

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date:	Decision Maker:	Subject to Call-in*
11 April 2025	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Assets and Community Safety Portfolio Holder - A.1
- Consideration and Adoption of a Crime and Disorder Reduction Strategy 2025 - 2028

Decision:

RESOLVED that Cabinet –

- (a) notes the success of the Community Safety Partnership to date and the outcome of consultation and engagement with the Partnership and its constituent members in respect of the proposed Crime and Disorder Reduction Strategy 2025-28;
- (b) notes the individual recommendations from the Community Leaderships Overview and Scrutiny Committee meeting held on 28th January 2025, and considers whether to endorse the Portfolio Holder's proposed responses to those five recommendations;
- (c) notes the findings of the assessment to inform the Crime and Safety Partnership's four priorities for the District of Tendring and agrees that these priorities, as set out below, should form the Council's strategic priorities;
 - 1. Tackling ASB and the root causes of ASB
 - 2. High Harm Violence (with a focus on Violence Against Women and Girls (VAWG) and Domestic Abuse)
 - 3. Drug and knife enabled Serious Violence (Gangs and County Lines)
 - 4. Emerging threats and Trends (i.e. Shoplifting, Vehicle Crime, Arson & Criminal Damage)
- (d) approves the Crime and Disorder Reduction Strategy 2025 – 2028, as set out in Appendix A, in accordance with Section 6 of the Crime and Disorder Act 1998, for recommendation onto Full Council for adoption as part of the Council's Policy Framework.

Reasons for Decision:

To ensure that the strategy was appropriately adopted, in accordance with the Council's Constitution and to evidence compliance with the Crime and Disorder Act 1998, as amended by section 97 and 98 of the Police Reform Act 2002, that placed a requirement on Community Safety Partnerships (CSP) to develop a Crime and Disorder Reduction Strategy.

Alternative Options Considered:

The strategy was designed to assist the Council in meeting the statutory duty in the Crime and Disorder Act 1998. The only alternative option considered was to not produce the

Strategy which would mean that the statutory requirements would not be met.

Failure to adopt the strategy would make the day-to-day operation of the partnership more difficult with the potential for inconsistencies in approach and would increase the likelihood of complaints across all partners in the partnership.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Damian Williams, Corporate Director (Operations and Delivery)

Date:	Decision Maker:	Subject to Call-in*
11 April 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Assets and Community Safety Portfolio Holder - A.2
- Freehold Disposal of Redundant Office Site at Weeley

Decision:

RESOLVED that Cabinet -

- (a) in the light of the ongoing delays and costs, as well as the significant risk of failing to conclude the disposal Option Agreement for the former Weeley Council Offices site, agrees to no longer pursue further negotiations with the current bidder, based on the existing Heads of Terms agreed in April 2023; and
- (b) requests Officers explore alternative disposal options and report these back to Cabinet for consideration and further decisions.

Reasons for Decision:

In making his recommendations to the Cabinet, the Portfolio Holder had taken into account the fact that due to the complex and multilayered considerations of the transaction, it had taken 16 months to agree heads of terms for the Options Agreement and had taken a further two years in negotiations over the legally binding agreement. Those negotiations had not currently been concluded and despite significant time and effort by the legal and property teams on both sides, were at a stalemate. Each party's legal advice sat on opposing sides of the opinion on a key issue: the extent and effect of highway rights adjoining the site. Due to the time and cost that had already been expended and there being no confidence that matters could be resolved quickly, if at all, withdrawing from the agreement in order to

consider alternative disposal routes had been recommended in order to mitigate further expense.

If Cabinet agreed to no longer pursue current negotiations, alternative options could be explored and brought forward in a future report for Cabinet's decision. Along with the approach adopted previously, those could also include:

- (a) To go through an open market tender process – robust parameters would need to be put in place around timeframes for completion, but this would provide other interested parties who have made enquiries over the last three years to put their offers forward. There was however the risk that negotiations with a winning bidder could become lengthy, or the bidder might withdraw prior to the offer becoming legally binding.*
- (b) To demolish the buildings on site to mitigate the NNDR costs – this would likely cost the Council a minimum of £200,000 (estimated on previous demolition costs) and negate the potential of any future planning consent including vacant buildings credit, or the option that any future purchaser could choose to convert or repurpose any of the buildings on site.*
- (c) To dispose of the property by auction – this would provide a definitive end date for the completion of the sale of the property, but the guide and reserve prices were likely to be lower than would be achieved in the open market. Whilst it was possible that bidding on the day would achieve the value aspired to, there was a risk it might only achieve the reserve price.*
- (d) To redevelop the site – this would provide additional social housing to the Council, however, it would be resource heavy and with design, planning and build likely to be a five-year project.*

Although the Portfolio Holder's report responded to the immediacy of the issues arising to date, the further report planned to be presented to Cabinet, would enable a timely opportunity to address or supersede the specific recommendations made by Cabinet on 17 December 2021 as deemed necessary.

Alternative Options Considered:

To continue progressing the previously negotiated disposal – whilst the heads of terms had been signed, an impasse had now been reached in respect of the Options Agreement with differing legal opinions between the parties on the extent and effect of highway rights adjoining the site. It was not anticipated that this matter could be easily resolved and even if it was, the handover of the site was still dependent on planning permission being achieved.

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

Councillor Peter Harris declared an Interest insofar as he was the Ward Member for the Weeley and Tendring Ward.

Consultation with Ward Member:

No

Contact Officer:

Andy White, Assistant Director (Building and Public Realm)

Date:	Decision Maker:	Subject to Call-in*
11 April 2025	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.3 - Annual Capital and Treasury Strategy For 2025/26 (including Prudential and Treasury Indicators)

Decision:

RESOLVED that the Annual Capital and Treasury Strategy for 2025/26 (including Prudential and Treasury Indicators) be recommended to Full Council for its approval, acknowledging that consultation with the Resources and Services Overview and Scrutiny Committee will be undertaken during 2025/26, subject to inclusion within that Committee's Work Programme.

Reasons for Decision:

To support the process of ensuring that a Capital and Treasury Strategy for 2025/26 was approved by Full Council before 1 April 2025 or as soon as possible thereafter.

Alternative Options Considered:

Not applicable given the requirements set out in 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, Corporate Director (Finance and IT) & Section 151 Officer

Date:	Decision Maker:	Subject to Call-in*
11 April 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Economic Growth, Regeneration & Tourism Portfolio Holder - A.4 - Sunspot Workspace, Jaywick Sands - Post Project Review

Decision:

RESOLVED that Cabinet –

- a) endorses this post project and operational review of the Sunspot, Jaywick Sands, which highlights the success of the workspace since opening in September 2023, the challenges in construction, and the lessons learnt for future regeneration projects; and
- b) in respect of the additional costs of potentially up to £100,000 that have emerged from the project's final account processes, agrees that this be funded by a transfer within the existing HRA Capital Programme / wider HRA revenue budgets as part of finalising the overall HRA outturn position for 2024/25.

Reasons for Decision:

The recommendations within the Portfolio Holder's report were made to update Cabinet with regards to the success of a major award-winning capital project which had supported economic development, enhanced community services, raised the profile and ultimately contributing to the long-term regeneration of Jaywick Sands. The funding was required to pay the final account, and offered a value for money approach, given the small proportion of the additional finance required in relation to large overall project sum, and the significant risks of taking the contractor through an arbitration process.

Alternative Options Considered:

Issuing a Pay Less Notice and taking the contractor through an arbitration process had been considered as an option to recover funding spent on the substantial additional costs associated with dealing with contaminated ground conditions. However, this course of action had not been recommended as there were definite legal costs of going through this process, and the likelihood of success was not high given the contractual position of the Council. Any good will with the contractor would be also lost.

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

None

Consultation with Ward Member:

No

Contact Officer:

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

Date:	Decision Maker:	Subject to Call-in*
11 April 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Housing and Planning Portfolio Holder - A.5 - Homelessness in Tendring

Decision:

RESOLVED that Cabinet –

- (a) notes the current pressures on the homelessness function provided by the Council and the level of spending on the service including provision of temporary accommodation to comply with its statutory duties;
- (b) endorses the setting up of a Homelessness and Temporary Accommodation Working Group, to be chaired by the Portfolio Holder for Housing & Planning, to explore and identify measures aimed at relieving the pressure and spending on homelessness; and
- (c) requests that a report is presented to Cabinet within six months setting out the initial outcomes from the activities undertaken by the working group to inform future decisions.

Reasons for Decision:

To ensure that the Council responded to the unprecedented levels of demand in order to not only reduce costs but also ensure that the Council met its statutory homelessness duties and that homeless households and those threatened with homelessness were adequately assisted and supported.

Alternative Options Considered:

An alternative option was to do nothing and accept the rise and increase in complexity of cases and consequent increase in costs. Given the level of spending on homelessness and temporary accommodation this would place a significant pressure on the Council's general fund and long-term financial plan.

The cost to all local housing authorities of meeting their obligations to those experiencing homelessness had increased exponentially recently and it was important that the Council took action.

Conflicts of Interest Declared

(and Dispensations Granted by the Monitoring Officer)

None

Consultation with Ward Member:

N/A

Contact Officer:

Tim Clarke, Assistant Director (Housing and Environment)

Date:	Decision Maker:	Subject to Call-in*
11 April 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Housing and Planning Portfolio Holder - A.6 - Consideration and Adoption of a Revised Housing Under Occupation Transfer Incentive Policy and a New Housing Compensation Policy

Decision:

RESOLVED that Cabinet –

- (a) approves and formally adopts the revised Under Occupation Transfer Incentive Policy and the new Housing Compensation Policy;
- (b) approves that the Under Occupation Incentive Policy be funded by refocusing the existing cash incentive scheme budget of £0.060m held within the Housing Revenue Account Capital Programme along with the corresponding change in the revenue contribution to the capital programme in 2025/26; and
- (c) authorises the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder responsible for Housing, to make future updates or amendments to these policies and that this will include an annual review of the Housing Under Occupation Transfer Incentive to assess its effectiveness.

Reasons for Decision:

To ensure that the policies were appropriately adopted, in accordance with the Council's Constitution and to evidence compliance with regulatory standards.

Alternative Options Considered:

The policies were designed to assist the Council in meeting the Regulator of Social Housing's revised Consumer Standards which had come into effect on 1 April 2024 as well as the requirements and recommendations of the Housing Ombudsman.

Failure to meet the Consumer Standards could result in the Regulator using its enforcement powers which included requiring a registered provider to submit a performance improvement plan or to take actions set out in an enforcement notice. The Regulator would also be able to authorise an appropriate person to enter a social housing premises to take emergency remedial action and issue penalties or require the housing provider to pay compensation.

The absence of suitable and published policies would make the day-to-day operation of the service more difficult with the potential for inconsistencies in approach and would increase the likelihood of complaints.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Tim Clarke, Assistant Director (Housing and Environment)

* 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.