

Public Document Pack

TENDRING DISTRICT COUNCIL

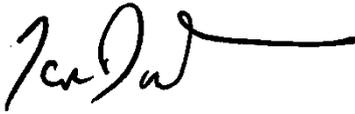
Committee Services
Room 29
Town Hall
Station Road
Clacton-on-Sea
Essex
CO15 1SE

17 April 2025

Dear Councillor

I HEREBY SUMMON YOU to attend the annual meeting of the Tendring District Council to be held at 7.30 p.m. on Tuesday 29 April 2025 when the business specified in the accompanying Agenda is proposed to be transacted. The meeting will be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea, CO15 1SE.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ian Davidson', followed by a horizontal line extending to the right.

Ian Davidson
Chief Executive

To: All members of the
Tendring District Council

TENDRING DISTRICT COUNCIL

AGENDA

For the annual meeting to be held on Tuesday, 29 April 2025

Prayers

1 Apologies for Absence

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

2 Retiring Chairman's Announcements

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

3 Election of the Chairman of the Council for the 2025/2026 Municipal Year

Pursuant to the provisions of Sections 3 and 4 of the Local Government Act 1972, the Council will elect its Chairman for the 2025/2026 Municipal Year.

4 Appointment of the Vice-Chairman of the Council for the 2025/2026 Municipal Year

Pursuant to the provisions of Section 5 of the Local Government Act 1972, the Council will appoint its Vice-Chairman for the 2025/2026 Municipal Year.

5 Announcements by the Chairman

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 Report of the Chief Executive - A.1 - Change in membership of a Political Group on Tendring District Council (Pages 7 - 8)

To inform Members of a change in membership of the Tendring Independents political group.

8 Size of membership of Committees etc.

Council will formally note the size of membership of the Council's Committees and Sub-Committees as follows:-

<u>Committee/Sub-Committee</u>	<u>No. of Members</u>
Audit	(7)
Community Leadership Overview & Scrutiny	(9)
Human Resources & Council Tax	(7)
Licensing and Registration	(10)
Planning	(9)
Planning Policy & Local Plan	(9)
Resources and Services Overview & Scrutiny	(9)
Standards	(7)
Miscellaneous Licensing Sub-Committee	(5)
Town & Parish Councils Standards Sub-Committee	(3)

NOTE: Except for the Town and Parish Councils Standards Sub-Committee, the membership of the above Committees and Sub-Committees are subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

9 **Report of the Chief Executive - A.2 - Allocation of seats on Committees and Sub-Committees to the Political Groups formed on Tendring District Council and the Appointment of the Membership of Committees etc. for the 2025/2026 Municipal Year (Pages 9 - 18)**

Following a meeting of Group Leaders held to discuss and decide the matter, Council is requested to approve the allocation to the political groups formed on Tendring District Council of seats on those bodies that are subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

In accordance with the wishes expressed by Group Leaders, Council will also appoint Members to serve on those bodies that are subject to the Rules of Political Proportionality (Section 15 of the Local Government and Housing Act 1989).

10 **Appointment of the Town and Parish Councils Standards Sub-Committee for the 2025/2026 Municipal Year**

Council will note that the appointment of Members to serve on the Town and Parish Councils Standards Sub-Committee will take place at the next meeting of the Standards Committee.

NOTE: The Town and Parish Councils Standards Sub-Committee's membership **must** be chosen from the membership of the Standards Committee.

11 **Election of Chairmen and Vice-Chairmen of Committees etc. for the 2025/2026 Municipal Year**

Except for the Town and Parish Councils Standards Sub-Committee, Council will formally elect the Chairmen and Vice-Chairmen of the bodies listed under Agenda Item 7 above.

NOTE: Article 6.02(ii) of the Council's Constitution states, inter alia, that the elected Chairman and Vice-Chairman of the Resources and Services Overview & Scrutiny Committee must be Members appointed to that Committee who, normally, are also members of a Political Group that is unrepresented on the Council's Cabinet.

12 Report of the Monitoring Officer - A.3 - The Council's Constitution (Pages 19 - 20)

In accordance with Council Procedure Rule 1.1 (xi), to formally reaffirm the Council's current Constitution.

13 Reference from Cabinet - A.4 - Timetable of Meetings: 2025/2026 Municipal Year (Pages 21 - 30)

Council will consider the proposed programme of meetings for the 2025/26 Municipal Year.

14 Report of the Corporate Director (Law and Governance) & Monitoring Officer - A.5 - Independent Persons Recruitment (Pages 31 - 36)

To approve the recommendations from the Interview Selection Panel (Standards Committee meeting 24 October 2024 minute no. 25) to appoint Mrs Sue Gallone, Mr David Irvine, Mrs Sheila Murphy and Mrs Jane Watts as the Council's Independent Persons for the purpose of the Standards Framework for a term of four years.

All of the recommended appointments are to be for the period expiring at the Annual Council meeting in May 2029.

15 Appointment of Member Authority Representatives to serve on/at the General Assembly of the Local Government Association

In accordance with Council Procedure Rule 1.1 (xiii) the Council will appoint up to four Members, with each Member being a Member Authority Representative to serve on/at the General Assembly of the Local Government Association.

NOTE: Two of the Members appointed must be the Leader of the Council and the Deputy Leader of the Council. Up to two further names can be put forward to Council by the Leader of the Council and/or by other Group Leaders.

Date of the Next Scheduled Meeting of the Council

Tuesday, 20 May 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 four years (the Council retains three 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.

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ANNUAL MEETING OF THE COUNCIL

29 APRIL 2025

REPORT OF CHIEF EXECUTIVE

A.1 **CHANGE OF MEMBERSHIP OF A POLITICAL GROUP ON TENDRING DISTRICT COUNCIL**

(Report prepared by Ian Ford)

I formally report that, pursuant to Regulation 9(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Dan Casey has served formal notice on the Council that he wished to be treated as a member of the Tendring Independents political group. That notice was duly counter-signed by the Leader of the Tendring Independents Group (Councillor Mark Stephenson).

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

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

29 APRIL 2025

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

**A.1 CHANGE OF MEMBERSHIP OF A POLITICAL GROUP ON TENDRING DISTRICT
COUNCIL**

Notice of Wish to be treated as a Member of a Political Group (Tendring Independents) signed by Councillor Casey and dated 2 April 2025.

ANNUAL MEETING OF THE COUNCIL

29 APRIL 2025

REPORT OF CHIEF EXECUTIVE

A.2 ALLOCATION OF SEATS ON COMMITTEES AND SUB-COMMITTEES TO POLITICAL GROUPS FORMED ON TENDRING DISTRICT COUNCIL AND APPOINTMENT OF THE MEMBERSHIPS OF COMMITTEES ET CETERA FOR THE 2025/2026 MUNICIPAL YEAR

Members will be aware that, as part of the ordinary business that needs to be conducted at the Annual Meeting of the Council, and as set out in Council Procedure Rule 1.2, Council will:-

- (i) Appoint the Committees and Sub-Committees it considers appropriate for the municipal year;
- (ii) Decide the size and the terms of reference and delegated powers for any new Committees and Sub-Committees;
- (iii) Decide the allocation of seats for all Committees and Sub-Committees to political groups in accordance with the political balance rules; and
- (iv) Appoint Members to each Committee and Sub-Committee and the Chairman and Vice-Chairman of each Committee and Sub-Committee as appropriate.

Members will also be aware that Councillor Dan Casey has recently joined the Tendring Independents Group.

Council, is invited, with the assistance of this report, to formally conduct the review referred to above.

For the purposes of the review, the representation of the political groups on the Council as a whole is as follows:

Table 1

Political Group	Number of Members on the Council as a whole	Percentage of the total Council Membership
Conservative	13	27.08%
Independents	5	10.42%
Labour	7	14.58%
Liberal Democrats	4	8.33%
Tendring Independents	11	22.92%
Reform UK	7	14.58%
TOTAL	47	

There is one vacant seat on the Council pending a by-election in the Frinton Ward.

The percentage figures in the third column of the table above have been used for the determination of the allocation of seats on Committees/Sub-Committees, which so far as reasonably practicable, must **give effect to the following principles**:

- (a) that not all the seats on the body to which appointments are made are allocated to the same political group;
- (b) that the majority of seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to (a) and (b), that the **total number of seats on all the ordinary committees of a relevant authority allocated to a particular political group**

reflects that group's proportion of the membership of the authority; and

- (d) subject to (a) and (c), that **the number of seats on each body allocated to a particular political group reflects that group's proportion of the membership of the authority.**

In (c) and (d) of the above principles there is highlighting in bold to emphasise the elements that apply to this Council's circumstances at this point in time.

Taking principle (c) first –

The relevant Committees and Sub-Committees of the Council that the determination of the allocation of seats applies to, taken together, amounts to 72 places.

For the avoidance of doubt the Cabinet and the Premises/Personal Licences Sub-Committee are excluded from the political proportionality requirements that this report concerns. In addition, the Tendring/Colchester Borders Garden Community Joint Committee and the Town & Parish Councils Standards Sub-Committee have not formed part of this calculation for the purposes of the review and determination to be undertaken. This is on the basis that the Council has previously determined that they are to be excluded. Recommendation (a) below seeks confirmation of this position.

Table 2 – sets out the effect of Principle (c) above

Political Group	Percentage of the total Council Membership	Number of places per Political Group to accord with the Percentage shown (from a total of 72 places)	Rounded Number of places per Political Group to accord with the Percentage shown (from a total of 72 places)
Conservative	27.08%	19.4976	19
Independents	10.42%	7.5024	8
Labour	14.58%	10.4976	10
Liberal Democrats	8.33%	5.9976	6
Tendring Independents	22.92%	16.5024	17
Reform UK	14.58%	10.4976	10

The above rounded position (last column) adds up to 70 places whereas there are 72 places on the relevant Committees/Sub-Committees. As a consequence, there are two unallocated places.

Council is therefore invited, in accordance with principle (c) above, to determine the allocation of seats on the relevant Committees and Sub-Committees in accordance with Table 2 above.

Turning now to principle (d) above, the following allocation would apply:

Table 3

Political Group	Percentage of the total Council Membership	Number of places per Political Group to accord with the Percentage shown (<i>rounded figures shown together with figures to two decimal places for reference</i>)			
		For 'Committee' with 5 Members	For 'Committee' with 7 Members	For 'Committee' with 9 Members	For 'Committee' with 10 Members
Conservative	27.08%	1 (1.35)	2 (1.90)	2 (2.44)	3 (2.71)
Independents	10.42%	1 (0.52)	1 (0.72)	1 (0.94)	1 (1.04)
Labour	14.58%	1 (0.73)	1 (1.02)	1 (1.31)	1 (1.46)
Liberal Democrats	8.33%	0 (0.42)	0 (0.58)	1 (0.75)	1 (0.83)

Tending Independents	22.92%	1 (1.15)	2 (1.60)	2 (2.06)	2 (2.29)
Reform UK	14.58%	1 (0.73)	1 (1.02)	1 (1.31)	1 (1.46)

Using the above the allocation to 'Committees' is as follows (in Table 4):

Table 4

Political Group	5 Members - Miscellaneous Licensing Sub-Committee	7 Members – Audit, Human Resources & Council Tax and Standards Committees	9 Members – Planning, Planning Policy & Local Plan, Resources and Services O&S and Community Leadership O&S Committees	10 Members – Licensing & Registration Committee	TOTAL across all these 'Committees'
Conservative	1	2	2	3	18
Independents	1	1	1	1	9
Labour	1	1	1	1	9
Liberal Democrats	0	0	1	1	5
Tending Independents	1	2	2	2	17
Reform UK	1	1	1	1	9

As such, the above does not accord with principle (c) as follows:

Table 5

Political Group	From Table 2 – Rounded Number of places per Political Group to accord with the Percentage shown (from a total of 72 places)	From Table 4 - TOTAL across all the relevant 'Committees'	Excess (+)/ Deficit (-) of Places between the allocations on 'Committees' and the political proportion overall
Conservative	19	18	-1
Independents	8	9	+1
Labour	10	9	-1
Liberal Democrats	6	5	-1
Tending Independents	17	17	0
Reform UK	10	9	-1

As such, Table 6 below expands the detail from Table 4 above by listing each of the relevant Committees. It identifies the adjustments needed to secure the over/under allocation for each political group from Table 5. It also identifies where the allocation in Table 4 does not result in all places on a committee being allocated. This situation will obviously change once Group Leaders have indicated where the adjustments identified in the last column are to be made.

Table 6

Political Group	Audit Committee (7 Members)	Miscellaneous Licensing Sub-Committee (5 Members)	Human Resources & Council Tax (7 Members)	Standards Committees (7 Members)	Planning Committee (9 Members)	Planning Policy & Local Plan Committee (9 Members)	Comm Lead O&S Comm (9 Mem)
Conservative	2	1	2	2	2	2	
Independents	1	1	1	1	1	1	
Labour	1	1	1	1	1	1	
Liberal Democrats	0	0	0	0	1	1	
Tendring Independents	2	1	2	2	2	2	
Reform UK	1	1	1	1	1	1	
Unallocated	-	-	-	-	1	1	

The above adjustments in the final column of Table 6 above would preserve the two 'unallocated' places referred to earlier. Once the adjustments referred to in Table 6 have been completed, Group Leaders may wish to consider 'swapping' seats on individual committees.

Table 7 below sets out the last allocation of committee et cetera seats to political groups i.e. as decided at the meeting of the Council held on 25 March 2025. Council's decision followed a meeting of the Group Leaders with the Chief Executive and other Officers held on 11 March 2025 when, to remove the identified excess/deficit position, alternative allocations to the Committees were proposed by the Leaders of the relevant Political Groups.

Table 7

Committee /Sub-Committee	Total Seats on Body	Conservative	Independent	Labour	Liberal Democrats	Tendring Inds.	Reform UK
Audit Committee	5	2	1	1	0	1	0
Community Leadership O&S Committee	9	3	1	1	1	2	1
Human Resources & Council Tax Committee	7	2	1	2	0	1	1
Licensing & Registration Committee	10	3	0	2	1	2	1

Miscellaneous Licensing Sub-Committee	5	1	0	1	0	1	1
Planning Policy & Local Plan Committee	9	2	1	1	1	2	1
Planning Committee	9	1	1	1	1	2	2
Resources and Services O & S Committee	9	2	1	0	1	2	2
Standards Committee	7	2	1	1	1	1	1

The effect of the above (i.e. Table 7) meant that one unallocated place was left on the **Licensing and Registration Committee, the Planning Policy & Local Plan Committee, the Planning Committee and the Miscellaneous Licensing Sub-Committee**. At its meeting held on 25 March 2025, Full Council decided to leave all the unallocated seats vacant pending this review.

For the current review a meeting of the Group Leaders with the Chief Executive and other Officers was held on 11 April 2025 when, to remove the excess/deficit position in Table 5 below, alternative allocations to the Committees were proposed by the Leaders of the relevant Political Groups.

Table 8 below records the agreed swapped seats.

Table 8

Political Group	Additional (+)/Subtracted (-) Seat on which Committee	Agreed Subtracted / Additional Seat with which other Political Group(s)
Conservative	<ul style="list-style-type: none"> Subtracted 1 seat on Planning Committee Added 1 seat on Planning Policy & Local Plan Committee Added 1 seat on Resources and Services O&S Committee 	<ul style="list-style-type: none"> Agreed with all Groups Agreed with all Groups Agreed with all Groups
Independents	<ul style="list-style-type: none"> Subtracted 1 seat on Misc. Licensing Sub-Committee Added 1 seat on Community Leadership O&S Committee Subtracted 1 seat on Licensing and Registration Committee 	<ul style="list-style-type: none"> Agreed with all Groups Agreed with all Groups Agreed with Labour Group
Labour	<ul style="list-style-type: none"> Added 1 seat on Human Resources & Council Tax Cttee 	<ul style="list-style-type: none"> Agreed with Tendring Independents Group

	<ul style="list-style-type: none"> Subtracted 1 seat on Resources and Services O&S Cttee Added 1 seat on Licensing and Registration Committee 	<ul style="list-style-type: none"> Agreed with Tendring Independents Group Agreed with Independents Group
Liberal Democrats	<ul style="list-style-type: none"> Added 1 seat on Standards Cttee 	<ul style="list-style-type: none"> Agreed with Tendring Independents Group
Tendring Independents	<ul style="list-style-type: none"> Subtracted 1 seat on Human Resources & Council Tax Cttee Subtracted 1 seat on Standards Cttee Added 1 seat on Resources and Services O&S Committee Added 1 seat on Licensing and Registration Committee 	<ul style="list-style-type: none"> Agreed with Labour Group Agreed with Liberal Democrat Group Agreed with Labour Group Agreed with all Groups
Reform UK	<ul style="list-style-type: none"> Added 1 seat on Planning Cttee 	<ul style="list-style-type: none"> Agreed with all Groups

The swapping arrangements set out in Table 8 above would require no vote against them at the meeting of Council. If there was a vote against them then the position in Table 6 would prevail.

Council will need to decide on the unallocated seats on the Planning Committee and the Miscellaneous Sub-Committee.

Table 9 below sets out the allocation of Committee seats to political groups as agreed by Group Leaders at their meeting held on 11 April 2025.

Table 9

Committee /Sub-Committee	Total Seats on Body	Conservative	Independents	Labour	Liberal Democrats	Tendring Independents	Reform UK
Audit Committee	7	2	1	1	0	2	1
Community Leadership O & S Committee	9	2	2	1	1	2	1
Human Resources & Council Tax Committee	7	2	1	2	0	1	1
Licensing & Registration Committee	10	3	0	2	1	3	1
Miscellaneous Licensing Sub-Committee	5	1	0	1	0	1	1
Planning Policy & Local Plan Committee	9	3	1	1	1	2	1
Planning Committee	9	1	1	1	1	2	2

Resources and Services O & S Committee	9	3	1	0	1	3	1
Standards Committee	7	2	1	1	1	1	1

Council should be aware that the “trading” set out in Tables 8 and 9 above does not conform with Section 15(5) of the Local Government & Housing Act 1989 [i.e. the aforementioned “Principles”]. However, the Council can, in accordance with the provisions of Section 17(1) of the Local Government & Housing Act 1989, approve such a “trade” as long as no member of the Council votes against it. If this was to occur, i.e. a member of the Council does vote against it, then:-

- (1) the Labour Group would revert to having one seat on the Human Resources & Council Tax Committee (instead of two), one seat on the Licensing and Registration Committee (instead of two) and one seat on the Resources and Services Overview & Scrutiny Committee (instead of none);
- (2) the Conservative Group would revert to having two seats on the Planning Committee (instead of one), two seats on the Planning Policy & Local Plan Committee (instead of three) and two seats on the Resources and Services Overview & Scrutiny Committee (instead of three);
- (3) the Reform UK Group would revert to having one seat on the Planning Committee (instead of two);
- (4) the Liberal Democrats Group would revert to having no seat on the Standards Committee (instead of one);
- (5) the Tendring Independents Group would revert to having two seats on the Human Resources & Council Tax Committee (instead of one), two seats on the Standards Committee (instead of one), two seats on the Resources and Services Overview and Scrutiny Committee (instead of three) and two seats on the Licensing and Registration Committee (instead of three); and
- (6) the Independents Group would revert to having one seat on the Licensing and Registration Committee (instead of none), one seat on the Miscellaneous Licensing Sub-Committee (instead of none) and 1 seat on the Community Leadership Overview and Scrutiny Committee.

The membership of the Committees et cetera now proposed by Group Leaders in the light of the above will be set out at Appendix 1 to this report. This Appendix will be circulated to Members as soon as possible once all names have been submitted by Group Leaders.

In the light of the above information:-

IT IS RECOMMENDED THAT:-

- (a) Council confirms that the political balance rules shall not be applied to the Tendring/Colchester Borders Garden Community Joint Committee and the Town & Parish Councils Standards Sub-Committee;

[Note: Recommendation (a) requests a nemine contradicente vote to be approved.]

- (b) Council approves the review of the allocation of places on relevant Committees, as set out in Table 2 above in so far as it sets out the total number of seats on all those Committees to be allocated to political groups represented on the Council, (principle (c) of the “Principles”);

- (c) Council approves, subject to the subsequent consideration of (d) below, the number of seats on each relevant Committee to be allocated to political groups

such that, for each group, their proportion of seats on individual Committees is proportionate to their overall membership on the Council (principles (c) and (d) of the “Principles”):

Table 10

Committee /Sub-Committee	Total Seats on Body	Conservative	Independents	Labour	Liberal Democrats	Tending Independents	Reform UK
Audit Committee	7	2	1	1	0	2	1
Community Leadership O & S Committee	9	2	1*	1	1	2	1
Human Resources & Council Tax Committee	7	2	1	1*	0	2*	1
Licensing & Registration Committee	10	3	1*	1*	1	2*	1
Miscellaneous Licensing Sub-Committee	5	1	1*	1	0	1	1
Planning Policy & Local Plan Committee	9	2*	1	1	1	2	1
Planning Committee	9	2*	1	1	1	2	1*
Resources and Services O & S Committee	9	2*	1	1*	1	2*	1
Standards Committee	7	2	1	1	0*	2*	1

(d) That the following changes to the allocations set out in Table 8 above be approved (the relevant allocations are shown “*” in Table 8):

- (1) the Labour Group to have two seats on the Human Resources & Council Tax Committee (instead of one), two seats on the Licensing and Registration Committee (instead of one) and no seat on the Resources and Services Overview & Scrutiny Committee (instead of one);
- (2) the Conservative Group to have one seat on the Planning Committee (instead of two), three seats on the Planning Policy & Local Plan Committee (instead of two) and three seats on the Resources and Services Overview & Scrutiny Committee (instead of two);
- (3) the Reform UK Group to have two seats on the Planning Committee (instead of one);
- (4) the Tending Independents Group to have one seat on the Human Resources and Council Tax Committee (instead of two), one seat on the Standards Committee (instead of one), three seats on the Resources and Services Overview and Scrutiny Committee (instead of two) and three seats on the Licensing and Registration Committee (instead of two);
- (5) the Independent Group to have no seat on the Licensing and Registration Committee (instead of one), no seat on the Miscellaneous Licensing Sub-

- Committee (instead of one) and two seats on the Community Leadership Overview and Scrutiny Committee (instead of one); and
- (6) the Liberal Democrats Group to have one seat on the Standards Committee (instead of none).

[Note: Recommendation (d) requests a nemine contradicente vote to be approved.]

- (e) Council endorses and approves, in so far as it reflects the earlier decisions on this matter, the appointment of Members to serve on the relevant Committees et cetera, as set out in Appendix 1 to this report;

Having considered and made its decision(s) on the above recommendations, Council is also requested to consider the following recommendation namely that:-

- (f) Council leaves the unallocated seats on the Planning Committee and the Miscellaneous Licensing Sub-Committee vacant at this time pending the outcome of the by-election in the Frinton Ward and a further review of the allocation of seats on Committees et cetera to political groups.

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ANNUAL MEETING OF THE COUNCIL

29 APRIL 2025

REPORT OF THE CORPORATE DIRECTOR (LAW & GOVERNANCE) & MONITORING OFFICER

A.3 THE COUNCIL'S CONSTITUTION

(Report prepared by Ian Ford)

Members are advised that, in accordance with Council Procedure Rule 1.1 (xi), it is normal practice at the annual meeting of the Council to formally reaffirm the Council's current Constitution.

The Council's Constitution has been amended to reflect the changes approved by Council at its meeting held on 25 March 2025 and the full text of the Constitution will be found on the Council's website in due course.

At the next meeting of the Council on 20 May 2025, Members will also be provided with an updated booklet containing those sections of the Constitution most relevant to the work of Councillors.

RECOMMENDED – That the Council's Constitution be reaffirmed.

LISA HASTINGS
CORPORATE DIRECTOR (LAW & GOVERNANCE) & MONITORING OFFICER

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ANNUAL MEETING OF THE COUNCIL

29 APRIL 2025

REFERENCE FROM THE CABINET

A.4 TIMETABLE OF MEETINGS: 2025/2026 MUNICIPAL YEAR

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To enable Annual Council to consider the timetable of meetings for the 2025/2026 Municipal Year.

EXECUTIVE SUMMARY

This report will enable Annual Council, as required by the Constitution, to formally consider a timetable of meetings for the 2025/2026 Municipal Year.

RECOMMENDATIONS

- (a) that the timetable of meetings for the Council and its Committees, as set out in the Appendix to this report, be approved;
- (b) that the proposed dates for Cabinet meetings, All Members' Briefings and Councillor Development Sessions et cetera be noted; and
- (c) that Annual Council notes that special meetings of the Cabinet and/or Full Council and potentially other bodies will likely be required 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.

REASON(S) FOR THE RECOMMENDATION(S)

Having considered the timetable of meetings proposed by the Cabinet and to enable the timetable of meetings to be approved and adopted, in accordance with the Council's Constitution.

ALTERNATIVE OPTIONS CONSIDERED

- (1) Not to approve the timetable of meetings;
- (2) To amend or substitute some or all the proposed dates.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

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

OUTCOME OF CONSULTATION AND ENGAGEMENT	
The Committee Services Manager, in preparing an initial timetable of meetings for the Cabinet to consider at its meeting held on 17 March 2025, consulted with senior officer colleagues within the Council.	
LEGAL REQUIREMENTS (including legislation & constitutional powers)	
X	The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:
<p>Schedule 1 to the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, sets out functions which must not be the responsibility of the Executive and therefore rests with Council or its committees. The power to agree a timetable of ordinary meetings of the Full Council and its Committees rests with the Full Council at its Annual Meeting. This is set down in the Council's Constitution in Council Procedure Rule 1 (Annual Meeting of the Council), specifically Rule 1.1(xii) (Timing and Business). This is confirmed in Council Procedure Rule 3 (Ordinary Meetings) and in Council Procedure Rule 35 (Meetings of Committees), specifically Rule 35.1 (Ordinary Meetings).</p> <p>Schedule 3 (Responsibility for Executive Functions) in Part 3 (Scheme of Delegation) of the Council's Constitution and specifically section 4.2.1 (Overall Responsibilities of the Leader and the Portfolio Holders), sets out that the Portfolio Holder for Corporate Finance & Governance has the overall strategic responsibility for the Council's Democratic Services which, in turn, undertakes corporate administration in relation to timetabling and servicing meetings of the Council, Cabinet and Committees.</p> <p>Article 7 (The Executive) of the Council's Constitution and, specifically, Article 7.08 (Cabinet Procedure Rules) – section 1.1 (Cabinet Meetings), states that the Cabinet will meet at times and at locations to be agreed by the Leader of the Council.</p>	
FINANCE AND OTHER RESOURCE IMPLICATIONS	
Risk	
Providing clarity through a clearly defined timetable of prevents confusion and enhances the Council's overall governance arrangements thereby helping to ensure that the Authority makes informed decisions and properly manages its risks.	
X	The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:
No further comments to make in addition to those set out elsewhere within the report.	
USE OF RESOURCES AND VALUE FOR MONEY	
The following are submitted in respect of the indicated use of resources and value for money indicators:	
A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	N/A
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	N/A
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and	N/A

performance to improve the way it manages and delivers its services.	
MILESTONES AND DELIVERY	
<p>Preparation of a timetable of meetings for the forthcoming municipal year by the Committee Services Manager, including consultation with senior officer colleagues – late January to early February 2025.</p> <p>Submission of draft timetable of meetings to the Corporate Finance & Governance Portfolio Holder for their review – February 2025.</p> <p>Submission of Corporate Finance & Governance Portfolio Holder’s recommendations to formal Cabinet meeting – 17 March 2025.</p> <p>Submission of Cabinet’s recommendations to the Annual Meeting of the Council for approval and adoption – 29 April 2025.</p>	
ASSOCIATED RISKS AND MITIGATION	
Not approving and implementing an agreed timetable of meetings will negatively impact the Council's governance arrangements.	
EQUALITY IMPLICATIONS	
<p>Under Article 3 (Citizens and the Council) in the Council’s Constitution, the public have a right to attend meetings of the Council and its Committees and Sub-Committees except where confidential or exempt information is likely to be disclosed and attend meetings of the Cabinet when key decisions are being considered. The public also have a right to participate by submitting written questions to Full Council meetings and contribute to investigations by the Overview and Scrutiny Committees. The public can also participate at meetings of the Planning Policy & Local Plan Committee, the Planning Committee and the Tendring Colchester Garden Border Community Joint Committee in accordance with the relevant Public Speaking Schemes. At meetings of the Council, its committees or Cabinet, members of the public must treat Councillors and Officers with respect and courtesy and must not wilfully harm the property of the Council, Councillors or Officers.</p> <p>Article 2 (Members of the Council) states, inter alia, that Councillors attending meetings will represent their communities and bring their views into the Council’s decision-making process, i.e. become an advocate for their communities; effectively represent the interests of their ward and of individual residents; be involved in decision-making for the people of the District as a whole; and contribute to the governance and effective management of the Council’s business at meetings of the Council, Cabinet and other Committees and Sub-Committees, maintaining the highest standards of conduct and ethics.</p> <p>Article 5 (Chairing the Council and Committees) states, inter alia, that Chairmen will preside over meetings so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community; and ensure that the meeting is a forum for debate of matters of concern to the local community.</p>	
SOCIAL VALUE CONSIDERATIONS	
None	
IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION	
At its meeting held on 17 March 2025, Cabinet formally noted 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. One of the recommendations within this report requests Annual Council to do the same.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050

The encouragement of Members to opt out of the default position of receiving printed copies of the summons of a meeting (with agendas and reports) and reverting to solely receiving summons via electronic notifications from May 2023 was consistent with the Council's policy of its operations becoming carbon neutral.

OTHER RELEVANT CONSIDERATIONS OR 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	None
Health Inequalities	None
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	None
Area or Ward affected	None directly.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

In accordance with the Constitution the timetable of meetings, as recommended by the Cabinet, has been prepared and approved and is set out as an Appendix to this report.

The meetings of the Full Council, the Community Leadership Overview and Scrutiny Committee, the Human Resources and Council Tax Committee and the Resources and Services Overview and Scrutiny Committee will normally commence at 7.30 p.m.

Meetings of the Licensing and Registration Committee will normally commence at 6.30 p.m.

Meetings of the Planning Policy and Local Plan Committee and the Tendring Colchester Borders Garden Community Joint Committee will normally commence at 6.00 p.m.

Meetings of the Planning Committee will normally commence at 5.00 p.m.

Meetings of the Tendring Colchester Border Garden Community Joint Committee will be arranged as and when required.

Meetings of the Standards Committee will normally commence at 10.00 a.m.

Meetings of the Audit Committee will normally commence at 10.30 a.m.

Cabinet meetings are fixed by the Leader of the Council in accordance with Article 7.08 Cabinet Procedures Rule sub-section 1.1 of the Council's Constitution and therefore the scheduling et cetera may change. The public meetings of the Cabinet listed will normally

commence at 10.30 a.m.

The timetable does not show meetings of the Sub-Committees, which are arranged either at meetings of the relevant Sub-Committee or from time to time when required.

Dates for All Members' Briefings, Councillor Development Sessions and Portfolio Holder Working Parties have been included in order to assist Members in keeping their diaries up-to-date. These will be held either in person or online via Microsoft Teams.

Wednesday evenings are avoided, wherever possible, for meetings of Committees et cetera as the Princes Theatre is used in term time for the Princes Theatre Youth Group and it is felt that to have a publicly accessible meeting on the same night will raise significant safeguarding issues. In addition, Monday evenings have been avoided, wherever possible, to avoid clashing with meetings of the Arts & Literature Society in the Princes Theatre for similar reasons.

Venues for Meetings of the Council, Cabinet and Committees et cetera.

Meetings of the full Council will normally be held in the Princes Theatre in the Town Hall, Clacton-on-Sea.

Meetings of the Cabinet and Committees et cetera will normally be held in the Committee Room in the Town Hall.

PREVIOUS RELEVANT DECISIONS

Minute 145 of the meeting of the Cabinet held on 17 March 2025 – Resolutions were as follows:-

“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) that 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.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

Published Report of the Corporate Finance and Governance Portfolio Holder - A.3 – Timetable of Meetings: 2025/2026 Municipal Year for the meeting of the Cabinet held on 17 March 2025.

Published Minutes of the meeting of the Cabinet held on 17 March 2025.

APPENDICES

Proposed Timetable of Council and Committee Meetings for the 2025/26 Municipal Year.

REPORT CONTACT OFFICER(S)

Name	Ian Ford
Job Title	Committee Services Manager
Email/Telephone	iford@tendingdc.gov.uk (01255) 686 584

A.3 APPENDIX

TIMETABLE OF MEETINGS – 2025/2026 MUNICIPAL YEAR (& PART WAY BEYOND)

2025

Body	Time	Day	Date	Notes
ANNUAL COUNCIL (Already agreed)	7.30 p.m.	Tuesday	29 April	
Tendring / Colchester Borders Garden Community Joint Committee	6.30 p.m.	Thursday	1 May	Note 13
Licensing & Registration Committee	6.30 p.m.	Wednesday	7 May	Note 17
Cabinet	10.30 a.m.	Friday	9 May	
Planning Committee	5.00 p.m.	Tuesday	13 May	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	14 May	
COUNCIL	7.30 p.m.	Tuesday	20 May	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	21 May	
Planning Policy & Local Plan Committee	6.00 p.m.	Wednesday	28 May	
Levelling Up Fund & Capital Regeneration Projects Portfolio Holder Working Party	11.00 a.m.	Wednesday	4 June	
Cabinet	10.30 a.m.	Friday	6 June	
Planning Committee	5.00 p.m.	Tuesday	10 June	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Tuesday	17 June	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	18 June	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	25 June	
Audit Committee	10.30 a.m.	Thursday	26 June	
Cabinet	10.30 a.m.	Friday	27 June	Note 1
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Tuesday	1 July	
Human Resources & Council Tax Committee	7.30 p.m.	Thursday	3 July	
Planning Committee	5.00 p.m.	Tuesday	8 July	
Standards Committee	10.00 a.m.	Wednesday	9 July	
COUNCIL	7.30 p.m.	Tuesday	15 July	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	16 July	
Planning Policy & Local Plan Committee	6.00 p.m.	Monday	21 July	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	23 July	
Cabinet	10.30 a.m.	Friday	25 July	Note 2
Levelling Up Fund & Capital Regeneration Projects Portfolio Holder Working Party	11.00 a.m.	Thursday	31 July	
Planning Committee	5.00 p.m.	Tuesday	5 August	
Licensing and Registration Committee	6.30 p.m.	Wednesday	13 August	Note 16
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	20 August	
Levelling Up Fund & Capital Regeneration Projects Portfolio Holder Working Party	11.00 a.m.	Monday	1 September	
Planning Committee	5.00 p.m.	Tuesday	2 September	
Planning Policy & Local Plan Committee	6.00 p.m.	Monday	8 September	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Tuesday	9 September	
COUNCIL	7.30 p.m.	Tuesday	16 September	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	24 September	
Audit Committee	10.30 a.m.	Thursday	25 September	
Cabinet	10.30 a.m.	Friday	26 September	
Planning Committee	5.00 p.m.	Tuesday	30 September	
Standards Committee	10.00 a.m.	Wednesday	8 October	
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Tuesday	14 October	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	15 October	
Human Resources & Council Tax Committee	7.30 p.m.	Thursday	16 October	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	22 October	
Cabinet	10.30 a.m.	Friday	24 October	

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Licensing and Registration Committee	6.30 p.m.	Wednesday	29 October	
Planning Committee	5.00 p.m.	Thursday	30 October	Note 14
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	12 November	
Cabinet	10.30 a.m.	Friday	14 November	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	19 November	
COUNCIL	7.30 p.m.	Tuesday	25 November	
Planning Committee	5.00 p.m.	Thursday	27 November	Note 12
Levelling Up Fund & Capital Regeneration Projects Portfolio Holder Working Party	11.00 a.m.	Wednesday	3 December	
Planning Policy & Local Plan Committee	6.00 p.m.	Monday	8 December	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Tuesday	9 December	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	10 December	
Planning Committee	5.00 p.m.	Tuesday	16 December	
Cabinet	10.30 a.m.	Friday	19 December	

2026

Resources and Services Overview & Scrutiny Committee (INFORMAL)	7.00 p.m.	Wednesday	7 January	Note 3
Community Leadership Overview & Scrutiny Committee (INFORMAL)	7.00 p.m.	Thursday	8 January	Note 4
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Wednesday	14 January	Note 5
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Thursday	15 January	Note 6
Planning Committee	5.00 p.m.	Tuesday	20 January	
Licensing and Registration Committee	6.30 p.m.	Wednesday	21 January	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Thursday	22 January	
COUNCIL	7.30 p.m.	Tuesday	27 January	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	28 January	
Cabinet	10.30 a.m.	Friday	30 January	Note 7
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Tuesday	3 February	
Standards Committee	10.00 a.m.	Wednesday	11 February	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Thursday	12 February	
COUNCIL (Budget & Council Tax setting)	7.30 p.m.	Tuesday	17 February	Note 8
Audit Committee	10.30 a.m.	Thursday	19 February	
Planning Committee	5.00 p.m.	Thursday	19 February	
Cabinet (PROVISIONAL)	10.30 a.m.	Wednesday	25 February	Note 9
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	25 February	
Cabinet	10.30 a.m.	Friday	27 February	
Human Resources & Council Tax Committee	7.30 p.m.	Monday	2 March	Note 10
COUNCIL (PROVISIONAL)	7.30 p.m.	Thursday	5 March	Note 11

Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Tuesday	10 March	
Planning Committee	5.00 p.m.	Tuesday	17 March	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	18 March	
Cabinet	10.30 a.m.	Friday	20 March	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	25 March	
Audit Committee	10.30 a.m.	Thursday	26 March	
COUNCIL	7.30 p.m.	Tuesday	31 March	

Planning Committee	5.00 p.m.	Tuesday	14 April	
Resources and Services Overview & Scrutiny	7.30 p.m.	Tuesday	21 April	

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Committee				
Standards Committee	10.00 a.m.	Wednesday	22 April	
Cabinet	10.30 a.m.	Friday	24 April	
ANNUAL MEETING OF THE COUNCIL	7.30 p.m.	Tuesday	28 April	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	29 April	

2026/2027 MUNICIPAL YEAR

(Provisional dates for early cycles of meetings in 2026/2027 – for information only, subject to change)

Body	Time	Day	Date	Notes
Planning Committee	5.00 p.m.	Tuesday	12 May	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	13 May	
COUNCIL	7.30 p.m.	Tuesday	19 May	

ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	20 May	
Cabinet	10.30 a.m.	Friday	22 May	
Planning Committee	5.00 p.m.	Tuesday	9 June	
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Tuesday	16 June	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	17 June	
Cabinet	10.30 a.m.	Friday	19 June	
Community Leadership Overview & Scrutiny Committee	7.30 p.m.	Tuesday	23 June	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	24 June	
Audit Committee	10.30 a.m.	Thursday	25 June	
Human Resources & Council Tax Committee	7.30 p.m.	Thursday	2 July	
Planning Committee	5.00 p.m.	Tuesday	7 July	
Standards Committee	10.00 a.m.	Wednesday	15 July	
Cabinet	10.30 a.m.	Friday	17 July	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	22 July	
COUNCIL	7.30 p.m.	Tuesday	28 July	

Planning Committee	5.00 p.m.	Tuesday	4 August	
COUNCILLOR DEVELOPMENT SESSION	6.00 p.m.	Wednesday	12 August	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	26 August	
Planning Committee	5.00 p.m.	Thursday	3 September	Note 15
Resources and Services Overview & Scrutiny Committee	7.30 p.m.	Tuesday	15 September	
COUNCIL	7.30 p.m.	Tuesday	22 September	
Audit Committee	10.30 a.m.	Thursday	24 September	
Cabinet	10.30 a.m.	Friday	25 September	
Planning Committee	5.00 p.m.	Tuesday	29 September	
ALL MEMBERS' BRIEFING	6.00 p.m.	Wednesday	30 September	

Notes

1. Meeting previously provisionally arranged for 4 July but has now been brought forward to 27 June to avoid a clash with the LGA Annual Conference which will be attended by the Leader of the Council, the Deputy Leader of the Council and the Chief Executive.
2. Meeting brought forward one week from previously provisionally agreed date of 1 August because of the change of date referred to in Note 1 above.
3. Informal Meeting arranged to allow the Overview & Scrutiny Committee to conduct pre-scrutiny on the Cabinet's Financial Forecast and initial budget and special expenses proposals.

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4. Informal Meeting arranged to allow the Overview & Scrutiny Committee to conduct pre-scrutiny on the Council's approach to grants, the relationship between other grant funding organisations and the extent which gaps in funding have been identified and addressed.
5. Extra Meeting arranged to allow the Overview & Scrutiny Committees to consider and then formally comment on the Cabinet's Financial Forecast and initial budget and special expenses proposals. Also, to allow the Committee to discuss those proposals with Portfolio Holders. Portfolio Holders are requested to reserve this date in their diaries in the likelihood that the meeting will take place.
6. Extra Meeting arranged to allow the Overview & Scrutiny Committee to consider and then formally comment on the on the Council's approach to grants, the relationship between other grant funding organisations and the extent which gaps in funding have been identified and addressed. Also, to allow the Committee to discuss that approach with relevant Portfolio Holders. Portfolio Holders are requested to reserve this date in their diaries in the likelihood that the meeting will take place.
7. At this meeting Cabinet will approve its final proposals in relation to the Council's Budget and Council Tax precept for 2026/27 for submission to Full Council.
8. Meeting of the Council to approve the Cabinet's budget proposals and set the Council Tax for Tendring District Council but excluding County Council and Police, Crime & Fire Commissioner Council Tax precept calculations.
9. Provisional extra meeting of the Cabinet arranged in order to allow the Cabinet to meet and consider the Council's objections/amendments to the Budget (which may arise following the Council meeting referred to in note 8 above.)
10. Meeting to formally confirm the County, Fire and Police precepts on the Council's Collection Fund and for each Council Tax band in the parished and unparished areas of the District.
11. Provisional extra meeting of the Council arranged in order to allow the Council to meet and consider the Cabinet's revised budget proposals or the Cabinet's disagreement with the Council's budget objections (which may arise following the meetings referred to in notes 8 and 9 above.)
12. Meeting moved to Thursday as the Full Council are meeting on the Tuesday of that week.
13. Meeting has been arranged since the Cabinet meeting held on 17 March 2025. It will be held in the Roman Lounge at Colchester Rugby Club.
14. Since the Cabinet meeting held on 17 March 2025 this meeting has been moved to the Thursday from the Tuesday of that week as it has since been discovered that the Princes Theatre, Essex Hall and Committee Room have all been booked for a Wedding and Reception.
15. Since the Cabinet meeting held on 17 March 2025 this meeting has been moved from the usual Tuesday due to the Monday being the Summer Bank Holiday and to enable the Planning Committee Site Visit to take place as usual on the day before the meeting i.e. the Wednesday.
16. Since the Cabinet meeting held on 17 March 2025 this meeting has been moved back a week as it has since been discovered that the Princes Theatre, Essex Hall and Committee Room have all been booked for an event.
17. Since the Cabinet meeting held on 17 March 2025 this meeting has been cancelled due to insufficient business to transact. A training session for the members of the Licensing and Registration Committee will now be held on that evening instead.

ANNUAL MEETING OF THE COUNCIL

29 APRIL 2025

REPORT OF CORPORATE DIRECTOR (LAW & GOVERNANCE) & MONITORING OFFICER

A.5 INDEPENDENT PERSONS RECRUITMENT

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To approve the recommendations from the Interview Selection Panel (Standards Committee meeting 24 October 2024 minute no. 25) to appoint Mrs Sue Gallone, Mr David Irvine, Mrs Sheila Murphy and Mrs Jane Watts as the Council's Independent Persons for the purpose of the Standards Framework for a term of four years.

All of the recommended appointments are to be for the period expiring at the Annual Council meeting in May 2029.

EXECUTIVE SUMMARY

Independent Persons

The Localism Act 2011 requires each local authority to appoint an Independent Person to work with the Council's Monitoring Officer within the Standards Framework and support the Standards Committee and Sub-Committee. Tendring District Council has an adopted Independent Person Protocol which forms part of the Council's Constitution at Part 6.39 to 6.41.

Members' Interview Selection Panel

On 10 April 2025, a Panel consisting of Councillors Wiggins and Morris, together with the Council's Monitoring Officer, Corporate Governance, Performance and Procurement Manager and the Legal Governance Officer interviewed candidates who had applied for the role. The Panel asked the candidates the same questions and evaluated all responses equally, and upon scoring felt that each of the recommended candidates would bring a high quality and a particular range of skills and experience to the role, as demonstrated through the process. As a result of the interviews the Panel recommends to Council the appointments as set out below.

The existing Independent Persons are currently appointed until Annual Council, having been previously appointed in 2018 and extended to 2025, as per Council Minute no.14.

RECOMMENDATION(S)

It is recommended that:

- a) **Tendring District Council continues to appoint four Independent Persons for the purposes of the Council's Standards Framework, for a four-year term until Annual Council in 2029, with an allowance of £600 per annum plus expenses;**
- b) **subject to (a) and following the outcome of the Standards Committee's interview panel, Mrs Sue Gallone, Mr David Irvine, Mrs Sheila Murphy and Mrs Jane Watts**

are appointed as the Council's Independent Persons be with immediate effect;

- c) Council notes that further decisions on the term of the Independent Persons may be required, in light of the emerging Local Government Reorganisation programme; and
- d) Council expresses its gratitude to Mrs Clarrisa Gosling for her dedication to the role of the Independent Person for Tendring District Council for 11 years from 2014 and then also when she became a member of the Independent Remuneration Panel.

REASON(S) FOR THE RECOMMENDATION(S)

That the appointments of the four Independent Persons referred to above are agreed by Council, as required by the Localism Act 2011 to appoint at least one Independent Person to work with the Council's Monitoring Officer within the Standards Framework.

ALTERNATIVE OPTIONS CONSIDERED

At the meeting of the Standards Committee on 24 October 2024, the Committee was advised that the roles of Independent Persons were available through the Public Law Partnership (covering Essex, Hertfordshire and Suffolk) and that could be called on by any Authority, subject to the necessary approvals through formal appointments. Those arrangements were considered appropriate to use where capacity or conflicts of interest were an issue. Whilst the Council had previously approved and adopted this flexibility, using the pool had not been required due to this Council having four Independent Persons. Therefore, it was still considered prudent for Tendring District Council to continue recruiting and appointing its own Independent Persons whilst retaining the flexibility of a wider pool to call upon if necessary.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The existence of sound governance, internal control and financial management practices and procedures are essential to the delivery of corporate priorities supported by effective management and forward planning within this overall framework.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Section 28(6) and (7) of the Localism Act 2011 requires the Council to appoint at least one Independent Person to work with the Monitoring Officer within the Standards Framework. In accordance with the Council's Constitution, the advertisement of vacancies of Independent Person(s), the review of applications received, the interview of suitable candidates and the making of recommendations to Council as to who should be appointed, are delegated to the Chief Executive or Monitoring Officer.

However, as this independent role has strong engagement with Councillors, it was considered appropriate that representatives from the Standard Committee were involved in the recruitment process.

FINANCE AND OTHER RESOURCE IMPLICATIONS

At its meeting on 24 October 2024, the Standards Committee resolved that the proposal to

recruit four Independent Persons, for a term of office for four years at the suggested allowance of £600 per annum plus expenses be supported (subject to Full Council approval on appointment).

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	As stated within Finance and other resource implications.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	Advertisement of vacancies, interview and recommendation of appointment to Full Council has been delegated to the Chief Executive and Monitoring Officer.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Nothing to add in the context of this report.

MILESTONES AND DELIVERY

The appointment of the four Independent Persons if approved by Council and the completion of any associated training that may be required.

ASSOCIATED RISKS AND MITIGATION

That by not appointing at least one Independent Person, the Council would not be adhering to Section 28(6) and (7) of the Localism Act 2011, requiring the Council to appoint at least one Independent Person to work with the Monitoring Office within the Standards Framework.

The Committee on Standards in Public Life (CSPL) published a report in 2019 in which it recommended that the role of Independent Person should be a fixed term of office for two years and renewed once. Whilst it was understood how this approach could demonstrate a perception of independence, the competencies required for the Independent Persons to demonstrate confidence in the arrangements and the training necessary required dedicated resources being committed by the Council, to ensure the role was sufficiently performed.

OUTCOME OF CONSULTATION AND ENGAGEMENT

Members of the Standards Committee previously provided comment on the content of the Independent Persons' Recruitment Pack. The vacancies were advertised on the Council's website.

EQUALITIES

In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment and victimisation to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Independent Persons' Recruitment Pack does not impact on the protected characteristics.

SOCIAL VALUE CONSIDERATIONS	
There is an element of social value relating to the Independent Persons' role in that the public must have confidence that complaints raised against Members that relate to the Members' Code of Conduct will be looked at in a fair manner. The Recruitment Pack and interview process are considered robust to ensure this confidence.	
IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION	
There are no direct implications arising from the recruitment process for the Independent Persons. However, on the basis that the appointments would be for four years there will be a need for consideration of the position for those appointees in respect of the last 12-15 months of the appointment that would involve the relevant (Shadow) new Unitary Council on the basis that the Government implements local government reorganisation across Greater Essex from 1 April 2028. Likewise, appointees may wish to consider their position at that time also.	
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050	
Not applicable.	
OTHER RELEVANT 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	-
Health Inequalities	-
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	-
Area or Ward affected	All wards
ANY OTHER RELEVANT INFORMATION	
None	

PART 3 – SUPPORTING INFORMATION

BACKGROUND
<p>The following recruitment process was undertaken for the roles of Independent Person referenced throughout this report:</p> <ul style="list-style-type: none"> • Up to four people are to be appointed to serve in the role of Independent Person • An allowance of £600 per annum has been allocated for payment to each person • A recruitment pack was produced incorporating comments from the Standards committee and subsequently advertised on the Council's website • Interviews have been undertaken by a joint Member/Officer panel • The recommended appointments by the Panel are contained within this report to Full Council for approval <p>The Committee on Standards in Public Life (CSPL) reported the outcome of their national</p>

review in a report published in January 2019, which included a number of recommendations relating to Local Government Ethical Standards. The report also includes a number of Best Practice recommendations, those which relate to the role and responsibilities of the Independent Person were:

Recommendation 8 – The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once. Whilst the following did not translate into the formal recommendation or within the list of best practice, the CSPL report stated, *“The terms of multiple Independent Persons should ideally overlap, to ensure a level of continuity and institutional memory”*.

In the letter from Kemi Badenoch MP (Minister of State for Equalities and Levelling Up Communities) to Lord Evans, Chair, Committee on Standards in Public Life dated 18th March 2022, in response to this recommendation it was stated, *“The Government does not accept this recommendation as appropriate for legislation on the basis that it would be likely to be unworkable. The Government’s view is that it would be more appropriately implemented as a best practice recommendation for local authorities. In principle, it may be attractive to limit the terms Independent Persons serve to keep their role and contribution “fresh” and avoid them becoming too closely affiliated with the overriding organisational culture. However, discussions with Monitoring Officers indicate that in practice most local authorities would likely find servicing this rate of turnover unachievable. There is frequently a small pool of people capable and willing to undertake the role, who also fit the stringent specifications of being amongst the electorate, having no political affiliation, no current or previous association with the council, and no friends or family members associated with the council. When local authorities have found effective Independent Persons who demonstrate the capability, judgement and integrity required for this quite demanding yet unpaid role, it is understandable that they may be reluctant to place limitations on the appointment.”*

CSPL Best Practice 7: Local authorities should have access to at least two Independent Persons.

CSPL Best Practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious or trivial.

The Council has an adopted Independent Person Protocol which forms part of the Constitution (Part 6.39-41).

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

At the meeting on 27 November 2018, Council agreed the appointment of Mr David Irvine, Mrs Clarissa Gosling, Mrs Jane Watts and Mrs Sue Gallone as the Council’s Independent Persons for the purposes of standards arrangements.

The appointments as Independent Persons (IPs) were extended for a year from May 23-24, at Full Council on 22nd November 2022 (Minute no. 52).

At its Annual Council meeting on 30th April 2024, Tendring District Council approved (Minute no. 14) that –

1. The previous local arrangements for joint appointments to both roles, being the

- Independent Remuneration Panel and Independent Persons ceases;
2. Future arrangements continue to be explored for a joint Independent Remuneration Panel with other Councils, and the delegation for recruitment be extended to the Chief Executive and Monitoring Officer for recommendations to be made to a future meeting of Full Council;
 3. For the purposes of (b) above the term of office of future Independent Remuneration Panel members be for a period of up to 7 years, being staggered if appropriate, to cover the Review of the Members' Allowances Scheme for 2026/27 and into the net term of office for District Councillors; and
 4. The term of office for those Independent Persons who express an interest in doing so, be extended for a further year without an application process, in order to allow a separate recruitment exercise to be undertaken for the sole role of Independent Person.

Standards Committee 24 October 2024 minute no. 25 **RESOLVED** that:

- a) The contents of the Monitoring Officer's report (A.1) be noted;
- b) the proposal to recruit four Independent Persons, for a term of office for four years at the suggested allowance of £600 per annum plus expenses be supported (subject to Full Council approval on appointment);
- c) the Committee endorses previously appointed Independent Persons being permitted to reapply for this role;
- d) the recruitment pack for the role of the Independent Persons, as amended by the Committee's earlier resolution detailed above, be supported; and
- e) the Chairman of the Committee, the Vice-Chairman of the Committee and Councillor Alexander (with Councillor Newton as the designated substitute Member) be authorised to form part of the Interview Panel for Independent Persons.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None

APPENDICES

None

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