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TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on 24 January 2017

Prayers

1 Summons to Council (Pages 1 - 2)

2 Apologies for Absence

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

3 Minutes (Pages 3 - 26)

The Council is asked to approve, as correct records, the minutes of the Council Meetings held on Tuesday 22 November and Tuesday 29 November 2016.

4 Declarations of Interest

Councillors are invited to declare any disclosable pecuniary interests, or other interest, 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 (Pages 27 - 30)

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

A petition has previously been submitted by Mrs Tracey White in respect of protecting open spaces in the Bockings Elm Ward and is reported for Council's determination under item A.1 of the Report of the Head of Public Realm.

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 half an hour.

There are none on this occasion.

11 Questions Pursuant to Council Procedure Rule 11.2 (Pages 31 - 32)

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 or Sub-Committees.

The time allocated for receiving and disposing of questions shall be a maximum of 45 minutes. Any question not disposed of at the end of this time shall be the subject of a written response, copied to all Members unless withdrawn by the questioner.

One question has been received, on notice, from a Member and this is attached to this Agenda.

12 Report of the Leader of the Council - Urgent Cabinet or Portfolio Holder Decisions

The Council will receive a report on any Cabinet decisions taken as a matter of urgency in accordance with Access to Information Procedure Rule 17.4, Budget and Policy Framework Procedure Rule 6(b) and/or Overview and Scrutiny Procedure Rule 18(i).

There is no report on this occasion.

13 Minutes of Committees (Pages 33 - 56)

The Council will receive the minutes of the following Committees:

- (a) Community Leadership and Partnerships Committee of Monday 14 November 2016;
- (b) Service Development and Delivery Committee of Wednesday 23 November 2016;
- (c) Corporate Management Committee of Monday 28 November 2016;
- (d) Corporate Management Committee of Monday 12 December 2016; and
- (e) Corporate Management Committee of Monday 19 December 2016 and continued on Thursday 5 January 2017.

NOTE: 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.

14 Motions to Council

The Council will consider motions, notice of which has been given, pursuant to Council Procedure Rule 12.

There are none on this occasion.

15 Recommendations from the Cabinet

The Council is asked to consider any recommendations submitted to it by the Cabinet.

There are none on this occasion.

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

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

There are none on this occasion.

17 Report of the Chief Executive - A.2 - Resignation of Councillor T A Howard (Pages 57 - 58)

To formally report that Councillor T A Howard has resigned as a Member of Tendring District Council.

18 Report of the Chief Executive - A.3 - Membership of Committees etc. (Pages 59 - 60)

To formally report recent changes in respect of the membership of Committees made at the request of Group Leaders.

19 Report of the Chief Executive - A.4 - Review of the Allocation of Seats to Political Groups (Pages 61 - 64)

Following the decision of Councillor J A Brown to leave the UKIP Group, the decision of Councillor J E Parsons to leave the UKIP Group and to join the Labour Group and the resignation from the Council of former Councillor T A Howard, to report 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) of the Local Government (Committees and Political Groups) Regulations 1990.

20 Report of the Management and Members' Support Manager - A.5 - Electoral Review of Tendring (Pages 65 - 72)

Pursuant to the decision taken by Council, at its meeting held on 29 November 2016 (Minute 106 refers), to ask Council to agree the initial submission on proposed district council electoral wards for Tendring as the final submission to the Local Government Boundary Commission for England (LGBCE).

21 Urgent Matters for Debate

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

Date of the Next Scheduled Meeting of the Council

Tuesday, 7 February 2017 at 7.30 pm - Princes Theatre

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.

Agenda Item 1

TENDRING DISTRICT COUNCIL

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

16 January 2017

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea at 7.30 p.m. on Tuesday 24 January 2017 when the business specified in the accompanying Agenda is proposed to be transacted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ian Davidson', with a long horizontal flourish extending to the right.

Ian Davidson
Chief Executive

To: All members of the
Tendring District Council

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**MINUTES OF THE MEETING OF THE TENDRING DISTRICT COUNCIL,
HELD ON TUESDAY 22 NOVEMBER 2016 AT 7.30PM
IN THE PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA**

Present: Councillors Chapman (Chairman), Platt (Vice-Chairman), Amos, Baker, Bennison, Bray, Broderick, B E Brown, J A Brown, M Brown, Bucke, Calver, Chittock, Cossens, Everett, Fairley, Ferguson, Fowler, Gray, Griffiths, G V Guglielmi, V E Guglielmi, Heaney, I J Henderson, J Henderson, Hones, Honeywood, Howard, Land, McWilliams, Miles, Newton, Nicholls, Parsons, Pemberton, Poonian, Porter, Raby, M J Skeels, Steady, Stephenson, Stock, Talbot, Turner, Watling, Watson, White, Whitmore, Winfield and Yallop

In Attendance: Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Head of Governance and Legal Services & Monitoring Officer (Lisa Hastings), Head of Finance, Revenues & Benefits and Section 151 Officer (Richard Barrett), Management and Members' Support Manager (Karen Neath), Committee Services Manager (Ian Ford), Communications Manager (Nigel Brown), Benefits Manager (Jenny Haggis) and Committee Services Officer (Katie Sullivan)

71. CHAIRMAN'S CONGRATULATIONS

The Chairman congratulated the Committee Services Manager, Ian Ford, on reaching the milestone of 1,000 meetings at Tendring District Council.

Members showed their appreciation with a round of applause.

72. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Callender, Coley, Davis, Hughes, Khan, King, Scott and M J D Skeels.

73. MINUTES

RESOLVED, that the minutes of the ordinary meeting of the Council, held on Tuesday 6 September 2016, be approved as a correct record and signed by the Chairman.

With regard to Minute 69, Councillor Broderick requested that it again be noted that she was opposed to any reduction in the number of Councillors from 60 to 48.

74. DECLARATIONS OF INTEREST

Councillors I J Henderson and Honeywood both declared a non-pecuniary interest in relation to the minutes of the meeting of the Standards Committee held on 26 September 2016 and, in particular, Minutes 14 and 17.

75. ANNOUNCEMENTS BY THE CHAIRMAN

The Chairman's and Vice-Chairman's engagements for the period 2 September 2016 to 22 November 2016 were tabled at the meeting.

The Chairman was sad to announce the death of Parish Councillor Peter Dumsday, the Chairman of Weeley Parish Council. All persons present stood in silent tribute to the life of Peter Dumsday.

76. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were none on this occasion.

77. STATEMENTS BY THE LEADER OF THE COUNCIL

There were none on this occasion.

78. STATEMENTS BY MEMBERS OF THE CABINET

There were none on this occasion.

79. PETITIONS TO COUNCIL – PROTECTING OPEN SPACES IN BOCKINGS ELM, CLACTON-ON-SEA

In accordance with the Council's approved scheme for dealing with petitions, the Chief Executive formally reported the receipt of a petition submitted by Mrs Tracey White, as lead petitioner. The petition had been signed by approximately 400 local residents and stated:

"We, the undersigned, are concerned about the increase in arrivals of caravans and camper vans from the travelling community in the Clacton area. We would like the Council to erect concrete bollards or stones along the edge of the field adjoining Woodrows Lane/Purley Way/Mayford Way, with one removable bollard to allow the Council Gardener access to mow the grass and empty the dog waste. The stones should allow mobility scooters and pushchairs through, but not motorised vehicles."

The Chief Executive advised Members that, in accordance with the Council's approved scheme for dealing with petitions, this matter would now be investigated and a report would be prepared and presented to Council.

Members were aware that the next practicable ordinary meeting of the Council would be on 24 January 2017.

Council was informed that, at that meeting, and in accordance with the Council's approved scheme, Mrs White, as the lead petitioner, would be invited to address the Council, present the petition and outline the action that the petitioners would like the Council to take. Members would then discuss the petition and decide what action, if any, should be taken. Mrs White would then be informed, in writing, of the Council's decision and the decision would be published on the Council's website.

It was moved by Councillor Stock, seconded by Councillor Watling and:

RESOLVED - That the receipt of the Petition and the contents of the report be noted.

80. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

The Council had received a question from a member of the public in relation to disruption caused to local residents by construction sites.

Notice of the question had been given in accordance with Council Procedure Rule 10.1.

Question

From Mrs Marguerite Kramer to Councillor Giles Watling, Portfolio Holder for Planning and Regeneration:

“Bearing in mind the problems for residents associated with infill brownfield development sites in residential areas, such as excessive noise, dust, pollution, toxic dust from breeze block cutting, diesel fumes, over-looking from flats, and the potential strain on the local infra-structure: is it reasonable for Tendring District Council to approve such development, which may not be implemented in accordance with the national Construction Code of Practice and national legislation, thus causing harm to local residents, who lose their legal right to the peaceful enjoyment of their property, both during and sometimes after construction (where over-looking takes place)?”

Councillor Watling responded as follows:

“Thank you Mrs Kramer for your question. I do not think that there is one person in this Chamber who would disagree that it can be terribly distressing to have building works going on right next to you. I’ve experienced it and Councillor Turner is going through it right now. But I have to speak as the Portfolio Holder for Planning and, of course, it is not in my remit to comment on individual cases and it is not for me, of course, to influence any decisions made. Those are for the Planning Committee and the Planning department but we all sympathise with you on this.

The Planning department receives many applications for land that is adjacent to other properties and existing development. In the determination of each application the proximity of the proposed development and the long-term impact on neighbouring properties is taken into account. This would include the long-term impact of any over-looking once the development is complete. However, reasonable separation distances have to be taken into account as well and it is unlikely for a development to be refused if the degree of over-looking is not considered to be harmful. As local infrastructure is an important consideration, in-fill sites often locate new development in areas where infrastructure is extant. Planning permission can not be reasonably refused where there are no valid planning grounds to do so. In some cases an Officer or Appeal Inspector will add planning conditions to a decision that are considered reasonable to assist in controlling the manner in which the development is carried out. Conditions added to planning applications sometimes include the parking of vehicles for site operators and visitors, the unloading of plant and materials, the storage of plant and materials during construction and wheel washing facilities with major developments.

The rights of neighbouring development are also protected by statutory powers given to local authorities to deal with noise, dust, pollution and fumes. If a development is causing you statutory nuisance, under the terms of those powers in place then action can be taken to stop works whilst any remediation measures are put in place. Other national legislation of safe working by other public bodies add additional protection for those working on-site and at adjoining properties. With a number of protections in place for development to be carried out in a manner that does not cause a statutory nuisance it would not be reasonable to refuse planning permission at a site when it all other respects it should be granted for development.

I sincerely hope that the development which has caused you problems will soon be completed and you can revert to a peaceful life. I understand that you have some issues and that an Environmental Health Officer has intervened and I believe that a couple of instances have been resolved. I hope you have no more.”

81. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

The Council had received questions from Members in relation to:

- (1) Process/stages for collecting Council Tax arrears; and
- (2) Level of resources available within the Planning Enforcement section.

Notice of the questions had been given in accordance with Council Procedure Rule 11.2.

Question One

From Councillor Richard Everett to Councillor Tom Howard, Portfolio Holder for Finance, Revenues & Benefits:

“Can the Portfolio Holder for Finance, Revenue and Benefits please set out the process / stages for collection of council tax arrears paying particular intention to the following issues (and the timescales over which they are taken):

*at what point do arrears become counted as overdue;
when communications are sent to individuals in arrears;
at what point do arrears become a debt;
when is court action considered;
at what point is court action commenced;
when, if appropriate, attachment to earnings are commenced;*

and can he advise whether this procedure is different in any way when it involves a Councillor?”

Councillor Howard responded as follows:

“I thank Councillor Everett for his question and I set out the recovery processes involved in the collection of Council Tax as follows which covers the specific points he has raised.

The recovery process follows the relevant legislation applied, regulations and best practice. By default, Council Taxpayers are offered 10 monthly instalments to pay the annual amount due but they can on request an extension to 12 months. After a minimum period of 14 days of an instalment falling due if payment has not been received a Reminder is issued which would also explain the next stage of the recovery process. Following receipt of a Reminder Council Taxpayers are given at least seven days to make payment but in practice they are given slightly longer to the end of the relevant month to make the payment.

If payment is not received by the end of the relevant month a Summons would be issued during the following month for the full amount which, in effect, gives a further 16 days for the outstanding amount to be paid before the Court date.

If payment is not received by the Court date a Liability Order for the full amount will be sought by the Court which in effect confirms the outstanding amount as a recoverable debt. Once a Liability Order is obtained a number of recovery powers become available to the Council which would include Attachment of Earnings, deductions from Member Allowances, enforcement agents and deductions from benefits.

Following the Court hearing an information request is issued to every person where a Liability Order has been obtained giving them the opportunity to secure an arrangement in order to clear the outstanding debt and making them aware of the different types of

enforcement action that can be taken against them if they fail to secure an arrangement or adhere to one if obtained. After a minimum period of 14 days after a Liability Order being obtained the Council would consider which recovery avenue to pursue based on the information held if payment has not been received or an arrangement secured.

If during the above process a Council Taxpayer paid an outstanding amount after the receipt of a Reminder no further recovery action is taken. If they then default again on another instalment later in the year they will get a second Reminder with the same recovery process that I have highlighted. If payment was received before the Summons was issued they would keep the right to instalments. If the same thing happens for a third time in any one year they would receive a final Reminder and lose the right to pay by instalments straight away with the Summons issued if payment was not made on the receipt of this final Reminder.

The process I have just outlined would apply to all Council Taxpayers irrespective of whether they are a Councillor or not.”

Councillor Everett then asked the following supplementary question:

“Thank you for your very, very apt response. Given that your response identifies processes and procedures relating to Councillors and given that an Upper Tribunal has recently made a relevant ruling, the Maughan judgement relating to public interest, would you think it appropriate to refer the general matter of processes and procedures involving Councillors and the payment of Council Tax to the Standards Committee? I feel that advice and guidance to Councillors on the impact of this ruling in the Upper Tribunal might well be useful to some, if not all, of us.”

Councillor Howard responded as follows:

“Thank you Councillor Everett. I am somewhat surprised by your supplementary question as it appears to be pre-prepared and does not appear to relate to my response and appears to be politically motivated. I shall not be commenting on individual cases raised by the Councillor and, indeed, I am not familiar with them in great detail. I will however reiterate that the processes as I outlined in my original answer apply equally to all residents of Tendring and that the Councillors of this Authority will not be treated differently by this Authority than any other resident. Furthermore, you mentioned Standards and that does not fall within the remit of my Portfolio so in that instance I would refer to the Monitoring Officer to comment on that.”

The Council's Monitoring Officer, Lisa Hastings, then confirmed that she would be happy to take this matter to the next meeting of the Standards Committee for a discussion as to whether that Committee wanted to include it within its work programme.

Question Two

From Councillor Jo Henderson to Councillor Giles Watling, Portfolio Holder for Planning and Regeneration:

“Could the Portfolio Holder for Planning, confirm that he is confident that there are enough resources to provide a responsive service to meet the needs of Councillors, Residents and Businesses within the Planning Enforcement department that he has responsibility for?”

Councillor Watling responded as follows:

“Thank you question, Councillor Henderson. It’s a touch of déjà vu here as you asked me a similar question on the fifth of July this year just over four months ago. But for the sake of clarity and to refresh your memory I’ll say it all again anyway. The Council’s planning enforcement powers are not an executive function that I am directly responsible for as the Portfolio Holder for Planning and Regeneration. This function is delegated, as I said before, to the Head of Planning, the excellent Cath Bicknell via the Council’s Planning Committee, chaired by the superb Councillor John White. With their concurrence though I am very happy to answer your query.

The answer to your question is, fundamentally, yes, I am confident that there is sufficient resource within the planning enforcement team to provide an appropriately responsive service. I have not had one complaint from any Officer at any time about a lack of resource.

We all have to appreciate that investigations into planning breaches and achieving resolutions takes time and in some cases it is not achieved as quickly as the parties involved would wish. I am sure that you agree that we must not charge in with draconian measures that we later have to rescind having not taken care and consideration in the first place. That would be unfair, unjust and expensive to this Council. Reports are investigated and any breaches found are addressed. The action taken having regard to the Government’s guidance is designed to be proportionate to the nature of the breach. Informal resolution is sought whenever possible. We want to be responsible. Formal action is taken only where the informal resolution has not proved possible to achieve and the harm caused by the breach is serious.

The planning enforcement team receive hundreds of reports of potential breaches every year. I have a few figures for you. Between 1 April 2016 and 31 October 2016, 189 new cases have been received and 215 have been closed. In addition, 28 Enforcement Notices have been served and seven appeals against Enforcement Notices received. So we are ahead of the game. It almost goes without saying that additional resource within the Team might help deal with more cases quickly and that it is true of almost any activity that I can think of. But then again it might not and at what cost to the taxpayer. I am satisfied that the cases are investigated in line with the proportionate approach promoted by the Government’s guidance and cases are usually resolved through informal means.”

Councillor J Henderson then asked the following supplementary question:

“I thank the Portfolio Holder for his response. I am concerned for the workload on the Officers in the Planning department. I know that they have a very difficult job to do and I do feel that their resources are not enough at the moment. I know of other Councillors and residents who share concerns on responses to emails and telephone calls. Even in the Performance Report on the next Cabinet Agenda it states for Quarter 2 September that it’s behind target. May I ask what you intend to do about it?

Councillor Watling responded as follows:

“Thank you for your supplementary question. I refer you to the fact that I have not had one complaint from any Officer at any time about a lack of resource. I understand your concern about the workload and I refer you again to the figures that I just quoted. 189 new cases have been received and 215 have been closed. In addition, 28 Enforcement Notices have been served and seven appeals against Enforcement Notices received. We are ahead of the game. I do not think that there is any need to adjust the workload that we have at this time.”

82. REPORT OF THE LEADER OF THE COUNCIL

The Council would receive a report on any Cabinet decisions taken as a matter of urgency in accordance with Access to Information Procedure Rule 17.4, Budget and Policy Framework Procedure Rule 6(b) and/or Overview and Scrutiny Procedure Rule 18(i).

There was no such report on this occasion.

83. MINUTES OF COMMITTEES

It was moved by Councillor Stock, seconded by Councillor Turner and:

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

- (a) Human Resources Committee of Tuesday 28 June 2016;
- (b) Corporate Management Committee of Monday 12 September 2016;
- (c) Service Development and Delivery Committee of Monday 19 September 2016;
- (d) Audit Committee of Thursday 22 September 2016;
- (e) Corporate Management Committee of Monday 26 September 2016;
- (f) Local Plan Committee of Tuesday 27 September 2016;
- (g) Community Leadership and Partnerships Committee of Monday 3 October 2016;
- (h) Service Development and Delivery Committee of Monday 24 October 2016; and
- (i) Local Plan Committee of Thursday 3 November 2016.

It was then moved by Councillor Stock and seconded by Councillor Heaney that:

- (a) the minutes of the meeting of the Standards Committee held on 26 September 2016, as circulated, be received and noted; and
- (b) the recommendation to Council, as contained in Minute No.14 (resolution (f)) of the Standards Committee of 26 September 2016 and as set out below, be approved:

“to amend the Complaints Procedure, as set out in the Constitution to allow the Monitoring Officer, at their own discretion and, in exceptional cases, following consultation with the Chief Executive and the Chairman of the Standards Committee, to decide to refer cases to the Committee for determination where the outcome of an investigation was to recommend no breach of the Code of Conduct.”

It was then moved by Councillor Calver and seconded by Councillor Bray that Councillor Stock's motion be amended to read as follows:

- (a) that the minutes of the meeting of the Standards Committee held on 26 September 2016, as circulated, be received and noted; and
- (b) that the recommendation to Council, as contained in Minute No.14 (resolution (f)) of

the Standards Committee of 26 September 2016 and as set out below, be approved:

“to amend the Complaints Procedure, as set out in the Constitution to allow the Monitoring Officer, at their own discretion and, in exceptional cases, following consultation with the Chief Executive, to decide to refer cases to the Committee for determination where the outcome of an investigation was to recommend no breach of the Code of Conduct.”

Following concerns raised by Members with respect to the original recommendation of the Standards Committee and pursuant to Council Procedure Rule 16.6 (Alteration of Motion), Councillor Stock, with the consent of both the meeting and his seconder, Councillor Heaney, indicated that he was prepared to alter his motion so that it read as follows:

- (a) that the minutes of the meeting of the Standards Committee held on 26 September 2016, as circulated, be received and noted; and
- (b) that consideration of the recommendation to Council, as contained in Minute No.14 (resolution (f)) of the Standards Committee of 26 September 2016 be deferred and that the matter be referred back to the Standards Committee for reconsideration.

Councillor Calver and Councillor Bray both agreed to withdraw the amendment.

Councillor Stock’s motion, as altered, on being put to the vote was declared **CARRIED**.

During the consideration of the above Councillor Calver had asked the Monitoring Officer if the recommendation to Council made by the Standards Committee was legitimate given the fact that it had arisen from consideration of a report that had in fact been submitted to the Standards Committee for its information only. The Monitoring Officer confirmed that the recommendation to Council was legitimate insofar as it related to a matter that fell within the terms of reference of the Standards Committee i.e. the Complaints Procedure.

Councillor Calver had also asked the Monitoring Officer that if Council voted to receive the minutes of the Standards Committee would that mean that Members had endorsed the resolutions within those minutes given that the Labour Group disagreed with many of those resolutions. The Monitoring Officer replied that Minutes of Committees were included on the Council merely for Council to note and also, in accordance with Council Procedure Rules, to allow Members to ask questions of the Chairmen of those Committees on the contents of those Minutes. Committee Minutes were not for Council to endorse.

Councillors Calver and Broderick asked questions of the Chairman of the Standards Committee (Councillor Heaney) on the contents of the Standards Committee minutes to which Councillor Heaney responded.

84. MOTIONS TO COUNCIL

Council had before it the following motion, notice of which had been given by Councillor Nicholls, pursuant to Council Procedure Rule 12:

“Following increasing concerns by people living in the rural villages of Tendring, this Council demands the Police Officer in charge of Tendring Police Division provide sufficient Police Officers to carry out speed enforcement checks within the rural area of Tendring as well as a full Speed Watch training programme for all Town and Parish

Councils.

This request is made in the interest of road safety to stop potential serious and fatal road accidents and in accordance with the seventh priority of the Police & Crime Commissioner's Crime Plan to improve safety on the county's roads.

Council will agree that the Community Safety Manager and Portfolio Holder for Community Safety should both work with the District Police Commander to draw up a plan to tackle this very serious issue."

The Chairman informed Council that, pursuant to Council Procedure Rule 12.4, she would allow the motion to be dealt with at this meeting.

Councillor Nicholls formally moved his motion and Councillor Heaney formally seconded the motion.

Councillor Nicholls then explained his motion. Councillor Bucke then spoke on the motion.

It was then moved by Councillor Stephenson and seconded by Councillor Bray that Councillor Nicholls' motion be amended to read as follows:

"Following increasing concerns by people living in the district of Tendring, this Council demands the Police Officer in charge of Tendring Police Division provide sufficient Police Officers to carry out speed enforcement checks within the rural and built up areas of Tendring as well as a full Speed Watch training programme for all Town and Parish Councils or community groups requiring it.

This request is made in the interest of road safety to stop potential serious and fatal road accidents and in accordance with the seventh priority of the Police & Crime Commissioner's Crime Plan to improve safety on the county's roads.

Council will agree that the Community Safety Manager and Portfolio Holder for Community Safety should both work with the District Police Commander to draw up a plan to tackle this very serious issue."

Councillors Howard, Everett, I J Henderson, Baker, Parsons, G V Guglielmi, Winfield, Bray and Nicholls all addressed the Council on the amendment.

Having listened to the debate and pursuant to Council Procedure Rule 16.6 (Alteration of Motion), Councillor Nicholls, with the consent of both the meeting and his seconder, Councillor Heaney, indicated that he was prepared to alter his motion to incorporate the amendments proposed by Councillors Stephenson and Bray.

Councillor Nicholls' motion, as altered, on being put to the vote, was declared **CARRIED**.

85. RECOMMENDATIONS FROM THE CABINET - THE LOCAL COUNCIL TAX SUPPORT SCHEME 2017/18 - COUNCIL TAX EXEMPTIONS FOR 2017/2018, ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT 2017/2018 AND HARDSHIP POLICY

The Council had before it the recommendations submitted to it by the Cabinet in respect of the Local Council Tax Support Scheme 2017/2018, Council Tax Exemptions for 2017/2018, the Annual Minimum Revenue Provision Policy Statement 2017/2018 and Hardship Policy.

It was moved by Councillor Howard and **RESOLVED** that:

- (a) the Local Council Tax Support Scheme (LCTS) remains the same as the current year and that therefore:
 - i) the LCTS be approved with the maximum LCTS award being 80% for working age claimants; and
 - ii) delegation be given to the Corporate Director (Life Opportunities), in consultation with the Revenues and Benefits Portfolio Holder, to undertake the necessary steps and actions to implement the LCTS scheme from 1 April 2016.
- (b) the proposed Council Tax exemptions and discounts, as set out in Appendix B, be approved and that delegation is given to the Corporate Director (Life Opportunities), in consultation with the Revenues and Benefits Portfolio Holder, to undertake the necessary steps and actions to implement the Council Tax exemptions and discounts for 2016/2017.
- (c) the Annual Minimum Revenue Provision (MRP) Policy Statement for 2016/17, as set out in Appendix C, be approved.

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

There were none on this occasion.

87. REPORT OF THE CHIEF EXECUTIVE – A.2 – COUNCILLOR M J D SKEELS SNR.

The Chief Executive formally reported that, pursuant to Regulation 9(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Michael John Daniel Skeels has served formal notice on the Council that he wished to be treated as a member of the Conservative political group. That notice had been counter-signed by the Deputy Leader of the Conservative Group (Councillor G V Guglielmi).

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 had subsequently been carried out. No changes to the membership of Committees had been required as a result of that review.

Council noted the foregoing.

88. REPORT OF THE CHIEF EXECUTIVE – A.3 – COUNCILLOR J A BROWN

The Chief Executive formally reported that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor John Anthony Brown had served formal notice on the Council that he no longer wished to be treated as a member of the UKIP political group.

Council noted the foregoing.

89. URGENT MATTERS FOR DEBATE

There were none on this occasion.

90. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock, seconded by Councillor Turner 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 Items 21 and 22 on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraph(s) of Part 1 of Schedule 12A, as amended, of the Act.

91. EXEMPT MINUTE OF THE MEETING OF THE AUDIT COMMITTEE HELD ON THURSDAY 22 SEPTEMBER 2016

It was moved by Councillor Stock, seconded by Councillor Turner and **RESOLVED** that the exempt minute of the meeting of the Audit Committee held on 22 September 2016, as circulated, be received and noted.

92. EXEMPT MINUTE OF THE MEETING OF THE STANDARDS COMMITTEE HELD ON MONDAY 26 SEPTEMBER 2016

It was moved by Councillor Stock, seconded by Councillor Turner and **RESOLVED** that the exempt minute of the meeting of the Standards Committee held on 26 September 2016, as circulated, be received and noted.

The meeting was declared closed at 8.42 pm.

Chairman

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**MINUTES OF THE MEETING OF THE TENDRING DISTRICT COUNCIL,
HELD ON TUESDAY 29 NOVEMBER 2016 AT 7.30PM
IN THE PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA**

Present: Councillors Chapman (Chairman), Platt (Vice-Chairman), Amos, Baker, Bennison, Bray, Broderick, B E Brown, J A Brown, M Brown, Bucke, Calver, Cawthron, Chittock, Coley, Cossens, Everett, Fairley, Ferguson, Fowler, Gray, Griffiths, G V Guglielmi, V E Guglielmi, Heaney, I J Henderson, J Henderson, Hones, Honeywood, Howard, King, Land, Massey, McWilliams, Miles, Newton, Nicholls, Parsons, Pemberton, Porter, Raby, Scott, M J Skeels, M J D Skeels, Steady, Stephenson, Stock, Talbot, Turner, Watling, Watson, White, Whitmore, Winfield and Yallop

In Attendance: Chief Executive (Ian Davidson), Corporate Director (Corporate Services) (Martyn Knappett), Head of Governance and Legal Services & Monitoring Officer (Lisa Hastings), Head of Finance, Revenues & Benefits and Section 151 Officer (Richard Barrett), Management and Members' Support Manager (Karen Neath), Committee Services Manager (Ian Ford), Communications Manager (Nigel Brown), and Committee Services Officer (Katie Sullivan)

91. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Callender, Davis, Hughes, Khan and Poonian.

Councillor M J D Skeels updated Council with regard to Councillor Hughes who was suffering with ill health.

92. DECLARATIONS OF INTEREST

Councillor Howard declared a Non-Pecuniary Interest in respect of item A.1 of the Report of the Corporate Director (Corporate Services) insofar as he was currently an employee of the University of Essex.

93. ANNOUNCEMENTS BY THE CHAIRMAN

With the permission of the Chairman, Councillor Broderick addressed Council and made an apology to Councillor Heaney for the nature and tone of a question that she had asked her at the previous meeting of the Council. Councillor Heaney was happy to accept that apology.

Members applauded both Councillor Broderick and Councillor Heaney.

The Chairman informed Members that her Charity Quiz Night would be held on Friday 20 January 2017 and that her Civic Service would be held on Sunday 29 January 2017 at the Trinity Church in Clacton-on-Sea.

94. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

The Chief Executive made the following announcement:

“Madam Chairman, I would like to inform Council that, pursuant to Regulation 10(d) of the Local Government (Committees and Political Groups) Regulations 1990, I have received today a notice, in writing, signed by a majority of the members of the UKIP Group stating that they no longer wish Councillor Jack Ernest Parsons to be treated as a member of the UKIP Group.

Subsequently and pursuant to Regulation 9(b) of the aforementioned Regulations, Councillor Parsons has served notice to me that he wishes to be treated as a member of the Labour Group. That notice is counter-signed by the Leader of the Labour Group, Councillor Ivan Henderson.

Pursuant to Regulation 17(c) of the aforesaid Regulations, a review of the allocation of seats to political groups will now be carried out and Group Leaders will be informed of the outcome of that review in due course and a report will be submitted to the meeting of the Council due to be held on 24 January 2017.”

95. STATEMENTS BY THE LEADER OF THE COUNCIL

There were none on this occasion.

96. STATEMENTS BY MEMBERS OF THE CABINET

(1) Clacton Air Show Award

The Portfolio Holder for Tourism and Culture (Councillor Ferguson) was delighted to announce that the Clacton Air Show had been awarded Event Of The Year by the National Outdoor Events Association defeating the challenge of the Scottish Chamber Orchestra, the Lincoln Christmas Market and the Lee Fest. The Judges had especially praised the Council for the way it had handled the new Civil Aviation Authority's new rules and regulations introduced following the Shoreham Air Disaster.

Councillor Ferguson, once more, praised and congratulated the Air Show Team for putting the event together.

Members showed their appreciation with a round of applause.

Councillor Ferguson then responded to a question raised by Councillor I J Henderson.

(2) Galloper Offshore Wind Farm

The Portfolio Holder for Planning and Regeneration (Councillor Watling) was pleased to announce that R W E Innogy was looking to set up its Operations and Maintenance base at Harwich International Port. The base would fulfil the long-term contract for the operation and management of the Galloper Offshore Wind Farm which was an extension of the existing Greater Gabbard Wind Farm off the coast of Suffolk. The construction and operation would produce significant and long-term sustainable employment for over 25 years. It would also provide supply chain opportunities for a wide range of businesses operating in and on the margins of the off-shore renewable sector. There would also be all the usual benefits for businesses in the town of Harwich. It would also help cement the reputation of Harwich as a centre for off-shore renewables engineering. Harwich formed part of the south east core and would enable the Council and its partners to strengthen and consolidate the Harwich off-shore offer providing new opportunities at the Harwich Hamilton House Energy Skills Centre and the training facility operated at the Colchester Institute. It would provide impetus for the Council to further test and evaluate its ambition to deliver the Innovation Centre in Harwich providing managed office space

and business support services for new and established businesses in the supply chain for the off-shore sector. The development would result in 75 – 100 new jobs in Harwich with a further 100 jobs at the Council's Innovation Centre should that project proceed. Together with new and unrelated activity elsewhere in the Port such as a fencing company's new distribution centre at the Mercedes site that would secure another 40 jobs the town looked set to secure 200 – 240 jobs over the next 2 – 3 years. That level of activity was unprecedented for Harwich and was likely to have a lasting, positive and significant effect on the local economy and on the economic fortunes of the town with positive spin-offs for the rest of the District.

Councillor Watling then responded to a question raised by Councillor I J Henderson.

97. PETITIONS TO COUNCIL

There were no petitions to report to Council on this occasion.

98. 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.

There were no questions on this occasion.

99. 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 or Sub-Committees.

There were no questions on this occasion.

100. REPORT OF THE LEADER OF THE COUNCIL – URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

The Council would receive a report on any Cabinet decisions taken as a matter of urgency in accordance with Access to Information Procedure Rule 17.4, Budget and Policy Framework Procedure Rule 6(b) and/or Overview and Scrutiny Procedure Rule 18(i).

There was no such report on this occasion.

101. MINUTES OF COMMITTEES

It was moved by Councillor Stock and:

RESOLVED (a) that the minutes of the meeting of the Human Resources Committee held on Tuesday 15 November 2016, as circulated, be received and noted; and

(b) that the recommendations to Council, as contained in Minute No.14 of the Human Resources Committee of 15 November 2016, be approved, subject to Councillor Calver and Councillor Bray being appointed as the named committee member and the named substitute committee member from an opposition group respectively.

102. MOTIONS TO COUNCIL

There were no motions submitted to Council, pursuant to Council Procedure Rule 12, on this occasion.

103. RECOMMENDATIONS FROM THE CABINET

There were none on this occasion.

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

There were none on this occasion.

105. REPORT OF THE CORPORATE DIRECTOR (CORPORATE SERVICES) – A.1 – FUNDING REQUIREMENTS FOR THE GARDEN COMMUNITIES LOCAL DELIVERY VEHICLES

Councillor Howard had earlier declared a Non-Pecuniary Interest in respect of this item insofar as he was currently an employee of the University of Essex.

The Council had before it a report of the Corporate Director (Corporate Services) which provided it with a comprehensive overview of the proposals which had been developed over the past twelve months jointly with Colchester Borough Council, Braintree District Council and Essex County Council for Garden Communities in North Essex including one on the Tendring / Colchester border close to the University of Essex and, in particular, to provide Members with information and recommendations to enable them to:

- Agree, in principle, to be a long term funder for the project, in partnership with the other Councils, subject to the terms and requirements set out in that report.

Council was aware that the Cabinet, at its meeting held on 25 November 2016, had considered this matter. The report submitted to the Cabinet was before Council as an Appendix to the Report of the Corporate Director (Corporate Services). Having considered the matter the Cabinet had resolved the following, that:

1. *the external legal advice received that these decisions cannot and do not prejudice the outcome of any future decisions that the Council may make about the Local Plan to be made by Council in relation to the allocation of any Garden Community be noted;*
2. *Cabinet notes that it is proposed that, if appropriate terms can be agreed, the Local Delivery Vehicles will enter into legal agreements with landowners to enable the delivery of the proposed schemes;*

North Essex Garden Communities Limited

3. *in line with Executive Decision No. 2636 made on 22 January 2016 (minute 130) Cabinet agrees to set up and subscribe to North Essex Garden Communities Ltd in accordance with the terms set out in the report and Appendix 2 thereto;*
4. *the North Essex Garden Communities Ltd shareholder agreement between the Local Authorities be approved, in accordance with the terms set out in the report and Appendix 3 thereto;*
5. *the Leader of the Council, who is currently Councillor Neil Stock, be appointed to represent Tendring District Council as a Director on the Board of North Essex Garden Communities Limited;*

Tendring Colchester Borders Limited

6. *in line with Executive Decision No. 2636 made on 22 January 2016 (minute 130), Cabinet endorses the formation of Tendring Colchester Borders Limited by North Essex Garden Communities Limited in accordance with the terms set out in the report and Appendix 4 thereto;*
7. *the Tendring Colchester Borders Limited shareholder agreement between the Local Authorities be approved, in accordance with the terms set out in the report and Appendix 5 thereto;*
8. *the Corporate Director (Corporate Services), Martyn Knappett, be appointed to represent Tendring District Council as a Director on the Board of Tendring Colchester Borders Limited, and also that delegated authority be given to the Chief Executive of Tendring District Council to terminate that appointment and to undertake any future appointments;*
9. *in principle, Cabinet agrees to provide an appropriate proportion of necessary funding to Tendring Colchester Borders Limited (by an appropriate combination of loan or equity), subject to a satisfactory business case setting out the full terms of the arrangement, which will need to accord with the approved Business Plans and masterplans for the project and the funding options available at the time any funding is required by the LDV. Such commitment to be subject to Council approval.*

Cabinet had also decided to recommended to Council that:

10. *the decision of the Cabinet to set up and subscribe to North Essex Garden Communities Limited be noted;*
11. *the Cabinet's endorsement of the formation of Tendring Colchester Borders Limited be noted;*
12. *the, in principle, decision of Cabinet to provide an appropriate proportion of necessary funding to Tendring Colchester Borders Limited (by an appropriate combination of loan or equity), subject to a satisfactory business case setting out the full terms of the arrangement, which will need to accord with the approved Business Plans and masterplans for the project and the funding options available at the time any funding is required by the LDV, be endorsed; and*
13. *the external legal advice received that these decisions cannot and do not prejudice the outcome of any future decisions that the Council may make about the Local Plan to be made by Council in relation to the allocation of any Garden settlement be noted.*

The Corporate Director (Corporate Services) gave a short presentation to Members which summarised the key points of his report. His presentation covered the following matters:

- (1) the three themes and 10 principles – Place & Integration, Community and Delivery;
- (2) Tendring's key messages – Homes, Infrastructure and Environment/Community;
- (3) Location of the proposed garden communities;
- (4) Size and Scale;
- (5) Delivery Models;
- (6) Making It Happen – Planning, Delivery Vehicle/Governance and Land Agreements;
- (7) Issues and Challenges;
- (8) Breakdown of Costs;
- (9) Infrastructure First;
- (10) Finance – key points; and
- (11) External Advice and Scrutiny.

During his presentation of point (11) above, the Corporate Director (Corporate Services)

informed Council that, as part of the project, an Independent Peer Review, had been commissioned and had commenced. The review was being led by Lord Kerlake and the results were due in December and would be made public. The findings would be carefully considered as the project progressed.

Though it was not a disclosable interest in this matter, Councillor G V Guglielmi wished it placed on record that his son worked for Ernst & Young (who were the external auditor for the project) in the USA.

The Council gave consideration to the recommendations made by the Cabinet and the contents of the Officers' report and it was thereupon moved by Councillor Stock that:

- (a) *the decision of the Cabinet to set up and subscribe to North Essex Garden Communities Limited be noted;*
- (b) *the Cabinet's endorsement of the formation of Tendring Colchester Borders Limited be noted;*
- (c) *the, in principle, decision of Cabinet to provide an appropriate proportion of necessary funding to Tendring Colchester Borders Limited (by an appropriate combination of loan or equity), subject to a satisfactory business case setting out the full terms of the arrangement, which will need to accord with the approved Business Plans and masterplans for the project and the funding options available at the time any funding is required by the LDV, be endorsed; and*
- (d) *the external legal advice received that these decisions cannot and do not prejudice the outcome of any future decisions that the Council may make about the Local Plan to be made by Council in relation to the allocation of any Garden settlement be noted.*

Councillor Stock during his speech on the motion undertook, in his capacity as Leader of the Council, to set up a Portfolio Holder Working Party with cross-party representation that would scrutinise the progress of the Garden Communities project.

During Councillor Stock's speech, it was moved by Councillor Turner, seconded by Councillor Honeywood and **RESOLVED** that the time limit for Councillor Stock's speech be extended by a further five minutes.

Councillors I J Henderson, Heaney, Broderick, Talbot, Gray, Bray, Parsons, Stephenson, G V Guglielmi and Scott addressed Council during the debate on Councillor Stock's motion.

During his speech the Leader of the Labour Group (Councillor I J Henderson) stated that his Group had concerns with regard to scrutiny, accountability and the Council receiving regular reports on the progress of the Local Delivery Vehicles. The Monitoring Officer then responded to the ethical points raised by Councillor Henderson with regard to declarations of interest by Board Directors and also the remuneration of Board Directors.

Councillor Stock's motion, on being put to the vote was declared **CARRIED**.

106. REPORT OF THE MANAGEMENT AND MEMBERS' SUPPORT MANAGER – A.2 – ELECTORAL REVIEW OF TENDRING

The Council had before it a report of the Management and Members' Support Manager which provided Council with a timetable for the electoral review of the District of Tendring and sought a delegation to authorise the Chief Executive to make, with the agreement of the Electoral Review Working Group, a provisional submission on ward boundaries to the Local Government Boundary Commission for England (LGBCE) to meet the LGBCE deadline of 9 January 2017, subject to the final submission being

formally considered and determined by full Council at its meeting on 24 January 2017.

Further to Minute 69 (6.9.16), Members were informed that on 25 October 2016 the LGBCE had written to the Council to confirm the commencement of the consultation on ward boundaries. The LGBCE had stated that it was “.....minded to recommend that 48 district councillors should be elected to Tendring District Council in future.....”. The LGBCE was now seeking proposals from the Council, interested parties and members of the public on a pattern of electoral wards to accommodate 48 councillors. The deadline for such responses was 9 January 2017.

Council was made aware that the timetable of the LGCBE did not allow for the Council proposals on ward boundaries to be considered at a full Council meeting before the deadline for responses. It was therefore proposed that Council authorised the Chief Executive to make, with the agreement of the Electoral Review Working Party, a provisional submission on ward boundaries to the LGBCE to meet the LGBCE deadline of 9 January 2017 with the final submission being formally considered and determined by full Council at its meeting on 24 January 2017. In considering that proposed delegation the following factors were pertinent:-

- all Members had been invited to submit their comments to the Working Party so that they could be taken account of in preparing the Council's proposals;
- the proposals would be shared with all Members before submission;
- the Working Party had cross-party representation and four Group Leaders sitting on the Working Group;
- the LGBCE would consult on its draft recommendations between March and May 2017 so there would be a further opportunity for all Members to comment before final recommendations were published;
- unless full Council wished to formally constitute the Electoral Review Working Party as a committee, to which the usual access to information rules would apply, the Council was only permitted in law to authorise the discharge of its functions to an Officer;
- the Chief Executive would seek the approval of the Working Party before the submission, such approval to be obtained at a meeting before 9 January 2017.

Having considered the proposed delegation it was moved by Councillor Honeywood and seconded by Councillor Stock that:

“the Chief Executive be authorised to make, with the agreement of the Electoral Review Working Party, a provisional submission on ward boundaries to the Local Government Boundary Commission for England (LGBCE) to meet the LGBCE deadline of 9 January 2017, subject to the final submission being formally considered and determined by full Council at its meeting on 24 January 2017.”

Councillors Everett, Howard and Broderick addressed Council during the debate on Councillor Honeywood's motion.

The Monitoring Officer and the Chief Executive both responded to allegations made by Councillor Everett against Officers during his speech and which Councillor Everett stated had been included in a complaint that he had submitted to Essex Police.

The Chief Executive also responded to questions asked by Councillors Howard and Broderick on the process.

Councillor Honeywood's motion, on being put to the vote was declared **CARRIED**.

107. REPORT OF THE MANAGEMENT AND MEMBERS' SUPPORT MANAGER – A.3 – PARLIAMENTARY CONSTITUENCIES BOUNDARY REVIEW

The Council had before it a report of the Management and Members' Support Manager which sought its agreement to submit a response to the Boundary Commission for England's (BCE) consultation on the proposed new Parliamentary Constituency Boundaries.

It was reported that, in February 2016, the BCE had announced the start of a review of the Parliamentary Constituencies in England. Following a decision by Parliament to reduce the number of constituencies in the UK to 600 from 650, and to ensure that the number of electors in each constituency was more equal, the BCE had been asked to make independent recommendations about where the boundaries of English constituencies should be. In doing so, the BCE had to ensure that every new constituency had roughly the same number of electors: no fewer than 71,031 and no more than 78,507. Whilst proposing a set of boundaries which were fairer and more equal, the Commission would also try to reflect geographic factors and local ties. The Commission would also look at the boundaries of existing constituencies and local government patterns in redrawing the map of parliamentary constituency boundaries across England.

Members were informed that the BCE was required to submit its report to Parliament in 2018 and, if agreed by Parliament, the new constituencies would be in use at the next scheduled General Election in 2020.

Council was made aware that, on 13 September 2016, the BCE had published its initial proposals for new Parliamentary Constituencies. The publication marked the start of 12 weeks of consultation (closing date of 5 December 2016), during which the Commission was seeking responses to help shape the proposed new constituency boundaries. Under those proposals, only 68 of the existing 533 English constituencies remained unchanged. There would be a further two rounds of consultation in 2017. Following the conclusion of all three consultation periods, the BCE would look at all the evidence received and make final recommendations to Parliament in September 2018.

Members were advised that the local government boundaries that the BCE would have regard to, were those that existed on 7 May 2015. It would not generally take into account any changes to boundaries coming into effect after that date. However, in the limited circumstances where the BCE had to consider whether it should divide a ward in order to meet the statutory electorate range, the BCE would be prepared to take into account, as appropriate, any new ward boundaries introduced after 7 May 2015. So far as the District of Tendring was concerned the BCE proposed a Harwich and Clacton County Constituency (electorate 77,007) wholly within the Tendring District and a North East Essex County Constituency (electorate 77,674) comprising ten wards within the Tendring District and thirteen wards of the Borough of Colchester.

The two constituencies proposed would comprise the following wards:-

Harwich and Clacton County Constituency – *Twenty five wards of the District of Tendring:- Alton Park, Beaumont and Thorpe, Bockings Elm, Burrsville, Frinton, Great and Little Oakley, Hamford, Harwich East Central, Harwich East, Harwich West Central, Harwich West, Haven, Holland and Kirby, Homelands, Little Clacton and Weeley, Peter Bruff, Pier, Ramsey and Parkeston, Rush Green, St Bartholomews, St James, St Johns, St Marys, St Pauls and Walton.*

North East Essex County Constituency - *Thirteen wards of the Borough of Colchester:- Birch and Wintree, Copford and West Stanway, Dedham and Langham, Fordham and*

Stour, Great Tey, Marks Tey, Pyefleet, Stanway, Tiptree, West Bergholt and Eight Ash Green, West Mersea, Wivenhoe Cross and Wivenhoe Quay.

Ten wards of the District of Tendring:- Alresford, Ardleigh and Little Bromley, Bradfield, Wrabness and Wix, Brightlingsea, Golf Green, Great Bentley, Lawford, Manningtree, Mistley, Little Bentley and Tendring, St Osyth and Point Clear and Thorrington, Frating, Elmstead and Great Bromley.

The changes from the current Parliamentary constituencies were as follows:-

Great and Little Oakley, Harwich East, Harwich East Central, Harwich West, Harwich West Central and Ramsey and Parkeston would move into the constituency which sits wholly in Tendring (i.e Harwich and Clacton).

Golf Green and St Osyth and Point Clear would move into the constituency that covered both Tendring and Colchester (i.e. North East Essex).

Council was informed that the commentary from the BCE consultation document in relation to the above proposals was as follows:-

“At present, the Harwich and North Essex constituency surrounds the Colchester constituency at its north-west, north, east and south sides, taking in the port of Harwich to the east. We propose to modify this arrangement by pairing Harwich with Clacton-on-Sea in a Harwich and Clacton constituency. In addition, we propose a North East Essex constituency that completely surrounds the Colchester constituency. Our proposed North East Essex constituency comprises 13 wards from the Borough of Colchester and ten wards from the District of Tendring. As a result, the villages of Point Clear, St. Osyth, Seawick and Jaywick are no longer included in a constituency with Clacton. The entirety of our proposed Harwich and Clacton constituency falls within the District of Tendring.”

It was suggested by Officers that, in response to the consultation, comment should be made on the placing of the Golf Green Ward in the North East Essex Constituency. It was considered by Officers that the ward of Golf Green better sat within the Harwich and Clacton County Constituency as that encompassed the coastal strip from Harwich all the way down to Clacton and that coastal communities had their own particular character and issues which required a coherent and unified approach. It was further considered that the needs of the community within the Golf Green Ward would best be served by this ward sitting in the Harwich and Clacton County Constituency with the other local coastal communities in the District of Tendring.

Having considered the report and the Officers' suggestion it was moved by Councillor Stock, seconded by Councillor G V Guglielmi and:

RESOLVED that a response be submitted to the Boundary Commission for England on the consultation on 2018 Parliamentary Boundaries that this Council considers that the Golf Green Ward should sit within the proposed Harwich and Clacton County Constituency for the reasons set out in the Report of the Management and Members' Support Manager.

108. REPORT OF THE MANAGEMENT AND MEMBERS' SUPPORT MANAGER – A.4 – A133 ROAD TRAFFIC COLLISION ANALYSIS

The Council had before it a report of the Management and Members' Support Manager which provided it with an update on the safety review of the A133 undertaken by Essex County Council following a number of fatalities on that road.

Council recalled that at its meeting held on 5 April 2016 a motion had been debated in relation to the A133 Weeley and Little Clacton by-pass, and it had been agreed:-

“That this Council –

Is appalled that another serious accident has occurred on the A133 on the Weeley and Little Clacton by-pass last week leading to another fatality. In the last ten months there have been a total of 5 fatalities;

Demands that the Highways Authority take urgent action to investigate the causes of these accidents and implement all, and any, safety measures as soon as practicable; and

Calls on the County Council and local Members of Parliament to support this motion and to do everything possible to ensure that the A133 Weeley and Little Clacton by-pass is made safe for all road users.”

Though, in actual fact there had been a total of six fatalities in the last ten months.

Subsequently letters from the Leader of the Council had been sent to Essex County Council, Bernard Jenkin MP and Douglas Carswell MP asking that this be looked into as a matter of urgency.

It was reported that Essex County Council had now completed its review and the key findings, observations and conclusions of the summary of its final report were before Members.

Having considered the summary report it was moved by Councillor Stock, seconded by Councillor G V Guglielmi and:

RESOLVED that:

- (a) the summary report from Essex County Council (ECC) and the recommendations made within it be noted; and
- (b) ECC be requested to introduce Average Speed Cameras on the By-Pass in order to enforce the reduction of the speed limit to 50mph and also to introduce a “No Overtaking” measure along the whole of the By-Pass such as the introduction of double white lines.

109. URGENT MATTERS FOR DEBATE

There were none on this occasion.

110. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock, seconded by Councillor Turner 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 21 on the grounds that it involves the likely disclosure of exempt information as defined in the relevant paragraph(s) of Part 1 of Schedule 12A, as amended, of the Act.

111. **EXEMPT MINUTE OF THE MEETING OF THE HUMAN RESOURCES COMMITTEE HELD ON TUESDAY 15 NOVEMBER 2016**

It was moved by Councillor Stock, seconded by Councillor Turner and **RESOLVED** that the exempt minute of the meeting of the Human Resources Committee held on 15 November 2016, as circulated, be received and noted.

The meeting was declared closed at 9.25 pm.

Chairman

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COUNCIL

24 JANUARY 2017

REPORT OF THE HEAD OF PUBLIC REALM

A.1 PETITION – PROTECTING OPEN SPACES IN BOCKINGS ELM

(Report prepared by Ian Taylor)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

- To consider a petition received by the Council requesting that the Council protects an area of open space in Woodrows Lane /Purley Way /Mayford Way, Bockings Elm Ward from incursion by any unauthorised motor vehicle.
- The petition states “*We, the undersigned, are concerned about the increase in arrivals of caravans and camper vans from the travelling community in the Clacton area. We would like the Council to erect concrete bollards or stones along the edge of the field adjoining Woodrows Lane/Purley Way/Mayford Way, with one removable bollard to allow the Council Gardener access to mow the grass and empty the dog waste. The stones should allow mobility scooters and pushchairs through, but not motorised*”.

EXECUTIVE SUMMARY

- The Council has received a petition of approximately 400 signatures requesting the Council protects an area of open space from potential incursion by Travellers;
- The petition requests the use of bollards or stones to prevent access to the land by any unauthorised motorised vehicle;
- The petition was concerned about the increase in arrivals of caravans and camper vans from the travelling community in the Clacton area;
- Receipt of the petition was reported to Council on 22 November 2016 and it was agreed that the petition be investigated and considered at the next ordinary meeting of the Council which is 24 January 2017;
- The issues raised in the petition have been investigated in accordance with the Council’s Scheme for Dealing with Petitions which requires the matter to be investigated and a report submitted direct to Council where there are more than 250 signatures on the Petition.

RECOMMENDATION(S)

That Council considers the petition, notes the content of this report but in view of the processes already in place and conclusions of the investigation does not put any further measures in place at this time.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council’s vision is to put community leadership at the heart of everything it does through the delivery of high quality, affordable services and working positively with others.

This includes balancing the budget and making the most of our Assets.

The expense of protecting all open spaces for a perceived threat could not be justified in the present financial climate and enclosing open spaces detracts from their appearance and use as public open spaces.

FINANCE, OTHER RESOURCES AND RISK

Finance and Other Resources

The cost to the Council of protecting all open spaces in the District on the basis of a perceived threat of incursions from unauthorised activities would be significant and would provide little deterrence and no quantifiable protection from incursion.

Risk

The Council is required to monitor open spaces and all public land and ensure public safety.

The requirement to prevent perceived unauthorised access to public land as opposed to actual threat of incursion risks unnecessarily diverting resources from other important functions in relation to open spaces such as safety inspections, essential maintenance and assisting in dealing with actual incursions when they infrequently occur.

LEGAL

The Council adopted its Petition Policy on 11 February 2014. In accordance with the procedure, officers have investigated the content of the petition. Council may now consider the petition.

OTHER IMPLICATIONS

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

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

Consultation and Public Engagement

A petition has been received and should be considered under the new procedure.

Area or Ward Affected

Bockings Elm Ward

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Council is responsible for many areas of public open space throughout the District which are available for the use and enjoyment of the general public.

These areas can be subjected to misuse in a variety of forms from individuals or groups with and without vehicles. It is important to stress that such misuse can be from a range of individuals and groups.

The public has a reasonable expectation that the Council will take measures to protect public open space against anti-social or unauthorised activity where this is practical and possible.

Introducing physical barriers against incursion by vehicles is only considered when it is considered that there is a tangible risk of incursion and that such physical barriers cannot be easily circumvented. In addition the Council has to be mindful of the impact that such physical barriers will have on appearance, the cost of installation and the restrictions that such barriers may have on efficient maintenance.

CURRENT POSITION

The Council has received a petition which is signed by approximately 400 people. It states:

We, the undersigned, are concerned about the increase in arrivals of caravans and camper vans from the travelling community in the Clacton area. We would like the Council to erect concrete bollards or stones along the edge of the field adjoining Woodrows Lane/Purley Way/Mayford Way, with one removable bollard to allow the Council Gardener access to mow the grass and empty the dog waste. The stones should allow mobility scooters and pushchairs through, but not motorised vehicles.”

INVESTIGATION / OPTIONS CONSIDERED

The Council has investigated the open space referred to in the petition both in terms of any history of Traveller incursions, whether it is possible to introduce physical barriers to achieve the aims of the petitioners, the likely cost of doing so and the potential impact on the community asset including implications for future maintenance.

There are no reported instances of incursions onto this open space by Travellers or other groups and no reported incidents of other unauthorised vehicle activities such as parking or driving.

The cost of introducing wooden posts (generally the most affordable option) around the perimeter of the entire site is estimated at £2,500 to £3,500.

In addition, there are concerns associated with introducing wooden posts or other barriers that ensuring total exclusion of vehicles could be difficult. This is mostly arising from footpaths and areas of the open space adjacent to private properties. It is also evident from other sites that if unauthorised access is desired by any group they generally have the means to remove any physical barriers by use of hydraulic excavation equipment or similar.

The overall assessment of the site in relation to this request was that introducing physical barriers to prevent vehicles, if comprehensive enough to achieve the objective would require a significant initial cost, regular maintenance including inspections and repairs and would detract from the appearance of the current site.

Open spaces are intended where possible to be open and not so protected as to detract from general enjoyment.

Whilst the current petition is confined to an area in Bockings Elm, the Council is aware of similar concerns being raised elsewhere in the District and so care must be exercised so as to not create a precedent and an expectation that all areas of open space will have physical barriers to prevent unauthorised access.

There is no evidence that Travellers are using these sites and if incursions occur they are dealt with as and when they arise by the Council in cooperation with the Essex County

Council Traveller unit. There is an effective and generally conclusive procedure which has brought such incursions, where they have occurred across Tendring, to a relatively quick conclusion and whilst there is consensus that such incursions are intolerable for those directly affected it is also the case that Tendring experiences far fewer than other areas across Essex and their duration is in general much shorter.

To barricade off with bollards all our open spaces because of a perceived threat of illegal occupation is not considered a prudent or best use of public finances.

The response to the petition and conclusion of the investigation is that whilst this appears to concern a defined open space in one area of the District, the same possibility of Traveller occupation exists across all open spaces over the whole District, both public and private open spaces. The expense of protecting all of the public open spaces sites for a perceived risk could not be justified in the present financial climate and would not be proportionate to the impact of incursion. Further to this, even without financial constraints, officers do not consider the potential development of more physically protected sites will enhance the appearance of the District or deliver improvements to the quality of life of residents.

APPENDICES
None

Questions pursuant to Council Procedure 11.2

The following questions has been received, on notice, from a Member:

Question

From Councillor Jack Parsons to **Councillor Michael Talbot, Portfolio Holder for the Environment:**

"In regard to the four Beech trees to be felled in the vicinity of Albert Gardens would the Portfolio Holder for Environmental Services please confirm that all costs are being met by Essex County Council and that there is no cost to Tendring District Council?"

"Will he also please advise the Council as to which authority is responsible for carrying out inspections of such trees in order to ensure they are safe and healthy?"

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**MINUTES OF THE MEETING OF THE
COMMUNITY LEADERSHIP AND PARTNERSHIPS COMMITTEE
HELD ON MONDAY 14 NOVEMBER 2016 AT 7.30PM IN THE COUNCIL OFFICES, WEELEY**

- Present:** Councillors Fairley (Chairman), Baker (Vice-Chairman), Amos, Broderick, I Henderson, Newton, Parsons, Poonian, Raby and Yallop
- Also Present:** Councillors Bucke, McWilliams (Portfolio Holder for Leisure, Health and Wellbeing), Steady and Turner (Portfolio Holder for Commercialisation)
- In Attendance:** Corporate Director (Corporate Services) (Martyn Knappett), Management and Members' Support Manager (Karen Neath), Community Safety Manager (Leanne Thornton), Committee Services Officer (Janey Nice) and Community Safety Support Worker (Richard Eastwood)
- Also in Attendance:** Police and Crime Commissioner for Essex (Roger Hirst), Chief Inspector (Russ Cole), Local Police and Partnership Inspector (Julia Finch), Essex County Fire & Rescue Service Representative, (Les Nicoll), Essex Community Rehabilitation Company Representative, (Kirsty Gibbons) and NE Essex Clinical Commissioning Group Representative (Jo Hall)

20. WELCOME

The Chairman welcomed all in attendance to the meeting.

21. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence had been received from Councillors Land and K T King (with Councillor Broderick substituting).

22. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 3 October 2016, were approved as a correct record and signed by the Chairman.

23. DECLARATIONS OF INTEREST

There were none.

24. ESSEX POLICE AND CRIME COMMISSIONER – VISION FOR HIS FOUR YEAR TERM

The Chairman welcomed the new Police and Crime Commissioner (Roger Hirst) to his first meeting of the Community Leadership and Partnerships Committee.

Mr Hirst informed the Committee that he had been elected on 12 May 2016 and he explained what the three primary purposes of his role were. They were, firstly, to hold the Chief Constable to account (which included the power to dismiss and appoint a Chief Constable) and to look at Police performance, crime statistics and protection of the vulnerable. Secondly, he was responsible for the setting of Police budgets and Council Tax precept and he added that the Police were funded by two-thirds from Council Tax with the final third coming from Central Government. He believed this was not appropriate for Essex, which had below average funding which was due to a crime rate lower than average figure. Thirdly, he had to set the police strategy for Essex by 22 November 2016.

Mr Hirst stated that his election manifesto had five key priorities which had been extended by two since his election and he had been talking in depth with partners such as this Council,

Police and other partners. He detailed what would be happening over the next four years which included looking after the victims of crime, crime prevention, domestic violence and working together with partners in Essex. He said that the Tendring Community Safety Hub was one of the best in the country and was leading the way for others to follow.

Mr Hirst gave more details on his seven priorities as Police and Crime Commissioner which were:

- More local, visible and accessible policing;
- Crack down on anti-social behaviour;
- Be tough on domestic abuse;
- Reverse the trend in serious violence;
- Tackle gangs and organised crime;
- Protect vulnerable children and vulnerable people from harm; and
- Improve Safety on the County's roads.

Mr Hirst talked about the increase of gang related crime in Essex and the necessity to take a robust approach and it seemed the preferred target age for boys was between 12 – 15 which was a vulnerable age to be persuaded to 'go over to the dark side'. In protecting children from harm it was necessary to work with partners across the County including teachers, who would know the early signs of a child potentially being affected.

When it came to safety on the County's roads, he said that this had not been in his original manifesto but was now in a consultation phase as there was a lot of bad driving which killed more people than murders. Drink driving, drug taking driving, losing control of the wheel, speeding and using mobile phones all were indicators that more focus was needed on better driving, encouraging good driving even before people started learning to drive.

Questions and comments from Members included road safety in Jaywick, increased crime in Harwich, lack of resources for the Police, anti-social behaviour with cash points and bookies being raided, Police Community Support Officers (PCSO's), domestic violence rates, children's clubs being too costly to use, the telephone support service of 101 being slow to respond to calls and lack of visible policing.

Mr Hirst, Mr Cole, Ms Finch and Ms Gibbons all responded to the issues raised by Members and Mr Hirst added that there was a real need to look at vulnerable people and increase the number of Special Constables in the Tendring District..

After discussion it was **RECOMMENDED** that:

- (a) The Committee add to their work programme the following items:
- (i) To investigate how the Council could help to identify vulnerable people that may need assistance from the Police and other partners;
 - (ii) To investigate any assistance or promotion the Council could provide to support the recruit of special constables; and
 - (iii) To investigate how the Council could assist partners in engagement with local youth organisations with the aim of supporting early intervention to divert young people from becoming engaged in anti-social behaviour and criminal activity.

It was **RECOMMENDED TO CABINET** that:

- (b) The Leader writes to the Home Office to express dissatisfaction with the current Government financial support for the Essex Police and to call for a fairer funding settlement for Essex Police; and

The Chairman thanked Mr Hirst for attending the meeting.

25. ANNUAL REVIEW OF THE WORK OF THE COMMUNITY SAFETY PARTNERSHIP

The Community Safety Manager (Leanne Thornton) delivered a presentation, which provided Members with an overview of the work of the Community Safety Partnership (CSP) and how it engaged with its statutory partners, Essex Community Rehabilitation Company (Probation); Essex County Council; Essex Police; Tendring District Council; Essex County Fire and Rescue; Community Voluntary Services Tendring; North East Essex NHS and the Office of the Police and Crime Commissioner for Essex.

The presentation also addressed the following Community Safety Priorities within the Community Safety Hub:

- Tackling Anti-social behaviour;
- Protecting Vulnerable People (Crime and Fear of Crime);
- Reducing drug and alcohol misuse within communities; and
- Reducing re-offending

Mrs Thornton said that the Hub was about all of the partners working together to deal with crime and disorder. For example, on 31 October 2016 the Hub had a Day of Action with a number of agencies working together to prevent the illegal sale of fireworks, Neighbourhood Watch and the Licensing department working with off-licence sales with the intention of promoting the Reducing the Strength of Alcohol campaign and responsible drinking.

Mrs Thornton said that the child exploitation programme was a county wide campaign and other programmes rolled out in Tendring included Safer Seafronts, Holiday Camps, Hotels and Bed & Breakfast establishments over the summer period. Also the partners joined forces with the organisation Safer Lives who worked with domestic abuse which was at a high level. In September the Council's Crucial Crew attended over 100 events to explain to the over 60's how to stay safe at home and whilst out and about in the community and working with around 1,400 young persons to stay safe when out and about.

The Stay Safe Programme was for older people with learning disabilities and included vulnerable people who had been associated with and/or abused by gangs. A programme was being rolled out with the Council having workshops covering terrorism and counter-terrorism.

Ms Finch (Local Police and Partnership Inspector) reported on Anti-Social Behaviour which was for identifying and supporting repeat and vulnerable victims, improving perceptions and facilitating local problem solving to address various issues. Ms Finch gave some examples of where new anti-social behaviour powers have been used.

Mr Eastwood (the Council's Community Safety Support Worker) works with vulnerable people affected by gang activity. It was explained that working with these vulnerable people was a multi-role working with partners in collaboration.

Further information was given concerning the work by Mr Les Nicoll (Essex County Fire & Rescue Service) and Ms Kirsty Gibbons (Essex County Fire & Rescue Service) with Mr Nicoll's work with the Fire Services' Firebreak programme and Ms Gibbons work with reducing re-offending.

After Members had discussed the work of the Community Safety Partnership, it was **RECOMMENDED TO CABINET** that:

Cabinet endorses the good and varied work being undertaken by the Community Safety Partnership and that Cabinet promotes and resources this as much as possible.

The Chairman expressed her thanks and congratulations to the CSP Team for all its continued hard work.

DATE OF NEXT MEETING

The next scheduled meeting of the Committee was to be held at 7.30pm on Monday 9 January 2016 in the Council Chamber, Council Offices, Weeley.

The meeting was declared closed at 10.06 p.m.

Chairman

MINUTES OF THE MEETING OF THE SERVICE DEVELOPMENT AND DELIVERY SCRUTINY COMMITTEE HELD ON WEDNESDAY 23 NOVEMBER 2016 AT 7.30 P.M. IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY

- Present:** Councillors Griffiths (Chairman), V E Guglielmi (Vice-Chairman), Fowler, Hones, Pemberton, Miles, M J Skeels Jnr and Yallop
- Also Present:** Councillor Ferguson (Tourism and Culture Portfolio Holder) (item 31 (part) – 33 only)
- In Attendance:** Head of Customer & Commercial Services (Mark Westall), Head of Sport and Leisure (Mike Carran), Licensing Manager (Simon Harvey) (items 26 – 31 only) and Committee Services Officer (Janey Nice)

26. ORDER OF BUSINESS

The Chairman welcomed all present to the meeting and explained how he wished the order of business on the agenda to be considered.

27. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

28. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee held on Monday 24 October 2016 were approved as a correct record and signed by the Chairman.

29. MATTERS ARISING FROM THE MINUTES

The Chairman informed the Committee that an over-arching report on Spendalls House and Honeycroft would be presented to the Committee in February 2017. A more detailed report would be presented to the Committee in May 2017 in order for a feasibility study and consultation to be undertaken with outside bodies on the future of Spendalls House and Honeycroft.

30. DECLARATIONS OF INTEREST

Councillor John Hones declared an interest in respect of the Testing Taxi and Private Hire Vehicles item insofar as he was a Taxi Driver licensed with the Council.

31. TESTING TAXI AND PRIVATE HIRE VEHICLES

Further to its meeting held on 1 June 2016 (Minute 5 referred) on the possibility of extending the days available to the taxi and private hire trades for vehicle testing at the Northbourne Road depot.

The Licensing Manager detailed the days and times available for taxi testing and informed the Committee that each test took around 45 minutes to complete and testing was done for approximately 48 weeks of the year. He gave further details of the number of taxis and the number of slots available for testing, taking into account where taxi proprietors had changed their vehicles during the year and that this left approximately 199 slots still available throughout the 48 week testing period.

Mr Harvey said that he had met with the Council's Open Spaces and Transport Manager (Trevor Mills) to discuss the possibility of extending the number of days that vehicle testing could be offered to the taxi trade in order to allow the taxi trade some flexibility and choice of appointment times and days. However, Mr Mills had informed Mr Harvey that he was unable to offer any alternative arrangements as he did not have the staff available to do so.

Mr Harvey confirmed that he was not aware of any complaints about the lack of time slots available for taxi testing and, in fact, in most weeks, not all, there were free slots available.

A Member at the meeting, who had declared a personal interest as he worked as a taxi driver, said that he was unaware of there being any problems with taxi owners booking in for mechanical tests and he also was not aware of anyone being delayed or taken off the road because they could not get a test booked. He said that he was unsure where it had come from in the taxi trade that there was a problem getting booked in for a mechanical test or who was saying it, but that no-one had made him aware of any problems and that personally he was very happy with the service and had had no problems with it.

When asked by a Member about if a taxi testing booking was cancelled was there a way the drivers could be informed to perhaps take up that time slot, Mr Harvey said that he was investigating putting the bookings online with the possibility of an alert being sent out by text, or by email, so as much as possible the taxi drivers could be in control of their own bookings.

Mr Westall (Head of Customer & Commercial Services) said the Channel Shift Plan report that was due to go to Cabinet in December 2016 would seek for a budget for a portal for residents to use to search all of the different Council services and that the taxi testing bookings could be part of that. The service could include sending out reminders for bookings the day before. When asked by the Chairman when this would roll-out Mr Westall said that this would probably start with the Revenues and Benefits section as they were the busiest department, but it did depend on the budget granted by Cabinet.

After discussion by the Committee it was **RESOLVED** that:

- (a) The Committee notes the report of the Corporate Director (Operational Services) regarding taxi testing and private hire vehicles and that the Committee believes that there is sufficient capacity within the Northbourne Road Garage and that therefore there is no need for further taxi testing days to be offered; and

RECOMMENDED TO CABINET

- (b) Further consideration be given to putting the booking of taxi testing online as part of the Channel Shift agenda.

The Chairman thanked Mr Harvey for his comprehensive report.

32. CLACTON AIR SHOW 2016 – DE-BRIEF

The Portfolio Holder for Tourism and Culture (Councillor Ferguson) introduced the Head of Sport and Leisure (Mike Carran) for him to de-brief the Committee on the Clacton Air Show 2016.

Mr Carran gave the following presentation with a brief statement under each heading:

- (1) Objectives
 - Maximise Tourist Opportunities through Events; and
 - You Tube website

-
- (2) This Year's Key Challenges
 - CAA Guidance – following the Shoreham Air Disaster;
 - Managing visitor Safety;
 - Traveller Incursion;
 - Rising costs; and
 - Sea Mist
 - (3) This Year's Success Stories
 - Night Flights;
 - Increasing Visitor Numbers;
 - Managing Visitor Numbers; and
 - Partnership Working to address key challenges
 - (4) The Big Issues
 - Spectator Numbers'
 - Income;
 - Cost of Air Show; and
 - Economic Benefit
 - (5) What Was Said? - Details of reviews on social media including Twitter
 - (6) Learning Points for 2017
 - High Court Injunction;
 - Reinforcing the message about financial sustainability of the Air Show; and
 - Continuity between Night Flights and Fireworks

During the discussion with Members they raised the issue about the poor catering arrangements for the 2016 Airshow and Mr Carran and Councillor Ferguson agreed that they could have been a lot better and the catering company that had been used had not really stepped up to expectations.

The Committee extended their thanks to Mr Carran and his small team and gave special praise to Jo Needham and Sarah Daniells.

33. SEA AND BEACH FESTIVAL

Mr Carran gave a presentation on the Sea and Beach Festival which included the following:

- (1) Objectives
 - Maximise Tourist Opportunities through Events; and
 - "Book-end" the summer season with Clacton Airshow
- (2) The Event
 - Traditional Family Entertainment;
 - Traditional Seaside Entertainment;
 - Pleasure Boat Rides;
 - 'Have a Go' Activities;
 - Water Sports; and
 - Interactive Events

- (3) The Big Issues
- Attendance;
 - Cost of the Event;
 - Economic Impact; and
 - Weather
 -
- (4) Learning Points for 2017
- Hone the event;
 - Roll out to other parts of the District;
 - Work towards financial sustainability; and
 - Possibility of Linking-in with other events

The Chairman suggested a large marquee on the Greensward which had proved effective at Aldburgh which could contain some sort of entertainment and Mr Carran said he had already been talking to a promoter who was experienced at huge outdoor events and was very professional. Last year they had piloted a four-day marquee event and the model was similar to a Radio One Roadshow. Mr Carran added that the Council wanted high quality events without having to pay for them, however that promoter liked Clacton and it was looking promising working with them.

The Chairman thanked Councillor Ferguson and Mr Carran for their two excellent presentations and said that their staff should be commended for the very hard work from such a small team, especially mentioning the hard work of Sarah Daniels and Jo Needham.

DATE OF NEXT MEETING

The Chairman confirmed that the next scheduled meeting of the Committee was to be held on Wednesday 25 January 2017, subject to the availability of agenda items and as that meeting was the last of 2016 he wished all present a very Merry Christmas and a Happy New Year and thanked the Committee for all of their support over the last year.

The meeting was declared closed at 9.00 p.m.

Chairman

**MINUTES OF THE MEETING OF THE CORPORATE MANAGEMENT
SCRUTINY COMMITTEE HELD ON MONDAY 28 NOVEMBER 2016 AT 7.30 P.M. IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

Present: Councillors Steady (Chairman), Platt (Vice-Chairman), Baker, Chittock, Stephenson and Whitmore

In Attendance: Corporate Director (Corporate Services) (Martyn Knappett), Head of Finance, Revenues & Benefits Services (Richard Barrett), Head of Property Services (Andy White), Head of People, Performance and Projects (Anastasia Simpson) and Committee Services Officer (Janey Nice)

33. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

34. MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 26 SEPTEMBER 2016

The Committee Services Officer (Janey Nice) read out an email from Councillor Everett who had declared a pecuniary interest at the meeting held on 26 September 2016 (minute no. 29) and which had not been recorded in the minutes.

The Minutes of the meeting of the Committee, held on 26 September 2016, were then approved as a correct record and signed by the Chairman, subject to the inclusion of Councillor Everett's declaration of pecuniary interest.

35. DECLARATIONS OF INTEREST

There were none.

36. REQUEST FROM THE SERVICE DEVELOPMENT AND DELIVERY COMMITTEE

The Committee were asked to consider a request from the Service Development and Delivery Committee for this Committee to investigate and confirm that there were robust procedures in place to ensure that the contractual terms of all future contracts entered into by the Council were sound and fully protected the Council's interests.

The Head of Finance, Revenues & Benefits Services (Richard Barrett) informed the Committee that this was a piece of work that is being undertaken by the Audit Committee and that there would be a report available early in 2017 for the Committee to scrutinise.

The Committee noted the foregoing.

37. FINANCIAL STRATEGY BUDGET REDUCTIONS – OUTCOMES FROM PORTFOLIO HOLDER WORKING PARTIES – A.1

The Council's Head of Finance, Revenues & Benefits Services (Richard Barrett) presented a report which sought the Committee's comments on the outcomes of the Portfolio Holder working parties which was part of the overall development of the 2017/18 budget.

Mr Barrett informed the Committee that Cabinet, at its meeting held on 25 November 2016, had considered a report which had set out the outcomes from the Portfolio Holder

working parties that had been established to identify the necessary budget reductions from 2017/18 and beyond. The decision made by Cabinet was:

“That Cabinet:

- (a) Notes the outcome from the Portfolio Holder Working Parties and other savings proposals identified and requests comments from the Corporate Management Committee; and
- (b) requests the relevant Corporate Director to undertake the necessary actions to take forward the proposed budget reductions to be considered for inclusion in the detailed estimates for recommending to Council in February 2016 and/or to present further reports to Cabinet in due course.”

Mr Barrett informed the Committee that four working parties had met on a number of occasions during September and October where ideas had been put forward along with supporting information to inform the discussions. He informed Members that the relevant Portfolio Holders had put forward budget reduction proposals which totalled £0.268m in 2017/18 rising to £0.528m on an on-going basis from 2019/20.

Mr Barrett then informed Members that the budget reductions identified to date did not meet the required savings target of £1.565m in 2017/18, however, Officers were continuing to work in consultation with Portfolio Holders to identify further savings. He stated that at this stage of the budget process the one-off use of reserves to balance budget could not be ruled out which would add further budget cost pressures in 2018/19.

The Corporate Director (Corporate Services) (Martyn Knappett) informed Members that it was disappointing that further progress had not been made on a number of issues and that savings still needed to be found in 2017/18.

Also as the figure of the Local Government Support Grant had not yet been notified by Central Government Mr Barrett stated that it was difficult to calculate what the level of Business Rates for the next year would be. However, he was hoping that the Council would be notified of the Grant before Christmas.

Members of the Committee discussed various items and gave a number of suggestions that could be taken up for the necessary savings. These included:

- involving Town and Parish Councils in taking over the running of facilities in their areas;
- residents' parking scheme;
- whether bringing contracts back in-house would make savings;
- charging to use public conveniences and prioritising the closure of some public conveniences where there is significant vandalism;
- the reduction of the Council's maintenance budget; and
- the cost of re-charging the new beaches over the next ten years;

Mr Barrett and Mr Knappett responded to all of the comments made by Members and Mr Barrett said that all of the Portfolio Holder Working Parties were still working and were not yet finished..

Having considered the reports, it was **RESOLVED** that the Committee noted the report from the Portfolio Holders Working Parties; and noted the report from the Portfolio Holders Working Parties; and

RECOMMENDED TO CABINET that:

- (a) the Council should consider introducing charging for the use of public conveniences where it can be achieved; and
- (b) the Council should work with Town and Parish Councils to see whether Town and Parish Councils could take over some assets within their parishes.

38. OFFICE TRANSFORMATION – A.2

Mr Knappett informed the Committee that the recommended option in the report of the Portfolio Holder for Enforcement and Community Safety (Councillor G V Guglielmi) with a potential saving of £100,000 was a good saving to make without affecting any ongoing services and was deliverable.

The Council's Head of Property Services (Andy White) presented a report which asked the Committee to consider the potential selection by Cabinet of an option for office transformation and to make recommendations in respect of that proposed decision. He informed the Committee that the Portfolio Holder for Enforcement and Community Safety (Councillor G V Guglielmi) had considered the options for transforming office accommodation and proposed to put his attached report and appendices to Cabinet on 16 December 2016.

Mr White informed the Committee of the options that had been made available to the Working Party for Transformation and Assets which were:

Option 1 – do nothing – this was provided as a baseline against which to measure other options.

Option 2 – stick with current actions which had included the sale of Clay Hall and letting of the Waddesdon Road, Harwich site. This had also included the disposal of Westleigh House, Clacton-on-Sea;

Option 3 – Basic Rationalisation – condensing into existing Clacton sites and selling other sites which would give a significant level of savings and would avoid major construction as far as possible;

Option 4 – Refocus at Weeley – selling the bulk of the Clacton sites and construct a new build at Weeley, this would require a major capital investment and would mean the sale of the Town Hall and was likely to require the closure of the Princes Theatre;

Option 5 (a) – Officer/Member split (Retaining Weeley Main Building) – the bulk of staff would be based at Clacton with Weeley being retained for Members, meetings and Member facing staff such as Regeneration, Democratic functions and Support;

Option 5 (b) - as Option 5 (a) – this would involve a prestigious new building which would include a Council Chamber big enough for full Council and ground floor space as option 5 (a) and potentially a business foyer;

Option 6 (a) – Clacton Civic Quarter (Retaining the Town Hall plus a new building on Carnarvon Road) – this offered a landmark building and regeneration and looked towards the Civic Quarter vision in the Clacton area action plan and would include the replacement of Carnarvon House which was currently let to the NHS;

Option 6(b) – Clacton Civic quarter (Larger new building on Carnarvon Road and releasing the Town Hall) – this offered a whole new state of the art landmark building

looking towards the Civic quarter vision in the Clacton area action plan and this would replace Carnarvon House and would have the potential to tie in with the NHS and Essex County Council (ECC); and

Option 7 – Colchester Borders – a new landmark building looking towards potential joint working and the potential garden village and would be constructed on a new site near to the east of Colchester, potentially near the University of Essex.

The Committee was informed that after consideration of the above options available, it had been decided by the Working Party that Option 3 was the one that would be the most cost effective and was the option that would be recommended to the meeting of the Cabinet on 16 December 2016.

Members asked a number of questions which were answered by both Mr White and Mr Knappett which included:

- Possibility of the Town Hall being let;
- The ownership of Carnarvon House;
- Queries of the figures supplied in Option 3;
- Demolition of Westleigh House and use for extra car park spaces;
- Barnes House in Pier Avenue and the Pier Avenue office building;
- The Triangle Centre in Frinton-on-Sea;
- How the valuations of the various sites had been obtained;
- Backlog maintenance of the Council's sites;
- Logistics of moving staff while office construction was being done;
- Location of the different sections of the Council's services; and
- Option 6 (b) would it be big enough for the Council plus NHS and ECC?

After discussion of the various issues involved, it was **RESOLVED** that the Committee **RECOMMENDS TO CABINET** that:

- (a) Cabinet selects Option 3 - Basic Rationalisation as its preferred option for office transformation; and
- (b) when all of the office transformation works had been completed that any maintenance backlog be dealt with as a matter of priority.
- (c) Officers reconsider the disposal of Westleigh House as part of the project.

39. DATE OF THE NEXT SCHEDULED MEETING

The date of the next scheduled meeting of the Corporate Management Committee was due to be held on Monday 12 December 2016 in the Council Chamber, Council Offices, Weeley at 7.30 p.m.

The meeting was declared closed at 9.32 p.m.

Chairman

**MINUTES OF THE MEETING OF THE CORPORATE MANAGEMENT
SCRUTINY COMMITTEE HELD ON MONDAY 12 DECEMBER 2016 AT 7.30 P.M. IN THE
COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

Present: Councillors Steady (Chairman), Platt (Vice-Chairman), Baker and Scott

Also Present: Councillor Turner (Commercialisation Portfolio Holder) (except items 44 – 46)

In Attendance: Head of Finance, Revenues & Benefits Services (Richard Barrett), Head of People, Performance and Projects (Anastasia Simpson), Head of Sports and Leisure (Michael Carran) (except items 44 – 46), Committee Services Manager (Ian Ford) and Human Resources Operations Manager (Katie Wilkins)

40. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Chittock, Stephenson and Whitmore. There were no substitutions.

41. MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 28 NOVEMBER 2016

The Minutes of the meeting of the Committee, held on 28 November 2016, were approved as a correct record and signed by the Chairman.

42. DECLARATIONS OF INTEREST

There were none.

43. “GROWING THE BEACH ECONOMY”

The Portfolio Holder for Commercialisation (Councillor Turner) referred to the upgrades carried out to the beach environs to the west of Clacton Pier which had raised significantly the quality of offer to the public. He also reminded the Committee that, following the completion of the sea defence works between Clacton Pier and Holland Haven the District now had 23 wonderful beaches. Councillor Turner informed Members that £1.5million would be needed to recharge those beaches in due course and that therefore he was looking at ways of raising revenue such as beach sponsorship, retail opportunities in conjunction with Clacton Pier and growing the festivals around the District.

The Head of Sports & Leisure (Michael Carran) informed the Committee that the next ‘key step’ was the cliff stabilisation programme between Clacton Pier and Holland Haven which would provide an opportunity to introduce new ideas and development of the beach economy, for example, themed beaches. He was also looking at ways of replicating the experience of Clacton-on-Sea around the other coastal areas of the District.

Councillor Scott offered to assist the Officers in maximising media opportunities for promoting the District.

Following a question and answer session Councillor Turner and Mr Carran were thanked for their attendance.

44. CORPORATE BUDGET MONITORING REPORT FOR THE SECOND QUARTER OF 2016/17

The Committee had before it a report of the Corporate Director (Corporate Services), which presented it with an overview of the Council's actual financial position against the budget as at the end of September 2016.

The Committee was aware that, at its meeting held on 25 November 2016, Cabinet had considered the Corporate Budget Monitoring Report for the second quarter of 2016/17 and had resolved (minute 104 referred) that:

- (a) *the financial position as at the end of September 2016 be noted;*
- (b) *that in respect of the 2016/17 budget it be approved that:*
 - *planning expenditure budgets be increased to facilitate additional capacity to meet the current demand for the service with the associated income budget increased by £0.102m as set out in the report;*
 - *the General Fund Capital Programme be increased by £0.120m to accommodate the increased cost of the air handling units at Clacton Leisure Centre funded by the adjustments set out in the report and;*
- (c) *the Council's Treasury Management Practices be amended to allow the aggregate amount that can be invested with any one Local Authority to be increased from £4.000m to £6.000m.*

The Cabinet report referred to above was attached as Appendix A to item A.1 of the Report of the Corporate Director (Corporate Services) for the Committee's consideration.

Having considered and discussed the budget monitoring report:-

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

45. PERFORMANCE REPORT – QUARTER TWO REPORT – JULY 2016 TO SEPTEMBER 2016

The Committee had before it a report of the Corporate Director (Corporate Services) which presented the Performance Report for Quarter Two (July 2016 to September 2016), including the Corporate Plan and Priorities and Projects 2016. Appendix A to that report contained details of the 14 indicators and projects where performance was measured. Of those, 12 (86%) were on, or above, their expected target and 2 (14%) were not currently in line with the expected performance. Three of the indicators and projects highlighted in the report were deemed 'non-measurable' as this Council's role was that of influence only.

The Human Resources Operations Manager (Katie Wilkins) gave a verbal update in respect of several indicators and projects.

Officers responded to questions raised by Members on various topics and where an answer was not immediately available, the Officers undertook to respond to Members as soon as possible after the meeting.

After discussion of the report it was **RESOLVED** that:

- (a) the Council's performance report for the period July to September 2016 be noted;

- (b) the Committee notes with concern that the Planning department is 'behind target' in turning around 'Major' applications compared with Quarter One and also in a 'year-on-year' comparison; and
- (c) the Service Development and Delivery Committee be requested to investigate the decline in the fly tipping removal performance, steps being taken to avoid fly tipping before it happens and also the exact nature of the Essex County Council's proposed contribution to this Council's clear-up costs following the introduction of new rules at the County Council's recycling centres on 31 October 2016.

46. DATE OF THE NEXT SCHEDULED MEETING

The date of the next scheduled meeting of the Corporate Management Committee was due to be held on Monday 19 December 2016 in the Connaught Room, Town Hall, Station Road, Clacton-on-Sea at 9.30 a.m.

The meeting was declared closed at 9.31 p.m.

Chairman

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**MINUTES OF THE MEETING OF THE CORPORATE MANAGEMENT
SCRUTINY COMMITTEE HELD ON MONDAY 12 DECEMBER 2016 AT 9.35 A.M. IN THE
CONNAUGHT ROOM, TOWN HALL, CLACTON-ON-SEA**

Present: Councillors Steady (Chairman), Platt (Vice-Chairman)(except item 49 (part)), Baker, Chittock, Scott, Stephenson and Whitmore (except item 49 (part))

In Attendance: Chief Executive (Ian Davidson) (item 49 (part) only), Head of Finance, Revenues & Benefits Services (Richard Barrett), Head of People, Performance and Projects (Anastasia Simpson)(except item 49 (part) and Committee Services Manager (Ian Ford)

47. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence received and there were no substitutions.

48. DECLARATIONS OF INTEREST

There were none at this time though Councillor Steady, later on in the meeting, declared a non-pecuniary interest as reported under Minute 49 below.

49. UPDATED FINANCIAL BASELINE 2017/18 AND DETAILED BUDGET PROPOSALS FOR A REVISED BUDGET 2016/17 AND ORIGINAL BUDGET FOR 2017/18

The Committee's comments were sought on the updated Financial Baseline 2017/18 and proposals for a revised budget for 2016/17 and original budget for 2017/18, which had been approved at the meeting of the Cabinet held on 16 December 2016 (minute 121 referred).

Councillor Steady declared a non-pecuniary interest in relation to the decommissioning/transfer of the Brightlingsea Pool insofar as he was also a member of Brightlingsea Town Council.

The Chief Executive attended the meeting and spoke about the Budget from his perspective and highlighted the following issues:

- (1) the increasing difficulty in finding savings with the decisions getting harder to take and starting to more directly affect the public e.g. the withdrawal of bin bags and the proposed closure of some public conveniences;
- (2) the Member Working Parties had been useful but had not found the level of savings required; and
- (3) the further savings proposals that Management Team now needed to find and put before Members.

In response to questions raised by Members, the Chief Executive gave an update on the positive investment in, and prospects for, Jaywick Sands and on other issues such as the use of the New Homes Bonus, private sponsorship of leisure events, office transformation, encouraging inward investment and the Clacton Air show.

The Committee scrutinised the Cabinet's budget proposals and discussed and agreed the questions and issues that it would put to the relevant Portfolio Holders and senior Officers on 5 January 2017 as follows:

- (1) Empty Homes – what is the Council doing to reduce the number of these?;
- (2) Enabling Fund – what is the budget?
- (3) Recycling – what more can the Council do to increase the recycling rate?;
- (4) Clacton Air Show & Sea and Beach Festival – what is the plan to make them self-financing?;
- (5) Building Control Service – should the Council cease the discretionary part of this service?
- (6) Mast at Holland Haven – what are the Council's options with regard to the lease arrangements now that Harwich Haven Authority have pulled out?
- (7) Careline Lifting Service – what has been the take-up and how is the budget being spent?;
- (8) Off-Street Parking – what was the uptake of Non-Residents' Parking Permits? What was the income from PCN's issued in July and August? How many Court Summonses for non-payment has the Council issued?
- (9) Community Rail Partnership – what does the Council get for its contribution?
- (10) What are the Council's plans with regard to the SME Growth Fund, the Development Growth Fund and Business Investment and Growth?
- (11) Dog Warden Service – what does the Council get in return for its expenditure?;
- (12) Public Health and Complaints – what does the Council get in return for its expenditure?
- (13) Public Conveniences – what are the Council's future plans and what will be the impact on the budget?;
- (14) Memorial Seats – is the expenditure covered by the income?;
- (15) Street Sweeping Contract – what are the arrangements for monitoring the contractors?;
- (16) Sports Centres – what are the reasons for the decline in income? What are the plans to make them self-financing? What are the plans to increase usage? What are the plans to bid for grants e.g. from Sport England?;
- (17) Princes Theatre – what is the long-term plan?;
- (18) Swimming Pools – what is the long-term plan to increase income from the pools at Dovercourt, Walton and Brightlingsea?;
- (19) Homelessness – how many homeless cases has the Council assisted? How long did they spend in Bed and Breakfast accommodation before being rehomed or they left the District? And
- (20) Essex Hall – why have the hire charges been reduced given that the Essex Hall has just been redecorated and refurbished?

RESOLVED that the Committee submits the following comments/recommendations for the Cabinet's consideration:

- (a) the Committee supports, in principle, a £5 increase in the Council's Council Tax precept for 2017/2018;
- (b) to enable Parish and Town Councils to plan their budgets accordingly this Council should inform them that the Parish and Town Councils grant from this Council will be phased out in line with the reduction in this Council's RSG;
- (c) large, local commercial businesses such as ASDA and J D Wetherspoons, should be approached with a view to sponsoring the Sea and Beach Festival and the 'Night Flights' at the Clacton Air Show;
- (d) the Committee reiterates the corporate view that all work should be placed through the Print Unit and not externally;
- (e) the Committee supports and endorses the Cabinet's prudent decision to use £2.646m from Reserves to meet the cost of paying the three year pension deficit amount in one payment;
- (f) the Rural Infrastructure Improvement Fund should be 'spent up' or the monies allocated somewhere else;

- (g) the Council should look to help the Tendring CAB become more financially self-supporting and ensure that this Council's contribution is spent at 100% efficiency; and
- (h) what will happen to the SME Growth Fund in 2018 given that so little of the Fund has been spent?

The Chairman then adjourned the meeting until 9.30 a.m. on Thursday 5 January 2017.

The meeting was declared adjourned at 4.38 p.m.

Chairman

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**MINUTES OF THE RESUMED MEETING OF THE CORPORATE
MANAGEMENT SCRUTINY COMMITTEE HELD ON THURSDAY 5 JANUARY 2017 AT
9.32 A.M. IN THE CONNAUGHT ROOM, TOWN HALL, CLACTON-ON-SEA**

Present: Councillors Steady (Chairman), Platt (Vice-Chairman), Baker, Chittock, Scott and Stephenson

Also Present: Councillors Broderick, Ferguson (Portfolio Holder for Tourism and Culture), G V Guglielmi (Portfolio Holder for Enforcement & Community Safety and Interim Portfolio Holder for Finance, Revenues & Benefits), Honeywood (Portfolio Holder for Housing), McWilliams (Portfolio Holder for Leisure, Health and Well-being), Parsons, Talbot (Portfolio Holder for the Environment), Turner (Portfolio Holder for Commercialisation) and Watling (Portfolio Holder for Planning and Regeneration) [all item 50 (part) only]

In Attendance: Head of Finance, Revenues & Benefits Services (Richard Barrett), Head of People, Performance and Projects (Anastasia Simpson) and Committee Services Manager (Ian Ford)

Also in Attendance: Chief Executive (Ian Davidson), Head of Customer and Commercial Services (Mark Westall), Head of Environmental Services (John Fox), Head of Housing (Tim R. Clarke), Head of Planning (Cath Bicknell), Head of Public Realm (Ian Taylor), Head of Regeneration (Tom Gardiner), Head of Sport and Leisure (Mike Carran), Environmental Health Officer (Chris Smetherham-James), Technical Officer (Jon Hamlet) and Housing Options Co-ordinator (Cathy Low) [all item 50 (part) only]

50. UPDATED FINANCIAL BASELINE 2017/18 AND DETAILED BUDGET PROPOSALS FOR A REVISED BUDGET 2016/17 AND ORIGINAL BUDGET FOR 2017/18

Apologies for absence were submitted on behalf of Councillor Whitmore.

Following the adjournment of the meeting on 19 December 2016 the Committee resumed and considered the following matters:

The Chief Executive introduced the session and reminded the Committee that the purpose of the day was to review and scrutinise the budget for 2017/18, consider any suggestions/ideas and make recommendations to the Cabinet. He also highlighted the differentiations between revenue and capital budgets and “one-off” and “ongoing” projects/commitments and their separate budgetary impacts. He also invited Members to put forward matters to be included on the agendas for future All-Member Briefing.

The Planning and Regeneration Portfolio Holder, accompanied by the Head of Regeneration, attended the meeting and answered Members’ questions on:-

- (1) Community Rail Partnership – what does the Council get for its contribution?;
- (2) Proposed Rail Maintenance Depot in Manningtree Area; and
- (3) What are the Council’s plans for spending the SME Growth Fund, the Development Growth Fund and the Business Investment and Growth budgets?

The Environment Portfolio Holder, accompanied by the Head of Environmental Services and the Technical Officer, then attended the meeting and answered Members' questions on:-

- (1) Recycling – what is the Council doing to increase recycling and increase recycling credits?;
- (2) Charges for Garden Waste Collection;
- (3) Dog Warden Service – what does the Council get in return for its expenditure?;
- (4) Devices for “tracking” Dogs;
- (5) Public Health Specialist – what is the role and what return does get on its expenditure?; and;
- (6) Street Sweeping Contract – what are the arrangements for monitoring the contractors?

The Tourism and Culture Portfolio Holder, accompanied by the Head of Sport and Leisure, then attended the meeting and answered Members' questions on:-

- (1) Clacton Air Show – what are the plans to increase income from sponsorship and bucket collection/sales in order to remove the cost pressure and make the Air Show self-financing?;
- (2) Arrangements for the sale of Air Show Programmes;
- (3) Potential for outsourcing of sponsorship/marketing to a third party; and
- (4) Potential for an iPhone application for the Air Show.

The Leisure, Well-being and Partnerships Portfolio Holder, accompanied by the Head of Sport and Leisure, then attended the meeting and answered Members' questions on:

- (1) Sports Centres – what are the reasons for the decline in income?; what are the business plans to make them self-financing and increase usage?; and what are the plans to get grant funding?;
- (2) Catering and other retail opportunities at Clacton Leisure Centre;
- (3) Impacts of the temporary closure of Frinton and Walton Swimming Pool;
- (4) Implications of ceasing the JCCs at the Sports Centres;
- (5) Underuse of the Hard Courts at Clacton Leisure Centre;
- (6) Outsourcing of Leisure Centres;
- (7) Avenues to get external grants e.g. via Sport England;
- (8) Princes Theatre – what is the long-term business plan?;
- (9) Refurbishment of the Princes Theatre toilets;
- (10) Essex Hall – why have the hire charges been reduced given that it has just been redecorated and refurbished?;
- (11) Swimming Pools – what is the long-term business plan to increase income?; and
- (12) Is the Council getting value for money from its contributions to the CAB?

The Enforcement & Community Safety Portfolio Holder and Interim Finance, Revenue & Benefits Portfolio Holder, attended the meeting and answered Members' questions on:

- (1) Mast at Holland Haven – what marketing of the Mast has been undertaken following the termination of the lease by the Harwich Port Authority?; what are the terms of the lease?; can we put the rent up for the London Port Authority to compensate?; and
- (2) Rural Infrastructure Fund.

The Enforcement & Community Safety Portfolio Holder and Interim Finance, Revenue & Benefits Portfolio Holder also outlined to the Committee the Cabinet's recent decisions in relation to the decision to dispose of the Council Offices at Weeley; the Customer Services Strategy and its link to the Channel Shift Strategy. He also outlined the impact of recent Government decisions including the further reduction in the RSG; the effect on

Council rents of the Housing Act; the effect of LCTSS, Universal Credit, devolution of Business Rates etc. He also informed the Committee that the Council would soon need to be make very hard decisions to find further savings and would have to become more 'commercial' in its outlook.

The Housing Portfolio Holder, accompanied by the Head of Customer and Commercial Services, the Head of Housing Services and the Environmental Health Officer, attended the meeting and answered Members' questions on:-

- (1) Careline Lifting Service – what has been the take up and how is the budget being spent?;
- (2) Empty Homes – what is the Council doing to reduce the number of these?;
- (3) What is the Enabling Fund budget?;
- (4) How does the Council recover costs from tenants who have caused damage etc. above and beyond normal wear and tear?;
- (5) Homelessness – how many homeless cases has the Council assisted?; how long did they spend in Bed and Breakfast accommodation before being rehomed or they left the District?; what are the Council's options to house homeless people/families?; and
- (6) How does the Council deal with 'rough sleepers'?

The Commercialisation Portfolio Holder, accompanied by the Head of Public Realm, then attended the meeting and answered Members' questions on:-

- (1) Public Conveniences – what are the Council's future plans and what will be the impact on the budget?;
- (2) Memorial Seats – Does the Income cover the Expenditure?;
- (3) Car Parks – what was the uptake of Non-Residents' Parking Permits and additional permits?; what was the income from PCNs issued in July and August?; how many Court summonses for non-payment did the Council issue?; and
- (4) Beach Economy – how can future Sea & Beach Festivals be funded from Income (e.g. sponsorship) rather than an annual cost pressure?

The Head of Planning attended the meeting and answered Members' questions on:-

How is the Council responding to the reduced income from the Building Control service? Should the Council just provide a statutory service?

Having considered all of the information that had been given to the Committee and having reconsidered the comments and recommendations to Cabinet that had been made at the meeting held on 19 December 2016:

It was **RESOLVED** that the following are the Committee's final and definitive **COMMENTS/RECOMMENDATIONS** to be submitted to the Cabinet:

- (a) the Committee supports, in principle, a £5 increase in the Council's Council Tax precept for 2017/2018;
- (b) to enable Parish and Town Councils to plan their budgets accordingly this Council should inform them that the Parish and Town Councils grant from this Council will be phased out in line with the reduction in this Council's RSG;
- (c) the Committee reiterates the corporate view that all work should be placed through the Print Unit and not externally;
- (d) the Committee supports and endorses the Cabinet's prudent decision to use £2.646m from Reserves to meet the cost of paying the three year pension deficit amount in one payment;

- (e) the Council should look to help the Tendring CAB become more financially self-supporting and ensure that this Council's contribution is spent at 100% efficiency once the Officers have clarified the ongoing issues at the CAB;
- (f) the Committee urges Cabinet that, with regard to any individual projects that come forward, however attractive they may appear, due attention must be paid to any ongoing revenue cost implications that may be included within the business case;
- (g) the Cabinet should make itself aware of and investigate the regeneration and employment/training opportunities that could arise from the proposed rail maintenance depot in the Manningtree area;
- (h) that the procurement process for the recycling/waste collection and street sweeping contracts should identify all potential savings options however unpalatable;
- (i) the Committee supports the aspiration of 100% broadband coverage for the District but would urge the Cabinet to be wary of the overall costs and to seek out all possible external sources of finance;
- (j) the Committee welcome the national award for the Clacton Air Show and urges Officers to use the Award to maximise sponsorship and support for the Air Show in order to meet the aspiration of it being self-financing;
- (k) that Officers should the review the JCCs at the District's sports centres with a view to either reducing their costs or ending them;
- (l) the refurbishment of the Princes Theatre toilets should be completed as soon as possible in view of the nine Weddings that are booked to be held in the Princes Theatre this year;
- (m) the Committee looks forward to the problems at the Frinton and Walton Swimming Pool being resolved;
- (n) the Committee understands the current issues with the Careline Lifting Services and looks forward to receiving an update in six month's time;
- (o) the Committee will monitor the Private Sector Renewal Grants/Financial Assistance Loans budget through the quarterly corporate budget monitoring reports;
- (p) once a decision is taken to close and demolish a public convenience this should be implemented immediately in order to avoid any residual costs;
- (q) the Committee welcomes the increased income from Car Parks and the progress being made to accommodate the cost of the Residents Parking Scheme within the base budget and hopes that the problems encountered with the online registration are avoided this year;
- (r) the Committee again notes that Planning Services have had another extremely busy year;
- (s) with regard to asset management, the Council should not lose sight of opportunities to dispose of smaller, unwanted assets whilst concentrating on larger issues such as the disposal of the Council Offices at Weeley; and
- (t) the Committee looks forward to receiving and commenting on the Financial Outturn report in due course.

It was further **RESOLVED** that the Community Leadership and Partnerships Committee be requested to invite representatives from Tendring CAB to attend one of its meetings, once the Officers have clarified the ongoing issues at the CAB.

It was then **RESOLVED** that the Committee receives an update on the progress of the Careline Lifting Service in six month's time.

The meeting was declared closed at 5.17 p.m.

Chairman

COUNCIL

24 JANUARY 2017

REPORT OF CHIEF EXECUTIVE

A.2 RESIGNATION OF COUNCILLOR T A HOWARD

I formally report that, on 15 December 2016, Councillor Tom Howard resigned as a Member of Tendring District Council. Notice of the vacancy in the Great and Little Oakley Ward has been given and requests to fill the vacancy have been received. The by-election will be held on Thursday 9 February 2017.

This item is submitted for INFORMATION ONLY.

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

24 JANUARY 2017

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

A.2 RESIGNATION OF COUNCILLOR T A HOWARD

Resignation letter dated 15 December 2016.

Requests for a By-Election in the Great and Little Oakley Ward dated 19 December 2016.

COUNCIL

24 JANUARY 2017

REPORT OF CHIEF EXECUTIVE

A.3 **MEMBERSHIP OF COMMITTEES ETC.**

(Report prepared by Ian Ford)

I formally report that, in accordance with the wishes of the Leader of the Independent Groups and the authority delegated to me, the following appointment has been made since the last meeting of the Council:

Local Plan Committee

Councillor Chapman has been appointed to serve in place of former Councillor Howard.

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

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

24 JANUARY 2017

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

A.3 MEMBERSHIP OF COMMITTEES ETC.

Formal appointment dated 4 January 2017.

COUNCIL

24 JANUARY 2017

REPORT OF CHIEF EXECUTIVE

A.4 REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS

(Report prepared by Ian Ford)

Following the decision of Councillor J A Brown to leave the UKIP Group, the decision of Councillor J E Parsons to leave the UKIP Group and to join the Labour Group and the resignation from the Council of former Councillor T A Howard and 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 was subsequently carried out. Following that review and in accordance with the wishes of the affected Group Leaders revised appointments have been made and are set out in the Schedule attached to this report.

RECOMMENDED – That, in accordance with the wishes of Group Leaders, Council approves the schedule of Members that it is proposed should serve on each of the Council’s Committees and Sub-Committee, which are subject to the Widdicombe Rules.

**IAN DAVIDSON
CHIEF EXECUTIVE**

COUNCIL

5 JULY 2016

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

A.4 REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS

None.

COMMITTEES/SUB-COMMITTEE (24 JANUARY 2017)

WIDDICOMBE

Committee		Conservative	Holland Residents	Independent	Labour	No Group/Vacant	UKIP	Coastal Independents	Tending Independents
Audit Committee (Chair: Coley) (V/Chair: Griffiths)	5	Coley Griffiths 2	0	0	0	Vacant 1	Stephenson 1	0	Poonian 1
Community Leadership & Partnerships Committee (Chair: Fairley) (V/Chair: Baker)	11	Amos Baker Fairley Land 4	King 1	Yallop 1	I J Henderson Parsons 2	0	Newton Raby 2	0	Poonian 1
Corporate Management Committee (Chair: Steady) (V/Chair: Platt)	8	Baker Massey Platt 3	0	Steady 1	Parsons 1	Scott 1	Whitmore 1	0	Chittock 1
Council Tax Committee (Chair: Miles) (V/Chair: Nicholls)	5	Miles Nicholls 2	0	0	0	0	Bray 1	Hughes 1	Chittock 1
Human Resources Committee (Chair: Callender) (V/Chair: Chapman)	14	Amos Callender Cossens Ferguson Massey Skeels Snr. 6	Broderick 1	Chapman 1	Calver 1	Bucke Porter 2	Bennison Bray Pemberton 3	0	0
Licensing & Registration	15	Amos 6	Winfield 1	White 1	J 1	Bucke 2	Raby 3	Skeels 1	0

Committee (Chair: Cossens) (V/Chair: Callender)		B Brown M Brown Callender Cossens V E Guglielmi			Henderson	Porter	Watson Whitmore	Jnr	
Local Plan Committee (Chair Stock) (V/Chair: Turner)	15	Amos G V Guglielmi Land Platt Skeels Snr. Stock Turner	Broderick	Chapman	I J Henderson	Cawthron Scott	Bray Newton Stephenson	0	0
Planning Committee (Chair: White) (V/Chair Heaney)	11	Baker Fairley Heaney McWilliams	0	White	Fowler	Gray J Brown	Everett Hones	Hughes	0
Service Development & Delivery Committee (Chair: Griffiths) (V/Chair:)	8	Griffiths V E Guglielmi Miles	0	Yallop	Fowler	0	Hones Pemberton	Skeels Jnr.	0
Standards Committee (Chair: Heaney) (V/Chair: Honeywood)	7	Heaney Honeywood Nicholls	0	Steady	0	Cawthron J Brown	Whitmore	0	0
General Purposes Sub- Committee (Chair: V E Guglielmi) (Vice: Cossens)	8	Cossens V E Guglielmi Massey	Broderick	White	J Henderson		Raby Watson	0	0

COUNCIL

24 JANUARY 2017

REPORT OF MANAGEMENT AND MEMBERS' SUPPORT MANAGER

A.5 Electoral Review of Tendring

(Report prepared by Karen Neath)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To ask Council to agree the initial submission on proposed district council electoral wards for Tendring as the final submission to the Local Government Boundary Commission for England (LGBCE).

EXECUTIVE SUMMARY

- On 9 February 2016 the Local Government Boundary Commission for England (LGBCE) formally wrote to the Council to advise that it had a place on the local government boundary review programme.
- In line with the first stage of this review, at the meeting on 6th September 2016, Council agreed a submission of a recommended council size of 48.
- On 25th October 2016 the LGBCE wrote to the Council to confirm the commencement of the consultation on ward boundaries. The LGBCE stated that it was “.....minded to recommend that 48 district councillors should be elected to Tendring District Council in future.....”
- The LGBCE is now seeking proposals from the Council, interested parties and members of the public on a pattern of electoral wards to accommodate 48 councillors.
- The deadline for responses was 9th January 2017.
- At the Council meeting on 29th November 2016, Council agreed that:-

“the Chief Executive be authorised to make, with the agreement of the Electoral Review Working Party, a provisional submission on ward boundaries to the Local Government Boundary Commission for England (LGBCE) to meet the LGBCE deadline of 9 January 2017, subject to the final submission being formally considered and determined by full Council at its meeting on 24 January 2017.”

- Accordingly, at the meeting of the Electoral Review Working Group held on 6th January 2017, agreement was given for the Chief Executive to submit to the LGBCE, the initial proposal for new ward boundaries in Tendring as attached at Appendix A of this report together with detailed ward maps.
- This initial submission was sent to the LGBCE on 9th January.
- Council is now asked to agree the initial submission on proposed district council electoral wards for Tendring (attached at Appendix A) as the final submission to the

LGBCE.

- Members are reminded that they can also submit comments as individuals or through their groups. However, these must be submitted to the LGBCE by the 25th January 2017.
- The LGBCE will issue draft recommendations for new boundaries in Tendring in March 2017 and this will provide a further opportunity to comment.

RECOMMENDATION

That Council agrees the initial submission on proposed district council electoral wards for Tendring (attached at Appendix A) as the final submission to the LGBCE.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

It is important that the warding of the district allows for an appropriate level of electoral representation for residents across the District to ensure effective governance, decision making, and scrutiny.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The total budget for member support costs for 2016/17 is £503,150.

Risk

The LGBCE look at electoral equality as part of their review. This should ensure that councillors have an appropriate size of electorate to represent. Emphasis is also placed on the importance of communities and the review will seek to ensure that communities are not dissected or compromised.

LEGAL

The LGBCE was established by and operates under the Local Democracy, Economic Development and Construction Act 2009.

OTHER IMPLICATIONS

There are none.

PART 3 – SUPPORTING INFORMATION

BACKGROUND PAPERS FOR THE DECISION

There are no background papers.

APPENDICES

Appendix A – Proposed District Council Electoral Wards for Tendring (commentary, spreadsheet and map of all district wards)

TENDRING DISTRICT COUNCIL

SUBMISSION TO LOCAL GOVERNMENT COMMISSION FOR ENGLAND (LGBCE) ON DISTRICT COUNCIL WARD BOUNDARIES

1. Methodology

At Tendring District Council, work on the Electoral Review has been led by a Member Electoral Review Working Group which has cross party representation from the Council. In drawing up a proposed scheme of ward boundaries the Working Group has held four meetings to discuss proposals and has also led on arrangements for consultation with all other Members. At the request of the Working Group, Officers have attended meetings of the political groups on the Council to present and discuss proposed ward boundaries. Political groups were able to invite up to 3 other affiliated people to attend these meetings. In addition, two open days were held where all Members were given the opportunity to have an individual one-to-one with Officers. These sessions were very productive with Members that attended putting forward helpful and constructive suggestions.

The Council's submission has been drawn up based on 48 members and having regard to electoral equality, existing Town and Parish Council boundaries and extant communities. The Working Group was also keen that, as far as possible, the scheme focussed on single member wards across the District. The Working Group felt that single Member wards would:-

- Be fairer for independent candidates standing in any particular ward;
- Be better for voters in that there is more clarity when they come to vote and also in that they are clear who their ward councillor is; and
- Make canvassing easier.

2. Current Ward Boundaries

Tendring District Council currently has 35 wards of which one is a three member ward, twenty three are two member wards and eleven are single member wards. There are 27 Town and Parish Councils. Harwich Town Council and Frinton and Walton Town Council and St Osyth and Ramsey and Parkeston Parish Councils are warded. There are currently 60 District Councillors with a current average electorate of 1,871 per Councillor.

3. Proposed Ward Boundaries

The attached spreadsheet sets out on the left the existing District wards, the town / parishes in each ward, forecast electorate and number of councillors in each ward. The right hand side sets out the proposed new District wards with the proposed names, town / parishes in each ward, forecast electorate, number of councillors in each ward and the variance from the new average electorate of 2,417. There is a broad read across from the old wards to the new wards on the right but not a direct comparison.

The new scheme is based on 48 District Councillors and proposes 45 district wards of which 42 are single member and 3 are two member.

Attention is drawn to the following specific points in relation to new proposed wards:-

i. Clacton (18 wards)

The proposed ward boundaries in Clacton have been drawn to achieve single member wards as far as possible whilst looking to keep established estates within one ward.

Only West Clacton and Jaywick Sands is proposed as a two member ward. Jaywick is a distinct and separate community from the main town area of Clacton. Whilst it was considered whether this could be two, single member wards it was felt that the community aspect led to all of Jaywick remaining in one ward. In addition, it would be difficult to achieve electoral equality in two wards and retain meaningful community areas.

All of the wards in the Clacton area are within the 10% tolerance of electoral quality. Clacton does not have a Town or Parish Council so there are no issues with regard to coterminosity with these boundaries.

ii. Harwich and Dovercourt (6 wards)

All of the wards in the Harwich and Dovercourt area are proposed to be single member wards and all are within the 10% tolerance of electoral quality. It seeks to recognise the area of the old town of Harwich and the distinct community areas of Dovercourt.

We would ask that, as part of this electoral review, the LGBCE uses its powers to recommend new wards for Harwich Town Council that are coterminous with the new district ward boundaries. Under this proposed scheme, new Harwich Town Council wards of Harwich and Kingsway, Dovercourt Bay, Dovercourt Tollgate, Dovercourt All Saints, Dovercourt Hall Lane and Spring Meadows would be required. The Parkeston polling district of the Spring Meadows and Parkeston district ward would remain unchanged as a parish ward of Ramsey and Parkeston Parish Council.

iii. Frinton and Walton (6 wards)

All of the wards in the Frinton and Walton area are proposed to be single member wards and all are within the 10% tolerance of electoral quality except for Homelands which is marginally beyond 10%. It is felt that the very small excess beyond 10% is acceptable within the overall context of achieving electoral equality, single member wards and maintaining community cohesion across the Frinton and Walton area.

The current forecast electorate for Frinton is 3,397 which makes it too big, as it stands, to be a single member ward but too small for a two member ward. To make Frinton a single member ward would have meant bringing the boundary inside of the railway line which is widely recognised locally as the natural boundary of the town. Therefore it was agreed to extend the area of the Frinton ward beyond the railway line but, in accordance with the desire to achieve single member wards, Frinton is proposed to be divided into East and West wards.

Again, we would ask that, as part of this electoral review, the LGBCE uses its powers to recommend new wards for Frinton and Walton Town Council that are coterminous with the new district ward boundaries. Under this proposed scheme, new Town Council wards of Frinton West, Frinton East, Kirby-le-Soken and Hamford, Kirby Cross, Homelands, Walton and Great Holland would be required. Great Holland is a ward of the Town Council. However, under the proposed scheme for district wards Great Holland would form a district ward with Beaumont and Thorpe-le Soken. For

district purposes, Great Holland is currently joined with Kirby Cross and Kirby-le-Soken. However, Kirby Cross is a large enough settlement to stand alone as a single member ward and there is not a community link between Great Holland and Kirby-le-Soken. Although there are road links between Great Holland and Holland-on-Sea it was felt that there is little community connection between Great Holland as a village and the more built up area of Holland-on-Sea. It is acknowledged that there is also limited community connection between Great Holland and Thorpe or Beaumont. However, it was felt that Great Holland would be best served by remaining in a rural focussed ward rather than being aligned to a more urban area.

iv. *Brightlingsea (3 wards)*

Brightlingsea is currently the only district ward that has three members. It is proposed that, in line with this Council's desire for single member wards, that it be divided into three single member wards. The proposed wards broadly follow the line of the existing polling districts. All are within the 10% tolerance of electoral equality.

v. *Lawford and Manningtree (1 ward)*

Lawford and Manningtree is proposed as a two member ward. Lawford is the larger town with a forecast electorate of 3,681. Manningtree has a forecast electorate of 716. It makes little community sense to split Lawford into two wards and therefore it is proposed that these two settlements be joined in a two member ward.

vi. *Rural Areas (11 wards)*

The remaining proposed district wards follow the boundaries of the existing Town and Parish Councils. Two are significantly beyond the 10% tolerance of electoral equality:-

- St Osyth and Point Clear is proposed as a two member ward. It is showing a -17.38% variance. It was considered whether this could be split into two single member wards along the lines of the current Parish Council wards i.e. into St Osyth and Point Clear. The forecast electorate for Point Clear is 1,395 which is over 1,000 electors below electoral equality. Point Clear's coastal location means there is little scope to sit it in a ward with any other settlement. The nearest settlement is Brightlingsea but access is across the river and, as set out, above, it is proposed that the outer boundary of the Brightlingsea electoral area remains unchanged. There is a very small boundary between St Osyth and Thorrington but this lines along the creek. Linking St Osyth and Point Clear with either Great Bentley, Weeley or Little Clacton and making these three member wards, would exceed the electoral variance in all three cases.

Following a recent Planning Inquiry outcome there will be new housing developments of around 90 homes in the St Osyth area which will reduce the electoral variance to around -14%.

- Alresford and Thorrington is proposed as a single member ward. It is showing a +16.01% variance. Alresford and Thorrington are only around a mile apart and have road connection along the B1027. It is not practical to link either Alresford or Thorrington with Brightlingsea as there is a creek between them and, as set out above, Brightlingsea is a workable scheme in its own right. There are also limited communication links between Alresford and Thorrington and the next nearest villages of Elmstead and Great Bentley. Alresford Parish Council does not share a boundary with Frating Parish Council so there is not

an option to join Alresford and Frating in a District Ward. Therefore, it is proposed that in this case the community argument overrides the fact that this ward would exceed the 10% tolerance.

All other rural wards are within the 10% tolerance and are proposed as single member wards. The other proposed rural wards are:-

- Little Clacton – this settlement is large enough to be a ward in its own right;
- Tendring and Weeley – Weeley is currently in a ward with Little Clacton but as Little Clacton can now form a ward of its own, Weeley is proposed to be in a ward with the next nearest village – Tendring;
- Mistle – this settlement is large enough to be a ward in its own right;
- Ardleigh and Little Bromley – unchanged;
- Bradfield, Ramsey and Wrabness (the proposed Stour Valley ward)– form a strip along the northern edge of the district on the River Stour;
- Frating and The Bentleys – although currently in a ward on its own, Great Bentley is not big enough to be a single ward under the new scheme. It is proposed to include this in a ward with Little Bentley and Frating;
- Great Oakley, Little Oakley and Wix – it makes community sense to keep Great and Little Oakley together in the same ward and it is proposed that, for electoral equality, Wix is also included;
- Elmstead and Great Bromley – although these two settlements sit either side of the A120 they work together for electoral equality purposes in a single ward.

4. Future Housing Development

The forecast electorate included with the Council's Council Size submission included an assessment of housing to be delivered over the next 6 years and the increase in electorate that would bring. However, since this forecast was done, further planning applications have been approved, by the Council or on appeal, which were not included in the forecast. In drawing up this proposed scheme of district wards, the Council has had regard to potential areas of future development and, where possible, without compromising any principles of community or electoral equality, has ensured that there is leeway within the electoral variance to accommodate new growth without breaching the upper 10% tolerance.

The most significant area of future housing is expected to be in the North West corner of the District. Tendring District Council is working with Braintree, Colchester and Essex County Councils to bring forward local garden settlements. For Tendring this would deliver large scale housing and infrastructure development around the Ardleigh and Elmstead areas.

5. Town and Parish Councils

The District Council is aware that some Town and Parish Councils have submitted their own comments.

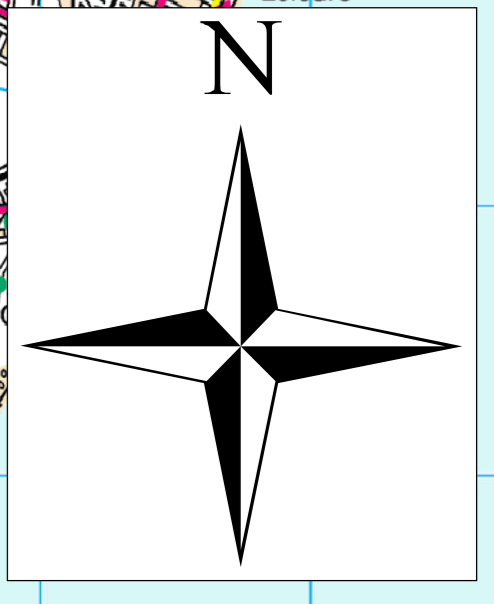
PROPOSED NEW DISTRICT WARDS 2019

CURRENT WARDS			
Existing District Ward	Existing Town and Parish Councils and Wards	Electorate 2022	Number of Councillors
Alton Park		3589	2
Bockings Elm		5198	2
Burrsville		1975	1
Golf Green		4072	2
Haven		1792	1
Peter Bruff		3302	2
Pier		3917	2
Rush Green		3453	2
St Bartholomews		4031	2
St James		3406	2
St Johns		3866	2
St Marys		3689	2
St Pauls		3834	2
Harwich East	Harwich East (Parish Ward)	1836	1
Harwich East Central	Harwich East Central (Parish Ward)	3947	2
Harwich West	Harwich West (Parish Ward)	4219	2
Harwich West Central	Harwich West Central (Parish Ward)	3957	2
Ramsey & Parkeston	Ramsey & Parkeston (Parish Ward)	1902	1
Frinton	Frinton (Parish Ward)	3397	2
Hamford	Hamford (Parish Ward)	3409	2
Holland & Kirby	Great Holland, Kirby Crosss, Kirby-le-Soken (Parish Wards)	3919	2
Homelands	Homelands (Parish Ward)	1702	1
Walton	Walton (Parish Ward)	3614	2
Brightlingsea	Brightlingsea	6668	3
St Osyth and Point Clear	St Osyth	3994	2
Alresford	Alresford	1763	1
Ardleigh and Little Bromley	Ardleigh, Little Bromley	2210	1
Thorrington, Frating, Elmstead and Great Bromley	Thorrington, Frating, Elmstead, Great Bromley	3955	2
Beaumont and Thorpe	Beaumont-cum-Moze, Thorpe-le-Soken	1930	1
Bradfield, Wrabness and Wix	Bradfield, Wrabness and Wix	1972	1
Great and Little Oakley	Great Oakley, Little Oakley	1678	1
Great Bentley	Great Bentley	1869	1
Lawford	Lawford	3681	2
Little Clacton and Weeley	Little Clacton, Weeley	4314	2
Manningtree, Mistle, Little Bentley and Tendring	Manningtree, Mistle, Little Bentley, Tendring	3940	2
35 Wards		116000	60

PROPOSED WARDS					
Proposed New District Ward	Proposed Town and Parish Councils and Wards	Electorate 2022	Number of Councillors	Average Electorate	Variance from Perfect Electoral Equality (2417)
Alton Park		2445	1	2445	1.16%
Lake		2541	1	2541	5.13%
Bockings Elm		2327	1	2327	-3.72%
Cann Hall		2434	1	2434	0.70%
Burrsville		2653	1	2653	9.76%
West Clacton and Jaywick Sands		4629	2	2315	-4.24%
Haven		2480	1	2480	2.61%
Peter Bruff		2460	1	2460	1.78%
Pier		2265	1	2265	-6.29%
West Cliff		2574	1	2574	6.50%
Rush Green		2268	1	2268	-6.16%
St Bartholomews		2424	1	2424	0.29%
Martello and The Royals		2537	1	2537	4.96%
St Johns		2451	1	2451	1.41%
Castle Hill		2299	1	2299	-4.88%
Old Road		2584	1	2584	6.91%
St Pauls		2360	1	2360	-2.36%
Eastcliff		2393	1	2393	-0.99%
Harwich and Kingsway	Harwich and Kingsway (ward of Harwich Town Council)	2464	1	2464	1.94%
Dovercourt Bay	Dovercourt Bay (ward of Harwich Town Council)	2487	1	2487	2.90%
Dovercourt Tollgate	Dovercourt Tollgate (ward of Harwich Town Council)	2392	1	2392	-1.03%
Dovercourt All Saints	Dovercourt All Saints (ward of Harwich Town Council)	2419	1	2419	0.08%
Dovercourt Hall Lane	Dovercourt Hall Lane (ward of Harwich Town Council)	2416	1	2416	-0.04%
Spring Meadows and Parkeston	Spring Meadows (ward of Harwich Town Council) Parkeston (ward of Ramsey and Parkeston Parish Council)	2435	1	2435	0.74%
Frinton West	Frinton West (ward of Frinton and Walton Town Council)	2299	1	2299	-4.88%
Frinton East	Frinton East (ward of Frinton and Walton Town Council)	2571	1	2571	6.37%
Kirby-Le-Soken and Hamford	Kirby - Le -Soken and Hamford (ward of Frinton and Walton Town Council)	2529	1	2529	4.63%
Kirby Cross	Kirby Cross (ward of Frinton and Walton Town Council)	2611	1	2611	8.03%
Homelands	Homelands (ward of Frinton and Walton Town Council)	2668	1	2668	10.38%
Walton	Walton (ward of Frinton and Walton Town Council)	2648	1	2648	9.56%
Brightlingsea All Saints	Brightlingsea	2191	1	2191	-9.35%
Brightlingsea Hurst Green		2219	1	2219	-8.19%
Brightlingsea St James		2258	1	2258	-6.58%
St Osyth and Point Clear	St Osyth	3994	2	1997	-17.38%
Alresford and Thorrington	Alresford, Thorrington	2804	1	2804	16.01%
Ardleigh and Little Bromley	Ardleigh, Little Bromley	2210	1	2210	-8.56%
Elmstead and Great Bromley	Elmstead, Great Bromley	2486	1	2486	2.85%
Thorpe, Beaumont and Great Holland	Beaumont, Thorpe-le-Soken, Great Holland (ward of Frinton and Walton Town Council)	2645	1	2645	9.43%
Stour Valley	Bradfield, Ramsey (ward of Ramsey and Parkeston Parish Council), Wrabness	2562	1	2562	6.00%
The Oakleys and Wix	Great Oakley, Little Oakley, Wix	2336	1	2336	-3.35%
Frating and The Bentleys	Frating, Great Bentley, Little Bentley	2496	1	2496	3.27%
Lawford and Manningtree	Lawford, Manningtree	4396	2	2198	-9.06%
Little Clacton	Little Clacton	2416	1	2416	-0.04%
Weeley and Tendring	Weeley, Tendring	2371	1	2371	-1.90%
Mistle	Mistle	2553	1	2553	5.63%
45 Wards		116000	48	2417	-0.01%

New Parish Ward Proposed
Electoral Equality tolerance over 10%

Tendingrings Wards - Proposed Boundary Changes



VEHICLE FERRY FROM HARWICH INTERNATIONAL PORT TO
Edburgh
Hook of Holland (Catamaran) 31 hours
Hook of Holland (Catamaran) 31 hours

