

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	No

SUBJECT OF DECISION:

Matters Referred to the Cabinet by a Committee - Reference from the Standards Committee - A.1 - Revised Planning Probity Protocol

Decision:

RESOLVED that Cabinet recommends to Full Council that:-

- (1) the revised Planning Probity Protocol be adopted and incorporated into the Council's Constitution;
- (2) the Planning Committee's Terms of Reference be amended to reflect that personal planning applications submitted by the proposed seniority level of Officers plus all Officers within Planning and Legal Services will be referred to the Planning Committee; and
- (3) training on the Planning Probity Protocol forms part of the Mandatory Training as required by Council Procedure Rule 33.3 for Members of the Planning Committee.

Reasons for Decision:

Having duly considered the recommendations put forward by the Standards Committee.

Alternative Options Considered:

Not to approve some or all of the Standards Committee's recommendations.

Conflicts of Interest Declared (and Dispensations Granted by the Monitoring Officer)

None

Consultation with Ward Member:

N/A

Contact Officer:

Lisa Hastings, Director (Governance) & Monitoring Officer

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	Yes

SUBJECT OF DECISION:

Leader of the Council's Items - A.2 - Delivering against the Council's Corporate Plan 2024-28 - Final Proposals for Highlight Priorities for 2025/26

Decision:

RESOLVED that Cabinet -

- a) notes the outcome of the consultation on the initial highlight priorities adopted for that purpose at Cabinet's meeting on 20 December 2024;
- b) approves the final highlight priorities for 2025/26, as set out at Appendix B to the Leader of the Council's report (A.2); and
- c) expressly approves the inclusion of a new highlight priority, as set out in the aforementioned Appendix B, in relation to the critically important area of devolution and local government reorganisation in view of their consequential impact on delivery of services to residents of the District.

Reasons for Decision:

Being cognisant that adopting highlight priority actions allowed Council activity to remain focused against Our Vision and provided the framework for the annual performance monitoring system of the Council based on the milestones approved as part of the priority actions and that with Local Government Reorganisation pending it was important to ensure the Council could respond accordingly, and where possible sought to identify areas where closer working between authorities would serve to be an effective use of resources.

Alternative Options Considered:

As part of the public consultation, respondents were invited to make alternative suggestions. Details of these are included elsewhere in this report.

Not adopting highlight priority actions is an alternative option; however, this could risk leading to a lack of focus for Council activity, and would mean there would not be specific measurable objectives for the Council which can in turn be scrutinised and support transparency around the Council's work.

Not addressing the challenges of devolution and local government reorganisation was also considered and rejected in view of the importance of those challenges and the need to be at the forefront of the consideration of those matters in 2025/26.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Keith Simmons, Head of Democratic Services and Elections & Deputy Monitoring Officer

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.3 - Timetable of Meetings: 2025/2026 Municipal Year

Decision:

RESOLVED that -

- (a) the timetable of meetings for the Council and its Committees, as set out in the Appendix to report A.3, but subject to the inclusion of dates for meetings of the Planning Policy & Local Plan Committee as set out hereunder, be agreed, in principle, and be submitted to the Annual Meeting of the Council for formal approval;

Wednesday 28th May 2025
Monday 21st July 2025
Monday 8th September 2025
Monday 8th December 2025

- (b) the proposed dates for All Members' Briefings and Councillor Development Sessions be noted; and
- (c) Cabinet notes that special meetings of the Cabinet and/or Full Council and potentially other bodies will likely be required in order to ensure that Tendring District Council can make its formal decision on the submission of the final Local Government Reorganisation proposals for Greater Essex by the Government's deadline of 26 September 2025.

Reasons for Decision:

Having considered the timetable of meetings proposed by the Corporate Finance & Governance Portfolio Holder, together with the other matters raised at the meeting and to enable the timetable of meetings to be submitted to the Annual Meeting of the Council for approval and adoption, in accordance with the Council's Constitution.

Alternative Options Considered:

- (1) Not to approve the timetable of meetings; or

(2) To amend or substitute some or all of the proposed dates.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Ian Ford, Committee Services Manager

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.4 - Annual Review of the Council's Constitution

Decision:

RESOLVED that Cabinet –

1. **RECOMMENDS TO COUNCIL** that:

- (a) the Council's Constitution be amended to reflect the proposed changes as set out in Appendices A to J attached hereto this report (A.4);
- (b) the membership of the Audit Committee be increased to seven (from five) with effect from the Annual Meeting of the Council on 29 April 2025; and
- (c) it supports the intention to introduce from April 2025 a new box within the standard template for Cabinet and Committee reports and that the new box will be headed "Devolution and Local Government Reorganisation Implications".

2. supports the intention to introduce from April 2025 a new box within the standard template for Cabinet and Committee reports and that the new box will be headed "Devolution and Local Government Reorganisation Implications".

3. supports the Leader of the Council's proposal to amend the Scheme of Delegation to Portfolio Holders, especially in relation to the process regarding Traffic Regulation Orders, as set out in Appendix K.

Reasons for Decision:

Having considered the outcome of the annual review of the Constitution carried out by the Review of the Constitution Portfolio Holder Working Party and the Portfolio Holder's

recommendations arising therefrom, together with the additional matters set out in the report and to enable those recommendations to be submitted to the Full Council for approval and adoption.

Alternative Options Considered:

- (3) Not to approve some or all of the Portfolio Holder's recommendations; or
- (4) To amend or substitute some or all of the Portfolio Holder's recommendations.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Lisa Hastings, Director (Governance) & Monitoring Officer

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.5 - Financial Performance Report 2024/25 - General Update at the end of December 2024

Decision:

RESOLVED that Cabinet –

- (a) notes the Council's in-year financial position at the end of December 2024 along with the latest financial forecast update;
- (b) approves the proposed adjustments to the 2024/25 budget as set out in Appendix H to the Portfolio Holder's report (A.5);
- (c) requests Officers to review any potential longer term / on-going impact of the items set out in Appendix H, as part of developing the forecast for further consideration by Cabinet later in the year;
- (d) in respect of the additional sum of £0.250m made available to support the delivery of savings / efficiency plans and wider corporate priorities that is set out in Appendix H, authorises the Chief Executive, in consultation with the Portfolio Holder for Corporate Finance and Governance to utilise this funding to support any associated work and activities;

- (e) notes the financial forecast update set out in this report (A.5) and requests Officers, in consultation with Portfolio Holders to further develop the forecast and associated savings and efficiency plans for presenting to Cabinet later in 2025/26;
- (f) in respect of the budget for 2025/26, authorises the Corporate Director (Place and Economy), in consultation with the Portfolio Holders for Leisure and Public Realm and Corporate Finance and Governance to adjust the sports and leisure facilities budgets as necessary to better reflect the current experienced income and expenditure positions, but with no net overall impact on the Council’s wider budgeted position; and
- (g) invites the views of the Resources and Services Overview and Scrutiny Committee on the information set out in this report along with the Council’s wider financial position as part of its work programme for the year.

Reasons for Decision:

Having considered the financial position for the Council and to respond to emerging issues in 2024/25 along with developing the budget and long-term forecast from 2025/26.

Alternative Options Considered:

These are broadly covered in the main body of the Portfolio Holder’s report.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Richard Barrett, Director (Finance and IT) & Section 151 Officer

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Economic Growth, Regeneration & Tourism Portfolio Holder - A.6 - Essex Devolution Consultation Response

Decision:

RESOLVED that Cabinet –

- (a) acknowledges work is continuing to ensure that the District of Tendring is in the best possible position should devolution go ahead; and

- (b) endorses the Leader of the Council approving the Council's response to the Essex Devolution Consultation, in consultation with the Portfolio Holder for Economic Development, Regeneration and Tourism.

Reasons for Decision:

Recognising that it was important to focus on the residents of Tendring District as the District Council engaged with partners on Devolution and that whilst the Council was not a Decision maker on devolution, it should advocate to put local residents and businesses in the best place possible as the Strategic Authority was planned and further noting that the Leader and Deputy Leader exercising their responsibilities on behalf of Cabinet would allow for the District Council to sign off the response at the appropriate time either alone or alongside other local authority partners before the deadline on 13 April 2025.

Alternative Options Considered:

To not respond to the consultation would be possible, but the voice of Tendring District in relation to devolution would not be heard. The Council needs to be best placed to act as both a strong voice for Tendring and to grasp those opportunities for more locally held power.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Lee Heley, Corporate Director (Place and Economy) & Deputy Chief Executive

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Economic Growth, Regeneration & Tourism Portfolio Holder - A.7 - Community Regeneration Partnership - Programme Update and further wave of Projects

Decision:

RESOLVED that Cabinet -

- (a) approves the scope and details of the 'second' and 'third' wave projects set out in Table 2 of this report (A.7) for implementation and that the following delegations are based upon the information as set out in Table 2;

- (b) authorises the Portfolio Holder for Economic Growth, Regeneration and Tourism in consultation with:
- (i) the Portfolio Holder for Portfolio Holder for Leisure & Public Realm, to approve the detailed brief and procurement strategy through to contract award for delivery for the Public Open Spaces in Jaywick project (Ten_09);
 - (ii) the Portfolio Holder for Assets & Community Safety, to agree the procurement strategy through to contract award for delivery of the Martello Tower E project (Ten_11);
 - (iii) the Portfolio Holder for Leisure & Public Realm, to proceed to agree the procurement strategy through to award of contract for the Active Wellbeing Centre Phase 1 project, incorporating urgent repairs (Ten_12);
 - (iv) the Portfolio Holder for Arts, Culture & Heritage, to approve the detailed brief and procurement strategy through to award of contract for delivery of the Spatial Plan for Culture project (Ten_14);
 - (v) the Portfolio Holder for Leisure & Public Realm, to approve the detailed brief and procurement strategy through to award of main building contract(s) for the Active Wellbeing Centre Phase 1 project subject to the outcome of a formal procurement process;
 - (vi) for the Sunspot Solar Panels project (Ten_04) authority is delegated to the Portfolio Holder for Economic Growth, Regeneration and Tourism to agree the procurement strategy through to award of contract for completion of the project;
- (c) requests the procurement strategy for each of the projects to specify the relevant Social Value Themes, Outcomes and Measures in accordance with the Council's adopted policy;
- (d) accepts the £60,000 grant received from the Ministry for Housing, Communities and Local Government LUF Capacity and Capability fund and allocates the sum in full to the budget established for the Project Delivery Unit;
- (e) approves that the Regeneration Capital Delivery Board (RCDB) be formally established as the programme governance board with authority for the Community Regeneration Partnership and authorises the Portfolio Holder for Regeneration, Economic Growth and Tourism to approve the final terms of reference of the RCDB, to include:
- that the RCDB shall coordinate and oversee the work of Project Boards formed for each Project;
 - that the RCDB shall oversee and approve terms of reference of the Project Boards;
 - that the RCDB shall report directly to the Portfolio Holder for Economic Growth, Regeneration and Tourism by way of a report by the Corporate Director (Place & Economy); and
- (f) approves that with the robust project management principles being established and delivered against, constitutional Portfolio Holder responsibilities and corporate oversight through the Regeneration Capital Delivery Board, each project can progress without reference back to Cabinet, unless the details of the individual scopes are proposed to be altered or timescales for delivery are at risk of being contrary to the MOU with MHCLG.

Reasons for Decision:

In order to capitalise on the Government's funding opportunity to address key socio-economic challenges in Clacton-on-Sea and Jaywick Sands, improve local infrastructure, enhance community services, and contribute to the long-term regeneration of the area and recognising that this was a once in a decade opportunity for Tendring to deploy investment on this scale, in addition to other Government funding, to be benefit of Clacton-on-Sea and Jaywick Sands.

Alternative Options Considered:

- **Not to allocate funding to these projects:** This option was carefully considered however it was dismissed as it would forfeit significant government funding and the opportunity to address important local issues;
- **Not progress with commencing the projects at this time:** due to the limited timescale set out within the Memorandum of Understanding, swift development of the projects will be necessary to address the programme risk and ensure defrayment is achieved during the funding period;
- **Not accept the grant funding:** the capacity and capability funding is made available to recipients of the LUF/CRP funding to support the delivery of the funding programmes. Accepting this funding supplements the budget already approved by Cabinet for the necessary resource to deliver the identified projects.
- **Not allocate the grant funding to the PDU:** The PDU is the dedicated team established to ensure the proper delivery of the projects including the adoption of relevant project management best practice. Existing delegations are in place to allow for the PDU budget to be utilised accordingly.

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

Yes

Contact Officer:

Lee Heley, Corporate Director (Place and Economy) & Deputy Chief Executive

Date:	Decision Maker:	Subject to Call-in*
17 March 2025	Cabinet	No

SUBJECT OF DECISION:

Management Team Items - Report of the Head of Democratic Services & Elections - A.8 - Petition: "Save Citizens Advice Tendring"

Decision:

RESOLVED that Cabinet –

- (a) notes the allocation of £0.072m to Citizen's Advice Tendring to continue to contribute to the existing information and advice guidance service through direct funding for the interim period up to 30 September 2025 in accordance with a subsidy scheme; and
- (b) recommends to Council that having considered the petition and having reviewed the assessment and advice set out within the Head of Democratic Services & Elections' report (A.8), Cabinet believes the right approach is to test which is the best organisation to provide advice in Tendring through the procurement process, as was set out in the January 2025 report to Cabinet.

Reasons for Decision:

To comply with the adopted scheme for dealing with petitions, as set out in the Council's Constitution.

Alternative Options Considered:

There were several courses of action available to the Cabinet once the petition had been considered, including but not limited to:

- *No action (with reasons as to why no action is proposed)*
- *Taking the action requested in the petition*
- *Taking an alternative or amended course of action to that requested in the petition (with reasons as to why such action is being taken)*
- *Undertaking research into the matters raised (this could include referring the matter to the relevant Portfolio Holder, or officer of the Council) and holding a meeting with the petitioners.*
- *Referring the petition to a Committee or Cabinet or an external person/body (such as the County Council or Government body or Public Services or the Ombudsman or Member(s) of Parliament)*
- *Holding a public meeting*
- *Holding an inquiry*

- *Providing a written response to the lead petitioner setting out the Council's views on the request in the petition*
- *Deferring consideration of the petition to a future committee, Cabinet or Council meeting*
- *Calling for a referendum (if permitted under the legislation and subject to costs)*

**Conflicts of Interest Declared
(and Dispensations Granted by the Monitoring Officer)**

None

Consultation with Ward Member:

N/A

Contact Officer:

Ian Ford, Committee Services Manager

* The call-in procedure will not apply to a decision where the Chairman of the relevant overview and scrutiny committee's agreement has been obtained that any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest, (Rule 16 (h) of the Overview and Scrutiny Procedure Rules) or any decision made where such decision is to be referred to the Council or one of the overview and scrutiny committees for their consideration.