



RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

DATE:	Monday, 23 September 2024
TIME:	7.30 pm
VENUE:	Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor P Honeywood (Chairman)
Councillor M Cossens (Vice-Chairman)
Councillor Bensilum
Councillor Doyle

Councillor Harris
Councillor S Honeywood
Councillor Newton
Councillor Steady

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DATE OF PUBLICATION: Friday, 13 September 2024

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 5 - 26)

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on Monday 22 July 2024.

3 Declarations of Interest

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

4 Questions on Notice pursuant to Council Procedure Rule 38

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District and which falls within the terms of reference of the Committee.

5 Portfolio Holder Introduction - Portfolio Holder for Assets

This Committee recorded at its meeting on 21 June 2023 (minute 21 refers) that there was, in its view, value in inviting to each of its next several meetings, a different Portfolio Holder to address it on the focus for their Portfolio. For this meeting, Councillor Kotz (Portfolio Holder for Assets) has been invited to address the Committee in respect of his Portfolio. Previously, the Committee has been addressed by the Leader & Corporate Finance and Governance Portfolio Holder (Cllr M Stephenson), the Deputy Leader & Economic Growth, Regeneration and Tourism Portfolio Holder (Cllr I Henderson), the Portfolio Holder for Housing & Planning (Cllr Baker) and the Portfolio Holder for the Environment (Cllr Barry). The purpose of the invitation is to enable the Portfolio Holder to provide a broad introduction to their Portfolio, including their current issues and challenges (as well as priorities for 2024/25).

6 A.1 Review of the Work Programme (Pages 27 - 44)

The report provides the Committee with an update on its approved Work Programme for 2024/25 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respect of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

7 Report of the Assistant Director of Finance & IT. - A.2 - Financial Outturn Update Report (Pages 45 - 58)

To enable the Committee to consider the current position of the Council financial position in relation to the Financial Outturn as outlined in the report submitted to Cabinet on 26 July 2024.

8 **A.3 Reference Report from the Council's Enforcement Arrangements Task and Finish Group. (Pages 59 - 70)**

To enable the Committee to consider the recommendations made to it as set out in the second report from the Council's Enforcement Arrangements Task and Finish Group into those elements of its enquiry concerning fly tipping and mobile CCTV enforcement. The report of the Task and Finish Group is set out at Appendix A to this report.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Resources and Services Overview and Scrutiny Committee is to be held in the Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 7.30 pm on Tuesday, 17 December 2024.

Information for Visitors

FIRE EVACUATION PROCEDURE

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**MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW
AND SCRUTINY COMMITTEE,
HELD ON MONDAY, 22ND JULY, 2024 AT 7.30 PM
IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors P Honeywood (Chairman), M Cossens (Vice-Chairman), Doyle, Harris, S Honeywood, Newton, Smith and Steady
Also Present:	Councillors Baker (Housing and Planning Portfolio Holder), Bush (Environment Portfolio Holder) and M Stephenson (Leader of the Council)
In Attendance:	Ian Davidson (Chief Executive), Damian Williams (Corporate Director (Operations and Delivery)), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Andy White (Assistant Director (Building and Public Realm)), Keith Simmons (Head of Democratic Services and Elections & Deputy Monitoring Officer), Keith Durran (Committee Services Officer) and Bethany Jones (Committee Services Officer)

45. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received from Councillors Bensilum (with no substitution).

46. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the meeting of the Committee, held on 5 March 2024, be approved as a correct record and be signed by the Chairman.

47. DECLARATIONS OF INTEREST

There were no declarations of interest by Councillors in relation to any item on the agenda for this meeting.

48. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question.

49. PORTFOLIO HOLDER INTRODUCTION - PORTFOLIO HOLDER FOR THE ENVIRONMENT

This Committee had recorded, at its meeting on 21 June 2023 (Minute 21 referred), that there was, in its view, value in inviting to each of its next several meetings, a different Portfolio Holder to address it on the focus for their Portfolio. For this meeting, Councillor Bush (Portfolio Holder for the Environment) addressed the Committee in respect of his Portfolio. His introduction is recorded in summary immediately below.

Councillor Bush thanked the Committee for the invitation to come to this meeting and to give an overview of his portfolio. He explained how it was quite a diverse portfolio which included a focus on Environmental Protection, addressing complaints related to noise, smoke, bonfires, pollution, etc. His political oversight also encompassed various

environmental permits, monitoring of air quality and managed private water supplies that were in the District. He explained that his Portfolio also covered food safety as well as some health and safety provisions and this work incorporated, but was not limited to, inspections related to health and safety, sanitation, food control, and funeral directors. He told the Committee that this was just a snapshot of a very varied Portfolio.

The Portfolio Holder also updated the Committee on the position of the new waste contract.

The Committee heard that the current waste contract was 12 years old and that, in that time, there had been a lot of change. To aid the Council in understanding that change, outside expert consultants had been engaged to aid in the development of a new contract specification. Solicitors had been also consulted on the legal aspects of its development of that specification.

The Portfolio Holder explained how a lot of input had been received from Members via a Portfolio Holder's Working Group and the Waste Board.

He also told the Committee that a waste contract report would be submitted to the meeting of Cabinet on 26 July 2024, with recommendations that looked to start the new waste contract tender process later on in 2024. Subject to Cabinet's decision, the tender process would combine the waste collection contract with the street sweeping contract with the potential of the addition of a glass doorstep collection.

Members heard that potential contractors, outside of the existing contractor, had already expressed interest in the new contract and that some of the difficulties in developing the new waste contract, was that it was an intended 8 year-long contract, with the potential for an 8-year extension. With constant change in the landscape of waste collection, due to shifting legislation, this meant forward forecasting was complicated but necessary, but with the strong internal team at the Council and a strong team of external partners, the Council was in a good position to deliver a good value for money contract that met the statutory requirements for waste collection.

The Committee also heard how the implementation of a new Public Spaces Protection Order in respect of dog control and dog fouling, would aid the enforcement team, of 2 officers, to issue on the spot fines for offenders.

The Committee also heard how both Coastal Protection and Climate Change were under The Portfolios Holders remit and that there was a Members' Working Group that had provided input into the Council's Climate Action Plan. He also explained that the new textiles door step waste collection was in its infancy and that he would have to respond at a later date as to if there was any truth in the statements from the public, that this was effecting charity shops receiving donations of clothing.

The Chief Executive informed the Committee that going forward there would be All Members' Briefings to update Councillors on the progress of the waste service contract specification and procurement process.

The Committee thanked the Portfolio Holder for his attendance and his update.

50. THE SPENDELLS PROJECT

The Committee had before it a report that provided an update on the progress of the Spendells project. The report also reminded Members of the relevant national guidance for Overview and Scrutiny, namely that the Committee was there to:

- *“provide constructive ‘critical friend’ challenge*
- *amplify the voices and concerns of the public*
- *be led by independent people who take responsibility for their role*
- *drive improvement in public services and strategic decision-making”*

And that the Councils own Scrutiny Protocols required;

“All Members should promote an atmosphere of openness at Overview & Scrutiny Committee meetings and should strive to ensure that questioning and debate takes place within a climate of mutual respect and trust.”

It was also advised that, within the Government’s Statutory Guidance on the Best Value Duty (*“the Guidance”*) reference was made to the importance of scrutiny and accountability throughout, and that the Governance Best Value Theme was described within the Guidance as:

“In a well-run council officers and members will have a clear understanding of the democratic mandate as it operates in the organisation.

There will be clear and robust governance and scrutiny arrangements in place that are fit for purpose, appropriate to the governance arrangements adopted locally (executive / committee system), and in accordance with statutory or sector guidance such as [statutory guidance on overview and scrutiny](#) and the Centre for Governance and Scrutiny’s [governance risk and resilience framework](#). These arrangements should be understood by members and officers alike, reviewed regularly and accurately described in the Annual Governance Statement.”

The report informed the Committee that scrutiny was concerned with the review of policy, its formulation and implementation. The areas (from Centre for Governance and Scrutiny’s Guidance) highlighted for consideration were:

- Action on mindset and culture
- Securing good governance
- Risk
- Value for Money
- Wider policy issues, and the impact of the Council’s strategy on financial management

The Committee was joined by the following invitees:

- The Leader of the Council (Councillor M Stephenson) and the Portfolio Holder for Housing and Planning (Councillor Baker).
- The Chief Executive, the Corporate Director (Operations and Delivery), the Assistant Director (Building and Public Realm), the Assistant Director (Finance and IT) and the Assistant Director (Governance).

Members of the Resources and Services Overview and Scrutiny Committee then proceeded to ask the invitees a series of questions on the Spendells project to create temporary accommodation for homeless individuals/families at Spendells House, Naze Park Road, Walton-on-the-Naze. The Committee was considering this project due to unauthorised expenditure of several hundreds of thousands of pounds. This had resulted in a report to the Cabinet on 24 May 2024 under section 5A of the Local Government and Housing Act, 1989. This report was provided to this Committee for this enquiry along with the comments of the Councils Assistant Director of Finance and IT (the Councils Statutory 151 Officer) provided in the form of a supplementary report to Cabinet.

Below are the questions proposed and the responses provided:

QUESTION		
Cllr Smith	To the Leader	“In this case, the total revised scheme cost shown on page 30 of our papers is some 60% higher than the approved scheme budget (shown on the same page). We have major schemes underway and, in the pipeline, many of which will be funded by fixed sum grants from Government. Do you worry that this level of under-estimation and management of a major contract will impact on grant funders? Will we lose funding? Will we be left picking up costs of grant funded schemes that over-run on cost by something like 60%?”
ANSWER		
	From the Leader	“Grant funding under the new Administration is something we are still working on and waiting for on direction from Government around certain grants. The initial 60% is not something that suddenly appeared overnight but a lengthy process, over time, mitigated by some internationally scoping political events that blew up the economy, construction prices went up and delays happened because of these things. On top of this there was a theft from the site that added to the delay. I think a factor is with how the lengthy process of applying for and then receiving Government grants is drawing out and in that time we saw prices rise faster than the process, is a something that must also be considered.”
QUESTION		
Cllr Newton	To the Chief Executive	“On page 35 of the Spendells supplement it mentions 3 first initial steps (namely a formal review around Spendells, a directive to Senior Managers around financial management and the creation of a new Officer Project Board). Can you set out for us whether those three steps have been implemented in full, if not

		when will they be fully implemented and whether other appropriate steps have been implemented?"
ANSWER		
	From the Chief Executive	<p>"First of all, it is quite unusual for myself or any Chief Executive to take such strong action. We take it very seriously when something goes wrong. In terms of the homelessness situation, what we do to deliver against homelessness is absolutely key.</p> <p>This scheme puts in place a homelessness provision in our own District, which is recognised as a need by all Members of the Council. When we put these in place, it is about our residents having the support and infrastructure at a local level rather than having to be shipped off to far-flung places because there is no accommodation in the District. It is a potential saving of 274,000 pounds from our Homelessness bill which is net over 800,000 pounds.</p> <p>Whenever we undertake such a scheme, we need to get it right in terms of our process and our procedures. No matter how good what we are doing is, we need to be able to celebrate it and not have to justify it.</p> <p>In terms of the project board, we are in the process of setting that up. The project board is not just about being a watchdog, we want to engage with officers who are running boards. We want the project board to be a weathervane for members and senior officers to identify whether there is a red flag or an issue early on.</p> <p>Part of the board is people coming saying we have an issue with a scheme and flagging that up early. It's also an opportunity to monitor particularly our larger schemes and saying to Portfolio Holders which are the key ones.</p> <p>The project board, which will support us collectively, Members and Officers, in order to try and ensure that this will not happen again. What is key in anything that goes wrong is the way in which you then manage it. It's always what you do when something goes wrong, it's never that nothing will ever go wrong.</p> <p>In terms of the review, when it does go wrong we need to learn the lessons. We need to understand why, in order to put in place any measures or issues that make sure it doesn't happen again. Sometimes those are about culture, sometimes those are around</p>

		<p>compliance rather than necessarily the system is wrong.</p> <p>We'll also be looking at the actions of Officers. If there are issues to deal with, we'll deal with those through the Council's staffing procedures. In terms of the issues of what happened in terms of why that didn't happen and the process, we will come back to that one and that is underway in an internal review."</p>
QUESTION		
Cllr Doyle	To the Chief Executive	<p>"On page 16 of the report, there are the recommendations considered by Cabinet. Can I point you to recommendation (f) to Cabinet. This references "internal control arrangements in place and the need for these to be followed". Given the experience of the Spendells project, is your view that these internal control arrangements fit for purpose?"</p>
ANSWER		
	From the Chief Executive	<p>"I do think that the rules are fit for purpose and people have to follow them. We've gone through and had a look, and I'm not going to comment until we've completed the internal review, that there's not anything which we may not need to update or put in place. But fundamentally, the governance rules which normally are, and I'll give you an example going back over a period, for example, in terms of some of the work which we did around the cliffs or around the sea fronts, we've had a good history of spending significant funding and actually delivering on time and in budget.</p> <p>The review will look at and say if there are issues in there which need to be amended or looked at. But also, the other thought is about ensuring the culture is correct so that people are compliant with those rules and they see them as working with those rules and not those rules getting in the way.</p> <p>I also want to re-iterate my apologies to what occurred and thank the Committee for this evening. It is beneficial to have this level of scrutiny around what has happened to test ourselves and ensure that, as Councillor Harris rightly said, these issues do not happen again in future schemes.</p> <p>The probing and questions have been very good for understanding the different aspects of the situation. I am sure we will follow up on this at a subsequent meeting after the review".</p>

QUESTION		
Cllr Doyle	To the Chief Executive	“What do we do now? How do we stop it happening again? Although I do think you have answered much of it already.”
ANSWER		
	From the Chief Executive	“We will be following up on my strong instruction to our Senior Managers with a Senior Managers’ Forum session. The Section 151 Officer, the Monitoring Officer, and myself will be attending to reinforce those messages. We will also be looking at if there are any issues as to why relevant Governance is not being followed”.
QUESTION		
Cllr S Honeywood	Corporate Director (Operations and Delivery)	“On page 30 of the Committee’s report it states the total of just short of 630,000 pounds of binding instructions issued to the contractor for this project. Can you help us as to how binding instructions are issued and the limits on the issuing of instructions when there isn’t the budget to fund all of those instructions?”
ANSWER		
	From the Corporate Director (Operations and Delivery)	“Normally in a contract, instructions would be issued as variation orders or Architect’s instructions. These would look at budgets and ensure that there was sufficient budget to meet that demand. I’m somewhat reluctant to go into too much detail because there is a review happening. That’s generally how I would expect it to happen. Exactly what happened here, we won’t find out until the review is completed.”
QUESTION		
Cllr Steady	To the Corporate Director (Operations and Delivery)	“When managing large contracts, what measures are in place to make sure they are delivered in accordance with approved specifications, on time and to budget? Can you say why those measures didn’t work in this case? If you cannot say why, how can we be confident the same issues won’t repeat themselves?”
ANSWER		
	From the Corporate Director (Operations and Delivery)	“Again, there’s a review going on which means I can’t answer specifically about the Spendells Project. But as I said, there are sufficient procedures and rules in place to ensure the projects are delivered on time and within budget. The Chief Executive has mentioned a couple of quite significant projects that have had exactly those things. We’ve done the seafront work, cliff stabilization, and the beach replenishment. All

	<p>From the Chief Executive</p>	<p>these were significant contracts that were delivered on time and within budget.”</p> <p>-----</p> <p>“It’s a really good question because the issue around making sure that it’s complied with is how people are going to comply with it. This goes back to my point about reinforcement and cultural change. These mechanisms are in place and it’s about making sure that these mechanisms are followed. I think some of that is going to be around reinforcing that.</p> <p>For example, we’ve also looked at the ‘Levelling Up Fund’, which is a significant fund of 2 million pounds. We are currently recruiting and looking at putting additional resources in place to ensure that it is delivered and has compliance within it.</p> <p>You’ll have seen that in the cabinet on Friday, there is an additional fund put in to specifically resource additional capacity for that.”</p>
QUESTION		
<p>Cllr Steady</p>	<p>To the Corporate Director (Operations and Delivery)</p>	<p>“What qualifications, knowledge and training requirements are there for those responsible for preparing specifications, reviewing received tenders and managing contracts such as Spendells?”</p>
ANSWER		
	<p>Corporate Director (Operations and Delivery)</p>	<p>“In relation to qualifications, our surveyors are trained to degree level. We’ve been going through a process over a number of years to ‘grow our own’, so they all go through that degree-level process. Part of that is understanding how to write a specification and how to deliver on it.</p> <p>On the procurement element of things, we go through Essex County Council’s procurement. They guide us through that procurement process and ensure that due process is followed. We are comfortable in placing work with the organization or company that provides the best financial project for us.</p> <p>In relation to how the projects are managed, some of that comes through experience, some through previous officers’ experience. I would expect that more junior officers would look to senior officers for guidance to see how they’re managing projects. Senior Officers would be keeping an eye on the</p>

		project to make sure that they are being managed appropriately.”
QUESTION		
Cllr Steady	To the Corporate Director (Operations and Delivery)	“On page 13 of the report there is a list of items variously discovered or changed following the specification for the project. Things like fire compartmentation, drainage, water supply, electrical supply and fire doors. Should we be concerned about the development of specifications for major projects at this Council? While I feel the Chief Executive has already answered the majority of this question in his previous answers, can you add any further value to those answers?”
ANSWER		
	From the Corporate Director (Operations and Delivery)	<p>“Moving forward in any project, we will learn lessons from what’s happened at Spendells. However, that’s not to say that other projects would have the same issues. We’ve got other projects running, Honeycroft is a very good example of a project that’s running extremely well, on time, within budget, and we have no issues in relation to that.</p> <p>The development of staff and their experience will likely come out of the review. That’s one of the things we’ll look at - how we focus on that, how we get that attention to detail within the specification to ensure that we don’t miss some of these things in the future.</p> <p>Absolutely, I think experience will tell us that we will need to explore what we’ve done to keep an overview and an eye on what we are writing in the future to make sure that we don’t miss things. That will be looked at as part of anything coming forward about how we have that focus, how we have that attention to detail.”</p>
QUESTION		
Cllr Harris	To the Corporate Director (Operations and Delivery)	“I think you said earlier, or it might have been Chief Executive Davidson, that this didn’t all happen overnight. This happened over a length of time. So one of the questions will be, what was that time period?”
	To the Chief Executive	“I’d also like to know who was reviewing that. Whose attention was it brought to when these seven items were identified? Were they brought to anybody’s attention? Was it brought to the portfolio Holder’s attention? Is there a process in place to sit and review

		<p>that with the Portfolio Holder?</p> <p>The other question really is to understand who managed this project. Is there a principal designer, a surveyor? Who was the building control? Was it internal or external? And also, who was the Fire Officer? Because there are a couple of fire instances here, number one and I think it's number five. There needs to be a fire strategy before this commences as part of the Building Control Officer's review before the work commences.</p> <p>So, who were the individuals responsible for this? And once these items were found, whose attention were they brought to?"</p>
ANSWER		
	<p>From the Chief Executive</p>	<p>"One of the key things you pick up on in that list is that the specification, when we looked at it, could probably have been better in terms of addressing some of these points. I think that's quite legitimate to say. Some of that potentially could have been foreseen. Hindsight, I know, is a wonderful thing. But in terms of the specification, I think that's a perfectly legitimate point to make. That's also a learning point about how we make sure on a project we are comprehensive enough to completely specify it out.</p> <p>In terms of the fire doors, that's a slightly nuanced point. I'm going to answer that one because I signed off the additional 60,000 pounds for the fire doors. The reason for that is that after the Cabinet meeting, and the information you had, it was only then that building control said the fire doors that were in place were not of a standard which was acceptable and therefore they had to be replaced.</p> <p>I took that decision because I do not want another Grenfell incident where our residents are put at risk. There is no way that I'm not going to sign off 60,000 pounds in order to address that. The fire door issue was less able to be foreseen in one aspect because there were fire doors there, but the building control said that they were not up to the standard of today.</p> <p>What you could ask and say is that it's about that specification and the timing of it. But I think that ultimately, it was the right thing to happen. The decision which I took and made was signed off and was made appropriately."</p>

	<p>From the Corporate Director (Operations and Delivery)</p>	<p>-----</p> <p>“I don’t think I can name Officers and there is a review going on, as we’ve said. So in answer to your question, the building control issue was covered internally and through another authority whose services we are using at the moment to provide building regulations.</p> <p>Building regulations changed some time ago, so you don’t tend to have a fire officer come around and inspect premises anymore like they used to, or license them. That’s generally done under risk assessments and done by the organization itself.</p> <p>I think I’ve already said there are lessons to be learned in how we write specifications and the quality and the detail of that specification. But that was also done internally as well. So that was done through our own officers who prepared the specification and then project managed the project as well.”</p>
<p>Follow up Question from Councillor Harris</p>		<p>“I understand fire risk assessment when you have a business or a building. But are you saying that during the construction stage and design, it doesn’t have to get fire approval?”</p>
	<p>Response from Corporate Director (Operations and Delivery)</p>	<p>“Fire would be consulted on any application for it, but it would be the building inspectors who would carry out the inspection of the work. That’s what they did with the fire doors, and then it was them that brought that to our attention.”</p>
<p>Follow up Question from Councillor Harris</p>		<p>“Regarding the review of this. When these items, whatever they are, are found, it’s already been said a couple of times that it happened over a length of time. If you can clarify what that length of time is, I think that would be helpful.</p> <p>The question is, who was responsible for discussing that with officers to see whether the project was on time, on target, and within budget? Does the portfolio Holder hold these regular reviews with officers regarding these projects? If so, how often? And if not, why not?”</p>
	<p>Monitoring Officer’s Intervention</p>	<p>“Before the Officers or Members respond, I would just like to remind the Committee that we are in Part A. I think the principle of the question is about the process, not necessarily who at this stage. As indicated, there</p>

		is an internal review going on. Otherwise, we'll have to go into Part B. (Part B being the removal of Press and Public)."
	Response from Cllr Baker (Housing and Planning Portfolio Holder)	"I'm quite happy to answer how often I meet with my Corporate Director. We meet once a week, on a Monday, and we spend two hours discussing everything. Spendells has always been on my agenda with the Corporate Director, if that answers part of the question."
	Response from Corporate Director (Operations and Delivery)	"I guess the second part of the question is about when it should be brought to our attention. Officers should feel comfortable that they can bring it to Senior Officers' attention as and when they believe things are not going in the way they should be. I think the report is clear that we found out around February of this year that things were beginning to unravel and not going in the direction that we wanted. From that time, we pushed for more information and then you'll have seen the timeline that travelled through to reports being written up until where we are today."
Follow up question from Councillor Harris		"Just to get clarity then, we've heard from the Portfolio Holder that he has a weekly meeting. These costs built up over a period of time. So, are we saying that this information was, for whatever reason, kept from the Portfolio Holder until February?"
	Chief Executive's Intervention	"Councillor Harris, I'm going to have to ask you to hold that question because that's exactly one of the issues the review is looking at - what the timing was. Can I just clarify one other thing? I will reiterate it. We won't name individual Officers that will be a part of the process. What we will say is where those failings were and some of the approach which was taken to ensure it doesn't happen again."
QUESTION		
Cllr Steady	To the Assistant Director (Building and Public Realm)	"At the meeting of the Cabinet on 24 May, it was reported that the Spendells project was due to complete on 15 August 2024 (page 26 of the report). By this meeting that timescale had shifted to 4 September (page 8 of the report). Can we have confidence in this revised date?"
ANSWER		
	Response from Assistant	"The job's not over until it's over. Therefore, it is possible that there will be some additional delay. As we stand by at this moment, I don't know what that

	<p>Director (Building & Public Realm)</p>	<p>delay could be. Work is progressing as planned and both the contractor and ourselves expect it to finish on schedule on the 4th of September.</p> <p>That doesn't mean, of course, that this facility will be open on that date because there will be furniture, fittings, and various things that need to be installed by our own teams before the building could be fully operational.</p> <p>Part of your question was about whether I think there could be anything done to improve future performance. Yes, I do. The details of that are subject to the internal review. I don't really think it's the right thing to go into my thoughts right now because they've been fed into the review along with everybody else's. The team involved will consider them all, come to a conclusion, and advise everybody when its time."</p>
QUESTION		
<p>Cllr P Honeywood</p>	<p>To the Housing & Planning Portfolio Holder</p>	<p>"My understanding is that work started on the project on the 16th of October 2023. The first time it appeared in the Council chamber was during the HRA budget speech on the 13th of February. At that point, the leader said that there was a favourable impact on the Council's finances around this project and homelessness. So it's clear at that point, he was unaware of any problems.</p> <p>The next key date to me is the 4th of March. On the 24th of May at the Cabinet, Councillor Baker told us that he had been discussing this with a Corporate Director (Operations and Delivery) ever since. I imagine the 4th of March is the date that Councillor Baker became aware of the issue.</p> <p>On the 5th of March, which was the Scrutiny Committee the next day, I raised that again. As you know, I've had concerns about this project for quite some time. I asked the question, 'Before it was going to open in April, we are now talking later this year. Do you know if we are going to incur any additional cost for that?' Your response was, 'I can't comment on that at the moment. I can get you an answer, but at the moment, obviously, we are looking at an extension of time, so there may be costs attached to that, but they may well be. I can't say right now.' Which is a fair response because we are talking one day later than you've known.</p> <p>That obviously ties in with this question which is at the</p>

		committee’s meeting on the 5th of March 2024. You were asked about Spendells, the timetable for it to be delivered, and the cost. Your response at that time was that you did not know, you did not have the project spend costs at the time. Did you know at that stage that there were considerable amounts of unauthorized expenditure?”
ANSWER		
	Response of the Housing and Planning Portfolio Holder	<p>“There’s a lot to take in there, so apologies if I miss anything. I’m not trying to catch anyone out, I’m trying to get a clear, straight sequence of events. If I miss something you’ve asked, please forgive me.</p> <p>I knew at the end of February that there was a potential problem. I came to this committee on the 5th of March to introduce my portfolio. At that time, as far as I recall, we’d also had a theft on the site that had put the program back by two to three weeks. We weren’t sure how long that was going to be at that stage.</p> <p>No, I was not aware of the cost and I wasn’t aware of the total cost until I returned from holiday in May. Because up until that time, there was no specific amount as to how much more it was going to cost, or what the overspend was likely to be. So there was no way that I was going to mislead this committee and guess or speculate, especially about how much longer it would take for the project to be completed.”</p>
	Follow up question from Councillor P Honeywood	<p>“The next key date for me was the 19th of March 2024, which was the full Council where the Leader made his state of Tending speech. I asked the question, Spendells, we now hear it’s overdue, but do we know if it’s over budget? Can you let us know?’ Councillor Stephenson was kind enough to respond. He said, ‘As for Spendells, that is going fine. We are hoping to see that delivered one month later than possible, but where we are at the moment, I’m happy to give an update on that.</p> <p>My concern is that there seems to be a communication breakdown. Obviously, Councillor Baker has concerns, but you (the Leader) don’t appear to be aware of them. Can you see where I’m coming from?”</p>
	Response from the Leader of	“At the time, I was talking about the delay. We definitely knew there was going to be some sort of delay, partly because of things like the theft. It got

	the Council	<p>delayed longer than we expected. As for the money, that was still in flux. There was a question whether it was an actual problem. Councillor Baker said there was a potential problem. So at that time, it was still a potential problem. I erred on the side of caution and just said things were going okay. I'm happy to own that it wasn't okay, as it transpired, it started to get worse. We didn't find out until Councillor Baker got back in May to what extent it had gotten to."</p>
Follow up question from Councillor P Honeywood		<p>"The next key date came up on the 19th of April at the Cabinet meeting. I asked the question, 'How much are we overdue and from a financial perspective, is there an additional cost now? Are we running over budget on that?'</p> <p>Councillor Baker responded, 'In regard to the first part of the question, it will be longer. I will be having a meeting with officers to clarify certain things on Monday as to a timeline, but we are overdue. August has been suggested, but I don't want to be held to that. With regard to the cost, there is likely to be further costs. What those are, I am unable to tell you right now. Obviously, that again is a conversation I'll be having on Monday and going forward over the next couple of weeks. Then I'll hopefully be able to give you a much better answer, but at the moment, I don't want to give a speculative amount that would be wrong.</p> <p>It seems that things are far from where they should be. Obviously, on the 15th of May, we had the Cabinet report published where the figure of 2.25 million pounds was mentioned. On the 21st of May, we then had the late Cabinet report published which was the 2.337 million pounds. At that Cabinet meeting, I asked about it being out of control and you said that you'd been assured that this was the final number. You finished with 'Yes, assurances still stand. I feel very confident that is the final number.'</p> <p>Moving to the next point which was the 11th of June, the Chief Executive, who has already discussed this, approves the additional 60,000 pounds from the cash incentive scheme which is under my question too. On page 10 of the Spendells supplement, it mentions a decision budget which involved approval of 60,000 pounds additional expenditure on the Spendells project concerning fire doors. This decision was dated 10th of June 2024, being just over two weeks after the Cabinet was approving 850,000 pounds additional</p>

		<p>funding from the capital's reserves for this project. That makes the current overspend 960,000 pounds on a tender price for this project of 1.25 million pounds.</p> <p>Should we be concerned that yet more cost rises for the budget will come through? Should the 60,000 pounds have been picked up in the report to the Cabinet on the 24th of May? Why was the 60,000 pounds then an Officer decision rather than a Portfolio Holder one?"</p>
	Response from the Chief Executive	<p>"I can reiterate the 60,000 pounds issue, which was straightforward. We were advised by Building Control after that meeting (May Cabinet) that the doors which were there were not compliant. Therefore, the additional 60,000 pounds, which I agreed to, was necessary. If we'd have delayed, the cost would have increased because they were on site getting it done as opposed to leaving it. So, it became a decision which I could make. I made the decision in order to keep the cost to a minimum and for the safety, which as I said earlier, was absolutely key that we put the right materials in place to protect residents. That was why the decision was made after the Cabinet meeting and why you didn't have the information in the report because if we'd have known it, I'd have put it in the report."</p>
QUESTION		
Cllr P Honeywood	To the Corporate Director (Operations and Delivery)	<p>"On page 22 of the report, it refers to the 850,000 pounds of then unauthorized expenditure on the project. To what extent did this issue arise due to capacity issues in the service area concerned? How do you spot capacity issues? How do you guard against them and what immediate steps can you take when they arise?"</p>
	Response from the Corporate Director (Operations and Delivery)	<p>"Some of that I think, with the review, I'm going to be cautious about. But capacity issues are things that we look at. You can judge those through sickness levels, through staff coming to talk to you about the issues that they're experiencing. Managers are obviously aware of what's happening in their area and then push that information back up for discussion about how we deal with it.</p> <p>So ultimately, it's not one thing that leads you to understand capacity issues, but multiple things that say, 'Well hang on a minute, this is happening, that may not be going right, people are going off sick, how do we deal with it?' So generally, that's how I would</p>

	<p>Response from the Chief Executive</p>	<p>look for capacity issues and then people report it back so that we can look at how we would address those issues.”</p> <p>-----</p> <p>“If I may add to that, Councillor Honeywood, you raise a really good point about capacity. I’m going to speak not specifically about this one, but about homelessness. The homelessness challenge for district councils is ever-growing. We have no control over it whatsoever. We have no control in terms of what we can and can’t do. So the issues arise in terms of managing a service. Anybody who runs a business or manages a service, which you can’t control the numbers and you have a legal requirement to carry on doing, it is almost impossible in terms of our capacity to therefore put in place additional resources.</p> <p>It’s a good question about how do we make sure we manage that and how do we handle it when you’ve got no ability to say, ‘Sorry, we are full now, we haven’t got the capacity.’ We have a legal requirement to complete, so that challenge to district councils and the public sector around those sorts of services are really difficult.</p> <p>In terms of our individual projects, then in order to try and ameliorate that impact, that’s where we try and put in place the right things. As you know, in this case, part of that was done incorrectly. But to ameliorate that impact, that was the challenge around adding capacity in order to address the issues, which is a much wider issue for local government around homelessness.”</p>
<p>QUESTION</p>		
<p>Cllr Harris</p>	<p>To the Chief Executive</p>	<p>“What would be interesting in that learning experience as well is these seven items. The Chief Executive has already said that the fire doors were 60,000 pounds. It would be interesting to get a breakdown of how much each of those seven were. The reason why I say that is because, for example, number two is the electrical supply was found to be inadequate. If the electricity company decides that they’ve got to upgrade all the power extensions, there could be a huge amount of cost in there which would explain some of the costs. Some of the other costs, like the drainage, may not be so expensive. It depends on where those lessons need to be learned. In terms of the drainage, the question I would ask is, was there a CCTV survey done before? But I’m not going to get into the detail</p>

		now. It's just understanding what those costs were. I think that would be useful."
	Response from the Chief Executive	<p>"In response to your question and the breakdown, I believe it will help Members understand the specific issues. It's a valid point. However, I don't want to raise expectations too high. The feedback won't be too extensive. It will focus on what went wrong and the key lessons learned. It may not delve into every minute detail, but regarding your questions about the seven, it's a perfectly legitimate question to revisit and respond to.</p> <p>We have some figures, for example, the fire door is 60,000 pounds. I also want to pre-emptively apologize if this comes off as overstepping, but I want to thank the Committee. It's beneficial to have this level of scrutiny around what's happened to test ourselves and ensure that, as Councillor Harris rightly said, these issues don't recur in future schemes.</p> <p>The probing and questions have been very good for understanding the different aspects of the situation. I'm sure we'll follow up on this at a subsequent meeting after the review."</p>
QUESTION		
Cllr P Honeywood	To the Leader of the Council	"In Appendix B on page 35, sections A, B, and C, it mentions that since the May report was published, there have been ongoing discussions involving the Chief Executive, Moner Officer, S151 Officer, and Head of Internal Audit. The initial first steps were taken by the Chief Executive, which are outlined in three points of action. These actions are being taken by the Chief Executive. My question to the Leader is: What actions have you taken from a Cabinet perspective?"
ANSWER		
	Response from the Leader of the Council	<p>"As soon as we found out, I spoke to my Cabinet Members. They've all been asked to hold discussions with their leading officers around performance, budget, risk, and governance. I want to ensure that they are on top of it as best they can be.</p> <p>From a Cabinet point of view, we were already engaging with officers on a regular basis. Most of the Cabinet meet with their officers bi-weekly, if not monthly, so we get regular updates on projects and other matters. Unfortunately, this is one of those things that went wrong. We are going to do a review, which I believe will highlight why it went wrong.</p>

		<p>We've been transparent, which is evident here. We've got the section five report, we are here, we told you about it. We were always keen about transparency and sustainability, which was the portfolio mandate. There are other things that are going on all the time, and we won't always have 100% assurance because it's down to people.</p> <p>The project board, the portfolios, everybody is doing exactly what they should be doing. We've done a really good job of getting to where we are. You talk about the budget spiralling, that budget came in in the summer of 2022. We had some serious world economic issues at that time.</p> <p>It's one project that failed, but we've got successful projects as well. We can focus on what went wrong, and you can do the job as a scrutiny. I appreciate that being the scrutiny Chairman, but we also get it right. We don't talk about our successes well enough. Honeycroft being one.</p> <p>We've got the single project board in place, we've got good governance. I'm very happy with the governance around the way we do things. We just need to do the review and see what comes out of that. But coming back to your original question, I've had a long chat with all the cabinet in one sitting. We talked about performance, the budget, the risk, and the governance. I'm happy as they are. Nobody's raised anything with me at the moment, so I'm happy to say yes, I've had those conversations."</p>
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After short recess it was moved by Councillor P Honeywood, seconded by Councillor Steady and unanimously **RESOLVED**:

1. To note the actions of the three Statutory Officers in respect of the then unauthorised expenditure on the Spendells project;
2. To record that the Committee looks forward to reviewing the Cabinet's formal response to its recommendations below as part of its recommendation monitoring process; and
3. To note that the Audit Committee is undertaking its own enquiry into the unauthorised expenditure on this project and that this may generate scope for a combined exercise with this Committee going forward.

and it was **RECOMMENDED** to **CABINET**:

1. That, once the Chief Executive's formal review (on how the issue of unauthorised expenditure arose and developed in respect of the Spendells project) has been completed, the Cabinet reports on its lessons learnt;
2. that the report referred to in (1) above should articulate a robust response and action plan for going forward;
3. that a more detailed financial breakdown of the seven items not included in the specification for the Spendells project be reported to Cabinet; and
4. that Portfolio Holders review, with their Corporate Directors, the performance and project management of all existing projects within their respective portfolios and report their findings to the Leader of the Council by the end of September 2024 (and that this also then be submitted to this Committee at its next programmed meeting).

51. **REVIEW OF THE WORK PROGRAMME**

The Committee was provided with a report setting out a proposed work programme for 2024/25 for consideration as to whether to recommend the work programme to Council for adoption in accordance with point.3 of Article 6.01 of the Council's Constitution.

The report also set out the response from Cabinet to recommendations from the Committee in respect of Budget Scrutiny (Cabinet minute 74, 26 January 2024 referred) and Sunspots, Jaywick Sands (Cabinet minute 61, 15 December referred).

The Committee also received details of proposals for Cabinet Decisions published between 5 March 2024 to 22 July 2024.

An early draft of the report from the two Overview and Scrutiny Committees on their review of work undertaken in 2023/24 was circulated at the meeting.

After a short discussion the Committee unanimously **RECOMMENDED TO COUNCIL** that the Resources and Services Overview and Scrutiny Committee's work programme 2024/25, as approved at this meeting, be approved by Full Council at its meeting on 6 August 2024, subject to the inclusion therein of the minor corrections to the work programme and the additions to the articulated value column for the Budget Scrutiny Item as raised by the Head of Democratic Services & Elections at the meeting.

The Committee **RESOLVED** to note the contents of the report in respect of the monitoring of previous recommendations and in respect of the list of forthcoming Cabinet decisions and to request that the recommendation monitoring, for the Committees decisions on 5 March 2024 be provided to it at its next meeting.

It was further **RESOLVED** that the Head of Democratic Services and Elections be authorised, following consultation with the Committee's Chairman, to:

- a) finalise the review of the year 2023/24 Overview and Scrutiny Report to be submitted to Council; and
- b) appoint individual Councillors to Task and Finish Groups referenced in the Work Programme as, ultimately approved by Council, and then to make appropriate arrangements to call meetings of those Task and Finish Groups.

The meeting was declared closed at 9.38 pm

Chairman

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RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

23 SEPTEMBER 2024

REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS

A.1 WORK PROGRAMMING – INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS

(Report prepared by Keith Durran)

PURPOSE OF THE REPORT

The report provides the Committee with an update on its approved Work Programme for 2024/25 (including progress with enquiries set out in its Work Programme), feedback to the Committee on the decisions in respect of previous recommendations from the Committee in respects of enquiries undertaken and a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee's last meeting.

INVITEES

None.

BACKGROUND

The Council commissioned the Centre for Governance and Scrutiny (CfGS) to undertake an 'Overview & Scrutiny Development Review' in 2021 as a way of further improving that function at the Council. Two relevant recommendations arising from that review were:

“Further strengthening the annual process for developing work programmes for each O&S committee - Engaging Members, Officers, partners and the public to prioritise the topics for review. This could include a selection criteria to identify appropriate topics for the work programme. Currently the work programme is also the last item on the agenda at O&S meetings, we would recommend bringing it to the beginning, so it can be given greater priority and benefit from more considered discussion, rather than being subject to the inevitable end of meeting fatigue.

Reviewing how the recommendations are made and how impact is measured – This could include putting the ‘recommendations monitoring report’ at the beginning of agendas to orientate O&S towards outcomes-focused meetings, alongside an emphasis on finding strong recommendations from questioning to present to Cabinet (or partners) as improvement or challenge proposals.”

The inclusion of the matters set out in the “purpose of this report” section above seeks to further re-inforce the inter-relationship of the matters referred to. As such, it is designed to further support consideration of work programming of the Committee and contribute to addressing progress with the Corporate Plan.

DETAILED INFORMATION

WORK PROGRAMME 2024/25

The detailed matters relating to the following are set out in the relevant Appendix identified:

- (1) Proposed Work Programme Report for Full Council for 2024/25 – See Appendix A;
- (2) feedback to the Committee on the decisions in respect of previous recommendations from the Committee in regards to enquiries undertaken – see Appendix B; and
- (3) a list of forthcoming decisions for which notice has been given since publication of the agenda for the Committee’s last meeting – See Appendix C

In considering work programming matters, the Committee is further reminded of the other recommendations from the CfGS review undertaken in 2021:

*“**Considering greater use of task and finish groups** – This more informal type of O&S can allow improved cross-party working and detailed investigation of a single issue focussed on producing substantive recommendations.*

***Improved agenda planning and management** - Committees should focus on one or two substantive items per agenda to allow for cross-cutting themes to be properly identified and explored, and different insights brought to bear on critical issues.*

***Considering how to engage the public in the work of O&S** - This could include O&S going on more site visits in the community, inviting the public to offer ideas for work programmes, and greater use of social media channels for resident input and communicating the progress and impact of scrutiny work.*

***A clearer focus on democratic accountability** - Scrutiny of Cabinet Members should form a key part of the work programme, providing an opportunity to hold the Leader and portfolio holders to account for delivery of the corporate plan and any other issues O&S feel is important.”*

The Resources and Services Overview and Scrutiny Committee is one of two overview and scrutiny committees established by the Council to specifically focus on the following areas of Council work (as detailed in Article 6.02(i) of the Council’s Constitution):

“To perform the role of Overview and Scrutiny and its functions in relation to:

- *The Chairman and the Vice-Chairman of the Committee will normally be Members of a political group that is not represented on the Cabinet. Meetings of the Committee will be held in accordance with the programme of meetings approved at the Annual Meeting of the Council. In addition, extraordinary meetings may be called from time to time as and when appropriate. A meeting may be called by the Chairman of the Committee, or by the Head of Democratic Services & Elections, if considered necessary or appropriate. Meetings of Task and Finish Groups can be called as required, following the terms of reference being agreed by the Committee.*
- *To perform the role of Overview and Scrutiny and its functions in relation to the effective use of the Council’s resources including*

approval of discrete researched and evidenced reviews on the effectiveness of:

Financial Forecast Budget setting and monitoring (including General Fund & Housing Revenue Account but excluding those budgetary matters delegated to the Community Leadership Overview and Scrutiny Committee)

Colchester/Tendring Borders Garden Community Housing Strategy and Homeless Service Service Delivery and Performance (where not delegated to the Community Leadership Overview and Scrutiny Committee) Procurement and Contract Management”

The Constitution provides for the two overview and scrutiny committees to submit a work programme to full Council for approval. Rule 7 of the Overview and Scrutiny Procedure Rules sets out the position as follows:

“Each Overview and Scrutiny Committee will submit a work programme for the year ahead and a review of the previous year’s activities to the full Council for approval. In addition it will be responsible for co-ordinating and prioritising its work programme on an ongoing basis.

In preparing, co-ordinating and prioritising its programme, each Overview and Scrutiny Committee will take into account:-

- *The General Role and Principles of undertaking its functions, as set out in Part 2 Article 6*
- *the planned work on the preparation of elements of the Budget and Policy Framework;*
- *provision for budget scrutiny and scrutiny of the Treasury Management Strategy, as appropriate;*
- *the need for statutory timetables to be met;*
- *the expressed wishes of the members of the committee;*
- *requests from the Cabinet to carry out reviews and/or suggestions from the liaison meetings held under the Cabinet Overview & Scrutiny Protocol; and*
- *requests from Members and/or Group Leaders in accordance with Rule 8.*

In considering the Work Programme of enquiries, the Committee must have regard to the Corporate Plan 2024-28 and the themes of that Corporate Plan are:

- Pride in our area and services to residents
- Raising aspirations and creating opportunities
- Championing our local environment
- Working with partners to improve quality of life
- Promoting our heritage offer, attracting visitors and encouraging them to stay longer
- Financial Sustainability and openness

It should also be noted that the Chairman of this Committee held a meeting on 10 September 2024 with the Head of Democratic Services and Elections to discuss the work programme, Task and Finish Group membership and arrangements and the agenda for this meeting.

RECOMMENDATION

- 1. That the Committee considers and notes the progress with enquiries set out in its Work Programme 2024/25, feedback to the Committee on the decisions in respect of previous recommendations and the list of forthcoming decisions.**
- 2. That the Committee makes the formal appointments to the following Task and Finish Groups:**
 - Asset Management arrangements of the Council – Acquisition and disposal links to the Corporate Plan.**
 - Housing Strategy, Development and Infrastructure – including Temporary Accommodation arrangements.**
 - Council Enforcement Arrangements – including corporate oversight, learning and data sharing.**

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RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE FOR ENQUIRIES TO BE UNDERTAKEN IN 2024/25

Item	Date of Enquiry	Relevant Corporate Plan Theme/Annual Cabinet Priority	Information to be provided in advance	Those to be invited to attend	Articulated value of undertaking the review
Post delivery scrutiny of the Sunspot commercial workspace in Brooklands, Jaywick	Off agenda briefing note by the end of September 2024	<input type="checkbox"/> Financial sustainability and openness	<p>Management arrangements for the commercial workspace.</p> <p>Details of the lettings of the business units, shops and café and the use of the covered market area and event hall (including lease terms) from the opening of the development.</p> <p>Details as to how the operation of the workspace supports enhances, compliments activities at the Jaywick Resources Centre.</p>	<p>Portfolio Holder for Economic Growth, Regeneration and Tourism</p> <p>Corporate Director, Place and Economy</p>	To provide the Committee with information on the development since it opened and identify matters for further enquiry, would be beneficial.
Portfolio Holder Update	At Committee on 3 September 2024	<input type="checkbox"/> Championing our local environment	To update the Committee on work in relation to his role as Portfolio Holder.	Councillor Peter Kotz – Portfolio Holder for Assets	To enable the Committee to be aware of the significant areas of the responsibility

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	At Committee on 23 September 2024	<input type="checkbox"/> Pride in our area and services to residents <input type="checkbox"/> Working with Partners to improve quality of life <input type="checkbox"/> Financial sustainability and openness			with in the Portfolio and the areas the Portfolio Holder is addressing currently
<p>To examine the Asset management arrangements of the Council and consider the extent to which asset acquisition and disposal is strongly linked to the ambitions of the corporate plan.</p> <p>The enquiry will look at land assets and their use/value to the Council and community properties, investment in them and the use to which they are put, IT Assets and Beach Hut (bases).</p> <p>[This mater will not look at Human Resources or</p>	Through A Task and Finish Group	<input type="checkbox"/> Championing our local environment <input type="checkbox"/> Pride in our area and services to residents <input type="checkbox"/> Working with Partners to improve quality of life <input type="checkbox"/> Raising aspirations and creating opportunities <input type="checkbox"/> Promoting our heritage offer, attracting visitors and	<p>A complete list of TDC assets (specifically property & land) and the ward they are located in.</p> <p>Repairing obligations (for this Council) costings in relation to maintenance for land & property asset.</p> <p>The enquiry will look at unused assets (eg toilet block at the junction of Coppins Road and Old Road, Clacton).</p> <p>IT equipment and software acquisition, maintenance licences,</p>	<p>Portfolio Holder Assets</p> <p>Assistant Director, Building and Public Realm</p> <p>Assistant Director Finance IT</p> <p>Appropriate other Portfolio Holders and Officers</p>	<p>The enable the examination of asset management and utilisation with a view to supporting delivery of the corporate plan 2024 and recommendations to release assets that do not contribute to that plan or otherwise rationalise assets to improve effectiveness and efficiency of those assets.</p>

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<p>matters in the Housing Revenue Account].</p>		<p>encouraging them to stay longer</p> <p><input type="checkbox"/> Financial sustainability and openness</p>	<p>disposal and the opportunity to harness digital solutions and be as efficient in transactional services, as possible across the Council. This should look at contacts (and costs of contact) and use of AI chatbot systems to improve experience and reduce multiple handling enquiries.</p>		
<p>Pre-Budget Scrutiny</p> <p>Consider long-term forecasts. Challenging assumptions/testing zero base budgeting. Consider repeated overspends/underspends Addressing performance/budget requirements.</p>	<p>At Committee on 13 January 2024 [Pre-meeting 6 January 2025]</p>	<p><input type="checkbox"/> Championing our local environment</p> <p><input type="checkbox"/> Pride in our area and services to residents</p> <p><input type="checkbox"/> Working with Partners to improve quality of life</p> <p><input type="checkbox"/> Raising aspirations and creating opportunities</p>	<p>The 2024/25 Budget and update the end of Q3, draft budget for 2025/26 and the financial strategy plus details of significant overspend and underspend over the last five financial years.</p>	<p>All Portfolio Holders</p> <p>All Members of Management Team</p>	<p>To provide the envisaged reality check on budgets and financial plans prior to their approval and ensure that there are clear links between budget setting and strategic/operational plans.</p>

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		<ul style="list-style-type: none"> <input type="checkbox"/> Promoting our heritage offer, attracting visitors and encouraging them to stay longer <input type="checkbox"/> Financial sustainability and openness 			
<p>Housing Strategy Development and Infrastructure and Temporary Accommodation. The enquiry will include a look at how the Council maintain its list of private landlords and if the Council quality check those properties as suitable.</p>	<p>Through Task and Finish Group</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Working with Partners to improve quality of life <input type="checkbox"/> Financial sustainability and openness 	<p>Policies and Practice documents of the Council in respect of the use of private rented accommodation for those needing housing.</p> <p>The average time people are placed in temporary rented housing accommodation. Details of complaints by those people in rental accommodation. Numbers of HRA properties over the last five years</p>	<p>Portfolio Holder, Housing and Planning.</p> <p>Assistant Director, Housing and Environment</p> <p>A representation of private landlords</p>	<p>To look at possible improvements to temporary accommodation provision and make recommendations there on.</p> <p>To determine the strategic direction of the Council in respect of Housing and the extent to which this has been delivered.</p>

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			<p>including acquisitions and disposals.</p> <p>The current housing strategy and any development draft of a new strategy as well as an assessment as to how the current strategy has been delivered.</p>		
<p>Council Enforcement arrangements including the extent to which enforcement powers are looked at in a silo or corporate way to ensure that (with in the purposes of particular enforcement powers) the Council considers the ability to address non-compliances robustly.</p>	<p>Through Task and Finish Group.</p> <p>[This continues the work in 2323/24 where enforcement arrangements around planning, fly tipping and use of mobile CCTV was examined].</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Championing our local environment <input type="checkbox"/> Pride in our area and services to residents <input type="checkbox"/> Promoting our heritage offer, attracting visitors and encouraging them to stay longer <input type="checkbox"/> Financial sustainability and openness 	<p>The detail to the extent to which the Corporate Enforcement Group has provided the route to ensuring a corporate consideration to utilising a range of enforcement powers to address problem premises.</p> <p>An update on the implementation of recommendations made in 2023/24 around planning, fly tipping and the use of mobile CCTV as part of enforcement.</p>	<p>Leader of the Council</p> <p>Corporate Director for Operations and Delivery</p> <p>Assistant Director, Partnerships</p> <p>Appropriate Portfolio Holders and Officers</p>	<p>To identify any possible areas for improved enforcement arrangements and to make recommendations there on.</p>

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COMPLETED					
Portfolio Holder Update	22 July 2024	<input type="checkbox"/> Championing our local environment <input type="checkbox"/> Pride in our area and services to residents <input type="checkbox"/> Working with Partners to improve quality of life <input type="checkbox"/> Financial sustainability and openness	Updated the Committee on work in relation to his role as Portfolio Holder.	Councillor Mike Bush – The Portfolio Holder for Environment at the time.	Enabled the Committee to be aware of the significant areas of the responsibility with in the Portfolio and the areas the Portfolio Holder was addressing currently.

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Resources and Services Overview and Scrutiny Committee 23 September 2024

RECOMMENDATIONS MONITORING REPORT

Recommendation(s) Including Date of Meeting and Minute Number	Actions Taken and Outcome	Completed, follow-up work required or added to Work Programme
<p><u>At the Committees meeting on 22 July 2024 (minute 50 refers)</u></p> <p><u>The Spendells Project</u></p> <p><u>RECOMMENDED to CABINET:</u></p> <ol style="list-style-type: none">1. That, once the Chief Executive’s formal review (on how the issue of unauthorised expenditure arose and developed in respect of the Spendells project) has been completed, the Cabinet reports on its lessons learnt;2. that the report referred to in (1) above should articulate a robust response and action plan for going forward;3. that a more detailed financial breakdown of the seven items not included in the specification for the Spendells project be reported to Cabinet; and	<p><u>This item is to be reported to Cabinet on 20 September 2024. An updated supplement will be published and circulated to the Members of this Committee, prior to the meeting of this Committee to be held on 23 September 2024, with the Cabinet’s response to the recommendations shown.</u></p>	

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<p>4. that Portfolio Holders review, with their Corporate Directors, the performance and project management of all existing projects within their respective portfolios and report their findings to the Leader of the Council by the end of September 2024 (and that this also then be submitted to this Committee at its next programmed meeting).</p>		
<p><u>At the Committees meeting on 5 March 2024 (minute 43 refers)</u></p> <p><u>Annual Capital and Treasury Strategy for 2024/25 (Including Prudential and Treasury Indicators)</u></p> <p>RECOMMENDED TO CABINET:</p> <p>that further clarity around the relative roles of consultation on the Council's key investment proposals and the significant financial constraints on the Council over the coming years to ensure that the reader of the Treasury Strategy would be clear on the relative roles.</p>	<p><u>These recommendations were submitted to Cabinet on 12 March 2024 (minute 104 refers).</u></p> <p>Having duly considered the comments/recommendations put forward by the Resources and Services Overview and Scrutiny Committee and in order to support the process of ensuring that a Capital and Treasury Strategy for 2024/25 was approved by Full Council before 1 April 2024:-</p> <p><u>RESOLVED that Cabinet –</u></p> <p>a) notes the contents of the attached earlier Officer report to the Corporate Finance and Governance Portfolio Holder; and</p>	

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	<p>b) agrees the Annual Capital and Treasury Strategy for 2024/25 (including Prudential and Treasury Indicators) and that it be submitted to Council for approval.</p>	
<p><u>The Committees Meeting 5 March 2024 (minute 44 refers)</u></p> <p><u>On street parking arrangements in the District</u></p> <p>RECOMMENDED TO CABINET:</p> <p>that alongside and in addition to the recommendations being considered by the Cabinet on 12 March 2024 concerning the Council’s membership of the North Essex Parking Partnership, the following options be authorised as part of the negotiations with Partnership and Essex County Council (ECC):</p> <p>(1) The return of all on-street parking and management to the district by means of a service level agreement with ECC creating a situation where local parking enforcement would be tailored to meet local needs by this Council. This Council would operate the on-street service at nil cost with surpluses paid to ECC for local highway related schemes and any</p>	<p><u>These recommendations were submitted to Cabinet on 12 March 2024 (minute 106 refers).</u></p> <p>Having duly considered the recommendations put forward by the Resources and Services Overview and Scrutiny Committee and the available options:-</p> <p><u>RESOLVED that -</u></p> <p>(a) in consideration of the lack of financial information on the level of deficits for 2023/24 and future longer term financial sustainability of the North Essex Parking Partnership (NEPP), the options available to protect the Council’s position be noted;</p> <p>(b) the feedback from the Resources and Services Overview and Scrutiny Committee’s enquiry at its meeting on 5th March 2023 be noted and welcomed;</p> <p>(c) the Leader of the Council and the Portfolio Holder for Leisure and Public</p>	

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<p>losses would be met by this Council; or</p> <p>(2) For delegated authority to be given to this Council’s enforcement staff to enforce on-street parking within Tendring alongside officers from the NEPP. In this option, this Council would not seek any financial remuneration for this arrangement.”</p>	<p>Realm, in discussion and consultation with Cabinet Members, be authorised to decide whether to service a Notice of Withdrawal from the NEPP following the meeting of the Joint Committee on 21st March 2024;</p> <p>(d) subject to (c) above, cabinet approves such decision being taken up to 31st March 2025, being supported with a detailed report on the updated position and the assessment of risk to the Council;</p> <p>(e) the Portfolio Holder for Leisure and Public Realm, in consultation with the relevant Officers, be authorised to seek a variation to the Partnership Agreement to allow a Notice of Withdrawal to be served coinciding in a timely manner with the receipt and consideration of financial information certified by the NEPP Treasurer and/or to allow a Notice of Withdrawal to be rescinded upon receipt of such information being provided; and</p> <p>(f) the Leader of the Council and the Portfolio Holder for Leisure and Public Realm, in consultation with the relevant Officers, be authorised to finalise and request any additional information in respect of financial and governance matters required to support resolutions (c) and (d) above.</p>	
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Recommendations monitoring for those recommendations from earlier meetings of the Committee have been previously reported to the Committee and, as such, are not repeated here as there is no further update to be provided on them.

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Resources and Services Overview and Scrutiny Committee
23 September 2024

OVERVIEW AND SCRUTINY PROCEDURE RULE 13 – SCRUTINY OF PROPOSED DECISIONS

The below forthcoming decisions are those published since 10 July 2024 – the publication date for the Committee’s last ordinary meeting.

In presenting the following, the Committee’s attention is drawn to the agenda item notes in respect of Overview and Scrutiny Procedure Rule 13.

DESCRIPTION OF DECISION	KEY DECISION – YES/NO	DECISION MAKER	Decision Due Date
Progress Report for the Highlight Priorities Actions for 2024/25 - Q2	YES	Cabinet	18/10/24
Levelling Up Partnership - Update and Next Steps	YES	Cabinet	18/10/24
New housing policy: Domestic Abuse	YES	Cabinet	20/09/24
Financial Performance Update Quarter 2 2024/25	YES	Cabinet	15/11/24
LCTS and Council Tax Discounts/ Premiums, Local Business Rate Relief Schemes and MRP Policy Statement 2024/25	YES	Cabinet	15/11/24
Financial Performance Update Quarter 1 2024/25	YES	Cabinet	18/10/24
Update on Clacton Civic Quarter and Dovercourt Town Centre Improvement Corridor Government Funded Capital Projects	YES	Cabinet	18/10/24

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RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

23 SEPTEMBER 2024

REPORT OF THE ASSISTANT DIRECTOR FINANCE & IT

A2. FINANCIAL OUTTURN UPDATE

(Report prepared by Keith Durran)

PURPOSE OF THE REPORT

To enable the Committee to consider the current position of the Council financial position in relation to the Financial Outturn as outlined in the report submitted to Cabinet on 26 July 2024.

EXECUTIVE SUMMARY

In accordance with the Constitution;

Article 6.02 Terms of Reference:

(ii) Resources and Services Overview and Scrutiny Committee

- To perform the role of Overview and Scrutiny and its functions in relation to the effective use of the Council's resources including approval of discrete researched and evidenced reviews on the effectiveness of:

Financial Forecast Budget setting and monitoring (including General Fund & Housing Revenue Account but excluding those budgetary matters delegated to the Community Leadership Overview and Scrutiny Committee)

As such the Committee will look at:

- The Overview of the Financial Outturn 2023/24 and Proposed Allocation of the General Fund variance for the year and Other in-year Budget Adjustments 2024/25 report as submitted to Cabinet on 26 July 2024 ([minute 38 refers](#)).

RECOMMENDATION

That, subject to the Committee's consideration of the report and its Appendix provided, that the recommendations to Cabinet on this matter be determined.

BACKGROUND PAPERS

None.

INVITEES

- Leader of the Council
- Assistant Director, Finance & IT

APPENDICES

Appendix A – Financial Outturn Report

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CABINET

26 JULY 2024

REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER

A.9 OVERVIEW OF THE FINANCIAL OUTTURN 2023/24 AND PROPOSED ALLOCATION OF THE GENERAL FUND VARIANCE FOR THE YEAR AND OTHER IN-YEAR BUDGET ADJUSTMENTS 2024/25

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval of the allocation of the overall 2023/24 General Fund revenue variance along with a number of proposed budget adjustments in 2024/25.

EXECUTIVE SUMMARY

- The Portfolio Holder for Finance and Governance agreed the overall outturn position for 2023/24 on 17 July 2024, with a high level summary of the General Fund revenue position set out below. The detailed report considered by the Portfolio Holder is available on the Council's website using the following link [Decision - Financial Outturn 2023/24 \(tendringdc.gov.uk\)](https://www.tendringdc.gov.uk/Decision-Financial-Outturn-2023/24).

Variance for the year before carry forward requests	(£14.440m)
Less revenue carry forwards requested by Services	£12.611m
Variance for the year after requested carry forwards	(£1.829m)

- Some key highlights of the Portfolio Holder report mentioned above are as follows:
 - the favourable variance for the year of **£1.829m** is currently being held in the Revenue Commitments Reserve;
 - carryforwards totalling **£9.879m** that had been requested by Services were agreed, with a number of carry forwards totalling **£2.732m** remaining subject to further review, with the outcome of this review being reported separately in the year. In respect of any carry forwards subsequently not approved, they will be added to the overall outturn variance for the year that can then be considered alongside the development of the forecast / financial performance reports during the year.
 - a number of recommendations to Cabinet relating to the potential allocation of the variance of **£1.829m** highlighted in the table above were proposed with the full resolution as follows:

(f) notes the overall General Fund outturn variance of £1.829m for 2023/24 that is being carried forward via the Revenue Commitments Reserve, and:

i) recommends to Cabinet that £0.259m of this overall General Fund variance

APPENDIX A

that relates to the net outturn surplus on Off-Street Parking 'Account' is set aside for investment in that Service;

ii) agrees that the remaining balance of £1.570m is set aside to support the items included in Table 3 within the report and that final proposals be recommended to Cabinet when they consider the Portfolio Holder for Finance and Governance's Outturn report at their meeting on 26 July 2024.

- In respect of the items highlighted in 3) above, the final proposed adjustments are included within **Appendix A (Section 1)** of this report.
- This report also provides a timely opportunity to briefly reflect on the in-year position for 2024/25, with some further proposed adjustments set out within **Appendix A (Section 2)**.
- In respect of 2024/25, it is also proposed to bring together a number of existing budgets to create a Corporate Investment Fund to support the long term forecast and enable key investments in 'spend to save initiatives', delivering priorities and supporting existing services. The proposed adjustments are set out within **Appendix A (Section 3)**. Although further use of this fund will be subject to separate decisions later in the year, **Appendix A (Section 3)** includes three initial allocations that relate to other items elsewhere on the agenda.
- The recommendations below set out a number of delegations associated with the delivery / implementation of the various items agreed within **Appendix A** as necessary.

RECOMMENDATION(S)

That Cabinet:

- (a) notes the high level Financial Outturn Position set out in this report and the initial favourable General Fund Revenue variance of £1.829m for the year, which is currently held within the Revenue Commitments Reserve;**
- (b) agrees the use of the General Fund Outturn for the Year of £1.829m as set out in Appendix A (Section 1a);**
- (c) endorses the use of existing budget of £0.144m to provide financial support to Citizens Advice Tending (CAT) in 2024/25 as set out within Appendix A (Section 1b);**
- (d) subject to (b) above, in respect of the additional £0.259m set aside for reinvestment in the Parking Service, agrees a delegation to the Portfolio Holder for Leisure and Public Realm to utilise this funding during the year;**
- (e) subject to (b) above, in respect of the additional £0.100m made available to support the Waste, Recycling and Street Cleansing Contract, agrees a delegation to the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for Environment to utilise the additional proposed budget to support the work associated with the options appraisal / tender activities for the Waste and Street Cleansing Contract;**

APPENDIX A

- (f) subject to (b) above, in respect of the additional of £0.100m made available to support the Seasonal Grounds Maintenance and Cleansing Costs, agrees a delegation to the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for Environment and Portfolio Holder for Leisure and Public Realm to utilise the additional proposed budget to support any associated work;**
- (g) subject to (b) above, in respect of the £0.150m made available to support the Walton-on-Naze Lifestyles Facility projects associated with the Swimming Pool Grant Funded Capital Projects, a delegation to the Portfolio Holder for Leisure and Public Realm be agreed to determine the business case and associated allocation of this funding;**
- (h) subject to (c) above, in respect of the contribution of £0.144m to CAT, agrees a delegation to the Leader in consultation with the Assistant Director Partnerships and Monitoring Officer to extend the current Subsidy Scheme for 2024/25 (along the same principles of the decisions of Cabinet in July 2023) before any payment is made along with other associated governance arrangements ahead of 2025/26 as required;**
- (i) agrees the budget adjustments for 2024/25 set out in Appendix A (Section 2);**
- (j) agrees the establishment of a Corporate Investment Fund (CIF) along with the associated budget adjustments for 2024/25 as set out in Appendix A (Section 3), which includes the three initial allocations from this fund;**
- (k) after the further review of Carry Forwards from 2023/24 that any items subsequently not approved then the associated amount be transferred to the CIF;**
- (l) notes the updates previously requested by Cabinet that relate to the two carry forwards from 2022/23 as set out within this report; and**
- (m) agrees a delegation to the Council's S151 Officer, in consultation with the Finance and Governance Portfolio Holder, to adjust the outturn position for 2023/24 along with any corresponding adjustment to earmarked reserves as a direct result of any recommendations made by the Council's External Auditor during the course of their audit activities relating to the Council's 2023/24 accounts.**

REASON(S) FOR THE RECOMMENDATION(S)

To allocate the overall General Fund favourable outturn variance for 2023/24 and agree a number of proposed budget adjustments in 2024/25.

ALTERNATIVE OPTIONS CONSIDERED

This is broadly covered in the main body of this report.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

A revised Corporate Plan and Vision was approved by Full Council at its meeting on 28 November 2023. One of the 6 included themes is Financial Sustainability and Openness, with a commitment to continue to deliver effective services and get things done whilst looking after the public purse; that means carefully planning what we do, managing capacity and prioritising what we focus our time, money and assets on. Tough decisions will not be shied away from, but will be taken transparently, be well-informed, and based upon engagement with our residents.

The forecasting and budget setting / management processes will have direct implications for the Council's ability to deliver on its objectives and priorities. Effective budgetary control is therefore an important tool in ensuring the financial stability of the authority by identifying and responding to issues as timely as possible.

The outturn position reflects the above and supports the Council's successful financial planning processes.

OUTCOME OF CONSULTATION AND ENGAGEMENT

In terms of the in-year financial performance of the Council, internal consultation is carried out via the Council's framework to monitor / manage the budget and as part of developing the forecast as set out within the Constitution.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	YES/NO	If Yes, indicate which by which criteria it is a Key Decision	<input type="checkbox"/> Significant effect on two or more wards <input checked="" type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	Publication date was at least 28 days ahead of the date of this decision.

The Council is legally required to calculate a Council Tax requirement each financial year. Within this framework is the requirement to monitor and report accordingly on the financial position of the authority against this requirement.

The outturn position set out in this report and the actions proposed are within the Council's powers and reflect the statutory requirements and responsibilities of the Council in the preparation of its accounts.

As reported during the year, there is a Best Value Duty that relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in Part 1 of the Local Government Act 1999 ("the 1999 Act") to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of

APPENDIX A

economy, efficiency and effectiveness". In practice, this covers issues such as how authorities exercise their functions to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services and secure value for money in all spending decisions.

Best value authorities must demonstrate good governance, including a positive organisational culture, across all their functions and effective risk management. They are also required, pursuant to section 3 of the 1999 Act, to consult on the purpose of deciding how to fulfil the Best Value Duty.

In respect of financial support to charities and the voluntary sector, best value guidance sets out a number of issues including the need for consultation along with stating that *an authority intending to reduce or end funding (where 'funding' means both grant funding and any fixed term contract) or other support to a voluntary and community organisation or small business should give at least three months' notice of the actual reduction to both the organisation involved and the public/service users.* Such issues will need to be reviewed in light of any associated actions such as the on-going review of grant funding, including the future relationship with Citizen's Advice Tending.

The Government have recently published revised Statutory Guidance on the Best Value Duty of Local Authorities in England under section 26 of the 1999 Act, which best value authorities are required to have regard to. To provide greater clarity to the sector on how to fulfil the Best Value Duty, the statutory guidance sets out seven overlapping themes of good practice for running an authority that meets and delivers best value. These seven best value themes build on the lessons learned from past interventions and reflect what most local authorities already do or are striving to achieve. A detailed description of these themes, including characteristics of a well-functioning local authority and indicators used to identify challenges that could indicate failure, is set out within the revised guidance and financial management and sustainability is a reoccurring expectation throughout the themes and indicators. This outturn report along with how the Council responds to new or developing issues remains an important element of demonstrating these key requirements.

The approval of the outturn position each year is delegated to the Finance and Governance Portfolio Holder. Any further decisions that may be required following the outturn process, such as allocating money brought forward from the prior year will be reported to Cabinet at a subsequent meeting. In effect, the approval of the outturn delegated to the Finance and Governance Portfolio Holder will primarily only place available funding that needs further allocation in reserves until such time as a formal / separate decision is made by Cabinet, with this latter point being the subject of this report.

Yes	The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:
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The contents of the report have been reviewed personally by the Monitoring Officer, who supports the ongoing reference to the Council's Best Value Statutory Duty and recently published guidance, as set out within the legal requirements section and highlighting where additional decisions are required.

In addition it is important to highlight that the grant funding through a Service Level Agreement to Citizens Advice Tending (CAT) can only be made if the Subsidy Scheme approved by Cabinet in July 2023 is extended to cover 2024/25 (for the same reasons as set out in that report). A separate decision from the Leader will be required before any funding can be

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granted if the recommendations as set out in this report are approved. Notice to cease the existing arrangement with CAT should be given (as was intended within 2023/24), in line with the Best Value Guidance referred to in the Legal Requirements section of this report.

The review of external funding as requested by Cabinet will determine how the Council will deliver against its current priorities and Corporate Plan for 2024/25.

FINANCE AND OTHER RESOURCE IMPLICATIONS

The main financial implications for each section of the Council's accounts are as set out in this report.

Yes The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

The Section 151 Officer is the author of this 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;	This is addressed in the body of the report as necessary.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	
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.	

MILESTONES AND DELIVERY

This report forms part of the Council's wider budget setting and monitoring processes. In respect of 2023/24, this report sets out a final outturn position for the year that builds on earlier financial performance reports that have been presented to Cabinet on a broadly quarterly basis throughout the year.

As highlighted elsewhere in this report as necessary, the on-going financial forecast and budget monitoring processes will need to take account of the outturn position for 2023/24 and reflect new issues or significant changes to existing issues as part of their development during 2024/25.

ASSOCIATED RISKS AND MITIGATION

Although there are no direct risks associated with the outturn position, there will be various 'knock on' risks to the Council's financial position going forward, which are either addressed elsewhere within this report or will be revisited as part of developing the longer term forecast that will be presented to a future Cabinet meeting. The financial position for 2024/25 and beyond will therefore be reviewed in light of this outturn position.

The Council's reserves, including the Forecast Risk Fund remain a key element of the long-term plan approach with additional details set out in the Portfolio Holder Report highlighted earlier. In

APPENDIX A

respect of the Forecast Risk Fund, there has been no adverse impact on the balance held at the end of 2023/24, which totals **£6.426m** (£0.284m more than when last reported to Members in February 2024), that remains available to support the forecast this year and beyond.

EQUALITY IMPLICATIONS

There are no direct implications that significantly impact on the Council's financial performance / forecast at this stage. However, the ability of the Council to appropriately address such issues will be strongly linked to its ability to fund relevant schemes and projects and determination of the breadth and standard of service delivery to enable a balanced budget to be agreed.

An impact assessment will be undertaken as part of any separate budget decisions such as those that will be required to deliver savings. This is an important part of the future decision making timetable and must be adequately factored into the process.

SOCIAL VALUE CONSIDERATIONS

There are no direct implications that significantly impact on the financial forecast at this stage.

However, such issue will be considered as part of separate elements of developing the long-term forecast.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There are no direct implications that significantly impact the financial forecast at this stage.

However, such issue will be considered as part of separate elements of developing the long-term forecast.

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	Please see comments above
Health Inequalities	
Area or Ward affected	

PART 3 – SUPPORTING INFORMATION

BACKGROUND, PROPOSED ALLOCATION OF THE OVERALL GENERAL FUND VARIANCE FOR 2023/24 AND PROPOSED BUDGET ADJUSTMENTS IN 2024/25

The Financial Outturn for 2023/24 was agreed by the Portfolio Holder for Finance and Governance on 17 July 2024. The associated report considered by the Portfolio Holder set out an overall General Fund favourable variance of **£1.829m** after allowing for revenue carryforwards totalling **£12.611m**.

In respect of the carry forwards highlighted above, in-line with the associated delegations, the Portfolio Holder for Finance and Governance agreed items totalling **£9.879m**, with the remaining items totalling **£2.732m** subject to further review / reporting. The Portfolio Holder for Finance and Governance also agreed that for any subsequent carry forwards not

approved, the balance to be added to the outturn variance for 2023/24. Following the proposed establishment of the Corporate Investment Fund (CIF) as set out elsewhere in this report, it is now proposed that after the further review mentioned above, any unapproved carry forwards from 2023/24 are transferred to the CIF. An associated recommendation is therefore included above.

In respect of the overall General Fund favourable variance of **£1.829m** mentioned above, this has been initially transferred to the Revenue Commitments Reserve until its allocation is formally considered at this Cabinet meeting. In approving the outturn position for 2023/24, the Finance and Governance Portfolio made the following two recommendations to Cabinet:

- 1) The setting aside **£0.259m**, being the overall surplus against the Off-Street Parking budget to enable investment in the associated Service in 2024/25 and beyond, which could include repairs and maintenance and exploring electric vehicle infrastructure opportunities.

The following additional information was set out in the outturn report considered by the Portfolio Holder:

***Parking Income** – additional income has been achieved for the year. When taken together with an associated underspend against employee budgets, the overall favourable variance for the year totals **£0.259m**. It is proposed to set this amount aside in an associated reserve / budget to invest in the Service, which is in-line with the requirement relating to the setting of fees and charges each year on a cost recovery basis.*

- 2) After taking account of the parking adjustment above, a balance of **£1.570m** would remain. It is proposed to set aside this balance to support the potential on-going impact of some of the adverse outturn variances for 2023/24 along with other new / emerging issues in 2024/25 and changes to items already included in the 2024/25 budget.

With the above in mind, a number of items were included within Table 3 of the Portfolio Holder's report which remained subject to being finalised for recommending to Cabinet. The same table referred to above also included the consideration of other items that may have an impact in 2024/25 along with other potential items that support the development of the Councils priorities that may require a timely decision e.g. seasonal implications.

In respect of the above, the final proposed adjustments are set out in **Appendix A (Section 1a)** of this report. Following the proposed establishment of the 'CIF', it is proposed to transfer the unallocated balance of the General Fund variance for the year of **£0.580m** to this fund, which is also reflected within **Appendix A**.

Corporate Investment Fund

Finalising the outturn position for 2023/24 has provided a timely opportunity to review a number of budgets that have previously been set aside but remain unallocated / uncommitted. As set out within **Appendix A (Section 3)** it is proposed to bring these items together into one 'fund' that in turn will be available to support the three key strands of the forecast that have previously been discussed, which are summarised as follows:

- To invest in existing services

- To support 'spend to save' initiatives
- To support the delivery of the Council's priorities

Although expenditure from this 'fund' will remain subject to further / separate decisions as appropriate, **Appendix A (Section 3)** includes three initial proposed allocations that relate to the following associated items set out elsewhere on the agenda:

- Careline Review
- Capacity building and the delivery of the levelling up projects
- Increase to CRP Project Budget

As highlighted within **Appendix A**, after the above proposed allocations, **£2.440m** would remain within the fund for further consideration during the year. It is acknowledged that there may be further opportunities to transfer money into this fund during the year, which will be subject to separate decisions as necessary.

In addition to the above, on-going support to Citizens Advice Tending is being proposed in 2024/25 as an interim measure to enable actions to be undertaken in line with our best value duties and responsibilities to voluntary / charitable organisations within the District. Unlike the items above, there will be no additional contribution required from the outturn variance highlighted earlier as a budget of **£0.144m** already exists in 2024/25, but the inclusion of this item within **Appendix A (Section 1b)** provides the opportunity to consider this matter as timely as possible this year.

Members may recall the decision made by Cabinet on 21 July 2023 where support to CAT was agreed in 2023/24 whilst a wider review of grant funding was undertaken to inform the decision in 2024/25. At the present time and following on from subsequent reports to Cabinet (the most recent of which was 19 April 2024), this review remains on-going. It is therefore proposed to continue the financial support to CAT on broadly the same terms as 2023/24. As set out in the report to Cabinet in July 2023, due to the value of the proposed financial assistance, the Minimum Financial Assistance threshold exemption under the associated Subsidy Control Act 2022 cannot be relied upon, because the recipient has received in excess of £314K over last 3 years from TDC, in addition to other public funding.

As set out in the report to Cabinet last year, a number of important governance issues therefore needed to be undertaken before any financial assistance could be provided, including approving an associated Subsidy Scheme. A delegation is therefore included in the recommendations above to extend the existing Subsidy Scheme and undertake any other necessary governance arrangements, including those ahead of 2025/26, where CAT will be informed of the Council's approach ahead of any decision emerging from the wider review of grant funding.

The recommendations above also include a number of delegations to enable expenditure to be incurred against a number of additional budgets set out within **Appendix A** as necessary. This includes the money set aside:

- for re-investing in Parking Services;
- to support the retender of the waste, recycling and street cleansing contract;
- for seasonal grounds maintenance and cleaning activities; and
- to support the capital schemes associated with the Government's Swimming Pool

Support fund. Cabinet formally accepted the Government grant funding of **£0.136m** at its meeting in April 2024. Although an additional **£0.150m** is now proposed to be allocated from the Council's own resources to complement the grant received from the Government, the delegation included within the recommendations above also seeks confirmation of the business case ahead of any expenditure being committed / incurred.

In respect of the last bullet point above, it is important to highlight that this does not impact on the Government grant funding received for Brightlingsea Lido or the associated scheme, with the grant funding remaining payable to the relevant external organisation subject to the completion of the necessary governance arrangements as delegated in the earlier Cabinet report mentioned above.

This report also provides a timely opportunity to briefly reflect on the in-year position for 2024/25 and respond to other emerging issues. A further proposed adjustment is therefore set out within **Appendix A (Section 2)**.

Other Issues

At its meeting in April 2024 Cabinet requested an update on the two carry forward items from 2022/23 that were previously requested by Cabinet at its 10 November 2023 meeting, for inclusion in the Outturn Report for 2023/24. With this in mind, the following information has been provided by the relevant Service:

- **Human Resources Carry Forward (HR Capacity - £0.111m)**

£20,000 was used to support an associated external review commissioned from EELGA. The review has been concluded with the outcomes planned to be presented to the Human Resources and Council Tax Committee.

£45,000 is funding formal qualification(s) training required to support the recommendations offered by the Housing Regulator (CIH Qualifications) along with additional specialist management development training for teams following restructures.

£46,000 relates to the funding of fixed term resources supporting additional required capacity in a number of areas such as a wider recruitment project and for continued support for the implementation of the new HR & Payroll system which went live on 1 April 2024 with additional modules to be rolled out across 2024/25.

- **Career Track (£0.046m)**

This funding was requested to provide further support to Career Track to cover the cost of temporary staff as apprentice numbers are increasing and changes to funding bands (amount of funding paid for individual apprenticeships) for apprenticeships are confirmed. This work is planned to remain on-going in 2024/25.

In addition to all of the matters highlighted above, during the external audit of the Council's Accounts over the coming months, adjustments or amendments may be recommended by the Council's External Auditor. Although subject to the actual adjustments that may be recommended by the Auditor, they may have a direct impact on the overall outturn position for the year rather than be just presentational changes. They would then be included in the Statement of Accounts that would be presented to the Audit Committee later for approval. To

APPENDIX A

enable the right level of flexibility in responding to any changes recommended by the External Auditor, a delegation is included in the recommendations above to enable the Council's S151 officer, in consultation with the Finance and Governance Portfolio Holder, to make the necessary adjustments to the 2023/24 outturn position.

PREVIOUS RELEVANT DECISIONS

General Fund and HRA Budgets for 2023/24 Approved – Full Council February 2023

Financial Performance Report 2023/24 – General Update at the end of July 2023 – Item A.5 Cabinet 6 October 2023.

Financial Performance Report 2023/24 – General Update at the end of Q2 September 2023 – Item A.3 Cabinet 10 November 2023.

Updated General Fund Financial Forecast / Budget 2024/25 – Item A.4 Cabinet 15 December 2023.

Updated General Fund Financial Forecast / Budget 2024/25 – Item A.4 Cabinet 26 January 2024.

Executive's Proposals – General Fund Budget and Council Tax 2024/25 – Item A.1 Full Council 14 February 2024.

Executive's Proposals – Housing Revenue Account Budget 2024/25 – Item A.2 Full Council 14 February 2024.

Financial Performance Report 2023/24 and 2024/25 – General Update at the end of Q3 – Item A.3 Cabinet April 2024.

Financial Outturn 2023/24 Report – Agreed by the Portfolio for Finance and Governance 17 July 2024 (LINK: [Decision - Financial Outturn 2023/24 \(tendringdc.gov.uk\)](https://www.tendringdc.gov.uk/decision/financial-outturn-2023-24))

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None

APPENDICES

Appendix A – Proposed Allocation of the GF Outturn Variance for 2023/24 and In-Year Budget Adjustments for 2024/25

REPORT CONTACT OFFICER(S)

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RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE

23 SEPTEMBER 2024

REFERENCE FROM THE COUNCIL'S ENFORCEMENT ARRANGEMENTS TASK AND FINISH GROUP

A.3 SECOND REPORT - CONCERNING FLY TIPPING AND MOBILE CCTV ENFORCEMENT

(Report prepared by Keith Simmons)

PURPOSE OF THE REPORT

To enable the Committee to consider the recommendations made to it as set out in the second report from the Council's Enforcement Arrangements Task and Finish Group into those elements of its enquiry concerning fly tipping and mobile CCTV enforcement. The report of the Task and Finish Group is set out at Appendix A to this report.

EXECUTIVE SUMMARY

The Task and Finish Group, having concluded the elements of its enquiry into Planning Enforcement, focussed its attention on the issue of fly-tipping and the use by the Council of mobile CCTV cameras. There were three meetings of the Task and Finish Group between February and July 2024. The report from the Task and Finish Group was then completed remotely through exchanges with the Members of the Group. The Group's report is set out at Appendix A.

RECOMMENDATION

That, subject to the Committee's consideration of the report of the Council's Enforcement Arrangements Task and Finish Group (set out at Appendix A to this report), into those elements of its enquiry concerning fly tipping and mobile CCTV enforcement, the recommendations to Cabinet on this matter be determined.

BACKGROUND PAPERS

None.

APPENDICES

Appendix A – second report from the Council's Enforcement Arrangements Task and Finish Group into those elements of its enquiry concerning fly tipping and mobile CCTV enforcement.

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SECOND REPORT OF THE

COUNCIL ENFORCEMENT ARRANGEMENTS

TASK & FINISH GROUP

**FOLLOWING THE ELEMENT OF ITS
ENQUIRY CONCERNING FLY TIPPING
AND MOBILE CCTV ENFORCEMENT**

DATE: 22 JULY 2024

TERMS OF REFERENCE OF THE TASK & FINISH WORKING GROUP

At the meeting of Council on 11 July 2023, the work programmes for the two Overview and Scrutiny Committees were approved. This included, within the scope of the Resources & Services Overview and Scrutiny Committee, an enquiry into the Council's Enforcement Arrangements. Specifically, an element of the enquiry was to include the following:

- “(c) The extent to which enforcement powers are looked at in a silo or corporate way to ensure that (within the purposes of particular enforcement powers) the Council considers the ability to address non-compliances robustly. (d) The experience of fly tipping on public land and the actions to deter such fly tipping (e) The use of mobile CCTV cameras openly and covertly to identify offences and, potentially, offenders.”*

This second report seeks to set out the process of the enquiry into the above (to this point) and its conclusions and recommendations concerning fly-tipping and the use of mobile CCTV.

The terms of reference for the Task and Finish Group also included consideration of matters relating to Planning Enforcement. This second report does not cover this element of the complete enquiry as it was the subject of an interim report concluded in December 2023.

THE AIMS AND OBJECTIVES OF THE ENQUIRY

The enquiry scope was considered to be directed towards the following Corporate Plan 2020-24 Theme: ***“Delivering High Quality Services - Effective regulation and enforcement”***. The Council adopted a new Corporate Plan (for the period 2024-28) at its meeting on 28 November 2023 (Minute 76 refers). The following themes appropriately relate to the ongoing enquiry in respect of the Council's Enforcement Arrangements:

- **Pride in our area and services to residents** - encouraging everyone to take responsibility for keeping their area a pleasant place in which to live and work
- **Championing our local environment** – We will be tough on those who do not respect our environment.

In approving the scope for this enquiry, Council recorded that the anticipated value of it was:

“To identify the extent to which there are further steps that can be taken to further achieve a fair and equitable use of enforcement powers, taking account of relevant information and that the resources made available for enforcement are used to best effect.”

MEMBERSHIP OF THE TASK & FINISH WORKING GROUP

On 17 August 2023, a decision in the name of the Chief Executive was published constituting the Task and Finish Group. Authority for the decision derived from Minute 5 of the Resources and Services Overview and Scrutiny Committee on 27 June 2023. That provided for Officers to be authorised, in consultation with the Committee Chairman, to make appointments to a Task and Finish Group as approved by Council (Minute 37 of 11 July 2023).

The Membership of the Task and Finish Group was - Cllr Paul Honeywood (Chairman), Cllr M Cossens, Cllr Sue Honeywood, Cllr Morrison, Cllr Smith and Cllr Sudra.

OFFICER SUPPORT FOR THE TASK & FINISH GROUP

Management Team identified as joint lead officers for this whole enquiry as:

Damian Williams, Corporate Director Operations and Delivery
Anastasia Simpson, Assistant Director Partnerships

Otherwise the Task and Finish Group was supported by the Head of Democratic Services

& Elections (Keith Simmons).

INVITEES AND PARTICIPANTS (TO THIS POINT)

In addition to the officers identified in the section headed “Officers support for the Task & Finish Group”, this element of the enquiry was assisted by Leanne Thornton, Community Safety & Safeguarding Manager at the Council.

EXPECTED OUTCOME(S) OF THIS ELEMENT OF THE ENQUIRY

The section above sets out the broad “Aims And Objectives Of The Enquiry” which were the expected outcomes of this element of the enquiry also.

By considering:

1. Details of the extent to which the Corporate Enforcement Group has provided the route to ensuring a corporate consideration to utilising different enforcement powers to address e.g. problem premises.
2. Numbers of fly tipping instances recorded by the Council by quarter for the past five years in respect of public land and the measures taken to deter fly tipping.
3. The policy and experience of the use of deployable CCTV cameras as part of enforcement (including covert and overt use).

It was intended that there would be an informed position to make recommendations to support the intentions set out in the “Aims And Objectives Of The Enquiry” section above.

ACTUAL OUTCOME(S) OF THIS ELEMENT OF THE ENQUIRY

Through the three meetings of the Task and Finish Group on this element of the enquiry, and the receipt of information outside of those meetings from those invited to attend, the Task and Finish Group Members consider that they are in a position to make the recommendations set out below which themselves are designed to meet the intentions set out in the “Aims And Objectives Of The Enquiry” section above.

RECOMMENDATION(S) FROM THIS ELEMENT OF THE ENQUIRY

That the Resources and Services Overview and Scrutiny Committee be recommended to approve the following on the basis that the relevant recipient of the approved recommendation will have the recommendation concerned referenced to them:

- (1) That, in order to develop a more holistic picture of the issues involved and the development of strategies to address them, in addition to highway fly-tipping incidents, records be kept and analysed for fly-tipping on other public land such as open spaces, public realm, Council assets, Beachfronts etc;**
- (2) That further steps be undertaken to engage with volunteer litter picking groups to ensure there is greater awareness of the issues around taking waste from private property and of the steps taken by officers to identify perpetrators of fly-tipping (and the need to preserve that evidence to ensure it can be used in action against perpetrators);**
- (3) To develop a similar approach to that of the London Borough of Redbridge with its online 'Wall of Shame' showing footage of fly-tipping with a view to encouraging understanding of the issue, the Council's efforts to address fly-tipping and to receive information on perpetrators;**
- (4) To encourage residents to supply their own footage, possibly through 'RING' (or other manufacturers) camera-door bells of fly-tipping captured by them;**
- (5) To inform Councillors that if they notice dog fouling, unretrieved dog waste, they should inform the Council's Community Safety Team who can look at deployment of Ambassadors with a view to detecting the perpetrators and, in the issues persist, to evidence a decision to deploy mobile CCTV cameras to address the problem;**
- (6) That consideration be given to the deployment of a mobile 'phone application for reporting incidents of fly-tipping and other crimes such as dog fouling and graffiti similar to that in place in Cheshire West and Chester Council;**
- (7) To consider how best to support members of the public to find details of licensed waste carriers (after the UK Government has concluded its review of the online access to that data);**
- (8) That details of fly-tipping hot spots on the highway/public land in the District be circulated to Councillors together with the stepped approach to enforcement relevant to that hot spot site and that this should be alongside summary details of the deployment of mobile CCTV cameras as part of addressing environmental crimes such as fly-tipping;**
- (9) That the reasons for the non-deployment of of a mains powered a#or a battery powered CCTV camera in the High Street, Clacton-on-Sea with a view to deterring and/or detecting fly-tipping at the junction with Beach Road be set out and addressed with the relevant decision makers.**
- (10) That, on the basis that the Council's policies, procedures and codes in respect of CCTV are reviewed in this current calendar year, they be amended to provide that as and when CCTV cameras are to be purchased, or grant applications made to fund CCTV cameras, consideration be given to the relative benefit of those cameras having AI functionality that can be deployed and that for mobile CCTV cameras consideration should also be given to alternative aquisition options such as rental rather than purchase.**

CHRONOLOGY

The enquiry was (and its terms of reference were) approved by full Council on 11 July 2023 (Minute 37 refers)

The Membership of the Task and Finish Group was approved on 17 August 2023 (published decision entitled “To constitute the Council Enforcement Arrangements Task and Finish Group” refers)

[Between 14 September and 4 December 2023, the Task and Finish Group undertook the first element of its enquiry and this related to Planning Enforcement and culminated in the publication of its interim report on that subject. In that phase of the entire enquiry the Task and Finish Group met three times. As such, this phase of the enquiry commenced with meeting four of the Task and Finish Group.]

The fourth meeting of the Task and Finish Group took place on 29 February 2024.

The fifth meeting of the Task and Finish Group took place on 5 March 2024.

The sixth meeting of the Task and Finish Group took place on 15 July 2024.

In part, the period of this enquiry was prolonged due to the scheduled Police, Finance and Crime Commissioner election on 2 May 2024 and then the calling of the snap United Kingdom Parliamentary General Election on 4 July 2024. The pre-election periods for both and the capacity of the organisation during those periods prevented further progress during those periods.

The Members of the Task and Finish Group approved this report by email exchange between 26 July 2024 – 21 August 2024.

DETAILED FINDINGS OF THE ENQUIRY

Through the several meetings of the task and Finish Group it received a great deal of information around the issue of fly-tipping and mobile CCTV provision. This included the following grouped under the sub-headings shown:

Waste/Fly Tipping

The Waste Team deal with incidents of flytipping on the highway and land subject to the street sweeping contract. These incidents have reduced by 50% since 2019. During the pandemic, and 2020 in particular, it was clearly a difficult time for flytipping, but outside of this, the reduction has been steady. A small amount of this reduction is down to tighter recording (avoiding duplicated incidents being the primary issue here) and this reflects the work undertaken over the last five years, as previously highlighted in previous reports.

Interestingly, the ratio of reported incidents, as a ratio of actual flytips, is increasing. This could be for many reasons and we feel a revised message on our website supported by a press release \ social media campaign would be useful in the near future.

Reporting Methods

Incidents are reported via:

Telephone call through to the Helpdesk: This is a preferred method but a number of these calls will be filtered by the helpdesk staff, at the point of contact.

Emails to individual officers: These are received via Councillors, members of the public who have historically emailed that staff member and retained their details, referrals from other agencies, internal reports from other teams/departments and so on. This is the least

preferred method as individual officers may be out of office, or off sick and this could introduce a delay in responding, which of course leads to potential customer/resident dissatisfaction.

Via the Report It form on TDCs website. This is our most preferred method and seems to be the most prevalent method used. The forms allow for a specific location to be added, full contact details, and for photos/videos to be uploaded. This is extremely helpful as all information is correlated in one document/file which in turn aides the investigating officer in dealing with the case in a timely manner.

Incident Numbers

Numbers of reported incidents vs Number of actual incidents (please note that prior to April 2021 all reports that passed through the Helpdesk filter, were logged as reports of flytipping as opposed to actual flytips (From April 2021 we differentiate between reports and actual.)

YEAR	REPORTED	CONFIRMED	PERCENTAGE
2017	1342		
2018	1221		
2019	1120		
2020	1952		
2021 (Jan-Mar)	402		
2021 (Apr-Dec)	2308	562	24.35%
2022	2878	605	21.02%
2023	3420	550	16.08%

Numbers of reported incidents vs Number of duplicate reports
(note: that previous double-recording would be a very time-consuming exercise to go back several years and isolate but the above statistic should give an indication of how many doubled-up reports. (Also as noted above, full categorisation and separation of report type did not begin until April 2021)

YEAR	REPORTED	ACTUAL	PERCENTAGE
2017	1342		
2018	1221		
2019	1120		
2020	1952		
2021 (Jan-Mar)	402		
2021 (Apr-Dec)	2308	873	37.82%
2022	2878	500	17.37%
2023	3420	540	15.79%

As the tables indicate there is a rough correlation between the number of actual flytips and the number of duplicates (suggesting that for every flytip we are responsible, we receive roughly two reports).

In addition, the Task and Finish Group were advised of efforts to map private sector landlord properties and instances of fly-tipping in order to look at any correlation and then address relevant instances with the landlord concerned.

HOT SPOTS FOR LITTERING

Fly-tipping on the highway hotspots across 2021-2023, namely:

- Mill Lane, Harwich
- Holland Marshes
- Crockleford Heath
- Emperor House, parkeston
- Mill Lane, Walton
- Rosemary Road (service road adjacent to the public toilets), Clacton-on-Sea
- Bathside area, Harwich

LITTER PICKING GROUPS

There are approximately x25 litter picking groups in Tendring, covering the following areas: Clacton, Holland-on-Sea, Great Bentley, Tendring, Wrabness, Frinton-on-Sea, Walton-on-the-Naze, Little Bentley, Elmstead Market, Crockleford Heath, Little Oakley, Harwich, Dovercourt, Jaywick, Thorpe, Weeley, Great Oakley, Wix, Bradfield, Mistley and Beaumont.

Since 2021, the groups have undertaken a total of 568 litter picking events:

2021:	52
2022:	62
2023:	251
2024:	203 (to 6th August 2024)

In November 2022, the authority ordered 10,000 purple community litter picking bags (TDC Logo branded on the front of bag) from an external supplier and began distributing them, to date, approximately 5,500 have been allocated. Prior to November 2022, litter picking groups were allocated black bags which we supplied from our Veolia stock pile.

This change was implemented to aide with differentiating between waste that had been collected via a community litter pick and waste that had been fly tipped. The new distinctive and recognisable purple bags clearly do this and this also prevents confusion with residents and also highlights the great work, conducted by the volunteers/groups.

This year the authority applied for and received 2,000 free clear sacks from Keep Britain Tidy, all of which have been allocated to the named groups above. Each year, when the Great British Spring Clean is scheduled, we ensure we re-apply to Keep Britain Tidy for the 2,000 free bags and we generally are awarded the full 2,000 per year (please be aware the total is not always guaranteed)

The authority does not undertake briefings with all Community Litter Picking Groups but we do have a webpage that informs the groups, that we can lend equipment, provide bags and arrange the collection and disposal of the collected waste. It also highlights the safety aspects and requirements, that the groups should consider and adhere to, whilst conducting their litter picks and a full list of TDC contact details are also provided.

The authority will also communicate to all groups individually when new legislation, e.g Persistent Organic Pollutants (POPs), or relevant information/government guidance is provided/comes into effect, this is always communicated in a timely and detailed manner.

SMART BINS

There are currently no service requirements for the installation of smart bins, however the future service requirements for the street cleaning contract will be output based, so that during the operating hours of the contract, it will be the responsibility of the contractor to ensure that no litter bin is ever more than 90% full. Where this occurs and depending on the area we are working on the service specification to reduce the time taken for the contractor to rectify such incidents.

Through continuous development of the services there will be a mechanism in place where the contractor may introduce technology to improve the service.

The next contract will also have greater enforcement mechanism in place with financial penalties placed on the contractor for full bins etc.

INCREASE IN HOUSING VARIATION ORDERS

The housing department have recruited four Tenancy Engagement Officers (TEOs) who are visiting all our tenants in the district. Whilst on the estates they are liaising with the Tenancy Management Officers (TMOs) and raising VOs for any fly tipping or littering seen, that hasn't already been dealt with/reported. Along with the Community Safety ambassadors and our Tenancy Management Officers visits, the estates receive an increased visible presence as well as responding to the residents' concerns direct.

MOBILE CCTV

The Council has four Rapid Deployment Cameras. The number of deployments of the Cameras has been as follows:

2022 – 11 deployments

2023 – 5 Deployments

2024 – 1 deployment (so March 2024)

Since those figures were presented, there had been a further two deployments of Cameras in Dovercourt (July 2024) and two more would be in place for the Clacton Air Show .

The Council's Rapid Deployment Cameras could be moved to agreed sites following identification of an increase in incidents in that specific locality.

To ensure that the deployment of the Rapid Deployment Cameras complies with legislation, checklists will be followed and these form part of the documentation that will be maintained to form an audit record.

Deployment of the Rapid Deployment Cameras is carried out by the Council's appointed Installation and Maintenance Contractor who complies with all relevant safety procedures, will wear appropriate protective equipment, and clothing that clearly identifies the company they are employed by.

The Task and Finish Group looked at the potential use of artificial intelligence (AI) in mobile CCTV Cameras and was advised that the Council's CCTV Code would be reviewed in 2024. This could then address the use of AI.

In addition to the wire powered Rapid Deployment Cameras, the Council had a battery powered deployable camera, which was being stored by the Council's contractor. It has been considered as not suitable for deployment as it only records on motion to an SD card

and it doesn't have a data plan to allow it to be remotely accessed once deployed. The specification had been agreed with this Council prior to purchase (using funds secured from Essex County Council).

OTHER AUTHORITY EXPERIENCE

The Task and Finish Group was provided with details of the London Borough of Redbridge with its online 'Wall of Shame' and smart 'phone applications for reporting fly-tipping (such as that used by Cheshire West and Chester Council).

There was also a discussion around the difficulty for residents to confirm that a waste carrier is properly regulated. This was problematic for residents seeking to dispose of waste lawfully.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None

APPENDICES

None

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