

TENDRING DISTRICT COUNCIL

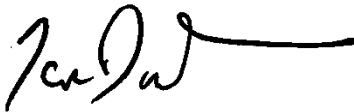
Committee Services
Room 29
Town Hall
Station Road
Clacton-on-Sea
Essex
CO15 1SE

18 November 2024

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held at 7.30 p.m. on Tuesday 26 November 2024 when the business specified in the accompanying Agenda is proposed to be transacted. The meeting will be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea, CO15 1SE.

Yours faithfully

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

Ian Davidson
Chief Executive

TENDRING DISTRICT COUNCIL

AGENDA

For the meeting to be held on Tuesday, 26 November 2024

Prayers

1 Apologies for Absence

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

2 Minutes of the Last Meeting of the Council (Pages 9 - 20)

The Council is asked to approve, as a correct record, the minutes of the meeting of the Council held on Tuesday 17 September 2024.

3 Declarations of Interest

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

4 Announcements by the Chairman of the Council

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

5 Announcements by the Chief Executive

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

6 Statements by the Leader of the Council

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

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

7 Statements by Members of the Cabinet

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

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

8 Petitions to Council

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

9 Questions Pursuant to Council Procedure Rule 10.1

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

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

10 Report of the Leader of the Council - A.1 - Urgent Cabinet or Portfolio Holder Decisions (Pages 21 - 24)

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

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

11 Minutes of Committees (Pages 25 - 88)

The Council will receive the minutes of the following Committees:

- (a) Tendring / Colchester Borders Garden Community Joint of Thursday 5 September 2024;
- (b) Planning Policy & Local Plan of Monday 16 September 2024;
- (c) Resources and Services Overview & Scrutiny of Monday 23 September 2024;
- (d) Audit of Thursday 26 September 2024;
- (e) Community Leadership Overview & Scrutiny of Tuesday 15 October 2024; and
- (f) Standards Committee of Thursday 24 October 2024.

NOTES:

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

12 Motion to Council pursuant to Council Procedure Rule 12 - Changes to Agricultural Property Relief and Business Property Relief (Pages 89 - 90)

Pursuant to the provisions of Council Procedure Rule 12, Council will consider a motion, notice of which has been given by Councillor Harris.

The provisions of Council Procedure Rule 12.5, (Professional Advice of the Council's Statutory Officers on the Motion) require the Council's three statutory officers (i.e. Monitoring Officer, Section 151 Officer and Head of Paid Service), once the Motion has been accepted as being valid, to produce a formal Advisory Note detailing any necessary initial professional advice in relation to the implications for the Council of that Motion. That Advisory Note will focus on implications for the Council relating to budgetary, constitutional or legislative requirements or staffing matters.

In this instance, the Council's Statutory Officers have not yet indicated whether they need to provide any such professional advice and whether therefore an Advisory Note(s) does need to be produced on this occasion.

13 Motion to Council pursuant to Council Procedure Rule 12 - Changes to the National Planning Policy Framework (Pages 91 - 92)

Pursuant to the provisions of Council Procedure Rule 12, Council will consider a motion, notice of which has been given by Councillor Bray.

The provisions of Council Procedure Rule 12.5, (Professional Advice of the Council's Statutory Officers on the Motion) require the Council's three statutory officers (i.e. Monitoring Officer, Section 151 Officer and Head of Paid Service), once the Motion has been accepted as being valid, to produce a formal Advisory Note detailing any necessary initial professional advice in relation to the implications for the Council of that Motion. That Advisory Note will focus on implications for the Council relating to budgetary, constitutional or legislative requirements or staffing matters.

In this instance, the Council's Statutory Officers have not yet indicated whether they need to provide any such professional advice and whether therefore an Advisory Note(s) does need to be produced on this occasion.

14 Reference from the Cabinet - A.2 - Local Council Tax Support Scheme 2025/2026; Discretionary Council Tax Exemptions, Discounts and Premiums for 2025/2026; and Annual Minimum Revenue Provision Policy Statement for 2025/2026 (Pages 93 - 152)

The Council is asked to consider the recommendations submitted to it by the Cabinet in respect of the Local Council Tax Support Scheme 2025/2026, Discretionary Council Tax Exemptions, Discounts and Premiums for 2025/2026; and the Annual Minimum Revenue Provision Policy Statement 2025/2026.

15 Reference from the Cabinet - A.3 - Adoption of a Revised Gambling Licensing Policy Statement (Pages 153 - 190)

The Council is asked to consider the recommendations submitted to it by the Cabinet, following Cabinet's consideration of a reference from the Licensing and Registration Committee, in respect of the adoption of a revised Gambling Licensing Policy Statement.

16 Reference from the Cabinet - A.4 - Climate Change Target Date: Amendment (Pages 191 - 260)

The Council is asked to consider the recommendations submitted to it by the Cabinet in respect of an amendment to the Council's Climate Change target date.

17 Reference from the Cabinet - A.5 - Adoption of a Social Value Policy (Pages 261 - 292)

The Council is asked to consider the recommendations submitted to it by the Cabinet in respect of the adoption of a Social Value Policy.

18 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.

19 Report of the Chief Executive - A.6 - Community Governance Review for Clacton-on-Sea, Holland-on-Sea and Jaywick Sands (Pages 293 - 332)

Further to the decision taken at its meeting held on 17 September 2024 (Minute 50 refers), to enable Council to consider proposals for a community governance review of Clacton-on-Sea, Holland-on-Sea and Jaywick Sands and to enable Council to determine:-

(a) whether to proceed with such a review; and

(b) the timetable for a review and the resourcing of such a review.

20 Report of the Chief Executive - A.7 - Members of the Council's Independent Remuneration Panel (Pages 333 - 336)

To enable the Council to approve the appointment of the members of the Council's Independent Remuneration Panel (IRP) following Council's decision on 30 April 2024 and to ensure compliance with the Section 20 of The Local Authorities (Members' Allowances) England Regulations 2003.

21 Report of the Monitoring Officer - A.8 - Local Government & Social Care Ombudsman Finding (Pages 337 - 340)

To report the finding by the Local Government and Social Care Ombudsman on a complaint determined by them in respect of a non-executive matter.

22 Questions Pursuant to Council Procedure Rule 11.2 (Pages 341 - 342)

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

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

On this occasion one question has been received, on notice, from a Member.

23 Urgent Matters for Debate

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

Date of the Next Scheduled Meeting of the Council

Tuesday, 21 January 2025 at 7.30 pm - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

INFORMATION FOR VISITORS

PRINCES THEATRE FIRE EVACUATION PROCEDURE

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

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

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

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

PUBLIC ATTENDANCE AT TENDRING DISTRICT COUNCIL MEETINGS

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

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

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

Rights of members of the public to film and record meetings

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

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

The Council will provide reasonable facilities to facilitate reporting.

Public Behaviour

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

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

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

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

Filming by the Council

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