provision such as from Government, for example, the Shared Prosperity Fund, and from internal resources such as for the Tendring Community Fund. At the time of the meeting funding was allocated individually by services within the criteria of any funding received but could potentially be subject to a more joined up approach. The existing governance across services included, in many cases, the criteria for applying, an application form and approval routes, which included Member sign off. Consideration could be given to developing governance criteria to help ensure funding allocation was based on a sound

process, was transparent and allowed for decision making at an appropriate level. Although specific aims could be set for allocating funding, for example, in line with the Corporate Plan, care needed to be taken to ensure sufficient flexibility that allowed for funding to be allocated in relation to need. A general policy could also be considered which set the giving of grants in context, for example, by highlighting the underpinning principles, eligibility etc. Within the allocation of funding reference needed to be made to the Subsidy Control Act 2022 to ensure all allocations were legally compliant.

A series of written questions had been previously compiled by the Committee and put to the Portfolio Holders. The Portfolio Holders' responses had been provided in writing and circulated to the Committee prior to the commencement of the meeting. The Minutes of this meeting record those questions and responses below. Further supplementary questions were asked of Cabinet Members and responses provided and they are also recorded below.

Councillor Doyle, with the aim of transparency, informed the meeting that she worked with a local hospice and also worked with the Compassionate Communities organisation.

<b>GRANTS REPORT</b>			
<b>Portfolio Holder/Officer</b>	<b>Member of Committee</b>	<b>Questions</b>	<b>Answers</b>
Cllr G Placey	Cllr Doyle	Do we monitor the spending of grants we give out, to make sure they are used correctly?	<p>The monitoring of grant allocation is undertaken. For example, the health inequalities funding provided by the Integrated Care Board includes ongoing liaison with the organisations to ensure utilisation of the funding along with the provision of reports highlighting the work being undertaken. Specific evaluation of projects will also be undertaken</p> <p>Officers undertake monitoring of Tendring Community Fund grants by keeping in regular communication with grant recipients to understand how their funded work is progressing and by requiring impact reports to be completed and returned. These reports ask for details on how the funding has been spent, any issues or delays that have arisen, resident feedback and photographs of</p>

		<p>Do we carry out financial risk assessments on organisations that are successful in being awarded a grant?</p> <p>The draft policy at Appendix A2 doesn't appear to reference guidance to aid people in applying for grants, can this be included?</p>	<p>the projects where appropriate. Officers also collect information about any underspend of funding.</p> <p>Steps are taken to determine the financial position of organisations that are successful; for example with the Tendring Community Fund application, particularly with larger grant amounts, the application form asks the applicant to confirm that they have the appropriate governing documents, that they have a bank account with two unrelated signatories and that they could provide a copy of their annual accounts or a budget forecast for the coming year if requested. The cross party working group that allocated this fund also adds the local knowledge element</p> <p>Guidance could be provided to assist those applying for grants and can be included in the final grants policy.</p>
Head of Health and Community	Cllr Doyle	<p><u>Supplementary Question</u></p> <p>When would the Grants Policy be in place?</p>	<p>No timescale in place.</p>
Cllr G Placey	Cllr Griffiths	<p>Would it be possible to building into the structure of TDC that Portfolio</p>	<p>We will take the suggestion back and look at appropriate mechanisms for ensuring</p>

		<p>Holders are responsible for the grants that come out under their remit, that a sub committee is formed, that meets once every six months or so, that then goes through the grants, somewhat similar to the licencing committee.</p> <p>Can we have someone in to explain the Subsidy Control Act 2022? Ref page 25.</p>	<p>that, in so far as is possible, there are common good practices and procedures applied to grant giving by the Council.</p> <p>The Subsidy Control Act 2022 seeks to regulate the provision of subsidies. Provision of grant funding may constitute a subsidy if it is provided to an enterprise which provides them with an economic advantage so that other similar enterprises could not access the funding.</p> <p>Four criteria are used to determine if allocation of funding is a subsidy and these are a) is funding from a public authority, b) does it provide an economic advantage to an enterprise (an organisation offering goods and services on the market) c) is the funding provided to specific beneficiaries and d) does it have an effect on competition or investment.</p> <p>Allocation of funding must be in accordance with the Act although there is the opportunity to develop a Subsidy Control Scheme which will permit the allocation of funding to a specific beneficiary if it is in line with the scheme which would amongst other things include reference to the policies and aims of the funder.</p>
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			If there is an open call for funding allocations so different organisations can bid or if a procurement process is used then funding is unlikely to be regarded as a subsidy.
Head of Health and Community	Cllr Griffiths	<u>Supplementary Question</u>  Can you further explain the Subsidiary Control Act and its relationship with the Jaywick Sunspots development?	The Subsidiary Control outlines 4 criteria for compliance:  A local Authority provides the funding.  That the funding is not conferring financial advantage to an entity.  That the funding is given to specific requests.  Will the funding have adverse effect on competition?  In terms of the Sunspots there was an open call for potential tenants. Government Guidance stipulated that an “open call” was considered “not conferring an advantage”.
Deputy Chief Executive		If Government changes grant criteria, would it change current grants?	Not really, once money is granted and or allocated that is the end of it, i.e. it is a one off.
Head of Health and Community.			
Cllr G Placey	Cllr Steady	When applicants make their submission, do we scrutinise their financial situation? Do we check if they have applied for/received other grants from us or partner organisations under the same or similar schemes?	The Tendring Community Fund application form asks the applicant to confirm that they have the appropriate governing documents, that they have a bank account with two unrelated signatories and that they could provide a copy of their annual accounts or a budget forecast for the

			<p>coming year if requested. Evidence of these being in place may be required before an application is approved and this will depend on the level of funding applied for. Applicants are asked in the TCF application form to provide details of any other grants they have been successful with as well as any they have applied for and are waiting to hear about. Officers will determine the levels of funding an organisation has recently received for other projects by consulting with grant givers internally at TDC, such as for the Shared Prosperity Fund, as well as externally with CVS Tendring and the Health Alliance's domain funding for example. These steps ensure officers would be aware of any risks of funding duplication for the same project before a grant is awarded.</p>
<p>Head of Health and Community</p> <p>Portfolio Holder</p>	<p>Cllr Steady</p>	<p><u>Supplementary Question</u></p> <p>Is there any alternative to a Grants Policy?</p> <p>What is the purpose of the Policy?</p> <p>Will there be a review of external funding?</p>	<p>Continue informally with no Grant Policy.</p> <p>Consolidation of different approaches across the Council, it will strengthen governance and transparency.</p> <p>This is difficult, Grant Policy will channel external funding through its criteria.</p> <p>Policy will need to link into TDC Corporate Strategy but also need to be flexible to</p>

Partnerships			react to emergencies.  We can't say if TDC will get any more external funding. Subsidiary Control has made TDC focus on the way it gives out grants and review to who and why and for how long. Maybe the Committee (CLOSC) could take ownership of the production of the Grants Policy? e.g. via a Task and Finish Group.
Cllr M Stephenson		Will there be any change to the level of funding?	
	Cllr Oxley	<u>Supplementary Question</u>  I have concerns about the complexity of the forms, will they be reviewed?	
Head of Health and Community			They do need to be accessible to all and reactive to the criteria that comes forward.

After an in-depth discussion it was moved by Councillor Steady, seconded by Councillor Ferguson and unanimously **RESOLVED** that:

- (a) a Grants Task & Finish Working party be set up; and
- (b) the Head of Democratic Services & Elections, in consultation with the Chairman of the Committee, be authorised to decide the Working Party's terms of reference (including its size and composition).

In relation to resolution (a), it was decided that the terms of reference of the Task and Finish Group should be:-

Terms of Reference

- the production of a Grants Funding Policy;
- examination of 'funding overlaps' within the Council;
- exploring mechanisms for providing Member overview to keep track of external funding within TDC's systems; any issues around those funds; and how TDC can get in more external funding and particularly to ensure that TDC does not 'miss out' through ignorance of the existence of external 'funding pots'.

**20. DELIVERING AGAINST THE COUNCIL'S CORPORATE PLAN 2022-28 - INITIAL PROPOSALS FOR HIGHLIGHT PRIORITIES FOR 2024/25**

The Committee heard that, at Cabinet's meeting held on 15 December 2023 (Minute 62 referred), Cabinet had considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance, which had reminded Members that the Council's strategic direction was set out in its Corporate Plan which was a fundamental



element of the Council’s Policy Framework. The Corporate Plan (‘Our Vision’) had been adopted unanimously by Council on 28 November 2023 (Minute 76 referred) and covered the period 2024-28. Key elements of delivering against the adopted Corporate Plan would be through annual highlight priority actions approved by the Cabinet. The 2024/25 initial proposals for highlight priorities had been set out at Appendix B to the Portfolio Holder’s report. Through that report, Cabinet had been invited to adopt those initial proposals for consultation purposes before finalising its highlight priorities for 2024/25; which would involve consideration of the outcome of the consultation undertaken.

It was reported to Members that recognising the rationale for the Portfolio Holder’s recommendations was to set out openly for all concerned the initial proposals for highlight priorities for 2024/25 and that this supported the openness agenda of the Council and provided an opportunity for engagement with the public, businesses and partners on those initial proposals. Through consultation it was hoped that the views received could help shape the priorities that would finally be adopted (within the reality of the Council’s budgetary position). Cabinet had therefore -

**“RESOLVED** that Cabinet resolves that -

- (a) the initial highlight priorities for 2024/25, as set out at Appendix B to report A.2, be approved for consultation;
- (b) all Councillors, other partners and the public be invited to consider the initial priorities referred to in (a) above; and
- (c) the outcome of the consultation referred to in (b) above be reported to Cabinet on 15 March 2024 in order that Cabinet can formally adopt its finalised highlight priority actions for 2024/25.”

A copy of the published Leader of the Council’s report (and its appendices) to the Cabinet meeting held on 15 December 2023 were attached to Officer’s covering report.

A series of written questions had been previously compiled by the Committee and put to the Portfolio Holders. The Portfolio Holders’ responses had been provided in writing and circulated to the Committee prior to the commencement of the meeting. The Minutes of this meeting record those questions and responses below. Further supplementary questions were asked of Cabinet Members and responses provided and they are also recorded below.

Portfolio Holder/Officer	Member	Question to be asked.	Answer
<b>HIGHLIGHT PRIORITIES</b>			
Cllr M Stephenson	Cllr Griffiths	I note on page 9 that it is anticipated by 2026/27 that there are likely to be initial development work on the Garden Community Site. I also note that on page 12 (reference B5)	The need for robust stewardship arrangements for both the governance and management of assets within the Garden Community are a requirement of the adopted Local Plan and the

		<p>that a highlight priority for 2024/25 is intended to be the development of the DPD for the Garden Community. So my question is where is the imperative around stewardship of public facilities as part of the Garden Community. If that is not correct at the beginning it will have negative implications for decades. Surely that should be a highlight priority.</p>	<p>emerging Development Plan Document. These arrangements will need to be in place and tied into a s106 legal agreement before the first planning permissions are granted. The Lead Developers Latimer are considering necessary stewardship arrangements alongside their work in preparing the planning application and the Members of the Tendring Colchester Borders Garden Community have been giving consideration to a variety of stewardship models and examples of best practice from across the country, with guidance from Officers and expert consultants. Whilst the highlight priority refers to the DPD and the development of the Garden Community thereafter, the requirements of the Local Plan and the DPD themselves make it implicit that stewardship arrangements will be confirmed, as stated above, through the s106 legal agreement on the first planning permission.</p>
<p>Cllr M Stephenson</p>	<p>Cllr Griffiths</p>	<p><u>Supplementary Questions</u></p> <p>When will scrutiny of these Stewardship arrangements come in? As I believe that TDC Councillors should have some input into the Stewardship arrangements before they are approved by the Tendring Colchester Borders Garden</p>	<p>Stewardship has to be in place before planning applications can be approved and this will be tied to the section 106 legal agreements.</p> <p>The TCBGC Joint Committee is made up of 3 TDC members, 3 from Colchester City Council</p>

<p>Deputy Chief Executive</p>		<p>Community Joint Committee.</p> <p>What is a Town Board?</p>	<p>and 2 from Essex County Council who will decide the Stewardship arrangements, TDC's members on the Joint Committee are our input in these arrangements.</p> <p>As part of the Towns Grant Government Funding TDC is required to set up a Town Board to come up with a vision for spending the funding.</p>
<p>Cllr M Stephenson</p>	<p>Cllr Griffiths</p>	<p>I note at reference F4 on page 14 that there is intended to be a new communications strategy – will that specifically address the problems we have at TDC of differentiating ourselves from services provided by others. In this regard I specifically note that in the corporate plan consultation many residents thought that TDC was responsible for road and pavement repairs (e.g. potholes) and clearly we are not. In my mind there should be an effort to tell the public just who is responsible for which services.</p>	<p>The Communications Strategy hasn't been drafted completely as of yet as it is necessary to take on board the feedback from consultees on the initial proposed highlight priorities. As such, this feedback around the relative responsibilities of partners, including Essex County Council (ECC), will be reflected on as the draft new Communications Strategy is developed. Having said that, the Strategy is intended to be a guiding principle on the delivery of Communications by the Council and the distinction between TDC and ECC is only one element to consider.</p>
<p>Cllr M Stephenson</p>	<p>Cllr Griffiths</p>	<p><u>Supplementary Questions</u></p> <p>In the new Communications Strategy can we make it clear what TDC is responsible for, what falls under our remit as opposed to partner agencies and can this also be applied to future consultations?</p>	<p>While I agree with the sentiment of your idea, the practicality of it could be resource intensive for something that is comparatively easy to deal with.</p>

<p>Cllr G Placey</p>	<p>Cllr Steady</p>	<p>On page 12 at reference D1 it mentions measures to reduce Health Inequalities; what will those measures include please? I ask as to whether it includes signing up to compassionate communities.</p>	<p>Firstly, may I point out that we are going in the right direction with our health indices improving as reported recently. But as Chris Whitty said when he visited us, there is no silver bullet, no one size fits all and there is still a lot of work to do.</p> <p>There are a broad range of ongoing health inequality initiatives. This includes a Fuel Poverty Officer to help support residents to access the correct type of fuels and tariffs and also to maximise benefits. Funding from the Integrated Care Board (ICB) has enabled us to provide specialist support to Children’s Social Care to help families most in need as part of a multidisciplinary team.</p> <p>Family Solutions has been funded with a specific post in Harwich to support struggling families and to develop community resilience. The ICB funding has also been used to enable the voluntary sector to directly address cost of living issues via food and fuel vouchers and support and is also being provided to help support with hospital discharge. Further funding has been provided by the Department of Work and Pensions (DWP) to support those furthest from employment; two staff are now employed to deliver this.</p>
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			<p>The work with Active Essex around the Local Delivery Pilot Sport England funding has also provided multiple examples of supporting communities as the funding was focussed on the most deprived areas and has included initiatives such as Essex Pedal Power, Beat the Streets and Parkplay which encourage people to get active and has been proved to enable easier access to work and Education .</p> <p>Following a meeting with the Hospice a report has now been produced to consider signing up to the Compassionate Communities charter taking into account the resource implications but also the benefits of doing this.</p>
Head of Health and Community	Cllr Steady	<p><u>Supplementary Questions</u></p> <p>Are there any plans for any outreach of Family Solutions into rural areas of the District?</p>	<p>There are 2 ECC staff, hosted by TDC – 1 covers the whole of the District while the other focuses primarily on Harwich.</p>
Head of Health and Community	Cllr Ferguson	<p><u>Supplementary Questions</u></p> <p>Is the Officer for Harwich based in Harwich?</p>	<p>Yes</p>

After a detailed discussion it was moved by Councillor Steady seconded by Councillor Griffiths and unanimously **RESOLVED** that:

- (a) the following recommendation be submitted to the Cabinet namely that when, each quarter, a summary report on delivery against all of the Cabinet's Annual Highlight Priority Areas for the year is sent to Portfolio Holders a copy of such

summary report should also be sent to the members of the Council's overview and scrutiny committees.

- (b) Cabinet be also informed that this Committee is pleased to note that it has covered most, if not all, of the new Corporate Plan Themes in its work undertaken to date in 2023/24.

The meeting was declared closed at 8.59 pm

**Chairman**

## COUNCIL

30 JANUARY 2024

### REPORT OF CHIEF EXECUTIVE

#### A.1 **CHANGES IN MEMBERSHIP OF COMMITTEES**

(Report prepared by Ian Ford)

I formally report that, in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to me, the following appointment has been duly made since the last ordinary meeting of the Council, namely:-

#### Planning Committee

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

This item is submitted for **INFORMATION ONLY**.

**IAN DAVIDSON**  
**CHIEF EXECUTIVE**

**COUNCIL**

**30 JANUARY 2024**

**BACKGROUND PAPERS LIST FOR  
REPORT OF CHIEF EXECUTIVE**

**A.1 CHANGES IN MEMBERSHIP OF COMMITTEES**

Email dated 5 December 2023 received from the Leader of the Conservative Group (Councillor Carlo Guglielmi).

Formal appointment dated 7 December 2023.



## COUNCIL

30 JANUARY 2024

### REPORT OF CHIEF EXECUTIVE

#### A.2 **CHANGE IN MEMBERSHIP OF A POLITICAL GROUP**

(Report prepared by Ian Ford)

I formally advise 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 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 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 are reported to Council elsewhere on the Agenda for this meeting.

This item is submitted for **INFORMATION ONLY**.

**IAN DAVIDSON**  
**CHIEF EXECUTIVE**

**COUNCIL**

**30 JANUARY 2024**

**BACKGROUND PAPERS LIST FOR  
REPORT OF CHIEF EXECUTIVE**

**A.2 CHANGE IN MEMBERSHIP OF A POLITICAL GROUP**

Notice of Wish to be treated as a Member of a Political Group (Tendring Independents) signed by Councillor Goldman and dated 11 January 2024.

## COUNCIL

30 JANUARY 2023

### JOINT REPORT OF THE MONITORING OFFICER AND THE CABINET

#### **A.4 PROPOSED MINOR AMENDMENTS TO THE COUNCIL'S CONSTITUTION (COUNCIL PROCEDURE RULES)**

##### **PART 1 – KEY INFORMATION**

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

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

###### **EXECUTIVE SUMMARY**

The Cabinet, at its meeting held on 15 December 2023 (Minute 63 refers) considered and 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 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 is provided in the background section of this report.

###### **RECOMMENDATION**

**That the Council's Constitution be amended to reflect the proposed changes as set out in the Appendix attached hereto this report.**

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

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.

###### **ALTERNATIVE OPTIONS CONSIDERED**

- (1) Not to approve the Cabinet's recommendation;
- (2) To amend or substitute the Cabinet's recommendation.

##### **PART 2 – IMPLICATIONS OF THE DECISION**

###### **DELIVERING PRIORITIES**

Agreeing the proposed changes will ensure that the Council demonstrates good governance and operates efficiently in pursuit of its priorities.

## OUTCOME OF CONSULTATION AND ENGAGEMENT

The outcome of the review of the mandatory training carried out by the Councillor Development Portfolio Holder Working Party is reported elsewhere in this report.

## LEGAL REQUIREMENTS (including legislation & constitutional powers)

In accordance with Section 37 of the Local Government Act 2000, as amended, a local authority operating executive arrangements must prepare and keep up to date a document which contains a copy of the authority's standing orders for the time being and such other information as the authority considers appropriate.

Schedule 1 to the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, sets out functions which must not be the responsibility of the Executive and therefore rests with Council or its committees. The power to make amendments to the standing orders and the Constitution rests with full Council.

Article 15 of the Council's Constitution provides that changes to the Constitution are approved by Full Council after receiving a recommendation from Cabinet following consideration of a proposal from the Monitoring Officer and a recommendation via the Portfolio Holder with responsibility for corporate governance. Article 15 also provides authority to the Monitoring Officer to make minor changes to the Constitution arising from changes to the organisational structure of the Council.

Article 12 of the Constitution provides that the Council's Monitoring Officer will ensure the Constitution is up to date. This function takes into account legislative requirements and best practice.

## FINANCE AND OTHER RESOURCE IMPLICATIONS

### Risk

Providing clarity through clearer and consistent procedure rules contained within the Constitution prevents confusion and different interpretation and enhances the Council's overall governance arrangements.

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

The Section 151 Officer has noted the proposed amendment and that this may result in a modest increase in expenditure on Members' training, which will need to be met from existing budgets or may require a further decision in due course in accordance with the Council's Financial Procedure Rules.

## 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;	N/A
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	N/A
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and	N/A

performance to improve the way it manages and delivers its services.	
<b>MILESTONES AND DELIVERY</b>	
Review of the mandatory training of Members carried out by the Councillor Development Portfolio Holder Working Party – 23 January 2023.	
Submission of Corporate Finance & Governance Portfolio Holder's and the Monitoring Officer's recommendations to formal Cabinet meeting – 15 December 2023.	
Submission of Cabinet's recommendations to Full Council for approval and adoption – 30 January 2024.	
Publication of approved changes to the Constitution – Early February 2024.	
<b>ASSOCIATED RISKS AND MITIGATION</b>	
Not implementing the amendments to the Constitution will negatively impact the Council's governance arrangements.	
<b>EQUALITY IMPLICATIONS</b>	
The purpose of the Constitution is to:	
<ol style="list-style-type: none"> <li>1 Provide key elements of the Council's overall governance arrangements;</li> <li>2 Enable decisions to be taken efficiently and effectively;</li> <li>3 Create an effective means of holding decision-makers to public account;</li> <li>4 Enable the Council to provide clear leadership to the community, working in partnership with the local community, businesses and other organisations for the long term well-being of the District;</li> <li>5 Support the involvement of the local community in the process of local authority decision making;</li> <li>6 Ensure that no one will review, or scrutinise, a decision in which they were directly involved;</li> <li>7 Help Councillors represent their residents more effectively;</li> <li>8 Ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for their decisions; and</li> <li>9 Provide the framework and structure in which cost effective quality services to the community are delivered.</li> </ol>	
<b>SOCIAL VALUE CONSIDERATIONS</b>	
None	
<b>IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030</b>	
No direct implications.	
<b>OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS</b>	
<b>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>	
<b>Crime and Disorder</b>	None
<b>Health Inequalities</b>	None
<b>Area or Ward affected</b>	None directly

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

The Councillor Development Portfolio Holder Working Party (CDWP) met on 23 January 2023. At that meeting the Working Party, inter alia, had considered existing areas of mandatory training together with whether such mandatory training should be expanded to cover other areas such as for members of the Council's overview and scrutiny committee. The CDWP's recommendations were considered by Cabinet on 15 December 2023 and the following changes are recommended for approval (note that references to Part numbers relate to the Constitution prior to any amendments now submitted):

#### **Council Procedure Rules – Section 2 (Committee Meetings)(Part 4.28 to 4.34):**

##### **Rule 33.3 – Training Members of the Audit, Licensing & Registration, Planning and Standards Committees (Part 4.29)**

To include within this Rule that members of the Human Resources & Council Tax Committee receive mandatory training in relation to determining Employment Appeals (for specific senior officer posts) in order to be able to sit on a Personnel Appeals Sub-Committee of that Committee.

To broaden the reference to training for Licensing & Registration Committee members to include all aspects of licensing legislation and not just the Licensing Act 2003.

To also include within this Rule that members of the Council's overview and scrutiny committees receive mandatory training on work programming and questioning skills.

##### **Rule 34.3 – Training Substitute Members of the Audit, Licensing & Registration, Planning and Standards Committees (Part 4.30)**

To include within this Rule that substitute members of the Human Resources & Council Tax Committee receive the required mandatory training.

To also include within this Rule that substitute members of the Council's overview and scrutiny committees receive the required mandatory training.

##### **Rule 34.4 – Substitute Members of the Audit, Licensing & Registration, Planning and Standards Committees (Part 4.30 to 4.31)**

Consequential amendments made in order to take into account the above changes.

The proposed changes to Council Procedure Rules 33.3, 34.3 and 34.4 (Section 2) are shown in **RED** and **PURPLE** in the Appendix.

### PREVIOUS RELEVANT DECISIONS

Cabinet, at its meeting held on 25 February 2022 (Minute 134 – Resolution 2 refers), decided, inter alia, as part of its decision on the annual review of the Constitution, that:

*"2. That Cabinet agrees that:*

***(b) the Councillor Development Portfolio Holder Working Party be requested to consider and report back to Cabinet whether, in the light of the Centre for***

***Governance & Scrutiny's recommendation, members of this Council's overview and scrutiny committee(s) should receive mandatory training; and"***

**BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

Report and Appendix of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance (A.3) submitted to the meeting of the Cabinet held on 15 December 2023.

Minutes of the meeting of the Cabinet held on 15 December 2023.

**APPENDICES**

A.4 Appendix – Proposed amendments to Council Procedure Rules 33.3 & 34.3 & 34.4

**REPORT CONTACT OFFICER(S)**

<b>Names</b>	<b>Ian Ford</b>
<b>Job Titles</b>	<b>Committee Services Manager</b>
<b>Email/Telephone</b>	<a href="mailto:iford@tendringdc.gov.uk">iford@tendringdc.gov.uk</a> <b>(01255) 686 584</b>

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## **A.4 APPENDIX – PROPOSED CHANGES TO CPR 33.3 AND CPR 34.3 & 34.4**

### **CPR 33.3 – TRAINING MEMBERS OF THE AUDIT, ~~HUMAN RESOURCES AND COUNCIL TAX, LICENSING AND REGISTRATION, OVERVIEW AND SCRUTINY,~~ PLANNING AND STANDARDS COMMITTEES**

In addition to specific training required as and when necessary, training shall be provided to all Members appointed to the Audit, **Human Resources and Council Tax**, Licensing and Registration, **Overview and Scrutiny**, Planning and Standards Committees on an annual basis at an appropriate date and time after each annual meeting of the Council and such training shall be mandatory. The Monitoring Officer shall define what is meant by the word “mandatory” and they will also decide whether the training offered/provided is/was sufficient and “fit for purpose”.

A Member cannot sit as a member of the Planning Committee unless they have received specific training with regard to the determination of planning applications.

A Member cannot sit as a member of the Licensing and Registration Committee unless they have received specific training with regard to the ~~determination of applications for personal or premises licences submitted under the Licensing Act 2003.~~ **broad range of licensing matters, as set out within (but not necessarily limited to) the Licensing Act 2003, the Gambling Act 2005 and the Local Government (Miscellaneous Provisions) Act 1982.**

A Member cannot sit as a member of the Audit Committee unless they have received specific training with regard to the determination of the Council's Statement of Accounts and comprehension of Auditor reports.

A Member cannot sit as a member of the Standards Committee unless they have received specific training with regard to the Hearings Procedure and participation in Hearings.

**A Member ~~cannot sit as a member~~ of the Human Resources and Council Tax Committee cannot sit as a member of a Personnel Appeals Sub-Committee of that Committee unless they have received specific training with regard to determining Employment appeals (for specific senior officer posts).**

**A Member cannot sit as a member of an Overview and Scrutiny Committee unless they have received specific training with regard to work programming and questioning skills.**

No Member can continue to sit as a member of the above committees if they have gone more than two years without attending any of the relevant training events.

### **CPR 34.3 - TRAINING SUBSTITUTE MEMBERS OF THE AUDIT, ~~HUMAN RESOURCES & COUNCIL TAX, LICENSING & REGISTRATION, OVERVIEW & SCRUTINY,~~ PLANNING AND STANDARDS COMMITTEES**

In addition to specific training required as and when necessary, training shall be provided to all named Substitute Members appointed to the Audit, **Human Resources & Council Tax**, Licensing

and Registration, **Overview & Scrutiny**, Planning and Standards Committees on an annual basis at an appropriate date and time after each annual meeting of the Council.

**CPR 34.4 - SUBSTITUTE MEMBERS OF THE AUDIT, HUMAN RESOURCES & COUNCIL TAX, LICENSING & REGISTRATION, OVERVIEW & SCRUTINY, PLANNING AND STANDARDS COMMITTEES**

Group Leaders shall, provide named Substitute Members (in accordance with proportionality rules) and all substitutions will only be permitted from this list. Any member of a political group shall be eligible to act as a named Substitute Member providing that they have received training in relation to all relevant Audit, **Human Resources & Council Tax**, Licensing & Registration, Standards-related, **Overview & Scrutiny** or Planning matters under a continuing programme arranged by the Council. When naming a designated substitute, Group Leaders shall, as far as reasonably practicable, satisfy themselves that the named Member is as conversant with all relevant Audit, **Human Resources & Council Tax**, Licensing and Registration, Standards-related, **Overview & Scrutiny** and Planning matters as the appointed members of those Committees.

# LAYOUT FOR MEETING OF THE COUNCIL - PRINCES THEATRE (JANUARY 2024 MEETING)

(Chairman  
Vice Chairman  
Chief Executive  
Deputy Chief Executive &  
Monitoring Officer)

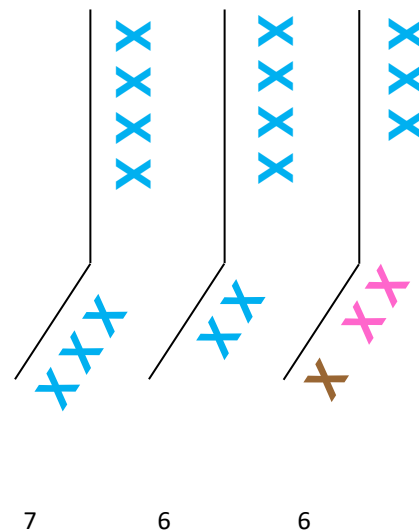
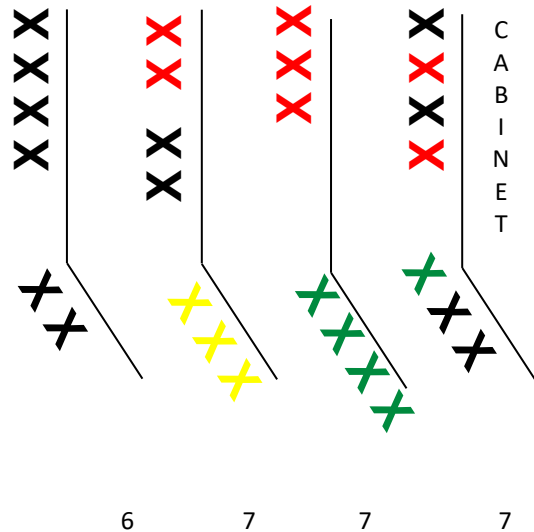
## KEY

- X (Blue) = Conservatives
- X (Black) = Tending Independents
- X (Green) = Independent
- X (Red) = Labour
- X (Yellow) = Liberal Democrats
- X (Purple) = Chairman and Vice-Chairman
- X (Lime) = Officers
- X (Brown) = Not in a Political Group
- X (Pink) = Tending Residents' Alliance



X X

Committee Services Staff



SEATING FOR PUBLIC

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