Public Document Pack

TENDRING DISTRICT COUNCIL

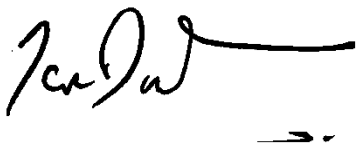
Committee Services
Room 29
Town Hall
Station Road
Clacton-on-Sea
Essex
CO15 1SE

17 November 2025

Dear Councillor

I HEREBY SUMMON YOU to attend the meeting of the Tendring District Council to be held at 7.30 p.m. on Tuesday 25 November 2025 when the business specified in the accompanying Agenda is proposed to be transacted. The meeting will be held in the Princes Theatre, Town Hall, Station Road, Clacton-on-Sea, CO15 1SE.

Yours faithfully



Ian Davidson
Chief Executive

To: All members of the
Tendring District Council

TENDRING DISTRICT COUNCIL

AGENDA

For the ordinary meeting to be held on Tuesday, 25 November 2025

Prayers

1 Apologies for Absence

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

2 Minutes of the Last Meeting of the Council (Pages 7 - 26)

The Council is asked to approve, as a correct record, the minutes of the extraordinary meeting of the Council held on 14 August 2025.

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 Announcements by the Chairman of the Council

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

5 Announcements by the Chief Executive

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

6 Statements by the Leader of the Council

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

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

7 Statements by Members of the Cabinet

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

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

8 Petitions to Council

To report any 'live' petitions that have been submitted in accordance with the Scheme approved by the Council.

9 Questions Pursuant to Council Procedure Rule 10.1

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

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

10 Urgent Cabinet or Portfolio Holder Decisions

The Council will receive a report on any Cabinet or Portfolio Holder Decisions taken as a matter of urgency in the circumstances set out in the Council's Constitution in:-

(a) Rule 15 of the Access to Information Procedure Rules (Special Urgency); and/or

(b) Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency); and/or

(c) Rule 6(b) of the Budget and Policy Framework Procedure Rules.

11 Minutes of Committees (Pages 27 - 90)

The Council will receive the minutes of the following Committees:

(a) Planning Policy & Local Plan of Monday 8 September 2025;

(b) Community Leadership Overview & Scrutiny of Tuesday 23 September 2025;

(c) Audit of Thursday 25 September 2025;

(d) Human Resources & Council Tax of Tuesday 21 October 2025; and

(e) Resources and Services Overview & Scrutiny of Tuesday 4 November 2025.

NOTES:

(1) The above minutes are presented to Council **for information only.** Members can ask questions on their contents to the relevant Chairman but questions as to the accuracy of the minutes **must** be asked at the meeting of the Committee when the relevant minutes are approved as a correct record; and

(2) If any recommendations to Council have been made by those Committees, these are included within separate reports for Council to decide upon (i.e. by noting the minutes those recommendations are not approved at this stage of the proceedings).

12 Motions to Council

Council will consider motions, notice of which will have been given pursuant to Council Procedure Rule 12.

13 Recommendations from the Cabinet - A.1 - The Local Council Tax Support Scheme, Discretionary Council Tax Exemptions / Discounts / Premiums for 2026/27 and Annual Minimum Revenue Provision Policy Statement 2026/27 (Pages 91 - 148)

Council will consider any recommendations submitted to it by the Cabinet in relation to the following:-

- Local Council Tax Support Scheme 2026/27;
- Exceptional Hardship Policy;
- Discretionary Council Tax Exemptions, Discounts and Premiums for 2026/27; and
- Annual MRP Policy Statement for 2026/27.

14 Reports Submitted to the Council by an Overview and Scrutiny Committee

The Council is asked to consider any reports submitted to it by an Overview and Scrutiny Committee.

15 Report of the Chief Executive - A.2 - Resignation from the Reform UK Group (Pages 149 - 150)

To formally report that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Richard Everett on 13 August 2025, served formal notice on the Council that he no longer wished to be treated as a member of the Reform UK political group.

16 Report of the Chief Executive - A.3 - Membership of Committees (Pages 151 - 152)

To inform Members of a change in the membership of the Standards Committee made since the last meeting of the Council.

17 Report of the Chief Executive - A.4 - Proposed change of date of the 2026 Annual Meeting of the Council (Pages 153 - 154)

To enable Members to consider a proposed change of date for the 2026 Annual Meeting of the Council to avoid a conflict with this Council's administration of the election of the Mayor for Greater Essex and the elections of County Councillors to serve on Essex County Council.

18 Questions Pursuant to Council Procedure Rule 11.2

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

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

19 Urgent Matters for Debate

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

Date of the Next Scheduled Meeting of the Council

Tuesday, 27 January 2026 at 7.30 pm - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

INFORMATION FOR VISITORS

PRINCES THEATRE FIRE EVACUATION PROCEDURE

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

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

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

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

PUBLIC ATTENDANCE AT TENDRING DISTRICT COUNCIL MEETINGS

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

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

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

Rights of members of the public to film and record meetings

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

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

The Council will provide reasonable facilities to facilitate reporting.

Public Behaviour

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

(1) Moving outside the area designated for the public;

(2) Making excessive noise;

(3) Intrusive lighting/flash; or

(4) Asking a Councillor to repeat a statement.

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

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

Filming by the Council

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

MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL, HELD ON THURSDAY, 14TH AUGUST, 2025 AT 7.30 PM PRINCES THEATRE - TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors Davidson (Chairman), Oxley (Vice-Chairman), Alexander, Amos, Baker, Barry, Bray, Bush, Calver, Casey, Chapman BEM, Codling, A Cossens, M Cossens, Davis, Doyle, Everett, Fairley, Fowler, Goldman, Griffiths, Guglielmi, Harris, I Henderson, J Henderson, P Honeywood, S Honeywood, Keteca, Kotz, Land, Newton, Placey, Platt, Skeels Jnr., Smith, Steady, G Stephenson, M Stephenson, Sudra, Talbot, Thompson and White
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Keith Simmons (Assistant Director (Corporate Policy & Support) & Deputy Monitoring Officer), Kai Aberdeen (Theatre General Manager (Technical)), Maddie Adger (Leadership Support Manager), Simon Kedge (Casual Technician (Princes Theatre)), Bethany Jones (Democratic Services Officer), Katie Koppenaal (Democratic Services Officer) and James Dwan (Communications Officer) and Simon Kedge (Casual Technician (Princes Theatre))

41. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Barrett, Bensilum, Ferguson, Morrison, Scott and Wiggins.

The Chief Executive, on behalf of Council, wished Councillor Scott to get better soon.

42. REPORT OF THE RETURNING OFFICER ON THE DISTRICT COUNCIL BY-ELECTION - FRINTON WARD

The Returning Officer (Ian Davidson) reported that the result of the by-election held in the Frinton Ward of the District on 5 June 2025 had been as follows:-

Karen Creavin	Labour Party	**168 votes**
Anne Hilary Davis	ReformUK – Changing Politics for Good	**1,222 votes**
Helen Claire Fontaine	Liberal Democrats	**78 votes**
Steven Walker	Green Party	**93 votes**
Vanda June Watling	Conservative Party Candidate	**577 votes**

The Returning Officer informed Council that therefore Anne Hilary Davis had been duly elected as a Councillor for the Frinton Ward of the District of Tendring and that she had made a Statutory Declaration of Acceptance of Office.

Members congratulated Councillor Davis with a round of applause.

Council noted the foregoing.

43. MINUTES OF THE LAST MEETING OF THE COUNCIL

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that the minutes of the ordinary meeting of the Council held on 20 May 2025 be approved as a correct record and be signed by the Chairman.

Councillor P B Honeywood stated that, in relation to Minute 32 of the previous meeting referred to above, he had asked for a response from the Leader of the Council, and he requested that actions were recorded correctly.

Councillor M E Stephenson responded that a written response would be sent out soon.

44. DECLARATIONS OF INTEREST

In respect to Item 13 on the Agenda (Motion to Council Pursuant to Council Procedure Rule 12 – End of life care in the NHS and Hospices), Councillor Chapman BEM stated she was not sure if she had to declare for the public record that her daughter was an end-of-life carer.

45. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

The Chairman informed Members that, since the last meeting of Council held on 20 May 2025, he had attended the following civic events:-

"Monday 2 June – Attended new dance academy in Parkeston;

Tuesday 3 June – Official Chairman chain of office handover brunch in the mayors parlour. In attendance – my wife, our outgoing Chairman Councillor Dan Casey and his lovely wife Eve, Councillor Ann Oxley alongside her son Pierre Oxley, and the Reverend David Lower;

Friday 6 June 2025 – D-Day Service – Clacton Royal British Legion at Clacton War Memorial Garden;

Saturday 14 June – Falklands memorial service Clacton Royal British Legion at War Memorial Garden;

Tuesday 24 June – Grass roots Charity reception – Oaktree Centre Colchester;

Wednesday 25 June – The King's Award at Hatfield Pevril;

Thursday 26 June – Colchester University AGM & Tour;

Saturday 28 June – Armed Forces Day, flag raising at Town Hall, Clacton-on-Sea;

Thursday 3 July – High Sheriff Garden Party at Southminster;

Sunday 6 July – Rochford District Council Chairman's Garden Party at The lawns, Rochford. A wonderful afternoon with MP's, Mayors, and our very own Councillor Carlo Guglielmi, Vice-Chairman of Essex County Council;

Monday 7 July – The Jack Petchy Foundation Award Ceremony at the Westcliff Theatre, Clacton-on-Sea;

Saturday 12 July – The Tendring Show at Lawford;

Tuesday 15 July – The Catherine Booth first Blue plaque unveiling at Marine Parade, Clacton-on-Sea;

Wednesday 16 July – Judging panel, Tendring growth business awards at the Town Hall, Clacton-on-Sea;

Tuesday 22 July – Official opening of Share Shack at Harwich;

Wednesday 30 July – Homestart Harwich, Mini Olympics & Games at Parkeston;

Saturday 9 August – Clacton Carnival, judging the Queens and their Courts, alongside fellow Councillors; Alexander, Baker, Doyle and Griffiths judging the incredible floats.

Sunday 10 August – Invitation to attend the opening of Clacton School Uniform Bank shop. A fantastic turnout and fellow Councillors with the Wives/Husbands – Councillors M Stephenson, G Stephenson, Oxley, Baker, Smith, Griffiths, Placey and Newton, out of support the launch. Congratulations to Councillor Doyle and the fantastic team of dedicated volunteers.

Wednesday 13 August – Remembrance Sunday preparation meeting in the Town Hall, Clacton-on-Sea."

46. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were no announcements made by the Chief Executive on this occasion.

47. STATEMENTS BY THE LEADER OF THE COUNCIL

There were no statements made by the Leader of the Council on this occasion.

48. STATEMENTS BY MEMBERS OF THE CABINET

There were no statements made by members of the Cabinet on this occasion.

49. PETITIONS TO COUNCIL

On this occasion it was reported that no 'live' petitions had been submitted in accordance with the Scheme approved by the Council.

50. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

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

It was reported that, on this occasion, no such questions on notice had been submitted.

51. REPORT OF THE LEADER OF THE COUNCIL - URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

It accordance with the requirements of Rule 16.2 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules and/or Rule 6(b) of the Budget and Policy Framework Procedure Rules, Council received a report of the Leader of the Council (A.1) which notified Members of recent Executive Decision(s) taken in the circumstances set out in Rule 15 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules.

(1) Agreement to serve a counter notice in respect of a lease extension request

It was reported that, on 4 July 2025, the Assistant Director (Housing and Environment), on behalf of the Portfolio Holder for Housing and Planning and in view of the urgency of the issue concerned, and in accordance with Rule 18(i) of the Overview & Scrutiny Procedure Rules, had sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Portfolio Holder's decision relating to the serving of the counter notice in respect of a lease extension request, be exempted from the call-in procedure.

The Portfolio Holder for Housing and Planning's decision was as follows:-

"To agree to the service of a section 45 Counter Notice by the Council's Corporate Director (Law & Governance) on the terms set out in the Officer report and to authorise the Corporate Director (Operations and Delivery), in consultation with the Corporate Director (Law & Governance, to enter into negotiations to agree the premium payable and to formalise this lease extension, subject to such other terms as considered necessary."

It was felt that any delay likely to be caused by the call-in process would have seriously prejudiced the Council's interest as it would have prevented the Council from responding within the statutory time period to the service on the Council of a Section 42 Notice, under the Leasehold Reform, Housing and Urban Development Act 1993 (as amended) for the grant of a new lease for 8 Ashley Court, Ashley Road, Dovercourt, a former Council owned property. Failure to do so would have allowed the tenant to apply to Court for an Order granting them the new lease on the terms the tenant had proposed in the initial notice.

Following service of a counter notice, there was a period of two months for both parties to agree terms and the premium payable failing which the tenant had six months from the date of the counter notice to apply to a tribunal to determine terms and the premium payable.

(2) Exemption from procurement rules to appoint Heaton Design and Engineering Ltd for the Clacton Leisure Centre Oil Boiler Replacement

It was also reported that, on 11 July 2025, the Head of Sport and Leisure, on behalf of the Portfolio Holder for Leisure and Public Realm and in view of the urgency of the issue concerned, and in accordance with Access to Information Procedure Rule 25 had sought and obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Portfolio Holder's decision in relation to the exemption from procurement rules to appoint Heaton Design and Engineering Ltd for

the Clacton Leisure Centre Oil Replacement could be taken under the “Special Urgency” procedure.

It was recognised by all concerned that the appointment of a consultant by 13 July 2025 was critical to maintaining the project timeline and meeting the delivery milestones set out in the Salix funding agreement. Specifically, the consultant must be in place to initiate design work by 1 August 2025 and complete detailed designs by 1 October 2025. Without that appointment, the Council would be unable to progress the design phase in time, placing the project and the associated £1.2 million grant funding at significant risk and would lead to an increased financial liability on the Council.

Decisions taken under the Special Urgency procedure were automatically exempted from call-in.

It was moved by Councillor M E Stephenson and:-

RESOLVED that the contents of the report be noted.

52. MINUTES OF COMMITTEES

It was moved by Councillor M E Stephenson and:-

RESOLVED that the minutes of the following Committees, as circulated, be received and noted:-

(a) Planning Policy & Local Plan of Wednesday 28 May 2025;

(b) Resources and Services Overview & Scrutiny of Wednesday 4 June 2025;

(c) Community Leadership Overview & Scrutiny of Tuesday 17 June 2025;

(d) Audit of Thursday 26 June 2025;

(e) Standards of Wednesday 9 July 2025;

(f) Resources and Services Overview & Scrutiny of Wednesday 9 July 2025;

(g) Human Resources & Council Tax of Monday 28 July 2025;

(h) Community Leadership Overview & Scrutiny of Tuesday 29 July 2025; and

(i) Resources and Services Overview & Scrutiny of Wednesday 30 July 2025.

53. MOTION TO COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE 12 - END OF LIFE CARE IN THE NHS AND HOSPICES

Earlier on in the meeting, as recorded under 44 above, Councillor Chapman BEM Councillor Chapman BEM stated she was not sure if she had to declare for the public record that her daughter was an end-of-life carer.

Council had before it the following motion, notice of which had been given by Councillor Doyle pursuant to Council Procedure Rule 12:-

"(a) That this Tendring District Council:-

(1) notes that the NHS was set up to provide care from the cradle to the grave yet care at the end of life is currently greatly under resourced;

(2) notes that the impact of this on the District of Tendring's population is amplified due to its elderly demographic and has been exacerbated in recent times with a reduction in inpatient beds at end-of-life care providers, both charitable or otherwise, many of which are currently struggling financially;

(3) laments that the District's residents, like many across the country, are suffering, and too often dying inhumanely, in corridors of overcrowded hospitals when person, intimate and compassionate care cannot be delivered in such a non-clinical area; and

(4) believes that this would not be acceptable for any human being when entering the world, so neither should it be acceptable when they are leaving this world.

(b) That this Council therefore requests that the Leader of the Council writes to the Secretary of State for Health to urge that the Government addresses the inequality in funding for end-of-life care as a matter of urgency so that, with the correct funding, the terminally ill and their families can be cared for in comfort and in an appropriate setting."

Prior to the commencement of the meeting the Council's Monitoring Officer had confirmed that the statutory officers did not need to provide any professional advice in relation to this motion and that therefore an Advisory Note pursuant to Council Procedure Rule 12.5 had not needed to be produced.

Councillor Doyle formally moved the motion, and Councillor Newton formally seconded the motion.

In accordance with provisions of Council Procedure 12.6 Councillor Doyle then explained the purpose of the Motion and Council proceeded to debate it.

Councillor Newton spoke during the debate on this matter.

Councillor P B Honeywood moved and Councillor M Cossens seconded that Councillor Doyle's motion be amended to read (in its entirety) as follows:

"(a) That this Tendring District Council:-

(1) notes that the NHS was set up to provide care from the cradle to the grave yet care at the end of life is currently greatly under resourced;

(2) recognises the damaging effect the rising employer National Insurance contributions has had on private providers;

(3) notes that the impact of this on the District of Tendring's population is amplified due to its elderly demographic and has been exacerbated in recent

times with a reduction in inpatient beds at end-of-life care providers, both charitable or otherwise, many of which are currently struggling financially;

(4) laments that the District's residents, like many across the country, are suffering, and too often dying inhumanely, in corridors of overcrowded hospitals when personal, intimate and compassionate care cannot be delivered in such a non-clinical area; and

(5) believes that this would not be acceptable for any human being when entering the world, so neither should it be acceptable when they are leaving this world.

(b) That this Council therefore requests that the Leader of the Council writes to the Secretary of State for Health to urge that the Government addresses the inequality in funding for end-of-life care as a matter of urgency so that, with the correct funding, the terminally ill and their families can be cared for in comfort and in an appropriate setting."

Councillors P B Honeywood, Bray, Calver, I J Henderson, Griffiths, Harris and Doyle each addressed the Council during the debate on Councillor P B Honeywood's amendment.

When the amendment was put to the vote, it was thereupon declared **LOST,** and Council returned to consider the original motion.

In addition, Councillors M E Stephenson and Doyle spoke during the debate on this motion.

Councillor Doyle's motion, the original motion, on being put to the vote was declared **CARRIED**.

54. MOTION TO COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE 12 - CLACTON POLICE STATION

Council had before it the following motion, notice of which had been given by Councillor Alexander pursuant to Council Procedure Rule 12:-

"That the Leader of the Council be requested to write to the Police, Fire and Crime Commissioner to:-

(1) highlight that the closure of the front counter at Clacton Police Station means that there are now no front office counters at police stations across the whole of Tendring;

(2) raise concerns that some residents, especially the elderly or vulnerable, without internet access will find it harder to seek advice or support from the police; and

(3) seek an assurance that this decision will be reversed if there is not a marked reduction in crime and an increase in public confidence."

Prior to the commencement of the meeting the Council's Monitoring Officer had confirmed that the statutory officers did not need to provide any professional advice in

relation to this motion and that therefore an Advisory Note pursuant to Council Procedure 12.5 had not needed to be produced.

Councillor Alexander formally moved the motion, and Councillor Griffiths formally seconded the motion.

In accordance with the provisions of Council Procedure Rule 12.6 Councillor Alexander then explained the purpose of the Motion and Council proceeded to debate it.

Councillors Baker, Bray, Harris, Stephenson, White, Griffiths and Davis spoke during the debate on this matter.

Councillor Davis moved and Councillor Bray seconded that Councillor Alexander's motion be amended by the addition of a few words under *(3)* as follows:

"(3) seek an assurance that this decision will be reversed within 6 months if there is not a marked reduction in crime and an increase in public confidence."

Pursuant to the provisions of Council Procedure Rule 16.6(a), Councillor Alexander, with the consent of Councillor Griffiths, accepted the amendment and altered his motion accordingly.

In addition, Councillor Casey spoke during the debate on this motion.

Councillor M E Stephenson then moved, and Councillor I J Henderson seconded that Councillor Alexander's amended motion, be further amended as follows:-

"(3) seek an assurance that this decision will be reversed within 1 year if there is not a marked reduction in crime and an increase in public confidence."

Pursuant to the provisions of Council Procedure Rule 16.6(a), Councillor Alexander, with the consent of Councillor Griffiths, accepted the amendment and altered his motion accordingly.

In addition, Councillor Harris spoke during the debate on this motion.

Councillor Alexander's motion, as amended, on being put to the vote was declared unanimously **CARRIED.**

55. RECOMMENDATION FROM THE CABINET - OPTIONS FOR LOCAL GOVERNMENT REORGANISATION IN GREATER ESSEX - INDICATION OF THE COUNCIL'S PREFERENCE

Council received a presentation by the Chief Executive which highlighted the following:-

- Local Government Reorganisation Refresher;
- Invitation to Submit a 'Proposal for a single tier of local government';
- Submissions must have regard to Criteria as set out in Statutory Guidance;

- Interim Plan and Ministry of Housing, Communities & Local Government feedback;
- Developing the Proposals;
- The current 4 options;
- Principles of Five Unitary Authorities;
- Essex County Council Position – Case for Three Unitary Authorities;
- What is the Financial 'Exam Question?' Key Financial Questions 'Set' by the Ministry of Housing, Communities & Local Government;
- Key Outputs from Work to Date;
- Key Financial Output to Date;
- Community Engagement;
- Minister's letter to Leaders & Statement 03.06.25;
- Strong Accountable Leadership: Member Roles and Governance;
- Flexibility & Maintaining a strong community voice;
- Neighbourhood Area Committees;
- Councillor Numbers;
- Implementing the Preferred Option;
- Next Steps for TDC;
- LGR timetable following submission;
- LGR timetable – Shadow authority to Vesting Day of Unitary.

Councillors Harris and Thompson asked questions on the contents of the presentation with replies thereto from the Chief Executive and the Monitoring Officer.

During the discussion of the Chief Executive's presentation, Councillors Guglielmi and Everett indicated that their preferred option was UA 3.4 (which would see Tendring combined with Braintree, Colchester and Uttlesford). Councillors Talbot, Baker, Harris, Calver, Placey, Bray and Bush expressed their preference for UA 5.2 (which would see Tendring merged with Colchester and Braintree).

Following that discussion, it was moved by Councillor M E Stephenson and seconded by Councillor Kotz that, in accordance with the Council Procedure Rules, the Closure Motion "that the Council proceed to the next business" be put, which motion was declared **CARRIED**.

56. REPORT SUBMITTED TO THE COUNCIL BY AN OVERVIEW AND SCRUTINY COMMITTEE - REFERENCE FROM THE COUNCIL'S TWO OVERVIEW AND SCRUTINY COMMITTEES - A.2 - OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMMES FOR 2025/2026 AND A REVIEW OF THE WORK CARRIED OUT DURING 2024/2025 (ANNUAL PERFORMANCE REPORT)

Members were reminded that, at this Council, the overview and scrutiny function was facilitated through two separate Committees. Those were the Community Leadership and the Resources & Services Overview and Scrutiny Committees. Together, their work comprised the whole overview and scrutiny function on the Council.

Under the Council's Overview and Scrutiny Procedure Rules, the Constitution stated, in relation to the Work Programme (Rule 7), that:-

> *"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 Council for approval. In addition, it will be responsible for coordinating and prioritising its work programme on an ongoing basis."*

In submitting their proposed work programmes for 2025/26, the Overview and Scrutiny Committees had taken 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 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 addition, under Article 6.02 of the Constitution the separate Overview & Scrutiny Committees (OSCs) performed the role of overview and scrutiny in relation to:-

Resources and Services Overview and Scrutiny Committee

"the effective use of the Council's resources including approval of discrete researched and evidenced reviews on the effectiveness of:

- *Financial Forecast and Budget setting and monitoring (including the General Fund and the Housing Revenue Account but excluding those budgetary matters delegated to the Community Leadership Overview & 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;*
- *Transformation and Digital Strategies; and*
- *Customer Service and Standards."*

Community Leadership Overview and Scrutiny Committee

"(a) Community Leadership – developing the external focus of overview and scrutiny on 'district-wide issues' (and where appropriate sub-regional, regional and national issues), in particular through collaborative work with local partner authorities, providers, stakeholders and members of the public.

- *Approval of discrete researched and evidenced reviews on the effectiveness of partnership operating in the area with particular focus on:*
    - *Community Safety;*
    - *Health and Well-being;*
    - *Economy, Skills and Educational Attainment;*
    - *Community engagement, development and empowerment;*
    - *Economic Development, Regeneration and Freeport East;*
    - *Leisure and Tourism (except matters relating to budgets);*
    - *Planning & Building Control and Strategic Planning (including the Local Plan);*
    - *Emergency Planning; and*
    - *To scrutinise/review the outcomes and implications for the Council of its financial support to community organisations and also from its receipt and use of funds received from local partner organisations.*

(b) The Community Leadership Overview & Scrutiny Committee will also act as the Council's designated "crime and disorder committee" for the purposes of Section 19 of the Police and Justice Act 2006 and will have the power –

(a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities[*] of their crime and disorder function; and
(b) to make reports or recommendations to the local authority with respect to the discharge of those functions.

**"The responsible authorities" means the bodies and persons who are responsible authorities within the meaning given by section 5 of the Crime and Disorder Act 1998 (c.37) (authorities responsible for crime and disorder strategies) in relation to the local authority's area.*

In fulfilling that function, the Community Leadership Overview & Scrutiny Committee will have the power (whether by virtue of section 9F(2) or 21(2) of the Local Government Act 2000 or regulations made under section 9JA(2) or 32(3) of that Act or otherwise) to make a report or recommendation to the local authority with respect to any matter which is a local crime and disorder matter in relation to a member of the authority.

The crime and disorder committee shall meet to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder function as the committee considered appropriate but no less than once in a twelve-month period.

(c) The Community Leadership Overview & Scrutiny Committee, in accordance with Section 9F (d) and (e) of the Local Government Act 2000 (as amended) will also perform the functions relating to community governance reviews as provided by Part 4

of the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") where those functions have been delegated to the Committee by full Council (as set out in Part 3 Schedule 2 Responsibility for Council (Non-Executive) Functions).

In performing its delegated functions, the Committee is required, by section 100(4) of the 2007 Act, to have regard to the guidance, which is issued by the Secretary of State, under section 100(1) and (3), and the LGBCE under section 100(2) of the same Act."

In considering the Work Programme of enquires to submit for approval to Council, the separate Overview and Scrutiny Committees had had regard to the Corporate Plan 2024-28 and the themes of that Corporate Plan. Those themes were:

- Pride in our Area and Services to Residents;
- Raising Aspirations and Creating Opportunities;
- Championing out Local Environment;
- Working with Partners to Improve Quality of Life;
- Promoting out Heritage Offer, Attracting Visitors and Encouraging them to Stay Longer; and
- Financial Sustainability and Openness.

The Overview and Scrutiny Committees had each formally reviewed the work carried out in 2024/25 and had considered items for inclusion in their respective proposed Work Programmes for 2025/26 as follows:

INFORMAL MEETINGS

Community Leadership Overview and Scrutiny Committee – 22 July 2025; and
Resources and Services Overview and Scrutiny Committee – 24 July 2025.

FORMAL MEETINGS

Community Leadership Overview and Scrutiny Committee – 29 July 2025; and
Resources and Services Overview and Scrutiny Committee – 30 July 2025.

Those formal approvals had followed informal development of concepts by Members of the two Committees. All Councillors on Tendring District Council had been provided with the opportunity to contribute proposals for Work Programme items for 2025/26.

Both Committees had received the results of the public consultation that had run from 13 June 2025 to 28 July 2025. Details to access the consultation had been sent directly to all Town and Parish Councils in the District with electronic copies of posters that they had been invited to display. It had been also published on the Council's website in conjunction with a social media engagement campaign by the Council's Communications Team.

Having considered all of the above, the two Overview and Scrutiny Committees had then determined their proposed Work Programmes for 2025/26 and those were now submitted for approval by Council along with a review of the scrutiny function at the Council in 2025/26 as performed through the two Committees. This had been developed in dialogue with the Chairmen of the two Committees and a draft had been submitted at the Committee meetings already referenced above.

Appendix Ai to report A.2 set out the proposed work programme for the Community Leadership Overview and Scrutiny Committee, Appendix Aii set out the proposed work programme for the Resources and Services Overview & Scrutiny Committee and Appendix B set out the review of the scrutiny function in 2024/25. All were submitted for consideration by Council.

It was reported that both of the Overview and Scrutiny Committees had approved arrangements to enable appointments of relevant Task and Finish Groups to take forward enquiries from the approved work programmes. Those arrangements would enable those appointments to be made prior to the next respective Committee meetings.

It was moved by Councillor P B Honeywood, seconded by Councillor Steady and:-

RESOLVED that Council –

(a) approves the proposed work programme for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the 2025/26 Municipal Year, as set out in Appendices Ai and Aii respectively; and

(b) notes the work carried out by those Committees in the year 2024/25, as set out in Appendix B.

57. REFERENCE FROM THE STANDARDS COMMITTEE - A.3 - AMENDED COMPLAINTS PROCEDURE (MEMBERS' CODE OF CONDUCT)

Council considered a reference report (A.3) from the Standards Committee which enabled Council to consider the recommendations of the Standards Committee following its review of the Complaints Procedure (Members' Code of Conduct).

It was reported that, the Standards Committee, at its meeting held on 9 July 2025 (Minute 7 referred), had considered a report of the Corporate Director (Law and Governance) & the Monitoring Officer (A.2), which had reminded Members that the Council had approved the Standards Framework with effect from November 2013, and which had included a Complaints Procedure. The Complaints Procedure referred to a hearing in paragraph 7.1.2 and that it would follow procedures setting out how the hearing would be conducted. That Hearing Procedure had been reviewed by the Standards Committee in April 2024.

The purpose of the Complaints Procedure was to set out the framework as to how a complaint alleging a breach of the Members' Code of Conduct would be dealt with. The review was being conducted as it was important to ensure the Council's procedures reflected best practice and were up to date.

The proposed amendments considered points raised by members of the Standards Committee and the Council's Independent Persons following a workshop with Officers to review the Complaints Procedure, such as strengthening and clarifying the investigation process should an alleged breach be determined for investigation by the Monitoring Officer and the process following the decision to be referred to the Standards Committee for a hearing.

It was moved by Councillor Talbot and:-

RESOLVED that Council, having considered the recommendations of the Standards Committee:-

a) approves and adopts the amended Complaints Policy; and

b) approves a delegation to the Standards Committee to amend the Complaints Procedure, following future reviews, for efficiency purposes and especially in readiness for Local Government Reorganisation preparation.

58. REFERENCE FROM THE PLANNING COMMITTEE - A.4 - BIODIVERSITY NET GAIN (BNG): DELEGATION ARRANGEMENTS IN RESPECT OF PROPOSALS FOR HABITAT BANKS

Council considered a reference report (A.4) from the Planning Committee which enabled Council to consider the recommendations of the Planning Committee that future decisions for approval and/or entering into a Section 106 legal agreement with landowners for the establishment of Habitat Banks, along with associated decisions around enforcement against non-compliance, should be delegated to the Head of Planning and Building Control.

It was reported that, on 8 July 2025, the Planning Committee had considered a report of the Corporate Director (Planning and Community) that had previously gone to Cabinet in October 2024 under the Portfolio Holder responsible for Housing and Planning seeking Cabinet's agreement to adopt a policy statement on "Biodiversity Net Gain" (BNG) to serve as the Council's interim corporate position on the subject, ahead of detailed consideration as part of the forthcoming Local Plan review.

The policy as adopted for interim use was now applicable in the determination of planning applications and in the consideration of proposals for 'Habitat Banks'. Habitat Banks were parcels of land where habitats had been created or enhanced, in advance, to provide an uplift of biodiversity units. Those surplus biodiversity units could then be sold to developers to meet their BNG requirements 'off-site'. In order to sell off-site biodiversity units, there were a number of legislative criteria that must be met; and whilst the establishment of a Habitat Bank had not required planning permission, in many cases it would have required landowners to enter into a Section 106 legal agreement with the Council alongside a formal registration process with Natural England.

As well as agreeing to the adoption of the policy statement, the Cabinet had resolved to invite the Planning Committee, at its earliest convenience, to consider and determine how it would exercise its power in respect of Council decisions on entering into legal agreements with landowners under Section 106 of the Town and Country Planning Act 1990 for the purposes of setting up Habitat Banks, guided by the aforementioned policy and the advice of Officers – including the extent to which the Committee deemed it appropriate for such decision-making powers to be delegated to Officers; and any arrangements for public consultation on specific proposals. That was because this was a fairly new area of work with explicit arrangements set out in the Council's Constitution in respect of delegated powers and no legislative requirements around public consultation.

It had been recommended by Officers to the Planning Committee that the consideration, approval and entering into Section 106 agreements with landowners for the

establishment of Habitat Banks should be delegated to the Head of Planning and Building Control, along with decisions around future enforcement action against non-compliance. If agreed, it was recommended those arrangements should be put forward for consideration, as part of a future review of the Council's Constitution, as to whether explicit amendments to the Delegated Powers section of Constitution or the terms of reference of the Planning Committee were required.

It had been also recommended by Officers to the Planning Committee that no specific requirements for public or other stakeholder consultation on Habitat Banks proposals needed to be put in place, apart from technical consultation with suitably qualified ecologists for the purpose of seeking their professional advice.

It was important to emphasise that the establishment of a Habitat Bank was a different and separate concept and process from the determination of planning application for new development that, in many cases, had a requirement to address Biodiversity Net Gain (and for which existing constitutional arrangements for the Planning Committee and appropriate delegation to Officers already, along with, statutory consultation requirements applied).

The Planning Committee's decision on the matter was set out within the Background section of the Officer report (A.4).

It was moved by Councillor Fowler, seconded by Councillor White and:-

RESOLVED that Council approves that:-

a) future decisions for approval and/or entering into a Section 106 legal agreement with landowners for the establishment of Habitat Banks, along with any associated decisions around enforcement against non-compliance, will be delegated to the Head of Planning and Building Control; and

b) the Monitoring Officer be authorised to make any specific wording changes that need to be made to either the Planning Committee's Terms of Reference or to Part 3 (Delegated Powers) of the Council's Constitution.

59. REPORT OF THE CHIEF EXECUTIVE - A.5 - COUNCILLOR ANNE DAVIS - MEMBERSHIP OF THE REFORM UK GROUP

The Chief Executive formally advised Council that, following the by-election in the Frinton Ward held of 5 June 2025 and pursuant to Regulation 9(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Anne Davis served formal notice on the Council that she wished to be treated as a member of the Reform UK political group. That notice had been duly counter signed by the Leader of the Reform UK Group (Councillor Jeff Bray).

Members were aware that, under Section 15(1)(e) of the Local Government and Housing Act 1989 and Regulations 1990, a review of the allocation of seats to political groups had been carried out. The results of that review were reported to Council elsewhere on the Agenda for this meeting.

Council noted the foregoing.

60. REPORT OF THE CHIEF EXECUTIVE - A.6 - ALLOCATION OF SEATS ON COMMITTEES AND SUB-COMMITTEES TO THE POLITICAL GROUPS FORMED ON TENDRING DISTRICT COUNCIL AND THE APPOINTMENT OF THE MEMBERSHIP OF COMMITTEES ETC. FOR THE REMAINDER OF THE 2025/2026 MUNICIPAL YEAR

Members were aware that, as part of the business that needed to be conducted at the meeting, Council would:-

(i) decide the allocation of seats for all Committees and Sub-Committees to political groups in accordance with the political balance rules; and
(ii) appoint Members to each Committee and Sub-Committee as appropriate.

Members were also aware that Councillor Anne Davis had recently joined the Reform UK Group following the by-election held in the Frinton Ward on 5 June 2025.

Council, with the assistance of the contents of the Chief Executive's report (A.6), formally conducted the review referred to above.

Members had had circulated to them prior to the commencement of the meeting an amended Appendix 1 to the report A.6.

It was moved by Councillor M E Stephson, seconded by Councillor I J Henderson and:-

RESOLVED that –

(a) Council approves the review of the allocation of places on relevant Committees, as set out in Table 2 in the Officer report (A.6) so far as it sets out the total number of seats on all those Committees to be allocated to political groups represented on the Council, (principle (c) of the "Principles");

(b) Council approves, the number of seats on each relevant Committee set out in Table 9 to be allocated to political groups such that, for each group, their proportion of seats on individual Committees is proportionate to their overall membership on the Council (principles (c) and (d) of the "Principles"):

TABLE 9

Committee /Sub-Committee	Total Seats on Body	Conservative	Independents	Labour	Liberal Democrats	Tendring Independents	Reform UK
Audit Committee	7	**2**	**1**	**1**	**0**	**2**	**1**
Community Leadership O & S Committee	9	**2**	**1**	**1**	**1**	**2**	**2**
Human Resources & Council Tax Committee	7	**1**	**1**	**2**	**0**	**2**	**1**
Licensing &							

Registration Committee	10	**3**	**0**	**2**	**1**	**2**	**2**
Miscellaneous Licensing Sub-Committee	5	**1**	**1***	**1***	**0**	**2**	**0**
Planning Policy & Local Plan Committee	9	**3**	**1***	**1***	**1**	**2**	**1**
Planning Committee	9	**2**	**1**	**1**	**1**	**2**	**2**
Resources and Services O & S Committee	9	**2**	**1**	**1**	**1**	**2**	**2**
Standards Committee	7	**2**	**1**	**1**	**1**	**1**	**1**
Town & Parish Councils Standards Sub-Committee	**3**	**1**	**0**	**0**	**0**	**1**	**1**
TCB Garden Community Joint Committee	2 (non-executive members)	**2**	**0**	**0**	**0**	**0**	**0**

(c) that the following changes to the allocations set out in Table 8 in the report be approved (the relevant allocations are shown in '*' in Table 9 above):

(1) the Labour Group having no seats on Planning Policy & Local Plan Committee (instead of one) and two seats on the Miscellaneous Licensing Sub-Committee (instead of one); and

(2) the Independent Group having two seats on the Planning Policy & Local Plan Committee (instead of one) and no seats on the Miscellaneous Licensing Sub-Committee (instead of one).

Resolution (c) received a nemine contradicente vote.

(d) Council approves, in so far as it reflects the earlier decisions on this matter, the appointment of Members to serve on the relevant Committees et cetera, as set out in Appendix 1 to the Officer report.

61. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

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

One question on notice had been submitted by a Member on this occasion as set out below:-

Question

Councillor Chris Griffiths had asked Councillor Peter Kotz, the Portfolio Holder for Assets and Community Safety:-

"Local residents have expressed concern over a number of recent deliberately started fires in fields, woodlands and hedges, behind their homes in William Drive, George Close and Stanley Road. This has led to too many people fearing for both the safety of their families and their property. We understand that a request has been made to the Council for both CCTV, signage, and assistance with the farmer for a fire break in the field. Would it be possible for the Portfolio Holder to outline what action the Council is taking, along with its partners organisations to protect residents in this area from arsonists."

Councillor Kotz, Portfolio Holder for Assets and Community Safety replied as follows:-

"May I thank Councillor Griffiths for notice of his question.

Tendring District Council has investigated the feasibility of installing CCTV; however, the land is privately owned (woodland) and not suitable for CCTV. There is no place to erect a CCTV camera and there is no power source. As the land is privately owned and not by Tendring District Council, we would not erect CCTV cameras on the land.

The issue of the fires was discussed at the meeting held with Councillors by Chief Inspector Austin as part of his tour who assure Councillors that the Police Service would work with the Fire Service to conduct door to door visits in the area to reassure residents.

Andy Marshall of Essex County Fire and Rescue Service has confirmed that William Drive is just one of the roads that surrounds a large farmers field of standing corn as well as Stanley Road, Cherry Tree Avenue, West Lane and Jaywick Lane which all sit along the curtilage of field alongside some smaller roads which run off these main thoroughfares.

On Thursday 7th and Friday 8th July 2025 the Police and Fire Service undertook door to door knocking in Stanley Road and Poplar Close, approximately 100 properties, which has generated over 35 home fire safety checks and home fire safety referrals.

The Police have door knocked the whole area, including William Drive to provide a level of assurance to residents.

The Essex County Fire and Rescue Service attend and put out fires when they are identified.

Tendring District Council's Anti-Social Behaviour Officer, working with the Essex County Fire and Rescue Service, have obtained the details of the landowner and are arranging a joint site visit to better understand what action is deemed reasonable for the landowner to take to prevent fires from spreading to nearby properties. Tendring District Council and Essex County Fire and Rescue Service are considering sending a joint letter to request that the landowner consider and implement these reasonable steps and to set out the possible repercussions if the measures are not undertaken and an incendiary incident occurs, and fires spread to neighbouring properties."

Councillor Griffiths thanked Councillor Kotz for his response to the question.

62. SEATING PLAN FOR MEETINGS OF THE FULL COUNCIL IN THE 2025/2026 MUNICIPAL YEAR

Council's approval was sought for the seating plan for its meetings to be held during the remainder of 2025/26 Municipal Year.

It was reported that the seating plan had been further amended to reflect the resignation of a Councillor from the Reform UK Group who had now become a non-aligned Member.

It was **RESOLVED** that the seating plan for full Council meetings to be held in the Princes Theatre during the remainder of the 2025/26 Municipal Year be approved.

63. URGENT MATTERS FOR DEBATE

No urgent matters had been submitted in accordance with Council Procedure Rules 3(xv), 11.3(b) and/or 13(p) for this meeting.

The Meeting was declared closed at 10.10 pm

Chairman

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**MINUTES OF THE MEETING OF THE PLANNING POLICY AND LOCAL PLAN COMMITTEE,
HELD ON MONDAY, 8TH SEPTEMBER, 2025 AT 6.00 PM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Guglielmi (Chairman), M Cossens (Vice-Chairman), Bush, Chapman BEM, Fairley, Newton, Scott, M Stephenson and White
Also Present:	Councillors Baker (Portfolio Holder for Housing & Planning) and Sudra
In Attendance:	Gary Guiver (Corporate Director (Planning & Community)), Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Ian Ford (Democratic Services Manager), Paul Woods (Planning Policy Team Leader) and Katie Koppenaal (Democratic Services Officer)

8. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was submitted on behalf of Councillor Fowler, who had a standing invitation under the Council's Constitution to attend meetings of this Committee, in her capacity as Chairman of the Planning Committee.

9. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the Minutes of the last meeting of the Committee, held on Wednesday 28 May 2025, be approved as a correct record and be signed by the Chairman.

10. DECLARATIONS OF INTEREST

Councillor Sudra, who was present at the meeting in the public gallery, declared an interest in agenda item 6 (Report of the Corporate Director (Planning and Community) – A.1 – Draft Hartley Gardens Supplementary Planning Document) insofar as she was a resident of the Bluehouse Ward and a Ward Member for the Cann Hall Ward parts of both of which Wards lay within or adjacent to the area covered by the Hartley Gardens SPD.

11. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No questions on notice pursuant to Council Procedure Rule 38 had been submitted on this occasion.

12. PUBLIC SPEAKING

Pursuant to the provisions of the Council's public speaking scheme for the Planning Policy & Local Plan Committee, no member of the public had registered to ask at this meeting a question on the Officer report (A.1).

After the presentation of the Officer report (A.1), Martin Robeson, acting on behalf of his client, Britton Developments Ltd, the landowner of part of the Hartley Gardens allocation site made a statement. Details of that statement are contained within Minute 13 below.

13. REPORT OF CORPORATE DIRECTOR (PLANNING AND COMMUNITY) - A.1 - DRAFT HARTLEY GARDENS SUPPLEMENTARY PLANNING GUIDANCE

Earlier on in the meeting, as detailed under Minute 10 above, Councillor Sudra, who was present in the public gallery, had declared an interest in this item insofar as she was a resident of the Bluehouse Ward and a Ward Member for the Cann Hall Ward parts of both of which Wards lay within, or adjacent to, the area covered by the Hartley Gardens SPD.

The Committee considered a report of the Corporate Director (Planning and Community) which updated it on the progress of the Hartley Gardens Supplementary Planning Document (SPD) and which also sought the Committee's endorsement to recommend to Cabinet that the draft SPD be published for public consultation purposes.

Members were reminded that Hartley Gardens was a strategic mixed-use allocation located on the northwestern edge of Clacton-on-Sea, identified in the adopted Local Plan. The site was expected to deliver approximately 1,700 new homes, including affordable housing, alongside employment land, education facilities and range of community and green infrastructure. The preparation of a SPD for Hartley Gardens marked a significant milestone in progressing the site's delivery and in ensuring a coordinated, high-quality approach to development.

It was reported that public consultation on the draft SPD was proposed to take place during October-November 2025, subject to this Committee's and Cabinet's approval. The six-week consultation would include two public events and be supported by online and offline engagement methods. As Hartley Gardens was allocated in the Local Plan – having been examined and found sound by a Government Planning Inspector – the principle of development was already established. It would be important to clearly communicate that the purpose of the consultation was to provide feedback on the design and delivery framework, rather than to comment on whether the site should be developed. Officers would ensure that the consultation materials were accessible and that residents understood the scope and purpose of the SPD and the role of the consultation process.

Members were informed that the SPD had been prepared collaboratively by Tendring District Council, Essex County Council, and Homes England. The early stages of preparing the SPD and masterplan had been informed by engagement with statutory consultees, Councillors, other local stakeholders, and the public. Public drop-in events and an online questionnaire had provided valuable feedback, whilst dedicated workshops with Councillors and community stakeholders had helped shape the emerging vision and development principles. This input had played a formative role in developing the proposals and ensuring that they reflected local priorities and concerns.

It was felt that the SPD provided a comprehensive masterplan and planning framework that would guide future planning applications and infrastructure delivery. The document set out a clear vision for Hartley Gardens as a healthy, inclusive, and sustainable urban extension, with a strong sense of place and identity. It established development

principles covering housing, design quality, movement and access, sustainability, and community infrastructure, supported by a detailed Infrastructure Delivery Plan (IDP).

The Committee was made aware that the SPD was structured to clearly set out the planning requirements for Hartley Gardens. It began with an introduction, followed by a detailed assessment of the site and its context. The vision and objectives chapter set out the overarching aims for the development. The spatial framework (or masterplan) then identified key land uses, movement corridors, green infrastructure, and character areas. The following chapter on development principles provided detailed guidance on housing, design quality, access, sustainability, and community infrastructure to ensure consistency across all phases. This was followed by a chapter outlining the broad approach to infrastructure delivery, with further detail provided in the accompanying IDP. The SPD concluded with a section setting out the next steps towards delivering the site.

Members were informed that the masterplan divided the site into four distinct character areas, each shaped by its landscape context, proximity to heritage assets, and relationship with existing communities. The Central Character Area would form the heart of the new neighbourhood, with a mix of uses including shops, a primary school, early years provision, and community facilities. The SPD also outlined a movement strategy that prioritised active travel and public transport, alongside a hierarchy of streets and access points agreed in principle with Essex County Council.

The Committee was cognisant that the SPD and IDP identified the infrastructure requirements of the development. This included strategic infrastructure for the whole development such as a new primary school, early years and childcare facilities, healthcare, and highways improvements, and site-specific infrastructure that would be delivered on individual development parcels such as local open spaces and on-plot utilities provision. The open space network for the whole site would provide interesting and varied environments for exercising and dog walking, which would minimise the need for residents to make daily trips to more sensitive areas of the District.

Members were advised that, following the consultation, the Planning Policy Team would assess all representations and prepare a final version of the SPD for adoption by Cabinet. Once adopted, the SPD would become a material consideration in the determination of planning applications and would support the delivery of housing targets in the emerging Local Plan Review. The first planning application for the site was expected to be lodged in early 2026, with delivery anticipated to begin in 2029.

The Committee was aware that accelerating housing delivery was a key priority for the Government, and that Hartley Gardens was expected to make a significant contribution to meeting the District's housing needs over the next 20 years and beyond. Following Local Government Reorganisation (LGR), the requirements set out in the SPD would remain a material consideration for any future applications determined by the new Unitary Authority. This would ensure continuity in planning guidance and support the long-term delivery of the site.

Following the introduction of the report by the Planning Policy Team Leader (Paul Woods), Martin Robeson, acting on behalf of his client, Britton Developments Ltd, the landowner of part of the Hartley Gardens development allocation site, made a statement to the Committee. That statement touched on the following matters:-

- *Britton Developments Ltd.'s ("Britton") previous developments in the vicinity of the Hartley Gardens location;*
- *Britton owned land alongside the A133 that connected into Brook Park West that would be critical to any future development;*
- *Britton was the only active developer in that area;*
- *Britton had concerns and criticisms on the role and intentions of Homes England and the Greenwich Hospital Trust including the view that their proposals would risk the employment land and would likely make the houses and infrastructure costs unaffordable;*
- *Britton would make extensive representations on the Council's SPD during the consultation period;*
- *Britton could provide a development of 300 homes immediately and at much less cost; and*
- *Britton supported the intentions of the SPD but felt that it still required a lot of work.*

With the permission of the Chairman, Councillor Sudra, a Ward Member for the Cann Hall Ward, addressed the Committee on the subject matter of this item. Councillor Sudra highlighted that the provision of the necessary infrastructure (e.g. employment land, health facilities, school provision, road access and capacity, connectivity and public transport provision) together with the potential loss of green fields would be a key concern for local residents (and potential new residents on this site).

The Planning Policy Team Leader (Paul Woods) then responded to Mr. Robeson's and Councillor Sudra's statements.

Mr. Woods then responded to the following questions/concerns/queries et cetera from Members:-

- *the SPD should take into account the ongoing community governance review and the future role of a potential Clacton Town Council in stewardship matters;*
- *concerned about the juxtaposition of timing and phasing of this development and that at Rouses Farm as the latter development would also include the provision of a new primary school and the upgrading of the junction of Jaywick Lane and St. John's Road;*
- *will the Hartley Gardens development start at the north end or the south end?*
- *when will the primary school for Hartley Gardens be provided?*
- *worried that there is too many unknowns and too much out of this Council's control;*
- *concern at how the threshold for creating the new primary school will be met if the development is created piecemeal through several planning applications by different developers;*
- *point out that if the development starts at the north end of the site then access will be via a circular loop so therefore would like to see the whole spine road put in place at the start of the development;*
- *there was a need to ensure that pre-school provision was in place before the need for the primary school and take into account the long term implications for local secondary schools;*
- *would advocate including further improvements to the B1027 / St. John's Road as part of any planning permission for this site to help deal with the expected increase in road traffic;*
- *what conversations are taking place now to address any potential future flooding issues for Pickers Ditch, including use allocations within the flood zones;*

- *nervous about the level of future Government investment / interest in this development through Homes England over what will be a significant period of time and that therefore the infrastructure may be provided piecemeal.*

At the invitation of the Chairman, the Portfolio Holder for Housing and Planning (Councillor Baker) commented on the subject matter of this item as follows:-

- *thanked the Committee for their very interesting comments and debate;*
- *echoed the Committee's commendation of Mr. Woods and his Team on the work that had gone into producing the SPD;*
- *took on board and would take forward the points made about Pickers Ditch and flood risk; and*
- *looked forward to the public consultation and would urge residents to engage in the process.*

Having duly taken all the above information into account and having discussed the matter:-

It was moved by Councillor White, seconded by Councillor Fairley and unanimously:-

RESOLVED that the Planning Policy and Local Plan Committee recommends to Cabinet that the Hartley Gardens Draft Supplementary Planning Document (August 2025) and associated evidence base (listed as Background Documents) be published for consultation with residents and other interested stakeholders.

The meeting was declared closed at 7.38 pm

Chairman

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**MINUTES OF THE MEETING OF THE COMMUNITY LEADERSHIP OVERVIEW AND SCRUTINY COMMITTEE,
HELD ON TUESDAY, 23RD SEPTEMBER, 2025 AT 7.30 PM
IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Steady (Chairman), Barrett (Vice-Chairman), Codling, Davidson, Ferguson, Griffiths and Oxley
Also in Attendance:	Councillor Gina Placey (Portfolio Holder for Partnerships) and Dr. Emily Murray (University of Essex), Dawn Williams (HCRG Care Group), Rebecca Scott-Williams (HCRG Care Group), Anthony Scrafton (North East London NHS Foundation Trust)
In Attendance:	Keith Simmons (Assistant Director (Corporate Policy & Support) & Deputy Monitoring Officer), Michael Carran (Assistant Director (Sport, Culture & Health)), Katie Koppenaal (Democratic Services Officer) and Bethany Jones (Democratic Services Officer)

13. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Doyle and Thompson, with no substitutions appointed.

14. MINUTES OF THE LAST MEETING

It was unanimously **RESOLVED** that the minutes of the last meeting of the Committee held on Tuesday, 29 July 2025, be approved as a correct record and be signed by the Chairman.

15. DECLARATIONS OF INTEREST

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

16. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice pursuant to Council Procedure Rule 38 has been submitted by Members for this meeting.

17. REPORT OF THE ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) - A.2 - WORK PROGRAMMING - INCLUDING MONITORING OF PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS

It had been decided by the Chairman of the Committee to allow the Community Safety and Safeguarding Manager to speak regarding the Crime & Disorder (Familial Violence/Abuse) Task and Finish Group prior to the Committee's discussions on the work programme et cetera.
The Community Safety and Safeguarding Manager reminded Members of the work undertaken so far by the Crime & Disorder (Familial Violence/Abuse) Task and Finish

Group. The Group had reached a natural conclusion whereby five out of seven recommendations had been completed. The remaining recommendations for completion had been regarding LGR, which could not be completed until progress was made in this area, and training options, which had been discussed by Officers. It was suggested that the Committee decided whether to continue the work of the Crime and Disorder (Familial Violence/Abuse) Task and Finish Group, or to begin a new Task & Finish Group focussing on victim services/support with the opportunity to include victims of familial violence/abuse within that research.

The Community Safety and Safeguarding Manager had also provided some information in respect of Victims Services and Support to enable the Committee to assess the issue of such services and support and the best way to achieve this.

The Community Safety and Safeguarding Manager then left the meeting, and the Committee proceeded to consider this item as follows:

The Committee had before it a report (A.2) that provided Members with its approved Work Programme for 2025/26 (Appendix A), feedback to the Committee on the Executive's decisions made in respect of previous recommendations from the Committee in respects of enquiries undertaken (Appendix B) and a list of forthcoming decisions for which notice had been given since publication of the agenda for the Committee's last meeting (Appendix C).

The Committee had held an informal meeting on 19 September 2025 and had considered the items contained within Appendix A (the Committee's Work Programme for 2025/26).

In relation to the 2025/26 Work Programme enquiry into water quality, Members had been made aware that the Chairman of the Committee and the Chairman of the Council, accompanied by Officers, had made a site visit to the Haltermann Carless Oil Refinery on 19 August 2025, which had also formed part of the enquiry into water quality in the District. Some informal notes on that visit had been set out in Appendix D to the A.2 report.

Members of the Committee discussed the following items, that had been set out in Appendix A to the A.2 report in the agenda, for the Work Programme 2025/26:

- Crime and Disorder (Familial Violence/Abuse) Task and Finish Group
- Coastal Communities Unit
- Joint working with Parish and Town Councils Task and Finish Group
- Youth Provision of School age Children Task and Finish Group
- Collaborative working opportunities with Braintree and Colchester and building working relationships with external partners located in those areas
- Community Governance Review

Members noted their desire to establish collaborative working opportunities with Member colleagues at Colchester and Braintree Councils and explored, in particular, their wish to work with the various departments within the University of Essex.

The Committee was aware that this meeting of the Committee had been held one week prior to the end of the first phase of consultation under the Community Governance Review for the unparished areas of Clacton-on-Sea, Holland-on-Sea and Jaywick Sands. The outcome of that consultation had been scheduled to be reported to the Committee at a meeting in October. The position in respect of that timetable was the subject of an oral update to the Committee from the Assistant Director (Corporate Policy and Support). As such, the Committee had been requested to consider whether the date of that October meeting needed to be adjusted.

It was moved by Councillor Ferguson, seconded by Councillor Oxley and **RESOLVED** that the Committee:-

(a) notes its approved Work Programme for 2025/26 (Appendix A) together with the feedback to the Committee on the Executive's decisions made in respect of previous Committee recommendations (Appendix B), the list of forthcoming decisions (Appendix C) and the informal notes of the Chairman of the Committee and the Chairman of the Council's visit to the Haltermann Carless Oil Refinery (Appendix D);

(b) notes the remaining contents of the report including the Brightlingsea Harbour biocides research project and considers the opportunity to carry out a visit to Brightlingsea Harbour;

(c) notes that the Assistant Director (Corporate Policy & Support) will exercise the power delegated to him by the Committee at its meeting held on 29 July 2025 to appoint / re-appoint (as appropriate) Members to the following bodies:-

- Joint Working with Town and Parish Councils Task and Finish Working Group;
- Provision of Out of School Organised Activities and Events Task and Finish Working Group (which will hold their final meeting to develop proposals for an online resource);
- Youth Mental Health and Diagnosis Task and Finish Working Group; and
- Victims of Crime and Disorder Services and Support Task and Finish Working Group).

(d) agrees that the Crime and Disorder (Familial violence/abuse) Task and Finish Group will not be re-appointed and that any further updates / matters relating to this important issue will be reported directly to the Committee; and

(e) notes that the date for its next meeting, which is scheduled to receive the outcome of the first phase of consultation under the Community Governance Review for Clacton-on-Sea, Holland-on-Sea and Jaywick Sands, may need to be re-arranged.

18. YOUTH MENTAL HEALTH

18.1 **A.1 - Report of the Assistant Director (Corporate Policy & Support) - The research findings from University of Essex (and partners) around youth mental health issues in Coastal Communities**

The Committee was aware that this item had been brought to the Committee as part of the requirements in the Committee's Work Programme for 2025/26, as approved by Full Council at its meeting held on 14 August 2025.

This had identified that an item on the work programme would include:

- To look at the mental health research which suggested the position had been most pronounced among younger people living in coastal communities.
- That Doctor Emily Murray be invited to attend the Committee meeting.
- The published articles and summaries of the research findings produced by the University and its collaboration partners.
- The anticipated outcome.

The consideration of the matters set out in this report had been said to support the separate Corporate Plan Themes around:

- Pride in our rea and services to residents
- Raising aspirations and creating opportunities
- Working with partners to improve quality of life

The envisaged outcome of this item had been to enable the Committee to receive and consider the evidence around mental health among young people in coastal communities such as those in the District of Tendring; and the access to services to diagnose mental health issues affecting young people. This would then inform the Committee as to further work that it would wish to consider as part of its work programme going forward.

Questions:	Answers:
Is there a correlation between the provision of special educational needs and poor mental health in coastal communities?	(Dr Emily Murray) We have not investigated this specifically, but it is something we will look to contribute to the research.
Do mental health issues referenced generally start in primary or secondary schools? Is there an impact on transport or similar issues in secondary schools that contributes to them not going on to higher education?	(Dr Emily Murray) Birth cohort data suggests that younger people in deprived coastal areas are much less likely to obtain a degree later in life than the generations prior. The explanation is more about average household incomes and poverty in those areas rather than the quality of schooling.
How quickly can the support systems listed be accessed as I know waiting lists can be extensive, such as CAHMS currently being 12-18 months?	(Dr Emily Murray) The Institute of Public Health (at the University of Essex) has obtained a grant from the NIHR (National Institute for Health and Research) to look at young people's mental health in Essex specifically which has just started in September. This creates a good opportunity to look at this on a more localised scale, given that the current data

	is national.
(Anthony Scrafton) How would the research correlate with schools?	(Dr Emily Murray) Looking at test scores, pupils progressing on to higher education were frequently lower than the national average which impacted on the mental health of young people.

18.2 **A.1 - Report of the Assistant Director (Sport, Culture and Health) - Coastal Communities Unit**

It was reported that levels of poor mental health amongst children in Tendring had been some of the worst in Essex. The National Mental Health of Children and Young People survey had highlighted that 9.5% of primary age school children had at least one mental health disorder. The most common types being behavioural (5%) and emotional (4.1%).

In addition, Tendring had the highest prevalence of mental health disorders in children in Essex at 9.8% of the population aged 5-16.

In more general terms, the survey had highlighted that nationally in 2023 1 in 5 young persons between 8 and 25 had a probable mental disorder and although in 8 to 16-year-olds the rates were similar for boys and girls, within the 17 to 25 age range the rates were twice as high for young women as young men.

The national data had also highlighted that in 8 to 16-year-olds 1 in 4 children with a probable mental disorder had a parent who could not afford for them to take part in outside school activities compared with 1 in 10 for those unlikely to have a mental disorder.

Similarly, in 17 to 25-year-olds, those with a probable mental disorder were three times more likely to not be able to take part in activities such as days out or socialising compared with those unlikely to have a mental disorder.

Although the contact rates with mental health services for 0 to 18-year-olds had been lower than the England average (based on 2021 data), North East Essex had the highest rate in Essex at 217.4 per 10,000 people. This was also the case for open referrals for those under 19 (202 per 10,000).

It was concerning that Tendring had one of the worst suicide rates in Essex and although this referred to all age suicides, this had also been inclusive of those who were at most risk of self-harming (which it had been suggested heightened the risk of suicide) and young people, care leavers and ‘looked after’ children.

The Committee was informed that the King’s Fund had identified in 2024 that, although more children were accessing mental health services, the current level of expansion had not met demand. They had also identified that there was a gap in support for those children who needed greater support in an educational setting but did not receive specialist mental health treatment.

The Care Quality Commission had reported that there had been an increasing number of children needing support to access care who had been using Child and Adolescent Mental Health Services (CAMHS) and up to a third of those having accessed the service did not know who to contact in a crisis.

Since 2015, it was recognised that the prevalence of children with social, emotional and mental health needs had increased rapidly with the Covid-19 pandemic having had a particular impact where it had been reported nationally that 80% of young people with pre-existing mental health needs had experienced exacerbated or new issues. This had been particularly the case in older girls, under 18s and those due to sit exams.

Members were reminded that this Council's emerging Health and Wellbeing Strategy had highlighted some of the actions the Council had taken to seek to address some of those issues. For example, the Wellbeing Hubs in Primary Schools (which covered 30 schools across North East Essex) sought to help children with emerging difficulties who did not meet the threshold for statutory services. The hubs helped develop resilience, empower children and build self-esteem.

In addition, work had been undertaken to assist families most in need via Family Solutions and a housing and benefits officer working in the Children's Social Care multi-disciplinary team which helped provide stability for families.

The Council's emerging Health and Wellbeing Strategy, which had been closely aligned with our partners such as the North East Essex Health and Wellbeing Alliance, also sought to deliver a wider determinants approach which acknowledged the importance of addressing the key causes of poor health.

An approach which highlighted how this Council supported issues such as housing, social isolation, opportunity and physical activity would all help address those issues which led to poor mental health in families and children. Those services both statutory and voluntary included:-

"Southend, Essex and Thurrock Children's and Adolescent's Mental Health Service (SET CAMHS) is an NHS service which provides diagnosis, therapy and crisis support for young people up to age 18.

- *SET CAMHS - Hubs - North | NELFT NHS Foundation Trust*
- *Self or professional referral: 0800 953 0222*

Essex Child & Family Wellbeing Service helps families access local health services in the community and supports with school/community wellbeing and early screening for young people up to age 19 and SEND young people up to age 25.

- *Essex Child and Family Wellbeing Service | Essex County Council*
- *Via Family Hubs: 0300 247 0015*

Youth Enquiry Service (YES) support young people age 11-25 with counselling, wellbeing, housing and teen parent support.

- *YES | Youth Enquiry Service | Supporting Young People*
- *Appointment via: 01255 434 601*

Tendring Wellbeing and Intervention Services (TWIS) CIC provide therapy, workshops, mindfulness and neurodiverse support for children & families.

- *Tendring Wellbeing & Intervention Services*
- *Contact via: 01255 754027*

Inspire offer virtual and face-to-face support and counselling to young people age 10-25 in Suffolk and North Essex.

- *https://inspirecharityuk.org/services/wellbeing/*
- *07720087487*
- *wellbeing@inspiresuffolk.org.uk*

Teen Talk Harwich provides counselling and support for young people age 11-25 year old and their families living in Tendring.

- *https://teentalkharwich.co.uk/about/*
- *01255 504800*

Therapy for You is the local provider for NHS talking therapies. They will accept referrals for young people from age 16 and offer therapy but do not diagnose other than to guide treatment.

- *https://www.therapyforyou.co.uk/*
- *01206 334 001*

The Ark Centre Counselling Services have an Accredited Counsellor based at The Ark offering sessions at a reduced rate from the age of 6 years upwards.

- *Counselling – The Ark Centre*
- *01255 502063*

Reach out for Mental Health provide up to 12 weeks of free counselling to those who have suicidal thoughts.

- *https://reachoutfmh.co.uk/*
- *07308 069 609*

Colchester Institute Counselling Service offer low cost and remote counselling.

- *Counselling Service at Colchester Institute - Colchester Institute*
- *01206 712 000*

Essex Young People's Drug and Alcohol Services (EYPDSA) offers support to under 25's affected by substance misuse through 1:1, group work, telephone and virtual support.

- *https://www.childrenssociety.org.uk/information/young-people/east/EYPDAS*
- *01245 493 311*

Community Voluntary Services Tendring (CVST) supports, promotes and develops the voluntary and community sector across the Tendring district. They offer social prescribing, a befriending service, volunteering opportunities and community group support.

- *https://www.cvstendring.org.uk/*
- *01255 425692*

Community360 supports the voluntary and community sector in Colchester and offers services such as community transport, wellbeing initiatives, fundraising support, and strategic development for local organisations.

- *https://www.community360.org.uk/*
- *01206 505250*

Next Chapter support young people affected by domestic violence to explore their feelings and help them understand what they have been through, know they are not to blame, help them to stay safe and let them know where they can turn if they need more help.

- *https://www.thenextchapter.org.uk*
- *0330 333 7 444 or 01206 500585*

Centre for Action on Rape and Abuse (CARA) work with victims and survivors of sexual violence and child sexual abuse, providing independent, specialist support and promoting and representing their rights and needs.

- *https://caraessex.org.uk/*
- *01206 769795*

Essex Young Carers Services support children and young people under 18 years old who provide regular and on-going care to another person who is physically or mentally ill, disabled or misuses substances.

- *Young Carers*
- *03330 322800*

Extra Support for Families provide support for families (EXTRA) to help anyone caring for children in the Tendring district to meet the challenges of parenting. They offer local opportunities for parents/carers to meet at fun child/parent workshops, informal parent peer support groups and a range of parenting programmes.

- *Extra Support for Families | Welcome to Extra Support for Families*
- *01255 475001*

Home Start provide direct support through their local Home-Start network – families are introduced and matched to an available volunteer. Home-Start's volunteers' work alongside families to give compassionate and confidential support. Children from 5-11 years.

- *Home-Start Colchester, Jaywick and Clacton | Home-Start UK*
- *01206 854625*

The Children's Society work with children, young people and adults aged 8-24 who are at a medium/high risk of criminal or sexual exploitation, or those that are actively being exploited. Support areas include child sexual exploitation, children's rights and advocacy, county lines and criminal exploitation, mental health and wellbeing, missing from home, poverty, refugees and migrants, substance misuse, young carers. They offer 1:1 therapeutic sessions, targeted group work sessions and specialist sexual violence counselling.

- *https://www.childrenssociety.org.uk/*
- *01245 493 311*

Invisible Lives - Barnardo's. The Invisible Lives Challenging Behaviour and Attitude (CBA) service provides a whole family approach to support children (aged 8-19 years) and their families when there has been an adverse change in the child's behaviour which may result in risk taking behaviours and/or lead to potential offending.

- *01268 558448 or 07947219802*
- *Invisible.lives@barnardos.org.uk*

Other resources

- *SHOUT (24/7 confidential texting service): txt SHOUT on 85258*
- *Samaritans (24/7 emotional support): 116 123*
- *ieso (digital CBT therapy) 0800 074 5560, https://www.iesohealth.com/*
- *MIND - 0300 123 3393, https://www.mind.org.uk/*
- *Young Minds https://www.youngminds.org.uk/*
- *Stand Alone (family estrangement) https://www.standalone.org.uk/*

Self-harm and suicide

- *Papyrus UK Hopeline 247- 0800 068 4141, txt 07860 039967, www.papyrus-uk.org*
- *Harmless https://harmless.org.uk/*
- *The Mix (support for under 25s) https://www.themix.org.uk/mental-health/self-harm*
- *Every Life Matters https://www.every-life-matters.org.uk/self-harm/*
- *Stay Alive App https://www.england.nhs.uk/supporting-our-nhs-people/support-how/wellbeing-apps/stayalive/*
- *Safety planning https://www.samaritans.org/how-we-can-help/if-youre-worried-about-someone-else/supporting-someone-suicidal-thoughts/creating-safety-plan/*
- *CALM Harm App https://calmharm.stem4.org.uk/*

Coping Skills

- *15-minute rule https://www.lifesigns.org.uk/15-minutes-rule/*
- *Distress tolerance skills https://positivepsychology.com/distress-tolerance-skills/*
- *https://www.getselfhelp.co.uk/distress-tolerance/*
- *Emotional regulation skills https://www.getselfhelp.co.uk/emotion-regulation/*
- *Self-soothing https://positivepsychology.com/self-soothing/*
- *Grounding techniques https://positivepsychology.com/grounding-techniques/*
- *Mindfulness https://ruh.nhs.uk/patients/services/physiotherapy/documents/PHY051_Mindfulness_and_relaxation.pdf*

Gender Identity

https://www.youngminds.org.uk/parent/parents-a-z-mental-health-guide/gender-identity/

The Outhouse charity provides opportunities and promoting equality for LGBTQ+ people in Essex. Provides a vast programme of services including social events, support groups, training and more.
Tel: 01206 871394 | Email: info@theouthouse.org.uk | Web: www.theouthouse.org.uk

LGBT+ Switchboard – An LGBT+ helpline, providing a safe space (via phone, email and webchat) to discuss anything including sexuality, gender identity, sexual health and emotional wellbeing
Tel: 0300 330 0630 | Email: chris@switchboard.lgbt | Web: www.switchboard.lgbt

Stonewall's Information Service – An LGBTQ+ information service supporting LGBTQ+ individuals and their families with problems, questions and requests for support. The service aims to do what they can to help or will signpost to someone who can.
Tel: 0800 050 20 20 | Email: info@stonewall.org.uk | Web: www.stonewall.org.uk/help-advice/contact-stonewalls-information-service

FFLAG – A national voluntary organisation and registered charity dedicated to supporting parents and families and their LGBT+ members. FFLAG provide a central point for exchange of information between parents' groups and local parent contacts. The FFLAG website includes numerous downloadable resources.
Tel: 0300 688 0368 | Email: support@fflag.org.uk | Web: www.fflag.org.uk

London Friend – The UK's oldest LGBT+ charity, offering support around same-sex relationships, sexual and gender identity and promoting personal growth and self-confidence. London Friend offers a range of in-person and online groups to meet with other LGBT+ people in a safe and supportive environment.
Tel: 02078 331674 | Email: office@londonfriend.org.uk | Web: www.londonfriend.org.uk

GIRES (Gender Identity Research and Education Society) https://www.gires.org.uk/

Useful apps
Kooth - https://www.kooth.com/
Calm app - https://www.calm.com/"

Questions:	Answers:
You mentioned that "Parents didn't have much aspiration for their children", should that be a piece of work that should be undertaken as a priority?	(Mike Carran) This is not necessarily something the Council would lead on, but I am aware of a multitude of community work done by primary schools around the District. A lot of the work that the Council undertakes is centred around bringing young people together.
Have we looked at the free running trails?	(Mike Carran) This is part of the regeneration project, there is a way to go but currently there is potential to include it as part of this instructor led project, and there have been some programmes at the sports facilities that we manage that have been extremely popular.
Do our future partners know the particular issues in our District? How do we ensure they are prioritised?	(Mike Carran) Work has started with our partners in Braintree and Colchester. They also use the health alliance as a backdrop to their work and face some of the same challenges as Tendring.

It was moved by Councillor Ferguson, seconded by Councillor Griffiths and **RESOLVED** that the Committee:-

(a) thanks the various contributors to the meeting from the local health providers and University of Essex and notes the research findings that nationally, those young people living in deprived Coastal Communities are significantly more prone to poor mental health and less likely to have that diagnosed when compared with the position of young people in inland communities and therefore urges that this evidenced need is flagged with this Council's partners as progress occurs over the coming years to local government reorganisation;

(b) urges the Portfolio for Partnerships to take up the following policy recommendations from the University of Essex's Coastal Communities Centre research into Coastal Disadvantage and Youth Mental Health as part of the strategic approach to Health and Wellbeing locally:

- *Develop a long-term strategy to increase diagnosis of mental health conditions and reduce the development of poor mental in children and adolescence.*
- *Create local targets to improve mental health for young people in line with the national average, as part of their annual planning exercise.*
- *Invest in delivery of interventions to support the mental health of coastal young adults in the most deprived areas of the England. This should include facilitating access to services with a focus on the most at-risk groups (e.g. how can services be brought closer to coastal young adults).*
- *Fund longer-term investments in deprived coastal communities to tackle the drivers of poor mental health. This includes improving opportunities for education, employment, housing and social connection with improved public transport essential for all of these.*

(c) requests Officers to work with the Council's partners to promote measures to encourage greater aspiration for young people, including among their parents, and thereby address the continuing inter-generational low aspirations.

The meeting was declared closed at 9.08 pm

Chairman

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MINUTES OF THE MEETING OF THE AUDIT COMMITTEE, HELD ON THURSDAY, 25TH SEPTEMBER, 2025 AT 10.30 AM IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors Sudra (Chairman), Steady (Vice-Chairman), Fairley, Morrison and Placey
Also Present:	Councillor Calver
In Attendance:	Ian Davidson (Chief Executive), Richard Barrett (Corporate Director (Finance and IT) & Section 151 Officer), Damian Williams (Corporate Director (Operations and Delivery)), Craig Clawson (Internal Audit Manager), Clare Lewis (Resilience and Assurance Manager), Karen Hayes (Corporate Governance, Performance & Procurement Manager), Katie Koppenaal (Democratic Services Officer) and Bethany Jones (Democratic Services Officer)
Also in Attendance:	Sarah McKean (External Auditor (Director - KPMG)) and Jodie Preston (External Auditor (Manager - KPMG))

10. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

No apologies for absence or substitutions were received or notified on this occasion.

11. MINUTES OF THE LAST MEETING

It was unanimously **RESOLVED** that the Minutes of the meeting of the Committee, held on 26th June 2025, be approved as a correct record and be signed by the Chairman.

12. DECLARATIONS OF INTEREST

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

13. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

On this occasion no Councillor had submitted notice of a question pursuant to Council Procedure Rule 38.

14. REPORT OF THE CORPORATE DIRECTOR (FINANCE & IT) - A.3 - TABLE OF OUTSTANDING ISSUES

It had been decided by the Chairman of the Committee to allow the Chief Executive and Corporate Governance, Performance & Procurement Manager to address the Committee on the Table of Outstanding Issues (report A.3) prior to consideration of the remaining agenda items.

Members heard that the Table of Outstanding Issues had been reviewed and updated since it had been last considered by the Committee in June 2025.
There had been three main ongoing elements to this report as follows:

1) Updates against general items raised by the Committee – Appendix A

2) Updates against the 2024/25 Annual Governance Statement Action Plan – Appendix B

3) Updates against recommendations made by the External Auditor – Appendix C

In terms of items 1 and 3 above, there had been no significant issues to raise, with actions having remained in progress or further details set out within the report (A.3).

It was reported that, in respect of the 2024/25 Annual Governance Statement Action Plan, although that remained subject to the Committee's final approval later in the year once the work of the External Auditor had been completed, for timely and practical reasons the version that had been published at the end of June 2025 alongside the Unaudited Statement of Accounts presented the most up to date position for the Committee's consideration. Similarly to last year, that approach had enabled the actions and associated updates to be considered as early as possible within the Committee's annual work programme. Appendix B therefore included outstanding items from last year's Annual Governance Statement alongside new items for the current year. There had been no significant issues to highlight at the present time with actions and activities having remained on-going.

Local Audit Reform

Within previous reports, timely updates to the various audit reforms announced by the Government had been included with a summary as follows:

- Simplification and Streamlining: The reforms had aimed to simplify financial reporting requirements and streamline the audit process to make it more efficient;
- Increased Capacity: Efforts would be made to increase the capacity of the audit sector, reducing reliance on a small number of auditors;
- Funding Support: Up to £49 million in funding would be provided to help local authorities clear audit backlogs and cover additional costs;
- New Local Audit Office: A new Local Audit Office would be established to coordinate functions currently spread across multiple organizations, such as the National Audit Office and the Financial Reporting Council; and
- Transparency and Accountability: The reforms had been designed to restore public trust in how councils managed and reported their finances, to ensure better value for taxpayers.

The various associated activities had remained ongoing, with a number of matters set out within the Government's recently announced English Devolution and Community Empowerment Bill 2025, which included the following:

- The establishment of the Local Audit Office to oversee the local audit system in England with its main objectives to secure the effective operation of the system of audit with a view to meeting the needs of users of the audited accounts – the key focus / activities had been that audits under the Act had been carried out to a high standard, and that there had been a suitable range of persons able and willing to carry out such audits.

- Establishing and maintaining a register of individuals and firms who had been (by virtue of their registration) entitled to carry out audits in accordance with the Act.
- Overseeing the eligibility and regulation of registered providers.
- The appointment of Auditors.
- Audit Fees.
- Preparation of the Code of Audit Practice.
- Mandating the requirement to establish Audit Committees, which must have included at least one independent member.

It was highlighted to Members that the above formed part of a broader "Plan for Change" to bring long-term stability to the local audit system. Although practical implications had remained under review with further updates planned to be presented to the Committee later in the year, the Council had already undertaken timely steps as necessary, such as those associated with the appointment of an Independent Person.

The East of England Local Government Association (EELGA) Housing Review

Members were aware that, at the Audit Committee's meeting on 25 April 2024, the Committee had been informed of the changes happening within the Local Government Social Housing arena and that Local Housing Authorities with retained housing stock, from 1 April 2024, became part of the regulated social housing regime with a requirement to comply with a new set of Consumer standards.

Members heard that this report had built upon the previous report to provide the Committee with a 'progress' update following the continuing work to improve the management of this Council's housing stock and work carried out to achieve compliance with the Consumer Standards.

Members had recalled that, as part of the regulatory process, the Regulator of Social Housing (RSH) had introduced new consumer standards and 12 Tenant Satisfaction Measures (TSMs).

The four **Consumer Standards** that social housing landlords would be assessed against were:

- The **Safety and Quality Standard** which required landlords to provide safe and good-quality homes for their tenants, along with good-quality landlord services.
- The **Transparency, Influence and Accountability** Standard which required landlords to be open with tenants and treat them with fairness and respect so they could access services, raise concerns, when necessary, influence decision making and hold their landlord to account.
- The **Neighbourhood and Community Standard** which required landlords to engage with other relevant parties so that tenants could live in safe and well-maintained neighbourhoods and feel safe in their homes.
- The **Tenancy Standard** which set requirements for the fair allocation and letting of homes, as well as requirements for how tenancies had been managed by landlords.

Tendring District Council had been collating evidence and reporting on the new consumer standards since April 2024. The results of TSM's had been reported on an annual basis to the regulator as well as to Cabinet and the Tenants' Panel.

At the Cabinet's meeting on 27 June 2025 a report on the outturn performance against the RSH's Tenant Satisfaction Measures for 2024/25 had been presented. The report outlined the detail behind the data collection and the methodology used during consultation with the Council's tenants.

The Council's Outturn Performance Report against the TSMs had indicated a general improvement in performance and tenant satisfaction with the proportion of respondents who reported that they had been satisfied with the overall service from their landlord increasing from 80.1% in 2023/24 to 81.3% in 2024/25.

It was reported that satisfaction with repairs (both overall satisfaction with repairs and satisfaction with the time taken to complete a repair), had decreased. The reasons for this would be explored in more detail with the members of the Tenants Panel. Conversely, the proportion of non-emergency and emergency repairs completed within the Council's target timescale had increased.

It was noted that the number of complaints, both at Stage 1 and 2, that were responded to within the Housing Ombudsman's Compliant Handling Code timescales had improved significantly when compared to the 2023/24 figures.

It was highlighted to Members that the Council had requested support from the East of England LGA (EELGA) to identify areas for improvement and to develop an action plan to drive improvements.

As part of that process a Housing Board, chaired by the Portfolio Holder for Housing & Planning, had been set up to monitor performance against the consumer standards. The board met monthly.

The previous report had identified areas that had been included as part of the evaluation, and an update had been provided in each of those areas.

Strategy

The Committee was reminded that a significant amount of work had been undertaken to review existing policies as well bring forward new policies that had been needed to deliver sustainable social housing. To date over 30 policies had been reviewed and approved.

Additional Housing policies had been in the pipeline to be reviewed and delivered within the following twelve months, the new Housing Strategy 2026 – 2030 would go to Cabinet on September 26 for approval to go to consultation.

Staff Culture

Work continued to engage staff with the new requirements; regular meetings continued to be held by the Corporate Director with housing managers to discuss the progress being made to meet the regulatory requirements. Those discussions had then been fed back to the various teams via their respective team meetings. Housing Managers

attended the Housing Board and had full involvement in the performance management process.

Data Management

This had still been an area for concern, and whilst a significant amount of work had been carried out with new software purchased and installed, there had still been gaps in the collation of the data. To this end, the Housing Service had been working with the IT Service to create a register of all the data and where it had been held. Once this piece of work had been completed and further work would be carried out to then collate all the data to a central reporting tool that would aid the Housing Service to easily gather data to respond and report on the regulatory standards.

It was reported that a contract had been placed to carry out the remainder of the stock condition surveys, and the expectation had been that the Council would have completed 75% of those surveys by the end of that financial year, with the final 25% completed in the following financial year.

A new Data Compliance Officer post had been created and filled. This post would ensure that data had been collected, collated and appropriately analysed.

Strategic Partnership Working

It was explained to the Committee that the Council continued to have several effective partnerships addressing housing related issues. Managers had been actively engaged in those partnerships and had been well regarded by other agencies. Partnership working had been delivering tangible benefits to Tendring in terms of joint working, funding, and engaging with the wider community.

In the light of Local Government Reorganisation (LGR), the Corporate Director had been engaging with other local authorities to discuss Housing Issues and the implication of LGR moving forward.

Housing Budgets

The Budgets continued to be well managed. The Portfolio Holder for Housing & Planning had met regularly with the Corporate Director and Finance officers to discuss budgets, as well as annually to review the 30-year business plan.

There had still been concerns about the historical impact of below inflation rent rises and there had been pressures on all budgets which would need to be factored in and managed for the future through the identification of savings, redirection of resources and securing external funding. The Government had confirmed a 10-year rent settlement that permitted Social Landlords to increase rents by CPI+1% every year for 10 years from April 2026 with the intention of providing “greater long-term certainty”.

For the HRA revenue budget the most significant pressures had still arisen from the increasing costs of day-to-day repairs. In the HRA capital budget pressures would come from the requirements to meet the Decent Homes Standard, safety standards and better insulation of homes.

Within the General Fund the cost of temporary accommodation had been a significant pressure. A Homelessness and Temporary Accommodation Board had been set up, chaired by the Portfolio Holder for Housing & Planning, to explore ways in which the Council could prevent homelessness as well as reduce the overall cost of temporary accommodation. The Board met every two weeks.

Complaints

It was reported that both the Ombudsman and the Regulator of Social Housing continued to strongly emphasise complaints as an indicator of how well social landlords listened to and responded to the concerns of their residents. The Council had taken this seriously and there had been a significant improvement in the response to complaints, as shown in the TSM's.

Ref Measure	2023 / 2024 Performance	2024 / 2025 Performance
Proportion of: Stage one complaints; and Stage two complaints responded to within the Housing Ombudsman's Complaint Handling Code timescales	73.9% 61.5%	93.6% 91.7%

The Council had recently introduced and adopted a Corporate and Housing Complaints Policy that had been approved at the Cabinet's meeting on 25 July 2025, that had come into effect on 1 September 2025. This enabled all complaints to be handled more consistently and in line with national codes. The importance of the updated policy had been communicated to staff via a recent Senior Managers' Forum, All Staff Briefings and other associated training sessions.

Disrepair claims continued to be a concern. However, improved record keeping and a robust approach supported by Legal Services had allowed this issue to be kept under control. Engagement with the Tenants' Panel continued as the Council sought their support to encourage tenants to engage directly with the Council rather than with legal firms.

Tenant Engagement

It was reported that the team had continued to work with tenants, via the Tenants' Panel to ensure that there had been good dialogue and challenge from the tenants as to how they supported them.

The team had also reinstated a Tenants' newsletter and had been actively looking at other ways to engage with tenants. There had been a 'recruitment' drive to increase the number of tenants on the panel that had been successful. Numbers had increased sufficiently to a point that the Tenants' Panel had been setting up sub-groups to provide greater focus on key areas, such as repairs, complaints and tenant engagement. The Chair of the Tenants' Panel had also been a member of the Housing Board. Alternative methods of tenant engagement had also been trialled.

Housing Management

It was highlighted to Members that the Council currently had several vacancies, however, the Council had advertised and had been in the process of interviewing to fill those vacant posts. The new tenancy management support posts had now been fully engaged with undertaking tenant engagement work, include tenancy checks, estate walk abouts and drop-in sessions for tenants in various locations within the District.

Repairs and Maintenance

It was reported that condition surveys continued to be carried out and with the intention that 75% of all the housing stock would be surveyed within this financial year.

A dedicated housing asset management plan that could inform the HRA 30-year business plan had been written and approved. A revised repairs policy had been adopted and had introduced a reduced number of categories, clear response times, and looked to strike a balance between landlord and tenant responsibilities, whilst having clear targets for performance.

Many of the issues raised here had been addressed within the Data Management section of this report, and as stated a Housing Asset Management Plan had been produced and had been followed.

The team continued to develop, and several of the items raised in the last report had been covered in the report (A.3). The continuation of the stock condition work would allow for more detailed information to inform the 30-year business plan as well as the annual capital and repairs schedules.

There had been ongoing issues with the Term Maintenance contractor, and this had been reflected in the TSM's mentioned earlier in this report. The Corporate Director had met with the Contractor to discuss their performance and how it would be improved. An improvement plan had been submitted by the contractor, and this had been reviewed by the Repairs team.

Housing Solutions and Homelessness

The Committee heard that the service had been well thought of within the Council and was described as caring and supportive. An increasing volume of referrals (caseloads of 50-70 and 7 new cases a week), linked to the cost-of -living crisis and a lack of affordable housing for those in need had been impacting on the morale and stress levels of staff working in this service area. There was a need for greater management support to address the pressures staff were under. An additional senior officer post had been created, and that person had been in post since July 2025. The officer provided additional support to the team and advice on day-to-day caseload management.

There had still been relatively high numbers in temporary accommodation but few of those had had an 'accepted' decision. The balance between homelessness prevention work and use of temporary accommodation had been reviewed. Linked to this had been greater clarity on how the budget for the Homeless Prevention Grant could be and had been spent. It had now been a requirement of MHCLG that at least 49% of this grant had been spent on homelessness prevention work. An appraisal of the value for money and standards of temporary accommodation had also been undertaken.

The team had been working closely with private sector landlords to source more affordable self-contained accommodation, with work done so far, generating high quality accommodation that had been more affordable for the Council.

Overseeing all the above had been a new Homelessness and Temporary Accommodation working group, chaired by the Portfolio Holder for Housing and Planning.

It was reported that there had been a number of supported housing schemes in Tendring meeting the needs of a variety of client groups. Partners cited a lack of supported accommodation for single people with more complex needs and challenging behaviours who might not be suitable for existing shared accommodation. A Housing First Scheme had been included in the homelessness action plan but had not yet been considered. The Council could also consider developing small sites for temporary modular homes for single people, which had been becoming recognised as very successful in other areas. Access to floating support did not appear to have a clear and consistent pathway.

Supported housing provision remained an area for future review, something that had been considered across Essex through a new Supported Housing Board in light of the Supported Housing (Regulatory Oversight) Act 2023.

Conclusion

The review of the housing service had been a positive step in understanding the current policy and practice within the service. It provided an overview to help identify what had been working well and where further work was needed. Following on from this exercise, an accurate 'position' had been identified, and an action plan developed to build upon the positive areas identified as well as to be able to address those areas that fell short of the requirements of the new regulatory standards. Regular meetings had been conducted to monitor the progress and the impact of the action plan.

The action plan had enabled the Housing Service to take a significant step forward to meet the requirements of the new Regulatory regime.

The periodic review of the Council's housing function had been included as a standing item on the Audit Committee's annual work programme and consideration would be given to the options to present this on a timely and on-going basis in future years whilst ensuring the relevant assurances had still been provided to the Committee. Although the outcome from any formal inspection would always be presented to the Audit Committee, it had currently been proposed to provide future / general updates to the Committee based on the outturn performance against the regulator of Social Housing's satisfaction measures (TSM's) each year and other relevant information.

Proposed approach to the planned review of the Corporate Risk Management Framework/Register

Members were reminded that, in accordance with the Committee's work programme, it had been planned to present the regular Corporate Risk Update to this meeting of the Committee. However, it had been proposed to take a pragmatic approach to accommodate the various existing commitments that formed part of the planned wider

review of risk, as set out within the AGS, including the associated training requested by the Committee.

With this in mind, it had been proposed to organise a 'working' session with members of the Committee outside of the formal programme of meetings, that would aim to encompass a training session alongside the planned review previously discussed. The outcome from the proposed session could therefore be considered formally, if necessary, at the subsequent scheduled meeting of the Committee in February 2026.

Although this presented a slight delay in formally updating the Committee regarding the Council's current risk register and associated arrangements, it had been important to highlight that various underlying risk management activities remained on-going within existing governance arrangements, which in turn had also been complemented by additional activities such as:

- The review of Departmental risks as part of the Directorate / Service Planning Process along with Management Team recently reinforcing the importance of risk management at an operational and corporate level.
- The monthly reporting of associated risks at the Regeneration and Capital Delivery Board.
- The establishment of the Senior Officer Project Board as highlighted with the AGS, with Management Team identifying a number of key risks / projects for them to review as part of their early work programme.
- A broader review undertaken during Management Team's regular project and performance meetings.

Subject to the Committee's approval of the recommendations above, Officers would make the necessary arrangements in due course.

RIPA – Regulatory Investigatory Powers Act 2000

The Committee had been informed that the Authority had not conducted any RIPA activity in the last quarter, and it had been rare that it would be required to do so.

Whistleblowing

The Committee had also been informed that the Authority had received two notifications of Whistleblowing, which had currently been in the informal/investigatory stage. A further update would be provided to the Audit Committee at a future meeting if required.

It was moved by Councillor Sudra, seconded by Councillor Fairley and **RESOLVED** that the Committee:

a) notes the progress against the actions set out in Appendices A, B and C;

b) notes the outcome of the periodic review of the Council's housing function; and

c) having considered the proposed approach to the review of Risk Management, as set out within this report, requests Officers to undertake the necessary arrangements for a facilitated session in October / November.

15. REPORT OF THE INTERNAL AUDIT MANAGER - A.1 - REPORT ON INTERNAL AUDIT

The Committee was informed that the Global Internal Audit Standards had required the Internal Audit Manager to make arrangements for reporting to senior management (Management Board) and to the board (Audit Committee) during the course of the year, and for producing an annual Internal Audit opinion and report that could be used to inform the Annual Governance Statement.

Four audits had been completed since the last Audit Committee meeting in June 2025. Three of the audits had received a satisfactory level of overall assurance of 'Adequate Assurance' or 'Substantial Assurance'.

The Housing Repairs and Maintenance audit had received an overall opinion of 'Improvement Required'.

A further 13 audits from the 2025/26 Internal Audit Plan had been allocated and seven had currently been at the fieldwork phase.

The Internal Audit manager informed Members that his team had been in the 'Key Systems' phase of the audit plan where all financial and core service systems and processes had been reviewed. Each area had been tried and tested that was very important to the Council's day-to-day activities. They had not anticipated any significant issues in that area as historically those issues had been well managed; however, the Internal Audit Manager had highlighted that it had been important to ensure that those systems and processes continued to work as expected and remained well controlled.

Fraud and Compliance work had been ongoing in that period along with GDPR priorities particularly relating to data sharing agreements, Freedom of Information Requests and Subject Access Requests.

Quality Assurance – The Internal Audit function issued satisfaction surveys for each audit completed. No unsatisfactory responses had been received in that period.

Resourcing

It was reported that the Internal Audit team currently had an establishment of 4 full time employment posts with access to a third-party provider of Internal Audit Services for specialist audit days as and when required. The Internal Audit Team currently had an Audit Technician post vacant. They currently had had an apprentice within the team for nearly a year who had been continuing to develop well and had currently been undertaking the administrative responsibilities for the Audit, Fraud and Compliance functions.

Outcomes of Internal Audit Work
The Public Sector Internal Audit Standards had required the Internal Audit manager to report to the Audit Committee on significant risk exposures and control issues. Since the last report four audits had been completed and the final report issued.

Assurance	Colour	Number this Period	Total for 2025/26Plan	

Substantial		1	1	
Adequate		2	2	
Improvement Required		1	1	
Significant Improvement Required		0	0	
No Opinion Required		0	0	Three consultative engagements in 2025/26 to date

For the purpose of the colour coding approach, both the substantial and adequate opinions had been shown in green as both were within acceptable tolerances.

Issues arising from audits completed in the period under review receiving an 'Improvement Required' opinion and requiring reporting to Committee were: -

Housing Repairs and Maintenance

Issue

The Committee was made aware that there had been a number of contractors with annual spend over £50k within the Housing Repairs and Maintenance function being used where the original contract had now expired or where no contract had ever been in place. The majority of work undertaken had been made up of smaller jobs of less than £5k each with a cumulative value of more than £50k. However, if considered the same type of work over several different properties, then a tender process would have been required for each area under the Council's procurement procedure rules.

Risk

Without works being carried out by contractors appointed in accordance with the Procurement Rules, there had been significant risks of overspend (where contractors had no budget or the Council had limited remit to set pricing), disaggregation of spend and poor governance (in the event of dispute).

There could have also been issues of probity and how companies were chosen without a transparent procurement process.

Agreed Action

The Internal Audit Manager alerted the Committee to an action plan that would be created to review all contracts within the department, including their status and time remaining. Given the potential of working with other councils and LGR, all contracts would be regulated with use of retendering, exemption or extension as considered appropriate and practical.

In addition, a departmental contract register would also be created to help ensure contracts had been centrally monitored and prevent repetition of that situation.

The service had also been undertaking a full review of all contractors with an overall spend of more than £50k and determining the best course of action required in line with procurement procedure rules.

Members heard that where significant spend had been identified with contractors without any form of contract in place, all works with them had been ceased in the short term until appropriate action could be taken.

Management Response to Internal Audit Findings – There had been processes in place to track the action taken regarding findings raised in Internal Audit reports and to seek assurance that appropriate corrective action had been taken. Where appropriate, follow up audits had been arranged to revisit significant issues identified after an appropriate time.

The number of high severity issues outstanding had been as follows: -

Status	Number	Comments
Overdue more than 3 months	0	
Overdue less than 3 months	0	
Not yet due	2	

The Audit Committee had requested more detail on the outstanding actions within the above table and on previous significant findings as a matter of context. Appendix B showed a summary of those findings and agreed actions including the service response and an internal audit status. That would become a regular appendix of the periodic progress reports going forwards.

Update on previous significant issues reported

All previous significant issues had been provided within Appendix B of the report.

Internal Audit Charter

It was reported that a requirement of the Global Internal Audit Standards (GIAS) had been for the Audit Committee to review and approve the Internal Audit Charter on an annual basis. The Charter had last been updated and approved in September 2024.

It had previously been reported that new Global Internal Audit Standards had been introduced in January 2024 with a view to becoming mandatory in January 2025. The team had been awaiting CIPFA's response with a view on the impact to the public sector.

CIPFA had provided an application note relating to any differences between the Public Sector Internal Audit Standards (PSIAS) and the Global Internal Audit Standards and how they should be addressed going forwards.

The Internal Audit Charter had now been reviewed in line with the GIAS and provided for review in Appendix C. No significant changes had been required other than

terminology changes. The high-level categories within the charter remained similar to those under the previous standards.

Quality Assurance Improvement Programme (QAIP)

The Internal Audit Manager had been required to undertake an annual QAIP undertaking a self-assessment of the Internal Audit function against the Global Internal Audit Standards. That had been a full review of the working practices against the standards set by the Institute of Internal Audit and adopted by CIPFA. The team had been waiting on the CIPFA application note before completing the assessment.

The assessment against the standards had been completed with any actions and recommendations to be reported at the next Audit Committee for its review.

It was reported that there had been an expectation that there would be a programme to work to because there had been some changes to the Global Standards that had been new in comparison to the Public Sector Internal Audit Standards. The QAIP would be periodically provided to the Audit Committee with updates on progress against implementation.

It was moved by Councillor Sudra, seconded by Councillor Placey and **RESOLVED** that:

(a) the contents of the report (A.1) be noted; and

(b) having duly reviewed the Internal Audit Charter, the Charter be approved for the 2025/26 financial year.

16. REPORT OF THE CORPORATE DIRECTOR (FINANCE & IT) - A.2 - EXTERNAL AUDITOR'S INTERIM ANNUAL REPORT FOR THE YEAR ENDED 31 MARCH 2025

Members heard that, during the year, a number of reports had been issued by the Council's External Auditor as part of their work associated with the Statement of Accounts and review of the Council's arrangements to secure value for money.

The first such report had been their Audit Plan and Strategy that had been presented to the Audit Committee in March 2025. That report had set out the various elements of the work that the External Auditor had planned on undertaking in respect of the year ending 31 March 2025 and had included their value for money risk assessment / approach that was set against the following three key elements:

1. Financial Sustainability;
2. Governance; and
3. Improving economy, efficiency and effectiveness.

The External Auditors had now broadly completed their work associated with their value for money review.

The Committee was reminded that, ordinarily, this would be presented alongside the outcome of their work on the Council's Statement of Accounts within their final annual report for the year, but due to the back stop date arrangements introduced by the Government in response to the national recovery from the previous years' audit delays,

they had been required to publish their value for money commentary for 2024/25 by 30 November 2025.

The External Auditor would continue their work associated with the wider Statement of Accounts review, with the aim of reporting their findings within a final annual report for the year by the back stop date for the publication of the audited accounts, which for 2024/25 would be 27 February 2026.

It was reported that, to meet the 30 November 2025 deadline associated with reporting value for the money issues highlighted, the External Auditors had helpfully issued an interim Annual Report, which had been attached to the main agenda report (Appendix A) and had set out the outcome of their work to date.

The outcome had been welcomed with no significant risks associated with the Council's value for money arrangements across the aforementioned 3 key areas.

The External Auditor had revisited the recommendations they had made last year within the attached interim report. The Council's planned responses had now either been put in place or had remained on-going, which had been reported separately to the Audit Committee as part of providing the necessary assurances.

The Committee was informed that the External Auditors had made a recommendation within their report (page 15 of Appendix A), which had also included a management response. In respect of the proposed management response set out, it had been worth emphasising that there would be a number of practical opportunities over the next couple of years to address the point raised as part of the planning and implementation phases associated with Local Government Reorganisation, which would include activities such as contracts, procurement and performance.

In addition to the above, and having followed the Government's closure of OFLOG and sought alternative ways to support improvement, the Government had recently announced the introduction of a Local Government Outcomes Framework, which had provided a more focused approach, which in itself presented an alternative / complementary opportunity to respond to the recommendation made by the External Auditor.

Members were reminded that the External Auditor was still undertaking the necessary activities associated with the Council's Statement of Accounts for 2024/25, with the outcomes planned to be presented to the Audit Committee in February 2026. Their on-going work might identify issues that impacted on their current value for money commentary and if that proved to be the case then an update would be reported within the External Auditor's final report for the year if necessary.

It was reported that the External Auditor had also taken the timely opportunity to provide an update on providing assurance relating to the recovery from the national external audit backlog. The External Auditor's associated report had been attached (as Appendix B), which broadly had reflected information previously presented to the Audit Committee, with the Council having continued to be committed to supporting the process as necessary.

Delivering Priorities

Careful planning to ensure financial stability underpinned the Council's capacity and ability to deliver against its objectives and priorities. The outturn position and associated Statement of Accounts that had been prepared each year reflected this broad aim and had supported the successful financial planning process which had included communicating and consulting with relevant stakeholders.

Legal Requirements (including legislations & constitutional powers)

The Committee heard that the Government had put arrangements in place to clear the backlog of outstanding historical audit opinions. Those arrangements had been referenced within the attached External Auditor's Reports which had broadly reflected the detailed information previously presented to the Audit Committee.

The attached Interim Report had reflected the requirements of the Government's associated interventions and those set out within Accounts and Audit Regulations, which had included the requirement to publish value for money commentary for the year ended 31 March 2025 by 30 November 2025.

The Audited Statement of Accounts for 2024/25 would need to have been published by the backstop date of 27 February 2026.

Finance and other resource implications

There had been no direct financial implications - the External Auditor's proposed fees had been supported by additional Government funding and would be kept under review as part of their on-going work and associated costs.

Questions by Members:	Answers given:
We know that the floor measuring was an issue when the previous external auditors handed over to KPMG. How is that going to be resolved?	(Sarah McKean (KPMG)) Unfortunately, I don't think that will be resolved in this year's audit. Richard and his team are still working on that. For our audit plan this year, the other land and building section of PPE, is probably going to be only area that we don't attempt to test. But this year we will be able test all the other areas of PPE, which is part of building that assurance back year by year. (Richard Barrett) For the 2023/24 accounts, we had no measurements, this year we used our qualified internal surveyor to do that measurement and during this year, ready for the 2025/26 accounts, we will have an external independent valuation measurement for those assets.

It was moved by Councillor Steady, seconded by Councillor Fairley and **RESOLVED** that in respect of the 2024/25 Statement of Accounts process, the Audit Committee:

(a) notes the External Auditor's Interim Annual Report for the year ended 31 March 2025, and agrees the Management Response to their recommendation as set out on page 15 of the Attachment 1, along with the publication of the report as necessary; and

(b) notes the External Auditor's update attached concerning the rebuilding back of assurance associated with the Government's interventions in response to the national audit backlog

The meeting was declared closed at 12.13 pm

Chairman

**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX COMMITTEE,
HELD ON TUESDAY, 21ST OCTOBER, 2025 AT 7.30 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

Present:	Councillors Chapman BEM (Chairman), Calver (Vice-Chairman), Doyle, Guglielmi (except items 10-11), Morrison and G Stephenson
In Attendance:	Katie Wilkins (Assistant Director (People)), Marcia Fuller (Acting Head of People), Debianne Messenger (Work Based Learning Manager), Bethany Jones (Democratic Services Officer) and Rebecca Catchpole (Leadership Support Officer)

10. CHAIRMAN'S ANNOUNCEMENT

The Chairman (Councillor Chapman BEM) addressed the Committee with the following announcement:-

"At our meeting on 28 July 2025, this Committee received a detailed update from the Council's Work Based Learning Manager on the Career Track programme. The Committee recognised the scheme's longstanding contribution to supporting young people and adults into meaningful employment through high-quality apprenticeships, particularly within the public sector.

We acknowledged the programme's role in delivering nationally recognised qualifications, developing local talent, strengthening workforce capacity, and fostering community engagement. In light of this, the Committee endorsed a proposal to write to the Leader of the Council and the Chief Executive, requesting their advocacy for the continuation of Career Track within the structure of the new Unitary Authority, following Local Government Reorganisation (LGR).

I am pleased to confirm that both the Leader of the Council and the Chief Executive have expressed their full support for the Committee's position. They recognise the strategic importance of the Career Track programme in shaping the future public sector workforce and in addressing the demographic challenges specific to the Tendring area. Both have committed to advocating for the continuation and future development of Career Track as part of the ongoing discussions surrounding Local Government Reorganisation. This endorsement will be formally raised by Ian Davidson at the forthcoming meeting of the North East Essex Shadow Board, which includes Leaders and Chief Executives from Braintree and Colchester.

On behalf of the Committee, I would like to thank them both for their endorsement and continued dedication to supporting opportunities for our young people and communities.

In addition to the Career Track update, the Committee also received a broader report from Officers on the Council's workforce development strategy. Members welcomed the positive progress being made in the use of higher-level apprenticeships, particularly those funded through the Apprenticeship Levy. Officers reported a growing number of sign-ups to advanced and degree-level apprenticeship pathways, which are helping to build specialist skills and leadership capacity across the organisation.

This was recognised by the Committee as a strategic and forward-looking investment in the Council's workforce, ensuring we are well-positioned to meet future service demands and organisational challenges, especially in the context of Local Government Reorganisation.

Thank you."

11. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received on behalf of Councillor Baker (with Councillor Doyle substituting) and Councillor Keteca (with no substitution).

12. MINUTES OF THE LAST MEETING

It was moved by Councillor Calver, seconded by Councillor G Stephenson and:-

RESOLVED that the minutes of the last meeting of the Committee, held on Monday, 28 July 2025, be approved as a correct record and be signed by the Chairman.

13. DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

14. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice pursuant to Council Procedure Rule 38 had been submitted on this occasion.

15. CAREER TRACK - VERBAL UPDATE

The Committee received a verbal update on the work of the Council's Career Track which included:-

- that apprenticeship standards were offered within Customer Services, Business Administration, Team Leader and Public Service Operational Delivery Officer;
- there were currently 50 apprentices on the Career Track Programme;
- 5 apprentices had currently started with 2 more apprentices waiting for a starting date;
- at Tendring District Council (TDC), there were 25 apprentices with the majority 26 of those apprentices undertaking level 2, typically 16 to 21 years old;
- 4 apprentices were within Public Service Operational Delivery Officer functions at TDC which was a level 3 apprenticeship;
- TDC was currently working with Colchester City Council, Braintree District Council, Maldon District Council, Suffolk County Council and Kent County Council;
- TDC was also working with London Boroughs including a new cohort within London Borough of Hounslow 5 apprentices had started in September 2025 and a further 5 apprentices were due to start in September 2026 with an apprentice also being signed up at Medway Council;
- Harwich Town Council had a job advertised which the interview date had been organised for with hope that the apprentice would start in the new year;

- 1 in 5 staff at TDC were or had been in the Career Track programme; and
- the current success rate was 92% for the 2024/25 year which was up by 3% from the previous year (2023/24).

The Committee noted the foregoing.

16. REPORT OF THE ASSISTANT DIRECTOR (PEOPLE) - A.1 - WORKFORCE UPDATE

The Committee heard that, Tendring District Council recognised that its workforce was its most valuable asset, and that attracting and retaining the right talent was essential to delivering high-quality public services. The revised Recruitment and Selection Policy and Procedure established a clear, fair, and transparent framework for recruitment, from role definition through to final offer, ensuring that every candidate had a positive experience and all appointments were made solely on merit.

Members were told that, the Council's ambition to be an employer of choice was reflected in its commitment to:

- provide a positive and inclusive recruitment journey for all applicants;
- act with responsiveness, respect, and equity throughout the process;
- leave unsuccessful candidates with a constructive impression of the Council; and
- treat recruitment as the initial phase of a new employee's induction.

Officers informed the Committee that, by embedding those principles, the Council would:-

- strengthen its employer brand and showcase organisational values;
- engage a diverse and skilled talent pool;
- apply robust and objective assessment methods;
- offer clear communication and reasonable adjustments to candidates; and
- integrate recruitment into a seamless onboarding experience.

Members were made aware that the updated policy consolidated procedural changes following the implementation of the iTrent Recruitment and Onboarding modules, which enhanced automation, data accuracy, and process efficiency. To further strength governance, a mandatory Pre-Recruitment Proforma had been introduced to clarify responsibilities, documentation requirements, and timelines prior to initiating recruitment activity.

The policy reinforced the Council's legal obligations, particularly under the Equality Act 2010, by ensuring reasonable adjustments were made for candidates and new recruits with disabilities or medical conditions. It also reflected current best practice in public sector recruitment by introducing a structured mechanism for analysing recruitment performance data, such as application rates, vacancy fill times, and retention trends. That approach supported continuous improvement, strengthened workforce planning and promoted long-term value for money, demonstrating that the Council's recruitment practices were both compliant and progressive.

The policy applied to all employment recruitment, including apprenticeships, but excluded volunteers and agency workers, who were covered by separate policies.

It was moved by Councillor Guglielmi, seconded by Councillor Morrison and unanimously:-

RESOLVED that the Human Resources and Council Tax Committee:

a) notes the updates to the Council's Recruitment and Selection Policy and Procedure; and
b) acknowledges the existing delegation to the Assistant Director (People), in consultation with the Head of Paid Service, to make any necessary amendments to the policy and associated people policies and procedures, including those required to ensure compliance with employment legislation and to reflect best practice.

17. REPORT OF THE ASSISTANT DIRECTOR (PEOPLE) - A.2 - RECRUITMENT AND SELECTION POLICY AND PROCEDURE

The Committee heard that, Tendring District Council recognised that its workforce was its most valuable asset, and that attracting and retaining the right talent was essential to delivering high-quality public services. The revised Recruitment and Selection Policy and Procedure established a clear, fair, and transparent framework for recruitment, from role definition through to final offer, ensuring that every candidate had a positive experience and all appointments were made solely on merit.

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- treat recruitment as the initial phase of a new employee's induction.

Officers informed the Committee that, by embedding those principles, the Council would:-

- strengthen its employer brand and showcase organisational values;
- engage a diverse and skilled talent pool;
- apply robust and objective assessment methods;
- offer clear communication and reasonable adjustments to candidates; and
- integrate recruitment into a seamless onboarding experience.

Members were made aware that the updated policy consolidated procedural changes following the implementation of the iTrent Recruitment and Onboarding modules, which enhanced automation, data accuracy, and process efficiency. To further strength governance, a mandatory Pre-Recruitment Proforma had been introduced to clarify responsibilities, documentation requirements, and timelines prior to initiating recruitment activity.

The policy reinforced the Council's legal obligations, particularly under the Equality Act 2010, by ensuring reasonable adjustments were made for candidates and new recruits with disabilities or medical conditions. It also reflected current best practice in public sector recruitment by introducing a structured mechanism for analysing recruitment

performance data, such as application rates, vacancy fill times, and retention trends. That approach supported continuous improvement, strengthened workforce planning and promoted long-term value for money, demonstrating that the Council's recruitment practices were both compliant and progressive.

The policy applied to all employment recruitment, including apprenticeships, but excluded volunteers and agency workers, who were covered by separate policies.

It was moved by Councillor Guglielmi, seconded by Councillor Morrison and unanimously:-

RESOLVED that the Human Resources and Council Tax Committee:

c) notes the updates to the Council's Recruitment and Selection Policy and Procedure; and
d) acknowledges the existing delegation to the Assistant Director (People), in consultation with the Head of Paid Service, to make any necessary amendments to the policy and associated people policies and procedures, including those required to ensure compliance with employment legislation and to reflect best practice.

The meeting was declared closed at 8.10 pm

Chairman

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MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE, HELD ON TUESDAY, 4TH NOVEMBER, 2025 AT 7.30 PM IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors P Honeywood (Chairman), Amos (Vice-Chairman), Bush, Bensilum, Goldman, Harris, J Henderson, Newton and Steady
Also Present:	Councillors M Stephenson (Leader of the Council) (except part of item 24 and item 25) and Smith (Portfolio Holder for Environment and ICT) (except part of item 24 and item 25)
In Attendance:	Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer) (except part of item 24 and item 25), Richard Barrett (Corporate Director (Finance and IT)), Damian Williams (Corporate Director (Operations and Delivery)) (except part of item 23, items 24 and 25), Keith Simmons (Assistant Director (Corporate Policy & Support)), Tim Clarke (Assistant Director (Housing and Environment)) (online) (except part of item 23, items 24 and 25), Jonathan Hamlet (Waste and Recycling Manager) (except part of item 23, items 24 and 25), Katie Koppenaal (Democratic Services Officer) and Bethany Jones (Democratic Services Officer)

18. ELECTION OF A VICE-CHAIRMAN

It was moved by Councillor P Honeywood, seconded by Councillor Harris and:-

RESOLVED that Councillor Amos be elected as Vice-Chairman of the Resources and Services Overview & Scrutiny Committee for the remainder of the 2025/26 Municipal Year.

19. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence submitted nor substitutions made on this occasion.

20. MINUTES OF THE LAST MEETING

It was moved by Councillor Harris, seconded by Councillor Goldman and **RESOLVED** that the minutes of the last meeting of the Committee held on Wednesday 30 July 2025 be confirmed as a correct record and be signed by the Chairman.

Councillor P Honeywood enquired whether Councillor M Stephenson, Leader of the Council, had responded to the letter concerning the Spendells overspend, which had followed the Committee meeting held on 30 July 2025. The Leader of the Council confirmed that a response would be provided before the conclusion of the current meeting.

21. DECLARATIONS OF INTEREST

There were no Declarations of Interest made by Members on this occasion.

22. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice pursuant to Council Procedure Rule 38 had been submitted by Members for this meeting.

23. REPORT OF THE ASSISTANT DIRECTOR (HOUSING & ENVIRONMENT) - A.2 - WASTE AND STREET CLEANING CONTRACT/IMPLEMENTATION

The Committee had before it the report of the Assistant Director (Housing & Environment) (A.2) which had set out to support them with their enquiry in respect of the Council's waste and street cleaning contract re-procurement progress and implementation.

Members were reminded that the Committee's Work Programme for 2025/26 had included an item that the Committee should consider how it wished to conduct its scrutiny of this item.

The Council's contracts for waste and recycling collection and street cleaning had both expired on 31 March 2025.

At its meeting held on 26 July 2024, Cabinet had agreed to the commencement of a procurement process to appoint a contractor to deliver the Council's waste and recycling collection and street cleaning service from 2026 onwards, based upon a set of principles, which had translated into a specification for detailed solutions to be submitted against.

The final specification had been issued to bidders in August 2025 with bidders having been invited to submit their final tenders by 12 noon on 17 September 2025.

It was highlighted to Members that Officers were currently continuing to finalise the tender evaluation process and an associated report had been prepared to be presented to Cabinet on 14 November 2025, that would include a recommendation to award the contract along with the necessary funding / budget adjustments as required. The appointed contractor would be delivering their services from 1 April 2026.

Questions by Members:	**Answers:**
Why, when we started this procurement, did we go out for a gold-plated service that was clearly unaffordable?	(Councillor M Stephenson) I will be taking this question given that Councillor Smith was not the Portfolio Holder for Environment & ICT when the procurement process started in July 2024. *For information on the development and evolution of the service specification please refer to the Cabinet reports from July 2024 and May 2025 that have been*

	supplied to the committee as background information. *The price of any service such as this is unknown at the outset. As this service was last procured in 2011 it was reasonable to expect higher costs, and this was covered in the July 2024 Cabinet report.* *It is only once prices have been sought from bidders that a true indication of contract cost can be established. The competitive dialogue process used for this procurement allowed for indicative prices to be submitted by bidders prior to dialogue commencing. The dialogue process than allowed for discussion about the Council's requirements before a final service specification is agreed.* *The Portfolio Holder Working Party, established to support the development of the contract specification was involved in and therefore aware of the higher standard of service included in the first specification issued to bidders.* *The waste and recycling collection aspects of the service specification are driven by the need to be compliant with the Environment Act 2021 and collection of a wider range a recyclable material, including glass, from the kerbside from April 2026.* *On the street cleaning side, a higher standard of specification was chosen in order to deliver the best possible services for our residents and visitors. This is something residents indicated they wanted to see through the feedback to the Corporate Plan consultation undertaken during 2023.*
Can the Council clarify who the appointed waste contractor will be and provide more detail on the contract specifications, as the current documentation is too vague to explain	(Councillor M Stephenson) The procurement process has been ongoing for approximately eighteen months, and I note that it was not included in the Committee's Work Programme until

clearly to residents?	August 2025. It is regrettable that the Cabinet meeting I October was postponed, as its original scheduling would have enabled many of Councillor Bush's inquiries to be addressed publicly. Nonetheless, substantial information has already been made available, as reflected in the extensive set of reference documents provided. At present, the only outstanding details pertain to the final cost and the appointed contractor.
At the commencement of the procurement process, was there awareness of Local Government Reorganisation (LGR), including the recommendations concerning the establishment of the Unitary Authority and its potential implications? To what extent were these factors incorporated into the initial considerations? Additionally, have the 11,000 new homes adopted within the Local Plan been factored into the scope and requirements of the contract?	(Councillor M Stephenson) At the outset of the procurement process, Local Government Reorganisation (LGR) was not under consideration and therefore excluded from the Waste and Street Cleaning Contract. Once LGR discussions commenced, the contract was deemed unaffordable, as noted in the May 2025 Cabinet report. Recognising the likelihood of transitioning to a new unitary authority within two years, we concluded that a 7–8 year contract was no longer viable. Instead, we opted to develop a revised contract that would avoid creating a cliff-edge scenario for the incoming authority. This approach reflects potential cost-saving opportunities under a unitary model, where responsibilities for both collection and disposal would be consolidated. Our overarching goal remains to position the District for long-term success. New routes are an integral component of the new contract, as they are in the current agreement.
What were the reasons behind the Cabinet's decision, despite the advice given by Officers, to pursue a contract previously deemed 'unachievable,' and what are the financial implications for taxpayers?	(Councillor M Stephenson) The Cabinet was informed of an increase in costs; however, this was anticipated given the nature of the seven-year contract initiated in 2018. It was understood that inflationary pressures would naturally lead to higher costs by 2025. At no point prior to the May 2025 Cabinet report was the contract described as unaffordable. The decision to pursue a "gold-plated" contract was driven by resident

	feedback, which clearly indicated a preference for a high-quality service. To support the development and delivery of this contract, the Council engaged a range of expert organisations, including the East of England Local Government Association (EELGA). A budget of £400,000 was allocated for consultant recruitment, though not all of this funding was utilised. In addition to EELGA, the Council appointed Eunomia (procurement consultants), WRM Sustainability Ltd (specification and performance consultants), and Sharpe Pritchard LLP (legal advisors). These firms were selected due to the recognised need for specialist expertise, which the Council did not possess internally. Their contributions were instrumental in shaping and finalising the contract. During the competitive dialogue process, a proposed price was submitted that exceeded the Council's expectations by £7 million. It was at this juncture that the May 2025 Cabinet report formally identified the contract as "unaffordable."
To clarify, Officers told this Committee, but did not tell the Cabinet?	(Councillor M Stephenson) While I cannot comment on what others may have conveyed to you, I can confirm that at no point were we advised by Officers that the contract was unaffordable.
How many meetings of the Portfolio Holder Working Group for this procurement have there been - and what were the dates of the meetings?	(Councillor Smith) *There were four meetings:* *28 September 2023* *16 November 2023* *30 May 2024* *1 October 2024 – Final meeting in order to feed back the work of the group to the Waste Contract Project Board.*
Why was the last meeting of the Portfolio Holder Working Group held over a year ago?	(Councillor Smith) As the procurement process had commenced, it was deemed inappropriate for the group to continue discussions on the matter. Similarly, this

	evening, given that the proposal has not yet received Cabinet approval, there are specific aspects of the topic that we are unable to comment on at this stage.
Please clarify why extending the current contractor is not being considered as an alternative to recruiting a new one. Also, I need assurance that a tangible solution to the concerns raised is actively being pursued and not just under discussion.	(Lisa Hastings) A detailed report providing further information will be published alongside the Cabinet agenda on Thursday, 6 November 2025, in advance of the Cabinet meeting scheduled for 14 November 2025. This report is intended to address and clarify the concerns you have raised. However, please note that the name of the contractor and the financial details involved cannot be disclosed publicly at this time. I understand that the Committee has chosen to proceed with its line of questioning. However, I would like to note that the Portfolio Holder for Environment & ICT has prepared a statement that may address several of the forthcoming queries. This statement was not available at the time the report was published.

Following an invitation from the Corporate Director (Law and Governance), the Portfolio Holder for Environment & ICT read out the following statement:

(a) *"At its meeting on 26 July 2024, Cabinet agreed to the commencement of a procurement process to appoint a contractor to deliver the Council's waste and recycling collection and street cleaning service from 2026 onwards, based upon a set of principles, which translated into a specification for detailed solutions to be submitted against.*

(b) *The Council's project team has been supported throughout the procurement process by four external organisations, chosen for their experience in supporting similar procurements elsewhere.*

(c) *The price for the initial detailed solutions provided by bidders at the Invitation to Submit Detailed Solutions (ISDS) stage was not affordable by the Council, being potentially over £7m per annum above the current associated budgets.*

(d) *In response to the affordability position and Devolution and Local Government Reorganisation (LGR) proposals for Greater Essex, at its meeting on 23 May 2025 Cabinet agreed a revised set of Core Specification Principles aimed at reducing the price at final tender stage (the changes were):*

- *a shorter contract term – from eight to an initial three-year contract term with an optional two-year extension period;*

- *a reduction in specification, mainly in relation to street cleaning, aimed at reducing the level of risk and uncertainty whilst increasing affordability but not offering a lower level of service than currently, in particular continuing a fortnightly collection of residual waste;*
- *that the Council does not take any risk on the value of the dry mixed recycling (DMR) collected at the kerbside; and,*
- *that the Council does not fund the up-front purchase of any vehicle fleet.*

TABLE 3 within the May Cabinet Report set out the complete set of Core Specifications (see attached).

(e) A revised draft specification was sent to bidders following the May 2025 Cabinet meeting and officers entered competitive dialogue discussions with each individual bidder during June and July 2025, after which the Council's requirements were finalised via a decision by the Corporate Director for Operations and Delivery on 14 August 2025, and final detailed solutions (tenders) were invited with a tender closing date of 17 September 2025.

(f) The terms and conditions of the expected contract requirements form part of the procurement process, some clarification questions received related to the service specification but none that fundamentally alter the specification or contract terms. Therefore, subject to the recommendations being approved, no further decisions are required for the contract documentation to be completed.

(g) The Council has undertaken its tender evaluation process ensuring there is full compliance with the requirements of the service specification. The price must also be within a range that is affordable to the Council, over the initial contract duration of three years, subject to budget adjustments.

(h) The Council will require an additional budget in order to pay for the service, taking into account one off grant funding received by the Council.

(i) In anticipation of increased contract costs, £2.417m has already been set aside as part of finalising the outturn position for 2024/25. Further monies are being identified that can be freed up by refocussing budgets. The details will be contained within the Cabinet report but reassurances can be given that the price is affordable to the Council.

(j) Prior to Cabinet approving the award of the contract, the financial implications to the Council need to be considered and balanced against compliance with the statutory duties regarding waste and recycling collection.

(k) Refocussing of existing budgets in order to continue providing the statutorily required waste service may impact the speed and scale of investment elsewhere within the Council's overall budget.

(l) It is planned to develop a fully funded two year financial 'work programme' / budget that will enable the Council to fully support and protect front line services.

(m) In order to ensure an effective delivery of the new contract and a smooth transition to the new recycling collection services, officers will be developing an

implementation and communications plan. This will be jointly developed with the successful bidder who, as part of their tender submission, were required to submit a comprehensive mobilisation plan.

(n) Overall, the new contract, as specified, will provide residents of and visitors to the district a level of street cleaning that is at least equivalent to that provided currently, and all residents will receive an enhanced recycling collection service alongside the continuation of fortnightly or weekly residual waste collection."

Can you provide clarification on the distinctions between the three contract versions: the current contract in operation, the enhanced version incorporating additional features, and the newly proposed contract? (Councillor P Honeywood) For clarification, the three versions referred to are the overall service within the contract that is currently in place, the service that is now being proposed and the "gold-plated" service. We are looking for clarification on the differences between the three.	(Councillor Smith) The primary distinction lies in the scope of services outlined in the new proposed contract. The previous version was structured around a performance-based model, which would have required continuous street-level tasks such as emptying litter bins under the street cleaning provision. This approach proved to be financially unsustainable. As a result, we have decided to revert to the existing contractual framework. The updated proposal reflects this shift, and the specific changes in the new contract are as follows: • Single contract covering street cleaning and waste/recycling services • Built-in performance standards and accountability framework • Council to manage customer contact centre and handle complaints • TDC may access live vehicle data for performance monitoring • Initial 3-year term with optional 2-year extension • Annual formal review plus quarterly waste board meetings for improvements • Contractor funds upfront vehicle purchase • Bulky item collection included and managed by contractor • Founder Road depot leased to contractor at no charge • Container delivery teams retained for golden waste service • Fortnightly residual waste collection via wheely bins • Recycling compliant with

	Environment Act 2021: twin-stream, alternate weekly (containers vs. fibres) using boxes • Weekly food waste collection for all households, including flats and rural areas • Chargeable garden waste service unchanged in frequency and cost • Contractor assumes full risk on dry recyclable material value • Frequency-based street cleaning with scheduled bin cleaning/emptying • Option for mobile response team • New beach cleans added at Holland-on-Sea • Additional blue bins on seafront for summer peak • Summer period extended: March to September annually
Following on from the earlier question on the Portfolio Holder Working Party, what was the date the specification was finalised before it went out to procurement?	(Damian Williams) The answer depends on which stage of the procurement process is being referenced, as the current process differs significantly from the one undertaken 14 years ago. At that time, there were dialogue phases that led to a reassessment, particularly when it was identified that the cost would increase by £7 million. This prompted a need to revisit the approach. Therefore, it's important to clarify whether the reference point is when the specification was issued for tender—reflecting the current, fully costed proposal being submitted—or whether it pertains to the earlier dialogue stage, as key milestones occurred at different times.
Were any amendments to the contract implemented without prior consultation with the Portfolio Holder Working Group?	(Councillor M Stephenson) Cllr Bush chaired three meetings of the Portfolio Holder Working Party. A fourth and final scheduled meeting was subsequently held, which I attended. During this session, the group reached a natural conclusion. With the procurement phase underway, there was no further requirement to convene additional meetings.

	(Lisa Hastings) Following a thorough review of the Cabinet reports, I can confirm that the working group last convened in October 2024. At that meeting, they provided feedback on the high-level specification, which subsequently progressed through a staged process, as outlined by the Corporate Director (Operations and Delivery). The group did not reconvene prior to the May 2025 Cabinet report. The May 2025 report offers a detailed account of the limited options available to the Council at that time. It also clearly identifies the changes made to the core specification, which included: • A shortened contract term to accommodate Local Government Reorganisation (LGR) • A reduced specification to reflect affordability constraints • A decision to avoid financial risk associated with dry mixed recycling and kerbside services • A determination not to fund the upfront purchase of the vehicle fleet
Could you please confirm whether external consultants have been engaged during this process? If so, it would be helpful to understand the associated costs, including the overall expenditure expected by the end of the engagement. Additionally, I'd appreciate insight into the specific expertise these consultants have contributed that may not be available within our internal team. Lastly, could you clarify whether there is an intention to proceed with the purchase of these vehicles?	(Councillor M Stephenson) Yes, consultants were engaged as part of this process. To streamline decision-making and minimise delays involving Cabinet and other stakeholders, an initial allocation of approximately £300,000 was set aside for consultancy support. As the project progressed, it became clear that additional resources were required, and a further £100,000 was approved. All related decisions are publicly available. The Council appointed EELGA, Eunomia, and WRM Sustainability Ltd to provide expert advice. Detailed information regarding expenditure to date will be included in the forthcoming Cabinet report. (Councillor Smith) We are not going to be purchasing the vehicles.
Could you please clarify the current approach to black sack collections	(Damian Williams) Current collection schedules will remain unchanged. In

considering the legislative changes effective from March 2025, which mandate weekly food waste and glass recycling collections? Additionally, what is our strategy for communicating these service updates to residents? Clear and timely communication will be essential to ensure understanding and compliance.	accordance with legislative requirements, food waste and glass recycling will continue to be collected directly from doorsteps. For residents living in flats, the arrangements are more complex due to a range of logistical considerations. The Waste and Recycling team is actively developing a clear and comprehensive communication plan to ensure all affected residents are well informed. Please be assured that all changes will be carefully planned and executed to maintain a high standard of service.
For confirmation, will the frequency of street cleaning remain the same in each individual road?	(Councillor Smith) Yes.
Could you confirm whether dog waste bins are included in the scope of the contract? I would also like to propose that particular attention be given to the provision and maintenance of these bins, as they are a frequent source of resident complaints. Considering this, could a provision be considered to make it easier for Parish Councils to request dog waste bins, as the current process can be unnecessarily drawn out and difficult to navigate?	(Councillor Smith) This provision is currently in place and will remain so under the new contract. Although the bin emptying is part of the contract, implementing additional bins is a separate issue to the contract itself. (Councillor M Stephenson) Technology is now in place to confirm that bins are being emptied according to schedule, enabling more effective issue resolution and eliminating any uncertainty regarding contractor attendance. Once the waste contract is fully implemented, we will be in a better position to explore and address the ongoing issues related to dog waste bins.
Could you please clarify whether wrapped dog waste can be disposed of in any Council bin? I was under the impression that this was permitted but would appreciate confirmation.	(Councillor Smith) Yes, it can.
I'm pleased to see how comprehensive the performance management is. Could you confirm whether any missed household waste collections must be collected within 28 days? If so, will there be any associated penalties for missed or delayed collections?	(Jonathan Hamlet) Household waste is typically collected within 48 hours, not 28 days. While the current contract does not impose formal penalties for delays, the forthcoming performance framework will introduce specific KPIs that must be met. Details of any associated penalties will be made publicly available following the

	Cabinet meeting next week.
With the population increase within the District, how do we determine how many additional bins we need to facilitate this growth? Could consideration be given to the provision of dog waste and litter bins in response to projected population growth, to ensure infrastructure keeps pace with community needs? Following the confirmation that dog waste can be disposed of in any Council bin, could you clarify whether a single standardised type of public bin will now be used? Additionally, will these bins be larger to accommodate increased usage? It has been observed that the collection of black bin liners occasionally results in residue being left on the road. Could you confirm whether the new contract includes provisions requiring operatives to clear such residual waste as part of their duties?	(Jonathan Hamlet) In accordance with the contract, service provision is currently aligned with new developments identified in both the Forward Plan and Local Plan. As these developments become operational, the associated properties will be supplied with bins and integrated into the collection schedule. In time, having built in the stronger KPI's and performance management to the contract, it then becomes a much stronger service. We will continue to collaborate with Town and Parish Councils to support local communities in meeting their dog and litter bin needs, working closely with stakeholders to ensure appropriate provision where required. Our preferred approach is to transition to a single-use public bin model, a practice we have been implementing for several years. Traditional dog waste bins, typically constructed from soft metal, are prone to rust and deterioration. When these bins require replacement, they are generally substituted with larger litter bins that can also accommodate dog waste. This solution offers added benefits for residents, as the bins have greater capacity and are emptied more frequently. This matter is best addressed through operational channels rather than scrutiny. Nonetheless, we remain committed to working collaboratively with Town and Parish Councils, as well as the wider public, to identify and raise awareness of such issues.
Is there the option for the procurement process to be delayed allowing sufficient time for thorough scrutiny by the Committee?	*(Councillor Smith) No – delaying the procurement will cause delays to contract implementation and leave the Council exposed and in the position of not having a contractor in place the deliver services from April 2026.* *We do not recognise the suggestion that*

	there has been insufficient time for thorough scrutiny, given the duration of this procurement process thus far and Cabinet's detailed reports being in the public domain and available to the Committee. *The Committee sets its work programme, and it is noted that for the Work Programme for 2025/26, the Waste and street cleaning contract progress/implementation has been included.* *The Committee cannot be part of the decision-making process for the award of the contract, and assurance is given that the process has been robust and further details will be contained within the Cabinet report (14 November 2025) on funding.* *Is there any further assurance the Committee requires?*
Would fixed penalty notices be issued? Specifically following incidents of littering along the Clacton-on-Sea seafront?	*(Councillor Smith) This is not relevant to the procurement of this contract. The contractor will not be responsible for enforcement but are obliged to alert the Council where they find evidence of fly tipping or persistent littering or misuse of litter bins, etc.*
Can you provide a detailed breakdown of the locations at which blue bins would be situated? Could you clarify why litter bins are removed from Clacton seafront during the winter months, despite continued use of the area by dog walkers and the ongoing need for waste disposal facilities?	*(Councillor Smith) No, the locations are adjusted based on experience and seasonal demand.* (Councillor Smith) There must be a seasonal variation in the bins provided. In my ward, when reports are received regarding bins being full, it is frequently the case that one specific bin is heavily used while others nearby remain largely empty.
What scope exists to amend the contract, or whether the terms are now fixed and non-negotiable? If changes to the contract are required—such as those arising from legislative updates—does the contract	(Jonathan Hamlet) The current contract is robust and includes provisions for quarterly and annual reviews. It also incorporates mechanisms to accommodate changes in legislation. We have benefited from the expertise referenced earlier, and the contract

permit the contractor to adjust the associated costs accordingly?	allows for flexibility to implement amendments where necessary. Yes, but it would need be transparent and scrutinised by officers and the waste board and they would need to clearly outline where any additional costs would be coming from.
Does the contract include provisions allowing the Council to issue notice in the event of non-compliance with Service Level Agreements (SLAs)? Additionally, is there a mechanism for the contractor to serve notice, and if so, what is the required notice period?	(Jonathan Hamlet) Yes, there is an established procedure in place, similar to the current arrangements, whereby either party may terminate the contract should mediation efforts fail following a breakdown in service. While I am currently unsure of the specific notice period required, I will confirm this. It is important to note that such occurrences are exceptionally rare. (Damian Williams) Most contracts typically include reciprocal clauses designed to protect the interests of both parties; therefore, yes, such provisions would apply equally to both sides.
Would it be possible to move into Part B of the meeting to address matters that are not appropriate for discussion in the public domain?	(Lisa Hastings) Yes, provisions do exist to move into Part B. It's important to note that the term "commercially sensitive" does not preclude the Committee from accessing the information; rather, it indicates that such matters are not appropriate for discussion in the public domain.
Would it be feasible to develop a Councillor information pack to support the effective communication of these details to residents?	(Councillor Smith) We would be more than happy to facilitate this.

It was moved by Councillor P Honeywood, seconded by Councillor Bensilum and **RESOLVED:-**

"That pursuant to Section 100A(4) of the Local Government Act 1972, the press and public be excluded temporarily from the meeting on the grounds that the Committee's deliberations will involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act."

The Committee's discussions originally held under Part B have subsequently been made public following the release of the Cabinet meeting agenda scheduled for 14 November 2025, which included those details in the public domain.

Following its decision to exclude the press and public to enable it to discuss commercially sensitive information, the Committee proceeded as follows:

Questions by Members:	**Answers:**
What is the total cost of the contract and is it at an equal cost over each year?	(Richard Barrett) The total cost of the contract over three years is approximately £7.8 million. While this exact figure may not be explicitly stated in the report due to the complexity of the contract, it reflects the overall financial commitment. Grant funding has been secured, though the amount is relatively modest—around £500,000. Consequently, the Council will need to identify funding for the remaining £7.4 million. The expenditure will be higher in the first year.
Does that figure include business and administrative costs, or does it solely reflect the contractual expenditure? Additionally, has the impact of the projected 11,000 new homes been factored into the calculation?	(Richard Barrett) Yes, that is the total cost to the Council.
Who is the new contract being offered to?	(Councillor M Stephenson) Veolia (Lisa Hastings) To clarify, the contract has not yet been awarded. In May, two contractors were involved in the process; however, following that stage, only one formal submission was received. In accordance with procurement regulations, a 10-day standstill period is required once a contract is awarded, during which any challenges may be submitted. This process must be followed even in cases where only a single contractor has submitted a bid. Officers have undertaken a thorough review of all aspects of the contract to ensure due diligence. Following the Cabinet's decision in November and the subsequent awarding of the contract, a significant amount of implementation work remains.

Following the above discussions, the press and public were formally readmitted to the meeting.

Following the deliberations referred to in the above resolution the press and public were formally readmitted to the meeting.

Questions by Members:	**Answers:**
Once the waste has been collected, what happens to it?	(Councillor Smith) Black sack waste is transported to the Endeavour facility in Rivenhall, where it is thermally treated and converted into electricity. Plastic and cardboard materials are sent for recycling, while food waste is processed into biofuel.

The meeting was then temporarily adjourned, during which the Corporate Director (Operations and Delivery), the Assistant Director (Housing and Environment), and the Waste and Recycling Manager departed.

It was then unanimously **RESOLVED** that the Committee:-

(a) recommends to Cabinet that the Council apply a proportionate compliance framework in the early stages of the contract rollout to allow for reasonable adjustments accommodating residents' needs and ensuring equitable access to services;

(b) recommends to Cabinet that the Portfolio Holder Working Party, that initially supported the move to procurement of the Waste and Street Cleaning Contract, be re-established to address mobilisation, implementation and delivery of the contract requirements going forward utilising all the relevant Key Performance Indicator data including delivery percentages by Ward and considers the appropriate practice and process in respect of the deployment of sanctions for underperformance or breach of contract terms;

(c) recommends to Cabinet that a clear communication plan be developed and then executed to keep residents informed of (impending) service changes, including the changes being introduced in the new contract (such as the introduction of services such as glass collection);

(d) encourages Cabinet to implement the proposal, accepted by the Portfolio Holder for the Environment and IT at the Committee's meeting, for the preparation of an information pack for Councillors (and possibly Town and Parish Councils) in respect of the new contract and the arrangements for collection of waste and recyclable materials going forward in the District and that this be developed with input from Members across the Council;

(e) notes that the reported cost of the new Waste and Street Cleaning Contract was broadly in line with where Members of the Committee considered it would be; and

(f) notes and accepts Officers' proposal to provide detailed information regarding the contract termination provisions of the new contract.

24. REPORT OF THE CORPORATE DIRECTOR (FINANCE & IT) - A.1 - FINANCIAL OUTTURN 2024/25

Members had been presented with the report of the Corporate Director (Finance & IT) (A.1) which provided an overview of the Council's financial outturn for the year 2025/25 as well as in-year budget adjustments for 2025/26 to date.

The Committee heard that on 27 June 2025, the Portfolio Holder for Finance and Governance had considered the detailed Financial Outturn position for 2024/25 and made an executive decision as follows:

(a) that the financial outturn position for 2024/25, as set out in the Officer report and its appendices, be noted;

(b) that the financing of General Fund capital expenditure for 2024/25, as detailed in Appendix D, be approved;

(c) that the movement in uncommitted and earmarked General Fund reserves for 2024/25, as set out in Appendix E, be approved;

(d) that the General Fund revenue carry forward items totalling £15.093m, as set out in column 4 of Appendix K, be approved;

(e) that the General Fund capital carry forwards totalling £59.477m, as set out in Appendix D, be approved;

(f) that, in respect of the HRA, the movement on HRA balances for 2024/25, including any commitments set out within Appendices H and/or I, along with recharges to the HRA from the General Fund of £3.025m for the year and the financing of the HRA capital expenditure, as set out in Appendix I, be approved; and

(g) that the overall General Fund outturn variance of £5.417m for 2024/25 that is being carried forward via the Revenue Commitments Reserve be noted; and

(h) that Cabinet be recommended to approve the proposed allocations from the variance amount, as set out within Table 3.

It was reported that subsequently, on 25 July 2025, Cabinet had considered an overview of the financial outturn for 2024/25 and the proposed allocation of the general fund variance for the year and other in-year budget adjustments. It had been resolved by Cabinet that:

(a) the high-level Financial Outturn Position, as set out in this report (A.5), and the favourable General Fund Revenue variance of £5.417m for the year, which is currently held within the Revenue Commitments Reserve be noted;

(b) the use of the General Fund Outturn for the Year of £5.417m, as set out in Appendix A (Section 1), be approved;

(c) in respect of the additional £1.000m set aside to support the delivery of savings / efficiency plans and wider corporate priorities, the Chief Executive, in consultation with the Portfolio Holder for Corporate Finance and Governance, be authorised to utilise this funding during the year;

(d) in respect of the additional £1.000m set aside for Coast Protection Works, this be added to the remaining budget of £0.970m associated with earlier decisions, and that the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for the Environment & ICT, be authorised to utilise this funding during the year;

(e) the budget adjustments for 2025/26, as set out in Appendix A (Sections 2 and 3), be approved;

(f) the Council's Section 151 Officer, in consultation with the Corporate Finance and Governance Portfolio Holder, be authorised to adjust the outturn position for 2024/25 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 2024/25 accounts; and

(g) Officers, in consultation with the Portfolio Holder for Housing and Planning, be requested to continue to explore opportunities to support the Council in addressing the increasing financial challenge associated with the demand for homelessness / temporary accommodation, and to present reports to future meetings of Cabinet, including the potential options associated with the possible levying of charges, balanced against various issues such as the circumstances of those seeking support.

Questions by Members:	**Answers:**
What is the total amount of ringfenced funding? What are the specific purposes for which these funds are being allocated? And are the associated projects or initiatives expected to be delivered as planned?	*(Councillor M Stephenson) It is assumed that the reference to ring fenced funding relates to where a decision has been made to allocate a budget via the budget setting process, financial performance reports or separate decisions during the year. With this in mind, the associated decisions would have set out the basis / purpose of the funding (and / or further delegations agreed) and the items would subsequently be included within the budget with progress reported within the regular financial performance reports that would provide commentary around the delivery of the projects /*

	initiatives as necessary. Was there any particular ring-fenced funding the Committee would like more information on?
Is there a document you can provide with all the ringfenced budgets?	(Richard Barrett) I am amenable to engaging in a discussion outside the meeting to gain a more comprehensive understanding of the intended outcomes.
What is the financial impact should the cost of the Waste Contract exceed initial expectations?	*(Councillor M Stephenson) As set out in the May 2025 Cabinet report, it was highlighted that the proposed approach would be based on the use of one-off funding, supported by savings and efficiencies within the overall GF revenue budget as necessary. This remains the planned approach with no direct impact on the provision of existing services.*
Can you provide clarification on the source of any additional funding required and the anticipated budgetary position in such circumstances?	*(Councillor M Stephenson) Following on the above, and as set out within the outturn report for 2024/25, £2.417m has already been set aside to support the cost of the contract. In accordance with the proposed use of one-off money set out above, it is proposed to utilise a limited number of currently uncommitted one-off budgets to meet the initial three-year cost of the contract.*
Is there a contingency plan is in place to address any potential overspend associated with the Carnarvon Terrace project?	*(Councillor M Stephenson) As set out within previous reports, such risks have been highlighted and discussed and included within risk management plans and a contingency sum has been allocated to the project from within the overall agreed budget.* *The consideration of this key issue will also be revisited within the associated report following the completion of the procurement process, which is planned to be presented to Cabinet in early 2026.*
Can you provide assurance that, should any such overspend occur, this Committee would be formally notified?	*(Councillor M Stephenson) Such issue would form part of Cabinet reports as necessary and therefore available to all Members. They would also be included*

	within the regular financial performance reports as necessary, that already form part of the Committee's work programme.
I would appreciate clarification regarding the £45,000 allocated for the creation of a fixed-term Refugee Support Officer position. Specifically, is this funding sourced from the Government? Additionally, could you confirm the duration of the fixed-term appointment? I am also interested in understanding the core purpose of this role and the specific needs it is intended to address within the current context. Is this talking about illegal immigrants? Do we know who these people are? Have we been informed by the Government that they are arriving and do we offer them housing?	(Councillor M Stephenson) This is regarding refugees and once they have been granted the right to remain. It was about dealing with people who have been given asylum status and working with them, which we felt we were not doing well enough? No, this is not about dispersing illegal immigrants. It pertains to supporting those who have been granted the right to remain, facilitating their transition and integration through the next stages of resettlement. I do not believe these questions are directly relevant to the agenda item currently under discussion. Therefore, I would kindly ask that they be submitted outside of the Committee for consideration through the appropriate channels.
Do Colchester and Braintree have a Refugee Support Officer and the same Government funding?	(Councillor M Stephenson) I don't know. I will endeavour to find out that information and it will be added to the written response.
Homelessness costs have doubled, what do you attribute that to?	(Councillor M Stephenson) This is a nationwide issue and not unique to Tendring. However, our associated costs have not risen to the same extent as in some other areas, largely due to proactive initiatives such as the Spendells project and the fact that we do not currently have any individuals experiencing homelessness accommodated in hotels. Nationally, homelessness figures continue to rise. In response, the Portfolio Holder responsible for Housing and I are working closely with an Officer Working Party to explore and implement strategies aimed at reducing costs and improving outcomes.

What are the percentage of voids we have where we can house these people?	(Councillor M Stephenson) Under 2%, which is our goal.
Could you please confirm whether the increase in asylum seekers is contributing to the reported figures? It was previously noted at a meeting that there is a correlation between homelessness and unemployment. In light of this, could you clarify why the homelessness figure is continuing to rise and resulting in increased costs for the Council?	(Councillor M Stephenson) Asylum seekers represent a very small proportion of those reflected in our data. Approximately 75% of individuals currently in temporary accommodation are there due to factors such as antisocial behaviour, issues with landlords, and family disputes. The remaining 25% encompasses a wide range of other causes—around 20 distinct categories—with asylum seekers ranking among the least prevalent. While this may be a more prominent issue in other areas, it is not currently a significant concern within Tendring. A report from the Officer Working Party addressing temporary accommodation is scheduled to be presented to Cabinet in January. This report is expected to provide comprehensive responses to many of the questions currently being raised.
With reference to the 2% of void properties within the District, could you advise on what measures might be taken to mitigate the associated costs? To what extent is this issue influenced by a shortage of rental properties? Additionally, could you provide clarity on the current number of vacant homes in the area?	(Councillor M Stephenson) The issue at hand relates to both homelessness and the housing waiting list. Introducing a policy that prioritises individuals experiencing homelessness for placement into void properties would present several challenges. Many of these properties are currently undergoing refurbishment, which is a time-consuming process, and others are classified as long-term voids that we are actively working to address. If we were to allocate voids directly to those in temporary accommodation, it could inadvertently create a perception that bypassing the housing waiting list is a viable route to securing a council property. This could, in turn, lead to an increase in demand for temporary accommodation, further exacerbating the pressures on our housing services.

At this stage of the meeting, the Leader of the Council, the Portfolio Holder for Environment and ICT, and the Corporate Director (Law and Governance) left the meeting.

It was unanimously **RESOLVED** that the Committee:-

(a) notes the questions raised regarding the use of the refugee settlement grant and whether similar arrangements are in place within neighbouring authorities, and looks forward to receiving a response from the Leader of the Council;

(b) notes the request for an investigation into ringfenced funds and anticipates receiving the relevant documentation at its meeting in January 2026; and

(c) recommends to Cabinet that assurance be provided confirming the Committee would be notified in advance of any underspend that may impact the Council's funding.

25. REPORT OF THE ASSISTANT DIRECTOR (CORPORATE POLICY & SUPPORT) - A.3 - WORK PROGRAMMING - INCLUDING PREVIOUS RECOMMENDATIONS AND SUMMARY OF FORTHCOMING DECISIONS

The Committee had been furnished with a report that provided its approved Work Programme for 2025/26, 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 public notice had been given,

The report had also invited the Committee to reappoint the "Asset Management" Task and Finish Group, the "Housing Strategy Development and Infrastructure and Temporary Accommodation" Task and Finish Group and the "Council Enforcement Arrangements" Task and Finish Group. Where the memberships of the Task and Finish Groups had still been outstanding, a delegation to the Assistant Director (Corporate Policy and Support) had been approved at the Committee's previous meeting to finalise those memberships.

Members were reminded that the Committee's Work Programme, as approved by Full Council at its meeting held on 14 August 2025, included the continuation of the work of the "Asset Management" Task and Finish Group, the "Housing Strategy Development and Infrastructure and Temporary Accommodation" Task and Finish Group and the "Council Enforcement Arrangements" Task and Finish Group. The Work Programme had set out an aspiration for the final report of those Task and Finish Groups to be submitted to the Resources and Services Overview and Scrutiny Committee at its meeting in December 2025. To facilitate that, the Committee held a discussion regarding those memberships.

A list of the nominations for membership of each of the Task and Finish Groups submitted prior to the meeting had been as follows:

Asset Management

- Councillor Steady
- Councillor Bensilum

- Councillor Newton
- Councillor Bush

Housing Strategy Development and Infrastructure and Temporary Accommodation
- Councillor P Honeywood
- Councillor Goldman

Council Enforcement Arrangements
- Councillor Casey
- Councillor Steady (second preference)
- Councillor Goldman (second preference)

It was unanimously **RESOLVED** that the Committee:

a) notes its approved Work Programme 2025/26 (Appendix A) together with the feedback to the Committee on the Executive's decisions made in respect of previous Committee recommendations (Appendix B) and the list of forthcoming decisions (Appendix C);

b) notes the remaining contents of the report; and

c) authorises the Assistant Director (Corporate Policy and Support), following consultation with the Committee's Chairman, to:

- reconstitute the Asset Management Task and Finish Working Group, Housing Strategy Development and Infrastructure and Temporary Accommodation Task and Finish Group and the Council Enforcement Arrangements Task and Finish Working Group; and

- appoint individual Councillors to serve on the 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 10.31 pm

Chairman

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COUNCIL

25 NOVEMBER 2025

REFERENCE FROM CABINET

A.1 THE LOCAL COUNCIL TAX SUPPORT SCHEME, DISCRETIONARY COUNCIL TAX EXEMPTIONS / DISCOUNTS / PREMIUMS FOR 2026/27 AND ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT 2026/27

(Report prepared by Ian Ford*)*

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
The Council is asked to consider the recommendations submitted to it by the Cabinet in respect of the Local Council Tax Support Scheme 2026/2027, Council Tax Exemptions, Discounts and Premiums for 2026/2027 and the Annual Minimum Revenue Provision Policy Statement for 2026/2027.

EXECUTIVE SUMMARY
At its meeting held on 14 November 2025 (Minute 77 refers), the Cabinet had considered a report of the Corporate Finance & Governance Portfolio Holder (A.5) which had sought its agreement for recommending to Full Council the following: • Local Council Tax Support Scheme 2026/27 (LCTS); • Exceptional Hardship Policy; • Discretionary Council Tax Exemptions, Discounts and Premiums for 2026/27; and • Annual MRP Policy Statement for 2026/27. Having conducted the annual review of the above matters, the Portfolio Holder had proposed to Cabinet:- (i) in terms of the LCTS, to continue with the principle of providing financial stability wherever possible to Tendring claimants; (ii) to keep the 2026/27 LCTS scheme the same as for 2025/26, which provided for a maximum discount of 80% for working age claimants; (iii) to not make any changes to the associated hardship policy; (iv) to not make any changes for 2026/27 in relation to existing discretionary council tax discounts, exemptions and premiums (including discounts for young people leaving care; (v) to not make any changes in respect of existing council tax premiums on long-term empty properties; (vi) to continue with a 100% council tax premium on properties occupied periodically ('second homes'); (vii) to note that central Government has previously introduced a number of exceptions where the council tax premium on long term empty properties and/or second homes is not chargeable and that these remain in place; and (viii) to not make any changes to the Annual Minimum Revenue Provision Policy Statement for 2026/27. Cabinet had been informed that, if it was agreed that no changes were necessary to the proposed LCTS scheme, there would be no need for public consultation. However, if any amendments were proposed and approved at this Full Council meeting, then public

consultation would be required before the final scheme could be agreed and adopted. Consequently, if consultation was required, this Council would have to notify the precepting authorities that the final council tax base would be delayed and would not be available until late on in the budget cycle.

Given the recommendation to continue with the existing LCTS scheme, it had not been proposed to formally refer it for scrutiny to the Resources and Services Overview and Scrutiny Committee, on the grounds that it would be considered by Full Council at this meeting.

In order to proceed towards the implementation of an LCTS Scheme in 2026/27 along with the required council tax discounts, exemptions and premiums and an MRP Policy Statement Cabinet had:-

*"**RESOLVED** that Cabinet agrees that -*

(a) the LCTS scheme for 2026/27 remains the same as the current year (2025/26);

(b) the Council Tax Exceptional Hardship Policy be as set out in Appendix B to the report; and

(c) the discretionary Council Tax exemptions, discounts and premiums for 2026/27 be as set out in the appendices to the Portfolio Holder's report.

***RECOMMENDED TO COUNCIL** that –*

(i) the LCTS, as set out as Appendix A to the report, be approved with the maximum LCTS award being 80% for working age claimants;

(ii) the Corporate Director (Finance and IT), in consultation with the Corporate Finance and Governance Portfolio Holder, be authorised to undertake the necessary steps to implement the LCTS scheme from 1 April 2026;

(iii) the locally determined council tax discounts, as set out in Appendix C, be approved;

(iv) the council tax discount policy for young people leaving care, as set out in Appendix D, be approved;

(v) the discretionary council tax premiums, as set out in Appendix E, be approved;

(vi) the Corporate Director (Finance and IT), in consultation with the Corporate Finance and Governance Portfolio Holder, be authorised to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2026; and

(ix) the Annual Minimum Revenue Provision Policy Statement for 2026/27, as set out in Appendix F, be approved."

A copy of the published Corporate Finance and Governance Portfolio Holder's report (and its appendices) to the Cabinet meeting held on 14 November 2025 is attached to this report.

RECOMMENDATIONS

That Council, having considered this reference report from Cabinet –

(a) approves the LCTS scheme for 2026/27, as set out as Appendix 2 to this report, with the maximum LCTS award being 80% for working age claimants;

(b) authorises the Corporate Director (Finance and IT), in consultation with the Corporate Finance and Governance Portfolio Holder, to undertake the necessary steps to implement the LCTS scheme from 1 April 2026;

(c) approves the locally determined council tax discounts, as set out in Appendix 4 to this report;

(d) approves the council tax discount policy for young people leaving care, as set out in Appendix 5 to this report;

(e) approves the discretionary council tax premiums, as set out in Appendix 6 to this report;

(f) authorises the Corporate Director (Finance and IT), in consultation with the Corporate Finance and Governance Portfolio Holder, to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2026; and

(g) approves the Annual Minimum Revenue Provision Policy Statement for 2026/27, as set out in Appendix 7 to this report.

BACKGROUND PAPERS FOR THE DECISION

Published Decisions of the meeting of the Cabinet held on 14 November 2025.

APPENDICES

APPENDIX 1 = Published A.5 Report of the Corporate Finance and Governance Portfolio Holder for the meeting of the Cabinet held on 14 November 2025

APPENDIX 2 = Proposed Local Council Tax Support Scheme (summary) 2026/27

APPENDIX 3 = Council Tax Exceptional Hardship Policy **[for INFORMATION ONLY]**

APPENDIX 4 = Council Tax Discounts and Exemptions 2026/27

APPENDIX 5 = Care Leavers Council Tax Discount Policy

APPENDIX 6 = Council Tax Premiums 2026/27

APPENDIX 7 = Annual Minimum Revenue Provision Policy Statement 2026/27

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CABINET

14 NOVEMBER 2025

REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE AND GOVERNANCE

A.5 THE LOCAL COUNCIL TAX SUPPORT SCHEME, DISCRETIONARY COUNCIL TAX EXEMPTIONS / DISCOUNTS / PREMIUMS FOR 2026/27 AND ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT 2026/27

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
To enable Cabinet to consider and agree for recommending to Full Council the following: • Local Council Tax Support Scheme 2026/27 • Exceptional Hardship Policy • Discretionary Council Tax Exemptions, Discounts and Premiums for 2026/27 • Annual MRP Policy Statement for 2026/27

EXECUTIVE SUMMARY
• This report outlines the proposed Local Council Tax Support (LCTS) scheme and council tax exemptions, discounts and premiums for 2026/27. • In terms of the LCTS scheme, it is proposed to continue with the principle of providing financial stability wherever possible to Tendring residents. • It is therefore proposed to keep the 2026/27 LCTS scheme the same as this year, which provides for a maximum discount of 80% for working age claimants. • The associated exceptional hardship policy has also been subject to annual review and it is not proposed to make any changes from the scheme operating this year and so remains available to support eligible claimants in 2026/27. • In respect of existing discretionary council tax discounts, exemptions and premiums (including discounts for young people leaving care), it is not proposed to make any changes for 2026/27, with the same levels applying as in 2025/26. • In respect of existing council tax premiums on long term empty properties, it is not proposed to make any changes for 2026/27, with the same levels applying as in 2025/26. • In respect of the existing council tax premium of 100% on properties used as a second home, it is not proposed to make any changes for 2026/27, with the same levels applying as in 2025/26. • As part of the extension to council tax premiums on long term empty properties and the introduction of council tax premiums on second homes last year, the Government stated that their intention was not to penalise property owners where they are making genuine

efforts to make use of their properties. The Government therefore introduced mandatory exceptions where the council tax premium on long term empty properties and/or second homes is not chargeable, and these remain in place for 2026/27.

- The Annual Minimum Revenue Provision Policy Statement has also been reviewed for 2026/27, and no changes are proposed to the existing approach adopted from 2025/26.

- If it is agreed that no changes are necessary to the proposed LCTS scheme, there will be no need for public consultation. However, if any amendments are proposed and approved at Full Council in November 2025, then public consultation will be required before the final scheme can be agreed and adopted. Consequently, if consultation is required, this Council will have to notify the precepting authorities that the final council tax base will be delayed and not available until late in the budget cycle.

- Given the recommendation to continue with the existing LCTS scheme, it is not proposed to formally refer it to the Resources and Services Overview and Scrutiny Committee, but it will be considered by Full Council on 25 November 2025.

RECOMMENDATION(S)

It is recommended:

a) That Cabinet agrees that the LCTS scheme for 2026/27 remains the same as the current year, as set out as Appendix A and recommends to full Council:

i) that the LCTS set out as Appendix A be approved with the maximum LCTS award being 80% for working age claimants;

ii) that subject to a)i) above, delegation be given to the Corporate Director Finance and IT in consultation with the Finance and Governance Portfolio Holder to undertake the necessary steps to implement the LCTS scheme from 1 April 2026;

b) that Cabinet agrees the Council Tax Exceptional Hardship Policy as set out in Appendix B;

c) that Cabinet agrees the discretionary Council Tax exemptions, discounts and premiums for 2026/27 as set out in the appendices and recommends to full Council:

i) that the locally determined council tax discounts as set out in Appendix C be approved;

ii) that the council tax discount policy for young people leaving care as set out in Appendix D be approved;

iii) that the discretionary council tax premiums set out in Appendix E be approved;

A.1 APPENDIX 1

iv) that subject to c) above, delegation be given to the Corporate Director Finance and IT in consultation with the Finance and Governance Portfolio Holder to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2026; and

d) that Cabinet recommends to Council that the Annual Minimum Revenue Provision (MRP) Policy Statement for 2026/27 as set out in Appendix F be approved.

REASON(S) FOR THE RECOMMENDATION(S)
To enable the implementation of an LCTS Scheme in 2026/27 along with the required council tax discounts, exemptions and premiums and an MRP Policy Statement.

ALTERNATIVE OPTIONS CONSIDERED
Considerations relating to the implementation of the various elements included within the recommendations above are set out within the main body of this report

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
In developing a local scheme, the Council must be mindful of their duties to vulnerable groups, and Council Taxpayers set against the Council's overall financial position.

OUTCOME OF CONSULTATION AND ENGAGEMENT
Not applicable at this stage as no amendments to the LCTS scheme for 2026/27 are currently being proposed.

LEGAL REQUIREMENTS (including legislation & constitutional powers)			
Is the recommendation a Key Decision (see the criteria stated here)	**Yes**	**If Yes, indicate which by which criteria it is a Key Decision**	☐ **Significant effect on two or more wards** X **Involves £100,000 expenditure/income** ☐ **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)	This item has been included within the Forward Plan for a period in excess of 28 days.
The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (as amended) and The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 provide the basis for the design and implementation of Local Council Tax Support Schemes.			

A.1 APPENDIX 1

In respect of the Council Tax Exceptional Hardship Policy, S13a of the Local Government Finance Act 1992 allows Councils to reduce the amount of Council Tax payable. The same legislation would also enable the Council to provide a council tax discount for young people leaving care.

The Local Government Finance Act 1992. Schedule 1A of the 1992 Act states that if a LCTS is revised or replaced, full consultation is required. As the recommendation is to continue with the current scheme for 2026/27, consultation is not required. However, should Council make any amendments to the scheme, consultation will be necessary before the scheme can be approved and adopted.

The Local Government Finance Act 1992 (as amended) sets out relevant council tax exemptions and discounts (mandatory and discretionary). The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 (as amended) sets out the various class of properties for the purpose of exemptions and discounts. Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 amended the Local Government Finance Act 1992 in respect of the Council Tax premiums that can be charged on long term empty properties (unoccupied for at least 1 year). The Local Government Finance Act 1992 was further amended by the Levelling Up and Regeneration Act 2023, which also makes provision for Council Tax premiums that can be charged on properties occupied periodically ('second homes'). A summary of the premiums chargeable are as follows:

Long Term Empty Properties:

- For properties unoccupied and unfurnished for 1 year but less than 5 years – a maximum council tax premium of 100%.

- For properties unoccupied and unfurnished for 5 years but less than 10 years – a maximum council tax premium of 200%.

- For properties unoccupied and unfurnished for over 10 years – a maximum council tax premium of 300%.

Properties Occupied Periodically:

- A maximum council tax premium of 100%.

For the purposes of defining a long-term empty dwelling, on any day for a continuous period of at least 1 year if it has been unoccupied, and has been substantially unfurnished.

The Government may by regulation prescribe one or more classes of dwelling in relation to which a billing authority may not charge a premium. As part of their earlier decision-making processes, the Government stated that if such exceptions were delivered through non-statutory guidance, this may lead to inconsistency across England in the application of the premiums. Billing authorities would therefore be able to depart from guidance. Billing authorities have discretionary powers under section 13A of the 1992 Act to reduce council tax liability, however as these powers are discretionary, billing authorities may use them differently in different areas. For example, a certain class of dwelling in one area might be excluded from the premium in one area but treated differently in another area. Whilst billing authorities retain discretion over how they treat dwellings for premiums and discounts, the Government considered (following consultation) that certain statutory exceptions should apply across England. Separately,

prescribing exceptions to the premium does not prevent local authorities from using their discretionary powers to reduce the additional council tax liability resulting from a premium. E.g., councils may have applied discretionary reductions in council tax liability which are more generous than the prescribed exceptions. Whilst this could result in local authorities taking different decisions, the legislative approach ensures that the baseline exceptions in the prescribed classes will be apply across England.

Based on the above, the following mandatory exceptions are reflected in The Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024, which cover both long-term empty properties and second homes as appropriate:

- In respect of the second homes premium – Class E and F *(dwellings that would otherwise be the sole or main residence of a member of the armed services, who is provided with a dwelling as a result of such service and a dwelling that forms part of single property that is being treated by a resident of that property as part of the main dwelling)*

- The following exception classes that relate to both the long-term empty homes and second homes premium:

    a. Dwellings that are being marketed for sale, unless it has been such a dwelling for a period of one year or more. (Dwelling Class G)
    b. Dwellings that are being market for rent, unless it has been such a dwelling for a period of one year or more (Dwelling Class H)
    c. dwellings which have fallen in Class F of the Exempt Dwellings Order and have undergone probate (for a period of up to 12 months after the grant of probate). (Dwelling Class I)

- The following exception classes that relate to just the second homes premium:

    a. Dwellings that are periodically occupied in certain job-related circumstances (Dwelling Class J)
    b. Pitch occupied by a caravan, or a mooring occupied by a boat (Dwelling Class K)
    c. Dwellings where a planning condition prevents permanent occupancy (Dwelling Class L)

- The following exception classes that relate to just the long-term empty homes premium:

    a. Vacant dwellings that require or are undergoing major repair work to make them habitable, or are undergoing structural alterations (12 months limit). (Dwelling Class M)

The above are made under Section 11B and 11D of the 1992 Act which enables the Secretary of State to prescribe classes of dwellings to which the premiums would not apply. These exceptions are separate from the existing council tax exemptions under which certain dwellings are entirely exempt from council tax. The regulations took effect from November 2024, and the exceptions apply to premiums charged by billing authorities from 1 April 2025.

Consequential amendments to the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 have also been made to ensure that the second homes premium

is taken into account in the administration of council tax and calculations made by local authorities in setting their local council tax.

The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (as amended) set out the requirements of a Minimum Revenue Provision (MRP) Policy Statement which must be approved by Council each year. In calculating a prudent MRP provision, local authorities are required to have regard to guidance issued by the Secretary of State. Revised guidance was issued under section 21(1A) of the Local Government Act 2003 in April 2024, which is applicable from 1 April 2025. The proposed MRP policy statement continues to reflect this latest guidance.

Local authorities may choose to pay more MRP than they consider prudent in any given year. If they do so they should separately disclose the in-year and cumulative amount of MRP overpaid in the statement presented to full council. There are no plans to do so in 2026/27 which is confirmed within the attached statement.

Local authorities can also vary the methodologies that they use to make prudent provision during the year. If they do so they should present a revised MRP statement to the next full Council or equivalent. Where a change in MRP methodology would impact on the value for money assessment of non-financial investments, the updated statement should summarise this impact.

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

There are no further comments over and above those set out elsewhere in this report.

FINANCE AND OTHER RESOURCE IMPLICATIONS

LCTS scheme for 2026/27

As at the beginning of October 2025, the total estimated annual 'cost' of the LCTS scheme in 2025/26 is **£12,607m,** which is broadly in-line with the 'base' position budgeted for the year. Approximately 10% of this amount (**£1.260m**) falls to TDC with the remainder being met by the major preceptors. It is also worth highlighting that for every 5% decrease / increase in the discount the Council would gain / lose approximately **£50,000** to **£100,000** per year.

As the LCTS scheme is accounted for as a discount against the full council tax amount that would otherwise be payable on a domestic property, the estimated cost of the scheme forms part of the council tax property base calculations that are undertaken when developing the following year's budget. This will therefore be considered as part of the budget setting work currently underway for 2026/27, but it is important to highlight that it is proposed to continue with the underlying principle of not planning to reduce the discount rate as part of balancing the forecast, as the scheme remains an important mechanism to provide financial support to Tendring residents.

Council Tax Hardship Scheme

The cost of the exceptional hardship scheme is met by contributions from TDC and the major preceptors based on their respective proportion of the overall council tax bill. Therefore, TDC is required to meet approximately 10% of the cost of any award up to an annual aggregate total, which for 2025/26 is **£52,484.** For any awards over and above this annual amount, 100% of the cost is met by TDC.

A.1 APPENDIX 1

The total current hardship budget in 2025/26 is **£456,600,** which consists of the underlying budget highlighted above, in addition to Government grant funding carried forward from prior years. Support to households will therefore continue to be made available via the hardship scheme and associated application process.

As no changes are proposed to either the LCTS Scheme or Hardship Policy in 2026/27, no unavoidable / additional underlying costs over and above those included within existing budgets or forecast are expected.

The Council Tax Collection fund continues to operate whereby any changes against the budget during the year will be 'rolled' forward and included in the following year's budget setting process.

Council tax exemptions, discounts and premiums for 2026/27
Similarly to the position for the LCTS Scheme above, as no changes are proposed to existing council tax discounts for 2026/27, including the policy for young people leaving care, no adjustments to the budget / forecast are expected.

In respect of the support to young people leaving care, the cost of the scheme remains relatively minimal, which is highlighted by the position at the end of September 2025 where the total cost was **£3,076.** The cost of this scheme can therefore continue to be accommodated within the wider calculation of the council tax base, each year.

Long Term Empty Property Premium
As highlighted in previous years, logically charging a 'premium' on long term empty properties would result in additional income being achieved. However, the intention of charging a 'premium' is to bring empty properties back into use following which the 'premium' would no longer be levied, the ultimate success of such an approach would therefore mean that no additional income would be realised. It is accepted that some homeowners choose not to bring their properties back into use even when a 'premium' is charged, but it is difficult to quantify this figure. It is therefore recognised that some property owners will accept paying the premium rather than taking an alternative option and additional income is therefore likely to be receivable. This will form part of the more detailed council tax setting and collection fund activities that are undertaken during the year.

However, a summary as at the end of September 2025 is as follows:

Empty Period 'Banding'	**Premium Due**	**Number of Properties Affected at the end of September last year**	**Number of Properties Affected at the end of September this year**
1 to 5 Years	100%	391	479
5 to 10 Years	200%	37	51
Over 10 Years	300%	17	14
		445	**544**

Although the comparison to last year will reflect properties moving between 'bandings', the totals show an overall increase. The increase primarily relates to the 1 to 5 years band, which is likely to reflect those properties that are newly attracting a premium as they have been empty for more than one year. It is therefore reasonable to assume that there could be a potential 'time-lag' / 'churn' relating to when properties may be brought back into use following the property owners deciding to review their situation and responding accordingly once a premium becomes chargeable. The figures also undoubtedly reflects property owners that accept paying a council tax premium rather than bringing their property back into use. The Council has no local discretion on the 'bandings' applied and is already charging the maximum percentages permitted.

The premium will also be chargeable to relevant properties within the HRA. Work remains on-going to manage the level of long-term housing voids and any impact to the HRA from council tax premiums, which will continue to be considered as part of the wider HRA Business Planning Process.

Second Homes Premium

Similarly to long term empty property premiums, the decision to introduce a premium on second homes is aimed at incentivising alternative use of properties, so no additional income may be realised. However, it is acknowledged that some property owners will accept paying the premium rather than taking an alternative option and additional income is therefore likely to be receivable. This will form part of the more detailed council tax setting and collection fund activities that are undertaken during the year.

There has been a steady decline month by month since 1 April 2025 in the number of properties which are classed as a 'second home' indicating that there has been a shift in behaviour, which has resulted in more properties being brought back into use for occupation as someone's sole or main residence and therefore supports this Council's decision to adopt the Governments amendment to the Regulations allowing Local Authorities discretion to apply the premium. Based on the current position the number of properties where a second home council tax premium is chargeable is 909, a reduction of 138 since the 1 April 2025.

Minimum Revenue Provision Policy Statement (MRP)

In respect of the annual MRP policy statement, this sets out how the Council will make provision for the repayment of debt taken out to finance capital investment. For the General Fund, the MRP is a direct charge on the revenue budget. At present no MRP over and above the amount of principal being repaid is calculated for Housing Revenue Account capital investment, although future provision will be considered within the wider business planning process.

There are no changes to the Council's approach to calculating MRP and therefore, apart from any underlying change to the MRP calculation due to a change in the Capital Financing Requirement, there is no significant financial impact in 2026/27. The Council's current estimated General Fund Capital Financing Requirement as set out within the Annual Capital and Treasury Strategy that was presented to Full Council in May is summarised as follows:

2025/26	2026/27	2027/28
£4.515m	£4.356m	£4.182m

The estimated General Fund MRP charge in 2025/26 based on the most up to date Capital Financing Requirement is **£0.295m.**

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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.
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

The decisions set out in this report are required to be made in advance of the Final Budget Proposals being considered by Cabinet / Full Council in early 2026. This enables the associated calculations that support the council tax base and budget to be completed, which also need to be communicated to the Preceptors in a timely way so they can be reflected in their own budget setting processes.

ASSOCIATED RISKS AND MITIGATION

The LCTS Scheme affects low income working age families, and therefore a key risk is their ability to pay if the level of support awarded reduced which would have a knock on impact on the overall collection rate.

The annual review process therefore seeks to balance such issues along with the Council's overall financial position and as highlighted elsewhere within this report, it is not proposed to make any amendments to the LCTS scheme in 2026/27, which therefore remains unchanged to support local households / residents.

EQUALITY IMPLICATIONS

These form part of the wider considerations and discussions elsewhere within this report.

However, the LCTS scheme set out elsewhere within this report will not disproportionately impact on the following groups in that the relevant income will continue to be disregarded in calculating entitlement to support:-

- Families in receipt of child benefit; The Child Poverty Act 2010
- Disabled in receipt of Disability Living Allowance (DLA) / Employment and Support Allowance (ESA)/Personal Independence Payment(PIP); The Equality Act 2010
- War widows/disabled. The Armed Forces Covenant 2011

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The application of discounts and premiums are relevant to all properties across the District and it is considered that there are no equality and diversity implications specific to this issue.

It is also important to highlight that the Government have acknowledged that there may be circumstances where it may not be appropriate to charge a council tax premium and a number of exceptions that they introduced in 2025/26 remain in place for 2026/27.

SOCIAL VALUE CONSIDERATIONS

These form part of the considerations and discussions elsewhere within this report as necessary.

IMPLICATIONS RELATED TO DEVOLUTION AND / OR LOCAL GOVERNMENT REORGANISATION

Although there are no direct implications in terms of the proposals set out within this report relating to 2026/27, it is expected that working towards aligning policies and practices will be a key strand of work associated with progressing the various LGR actions and activities over the next two years.

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

There are not direct implications associated with this report.

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	There are no direct implications associated with this report.
Health Inequalities	
Area or Ward affected	

PART 3 – SUPPORTING INFORMATION

PROPOSED LCTS AND COUNCIL TAX HARDSHIP SCHEMES 2026/27

There are two parts to the LCTS scheme;

- one for pension age claimants where 100% support is provided
- one for working age claimants.

The Pension Age Scheme is set in accordance with rules laid down by the Government whereas the Working Age Scheme rules are decided locally by each local authority (billing authority).

Authorities must adopt a scheme on an annual basis, which must be agreed by 31 January each year for the subsequent year's scheme.

LCTS is treated as a discount within the council tax calculations, which means that the Council's taxbase is reduced (as will the taxbase for County, Fire and Police and Parishes).

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The LCTS is therefore an annual 'cost' met within the Council's overall financial position / budget each year. Any increase in the discount would therefore be treated as a cost pressure and conversely, any reduction in the level of discount would reduce the Council's net costs. However, the level of discount given is not primarily a financial decision as one of the primary drivers is the level of financial support that the scheme provides to households across the district, which in turn needs to be considered in the wider demographic / economic position for the area.

The Council recognises the on-going impact on residents from welfare reforms and cost of living challenges, so it is proposed to maintain the maximum discount at 80% for working age claimants. In terms of the overall scheme, no changes are proposed with the scheme remaining the same as 2025/26 - the scheme for 2026/27 is set out as **Appendix A.**

As part of previous year's decision making, the potential exploration of alternative options in terms of the underlying design of the scheme was discussed, with one such option based on a 'banding' approach. It is understood that some local authorities have adopted such an approach, which will inherently create 'winners' and 'losers' in terms of the financial support awarded. The Council's current scheme continues to be based on a means tested approach, which although likely to be more administratively burdensome and potentially duplicate effort for prospective claimants who may have to provide the same information to the DWP if claiming other financial support, it is felt that it provides the basis for a potentially fairer system.

Notwithstanding the above, such alternative approaches will be kept under review, especially as part of the work associated with LGR highlighted earlier, but the current means tested approach is proposed to continue for 2026/27.

For information, statistics relating to the LCTS scheme in 2025/26 are set out below:

As at the end of September 2025:

There are currently 11,370 household receiving LCTS.

The total working age households receiving support is 5657.

The total pensioner households receiving support is 5713.

Council Tax Hardship Scheme
The Council has operated a council tax exceptional hardship policy since the inception of the LCTS scheme.

As highlighted during previous reviews of the policy, as with any exceptional hardship scheme, it is difficult to define exceptional hardship or descriptive criteria that will apply, as there may be a number of variables to consider when an application is made. However, the policy continues to set out broad guidelines, which promotes transparency and openness in the Council's decision making processes. The policy also has a focus on 'reasonable' expenditure and affordability for the claimant and is based on evidence that they are also being proactive themselves in managing the situation. This mirrors the same approach that continues to be applied to discretionary housing payments where in consultation with the

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Department for Works and Pensions, support is focused on those claimants who are seeking employment for example.

The policy continues to highlight that a senior officer will review all decisions to demonstrate fairness and consistency to the application process.

It is not proposed to amend the existing scheme for 2026/27.

PROPOSED COUNCIL TAX DISCOUNTS, EXEMPTIONS AND PREMIUMS 2026/27

Discounts and Exemptions

There are a number of mandatory exemptions and discounts available, with only a limited number of classes of dwelling where there is local discretion - these relate to 4 classes of unoccupied dwelling and for 2026/27 it is proposed to keep the level of discount at the same level as 2025/26 as set out in **Appendix C.**

As was the case last year, by leaving the current level of discounts / exemptions unchanged it supports the stability of the council tax base, which is one of the Council's core income streams within the forecast.

Council tax income raised following the impact of the locally determined discounts also has the additional benefit of increasing the contribution receivable from the major preceptors, with the current tax sharing agreement potentially continuing in 2026/27, which is based on total council tax income collectable.

A council tax policy was introduced in 2022/23 to support young people leaving care. It is proposed to continue with an unchanged policy going into 2026/27, which is set out in **Appendix D**.

Premium on Long Term Empty Properties

As a key driver to bring empty properties back into use, the Government allows Local Authorities to levy a council tax 'premium' on long term empty properties and is currently applied across 3 'bands' based on the length of time the property has been unoccupied for. The Government sets a maximum 'premium' that can be charged against each of the 3 'bands', with the highest amount being 300% for a property that has been empty for over 10 years.

The existing chargeable premiums are set out in **Appendix E** and it is proposed that these remain unchanged for 2026/27.

Premium on Second Homes (Properties Occupied Periodically)

A council tax premium of 100% on second homes was introduced by the Council from 1 April 2025.

As part of the Government's introduction of the associated legislation that allows Council's to levy such a premium, they recognised the impact that second homes can have on communities, particularly where a significant proportion of properties are not occupied all year round. Large numbers of such properties can contribute to housing supply pressures and risk the sustainability of local services e.g. large concentrations of second homes reduce

the size of the permanent population, which can lead to unfavourable impacts on the local economy / local services.

In terms of second homes (and long-term empty properties) the Government introduced the necessary regulations that recognised that the premiums were not intended to penalise owners who were making a genuine effort to make use of the properties, with a number of mandatory exceptions introduced.

Following the introduction of the second homes premium in 2025/26 there has only been a limited level of feedback regarding its introduction, with the main issues raised being:

- that they stay at their properties for significant parts of the year and therefore contribute to the local area and that the introduction of a second home premium is not justified on this basis.
- that due to the current unstable market, properties were more difficult to sell within the 12-month exception to achieve their market value.
- properties with restrictions such as those available to 'over 60's' have a smaller market audience to sell to.

Although the above points are appreciated, the Government's introduction of mandatory exceptions were designed to provide a level of reasonable support that broadly addresses the points raised and therefore it is not proposed to extend these exceptions at a local level.

It is also important to highlight the Council's policy background behind the introduction of a second homes premium from 1 April 2025. Amongst a number of existing strategies / policies, the Council's Housing Strategy and Economic Strategy are key documents with some key elements as follows:

- The identification of housing need and demand within the district.
- Strategic priorities including delivering the type and quality of housing the district needs, which meets the aspirations of residents and promotes economic growth in the district.
- Making the best use of and improving existing housing within the district.
- Recognising the link between population and economic growth in Tendring.
- Increases in population and housing support a stronger labour market and increased local spending

As highlighted earlier, there has been a significant reduction in the number of second homes in the district following the introduction of the second homes premium from 1 April 2025, which therefore supports and makes a valuable and on-going contribution to the above priorities and aspirations.

The existing chargeable premium is set out in **Appendix E** and it is proposed it remains unchanged for 2026/27.

Other Considerations

As highlighted in previous years, the Council does from time to time receive other general feedback from residents or other third parties in terms of council tax discounts and premiums.

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Apart from the feedback highlighted above regarding the introduction of a council tax premium on second homes, no other relevant / significant issues have been received.

Annual Minimum Revenue Provision Policy Statement (AMRP)
Attached as **Appendix F** is the proposed Annual MRP policy statement for 2026/27 that sets out how assets funded by borrowing are accounted for, which is required to be approved by Full Council each year. The policy sets out how the Council will make provision for the eventual repayment of any borrowing undertaken to finance capital expenditure. A number of changes were made to the policy last year to reflect updated Government guidance. There are no additional changes required this year with the policy therefore remaining unchanged from that agreed for 2025/26. The timing of approval of the MRP is to enable it to be taken into account when setting the budget for 2026/27 over the coming months.

PREVIOUS RELEVANT DECISIONS
The Local Council Tax Support Scheme, Discretionary Council Tax Exemptions / Discounts / Premiums for 2025/26 and Annual Minimum Revenue Provision Policy Statement 2025/26 Report – Item A.2 Full Council 26 November 2024
BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
None

APPENDICES
Appendix A Proposed Local Council Tax Support Scheme (summary) 2026/27 **Appendix B** Council Tax Exceptional Hardship Policy **Appendix C** Council Tax Discounts and Exemptions 2026/27 **Appendix D** Care Leavers Council Tax Discount Policy **Appendix E** Council Tax Premiums 2026/27 **Appendix F** Annual Minimum Revenue Provision Policy Statement 2026/27

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Tendring District Council

Local Council Tax Support Scheme (LCTS) 2026/27

A summary of the scheme for Working Age persons and the Government Scheme for Pension Age claimants

Tendring District Council

Local Council Tax Support (**LCTS**)

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Introduction

As part of the major changes to the Welfare Benefits system, from 1st April 2013 Council Tax Benefit ended and was replaced by a new scheme called Localised Support for Council Tax or Local Council Tax Support (LCTS). Both systems are means tested which means that they compare your income and capital against an assessment of your needs.

The new scheme is decided by each Council rather than nationally by Central Government. The monies available to each Council have been reduced and if you are of working age the amount of help you receive will be less than under the previous national scheme (Council Tax Benefit).

Central Government has decided to protect pensioners (persons who are of an age where they can claim pension credit) therefore if you are a pensioner, then the amount of help you receive under the new LCTS scheme will be broadly the same and operate in a similar way to the previous Council Tax Benefit system

To assist certain vulnerable groups, the Council has also decided that there will be additional protection given. More details are given later within this document.

The rules of the LCTS scheme divide the persons who can claim support into various classes. The classes or groups are set by Central Government for pensioners and the classes or groups for working age applicants are set by the Council.

The LCTS scheme for working age persons

The Council has decided that there will be two classes and the Council will decide which class each applicant is in. The class will determine the level of LCTS that can be provided:

Any reference to "income" in the working age scheme refers to household income (i.e. including Non-Dependants income)

Class A

To obtain support the individual must:

a. have not attained the qualifying age for state pension credit; or
b. has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance on Maximum Universal Credit or income-related employment and support allowance.
c. be liable to pay council tax in respect of a dwelling in which he is solely or mainly resident;
d. not have capital savings above the capital limit set by the Council
e. be a person who's *income* is **less** than their living allowances (*applicable amount) or* the claimant or partner is in receipt of Income Support, Jobseekers allowance (income based), Maximum Universal Credit or Employment and Support Allowance (income related); and
f. have made a valid claim for support.

Class B

To obtain support the individual must:

a. have not attained the qualifying age for state pension credit; or
b. has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance Maximum Universal Credit or on an income-related employment and support allowance.
c. be liable to pay Council Tax in respect of a dwelling in which they are solely or mainly resident
d. be somebody in respect of whom a maximum LCTS amount can be calculated

e. not have capital savings above the capital limit set by the Council
f. be a person who's *income* is **more** than their living allowances (*applicable amount)*
g. have made a valid claim for support

What LCTS will be payable to working age person?

If a person matches the criteria in Class A, including that their *income* is less than their *applicable amounts,* that person qualifies for a reduction on their council tax liability. The Council has decided that for 2026/27, the maximum council tax liability used in the calculation of LCTS, will be a Council agreed percentage of council tax the person is liable to pay.

If a person matches the criteria in Class B, it will mean the person's *income* is greater than their *applicable amount*. Twenty per cent of the difference between the two will be subtracted from the maximum council tax liability allowed. The Council has decided that for 2026/27, the maximum 6 council tax liability used in the calculation of LCTS, will be a Council agreed percentage of council tax the person is liable to pay.

Protection for certain working age persons

Relevant income disregards in the calculation of Local Council Tax Support will be applied to the following groups:-

- Families in receipt of child benefit;
- Disabled in receipt of Disability Living Allowance (DLA) / Employment and Support Allowance (ESA)/Personal Independence Payment.
- War widows.

The LCTS scheme for Pensioners (persons who have reached the age at which pension credit can be claimed)

The Government has created three classes and the Council will decide which class each applicant is in. The class will determine the level of LCTS that can be provided:

Class A

To obtain support the person must:
a. have attained the qualifying age for state pension credit;
b. not be somebody with a partner of working age in receipt of income support, income-based jobseeker's allowance, on Maximum Universal Credit or income-based employment and support allowance;
c. be liable to pay council tax in respect of a dwelling in which they are resident;
d. not have capital savings above £16,000;
e. must have their assessed income less than or equal to the set living allowances (applicable amounts) set by Central Government; and
f. have made a valid application for the support

The class also includes persons who have successfully claimed Pension Credit Guarantee.

Class B

To obtain support the person must:

a. have attained the qualifying age for state pension credit;
b. not be somebody with a partner of working age in receipt of income support, income-based jobseeker's allowance, on Maximum Universal Credit or income-based employment and support allowance;
c. be liable to pay council tax in respect of a dwelling in which they are resident;
d. not have capital savings above £16,000;
e. have made a valid claim for the scheme; and
f. have assessed income above the set living allowances (applicable amounts) set by Central Government

Class C

To obtain support the person must:
a. have attained the qualifying age for state pension credit;
b. not be somebody with a partner of working age in receipt of income support, income-based jobseeker's allowance, on Maximum Universal Credit or income-based employment and support allowance;
c. be liable to pay council tax in respect of a dwelling in which they are resident;
d. made a valid claim for the scheme;
e. be somebody who has at least one second adult living with them who is not his/ her partner, not somebody who pays rent, and who is on a prescribed low wage and/or prescribed benefit, as set out by Central Government.

What LCTS will be payable to Pension Age persons?

If a person matches the criteria in Class A, including that their *income* is less than their *living allowances (applicable amounts)* that person qualifies for 100% reduction on their council tax liability. This also applies if a person is in receipt of state pension credit guarantee credit from the Department for Work and Pensions (Pensions Service).

If a person matches the criteria in Class B, it will mean the person's *income* is greater than their *applicable amount (living allowances*). Twenty per cent of the difference between the two will be subtracted from this individual's council tax liability.

LCTS for a person in Class C may be awarded in respect of a second adult sharing the household who would normally be expected to contribute towards the council tax bill, but who cannot afford to do so, based on their low income or on prescribed benefits. This reduction will equate to the *second adult rebate* available under the Council Tax Benefit scheme and may be awarded at 100%, 25%, 15% or 7.5% of the council tax liability, depending on individual circumstances

How LCTS works

Who can claim?

If you have to pay Council Tax, you may be able to get LCTS

You can only get support if you have a right to reside and are habitually resident in the United Kingdom (UK). If you have entered the UK within the 2 years before your claim for benefit, the council will ask you about this.

People given refugee status, humanitarian protection or exceptional leave to remain in the UK will be eligible for support.

Most full-time students are not entitled to LCTS.

Tendring District Council

How much LCTS can I get?

Maximum LCTS depends on:

- Whether you are in the Pension Age scheme (attained the qualifying age for state pension credit) or are in the Working Age scheme;
- How much council tax you have to pay; and
- Who you live with.

How is maximum LCTS calculated for the Working Age Scheme

For the Working Age the maximum LCTS is set by the Council as a percentage of the council tax you are liable to pay.
For the Working Age in receipt of income-based jobseeker's allowance (JSA IB) for a period of 3 or more years the maximum council tax liability used in the calculation of LCTS may be subject to a further reduction as decided by the council.

How is maximum LCTS calculated for the Pension Age Scheme

For the Pension Age Scheme the maximum LCTS is set by the Government as up to 100% of the council tax you are liable to pay less any non-dependant deductions (see non-dependant deductions later in this document). If you are already getting or have claimed Pension Credit Guarantee the Council will grant maximum LCTS.

Extended Payments

This is if your Income Support, income-based Jobseeker's Allowance or income-related Employment & Support Allowance or Incapacity Benefit, Severe Disablement Allowance or contributory Employment & Support Allowance stops because of work.

Extended Payments of LCTS are available and the payment is an extra four weeks of support to help pay towards your Council Tax when certain other benefits stop because you are going back to work, working more hours or earning more money.

You do not have to claim an Extended Payment if you or your partner/civil partner (and they remain a partner throughout the claim) have stopped getting one of the benefits mentioned below because one of you is expected to do one of the following for five weeks or more:

- Return to work full time
- Work more hours
- Earn more money

And you have been getting one of the following benefits:

- Jobseeker's Allowance, Income Support, or income-related Employment & Support Allowance or a combination of these benefits continuously for at least 26 weeks
- Incapacity Benefit, Severe Disablement Allowance or contributory Employment & Support Allowance continuously for at least 26 weeks

and

- you have not been getting Income Support, income-based Jobseeker's Allowance or income-related Employment & Support Allowance with your Incapacity Benefit, Severe Disablement Allowance or contributory Employment & Support Allowance when it ceased.

Normally you will get the same amount of LCTS as you did before your income-based Jobseeker's Allowance, Income Support, income-related Employment & Support Allowance, Incapacity Benefit, Severe Disablement Allowance or contributory Employment & Support Allowance stopped.

It is paid by the Council directly to your Council Tax account. The Council will decide whether or not you're entitled to an Extended Payment. The Council will also consider whether you are entitled to in-work LCTS. Once your extended payment period has ended, you can move onto in-work LCTS (provided you are entitled to it) without having to make a new claim.

If you do not get Pension Credit Guarantee, Income Support, income-based Jobseeker's Allowance or income related Employment and Support Allowance

Even if you do not get Pension Credit Guarantee, Income Support, income-based JSA or income-related Employment & Support Allowance you may still get some help with paying your council tax.

This is worked out by comparing the maximum LCTS you could get with:

- your needs (called your living allowances or applicable amounts); and
- your income and capital resources

Capital

Savings and investments (capital) may have an effect on the assessment of your income. Capital will only affect your income if you have more than the capital limit set by the Council and are of working age or £10,000 if you are of pension age. If you have more than £16,000, you will not normally be able to get LCTS (unless you are aged 60 or over and receive the Pension Credit Guarantee, in which case there is no limit to the amount of capital you can have).

Absences from home

There are some special situations in which you may continue to get LCTS and these are explained below.

Going away

You should normally let the council know if you are temporarily absent, for example if you go away on holiday. However the Council may not need to know if you will be absent for only a short time (for example less than 4 weeks) and your circumstances remain unchanged. If in doubt, please ask us.

- If you are temporarily absent you can normally get LCTS for a maximum of 13 weeks as long as you intend to return home; and
- in your absence you will not let or sub-let the part of your home where you normally live: and
- you will not be away for longer than 13 weeks.

In certain circumstances, you may be able to get LCTS for up to 52 weeks, for example if you are in hospital, or are held in custody on remand, provided that:

- you intend to return home; and
- in your absence you will not let or sub-let the part of your home where you normally live; and
- you will not be away for longer than 52 weeks.

How to claim

Claims for LCTS can be made in writing, by telephone and electronically. Contact the Council via the Tendring District Council website at www.tendringdc.gov.uk or via the Helpline 01255 686811 for details.

All claims will need to be supported by evidence of your circumstances and this will need to be

provided to the Council. If you are claiming Housing Benefit as well as LCTS, the Council will provide you with a joint claim form.

If you are married and your husband or wife normally lives with you, or if you live with someone as though you are a married couple, only one of you can make the claim for LCTS. You may choose who is to make the claim, or if you cannot agree who is to claim, the Council will nominate one of you to be the claimant.

Appointees

An appointee, for the purposes for LCTS, is someone over 18 appointed by the Council, to manage the LCTS claim of someone who is incapable of doing so themselves (mainly because of mentally incapacity).

If you are already an appointee for other benefits and wish to be the appointee for LCTS, you should write to be appointed by the Council. The role and responsibilities are the same. If you wish to become an appointee you should get in touch with the Council; they will explain the process and your responsibilities. The Council can end the appointment at any time. It is ended automatically if one of the people listed below is appointed. As an appointee you can resign at any time. An appointee cannot be made where there is already someone acting for the customer's financial affairs in any of the following capacities:

- a receiver appointed by the Court of Protection
- under Scottish law, a tutor, curator or other guardian, a continuing attorney or welfare attorney
- someone appointed to have the power of attorney.

Information and evidence

The Council may need more information or supporting evidence so that they can calculate your LCTS. If all the information they need is not on the claim form, or they need to clarify something or want some more verification of your circumstances the Council will write to you. If you do not reply within one month a decision will be made on your claim based on the evidence you have provided.

How long will it take to decide your claim for LCTS

The Council will deal with your claim for LCTS as soon as possible after receiving all the information from you that they need to work out your entitlement

Date of claim

The date of claim will be the date of first contact, typically by phone, provided that the claim form is returned to an office of the Council within one month of the claim form being issued.

If you change your address

If you move to a different area, you must make a new claim for LCTS at your new Council. If you move within the same area, you must still tell the Council.

Backdating a claim (Pension Age Scheme only)

If you have reached the qualifying age for state pension credit your LCTS may be paid for up to 3 months before the date you made your claim. You do not have to ask for this and you do not have to show "good cause" for not having claimed earlier.

Start of LCTS

If you become liable for the Council Tax for the first time, for example if you move to a new address or reach the age of 18 or stop being a registered student, you should claim either in advance (you may claim up to 13 weeks before you expect to become liable), or in the week that

your liability starts. You then get support from the day you start being liable for Council Tax. If you claim later than this, your support starts on the Monday after the day you claim

If you are already paying Council Tax and become entitled to support because you have less money or your applicable amount changes, you also start getting support on the Monday after you claim.

Start of LCTS where a claimant acquires a partner

If you acquire a partner, you and your partner will be jointly and severally liable for Council Tax.

If you notify the Council of the change, either before, or in, the week that your partner becomes jointly and severally liable, support for you and your partner, as a couple, can be paid from the day that joint liability for Council Tax begins.

If you notify the Council of the change after the week in which your partner becomes jointly liable for Council Tax, support for you and your partner, as a couple, can only be paid from the Monday following the day you told the Council about the change. In this case, the Council will re-assess your support entitlement from the Monday following the day you and your partner become a couple, and they will take any income and capital your partner has into account and will look at your joint needs.

End of LCTS

If you stop being liable for the Council Tax, for example if you move away from an address or become exempt or start being a registered student, your LCTS stops on the day you stop being liable. If you no longer qualify for LCTS because, for example, your income increases or your applicable amount changes, your LCTS will be stopped from the beginning of the next support week.

End of Pension Credit Guarantee, Income Support, income-based Jobseeker's Allowance or income related Employment and Support Allowance entitlement

If you stop getting Pension Credit Guarantee, Income Support, income-based Jobseeker's Allowance, on Maximum Universal Credit or income related Employment and Support Allowance, you must tell the Council and they will have to stop your LCTS. At the same time they will ask you to explain your new circumstances, because you may still be able to get some help with your Council Tax.

People who live with you - non-dependants

People who normally share your accommodation but are not dependent on you for financial support are known as non-dependants. Others who live with you as a family and any children you have fostered do not count as non-dependants.

Non-dependants for Pension Age Scheme

Any non-dependants who normally share your accommodation could affect the amount of LCTS you get whether or not you are also getting Income Support, income-based Jobseeker's Allowance, on Maximum Universal Credit income related Employment and Support Allowance or Pension Credit Guarantee

The following people do not count as non-dependants, whether they share accommodation or not:

- carers employed by a charity that charges for the service;
- joint tenants;
- subtenants;
- boarders;

- tenants of owner occupiers; and
- Landlords and their partners.

They do not count as part of your household.

Non-dependants are people like grown-up sons or daughters and elderly relatives. If you have non-dependants living with you, your LCTS may be affected by Non-Dependant deductions for the Pension Age Scheme, or inclusion of their income in the LCTS calculation for the Working Age Scheme.

Non-dependant deductions from LCTS for Pension Age Scheme

Deductions will be made from your LCTS for non-dependants aged over 18 who normally live with you. There are four levels of deduction. If the non-dependant is working less than 16 hours a week, the lowest deduction will apply. If the non-dependant is doing paid work for 16 hours or more a week, the level of deduction will depend on the non-dependant's gross income.

A deduction will not be made from your LCTS if:

- the non-dependants' normal home is somewhere else; or
- you, or your partner, are registered blind or treated as blind; or
- you, or your partner, are receiving the care component of Disability Living Allowance or Attendance Allowance in respect of yourself or your partner; or
- the non-dependant is receiving Pension Credit Guarantee, Income Support or income-based JSA or income-related Employment & Support Allowance; or
- the non-dependant is a prisoner; or
- the non-dependant is severely mentally impaired; or
- the non-dependant is over 18 but Child Benefit is still payable for them; or
- the non-dependant is a student nurse or apprentice or on Youth Training; or
- the non-dependant has been a patient in hospital for 52 weeks or more; or
- the non-dependant is living in a residential care or nursing home; or
- the non-dependant is a care worker; or
- the non-dependant is a resident of a hostel or night shelter for the homeless; or
- the non-dependant is a full-time student (even if they work full-time in the summer vacation).

A deduction may be delayed for 26 weeks if you or your partner is aged 65 or more and a non-dependant moves into your home, or the non-dependant's circumstances change to increase the deduction.

Working out the amount of LCTS

The maximum amount of LCTS depends on:

- Whether you are in the Pension Age scheme (attained the qualifying age for state pension credit) or are in the Working Age scheme;
- How much Council Tax you have to pay; and
- Who you live with.

How is maximum LCTS calculated for the Working Age Scheme

For the Working Age the maximum LCTS is set by the Council as a percentage of the Council Tax you are liable to pay.

For the Working Age in receipt of income-based jobseeker's allowance (JSA IB) for a period of 3 or more years the maximum council tax liability used in the calculation of LCTS may be subject to a further reduction as decided by the council.

How is maximum LCTS calculated for the Pension Age Scheme

For the Pension Age Scheme the maximum LCTS is set by the Government as up to 100% of the council tax you are liable to pay less any non-dependant deductions (see non-dependant deductions later in this document). If you are already getting or have claimed Pension Credit Guarantee the Council will grant maximum LCTS

What if I do not receive Pension Credit Guarantee, Income Support, income-based Jobseeker's Allowance, on Maximum Universal Credit or Income related Employment and Support Allowance?

If you do not get Pension Credit Guarantee, income Support, income-based JSA, maximum Universal Credit or income related Employment and Support Allowance, the council has to work out if you can get LCTS and if so, how much you can get.

To do this, the Council works out your maximum LCTS, and then compares your needs – called the living allowances or applicable amount – with your resources (your income and capital).

For customers receiving the Savings Credit of Pension Credit, the Council will use a statement supplied by The Pension Service to assess your resources (income and capital).

Second Adult Discount (SAD) for Pension Age Scheme

Apart from LCTS for yourself, you may also be able to get LCTS if you share your home with one or more adults. This is separate form of LCTS for you and is called Second Adult Discount (SAD). Second Adult Discounts are intended to assist you with Council Tax if you share your home with someone who is on a low income. Second Adult Discounts may be awarded in the following circumstances:

- if you are treated as living on your own for benefit purposes, and share your home on a non-commercial basis with a person who is on a low income and who is not liable to pay the council tax;
- the second adult is aged 18 or over; and
- no other person is paying rent to you for living in your home.

In order to be classed as a second adult, they must not be:

- liable for the council tax;
- a joint owner or tenant with you;
- your married or unmarried partner;
- someone who is disregarded for the purposes of a discount; or
- living with more than one liable person.

You will need to make a claim for SAD unless you have already claimed LCTS for yourself. The gross income of the second adult will be taken into account when assessing entitlement to SAD.

Gross income includes earnings from employment, as well as other income such as social security benefits and occupational pensions and actual income from the second adult's capital. Any Attendance Allowance or Disability Living Allowance paid to a second adult is completely disregarded. You may apply for SAD even if your own capital exceeds £16,000.

SAD is awarded on the basis of your Council Tax bill, after any reductions that you may be entitled to, are deducted. The amount of SAD that can be awarded is as follows;

Second Adult	Alternative Maximum LCTS

(a)	Where the second adult or all second adults are in receipt of income support, maximum Universal Credit, an income-related employment and support allowance or state pension credit or are persons on an income-based jobseeker's allowance;	25 per cent of the Council Tax due in respect of that day;
(b)	where the gross income of the second adult or, where there is more than one second adult, their aggregate gross income disregarding any income of persons on income support maximum Universal Credit, an income- related employment and support allowance, state pension credit or an income-based jobseeker's allowance	Gross Income is less than £276.00 per week; 15 per cent of the Council Tax due in respect of that day; Gross Income is not less than £276.00 per week but less than £358.00 per week; 7.5 per cent of the Council Tax due in respect of that day; *(Above are 2025 rates which will be subject to a 2026 uplift by the Govt.)*
(c)	If the dwelling is occupied by a second adult/adults on state pension-credit, income-related jobseeker's allowance, maximum Universal Credit, income-related employment and support allowance or income support, living with a full-time student(s).	100 % of the Council Tax due in respect of that day.

Income less than applicable amount (see "Living Allowances or Applicable Amounts" below)
In this case you get maximum LCTS (depending on whether you are of Pension Age or Working Age this may vary in amount).

You will also get maximum LCTS as allowed under the scheme if your income is the same as your applicable amount.

Income greater than applicable amount (see "Living Allowances or Applicable Amounts" below)
In this case you will get an amount less than your maximum LCTS. The amount by which your LCTS is reduced is based on the difference between your income and your needs.

A percentage of this difference – called a taper – is taken away from your maximum LCTS

Calculating your needs
Your needs are known as your living allowance or applicable amount and this is an amount that is set each year. For the Pension Age scheme this is set and approved by Parliament. For the Working Age scheme this is set by the Council. Your applicable amount takes into account the size of your family, your age and extra needs you may have. It is made up of personal allowances and

premiums. Premiums are included if you have a family, or disability, or a disabled child.

Living Allowances or Applicable Amounts

The living allowances or applicable amount represents the needs of you and your family if you have one. The larger your family then the larger your applicable amount. The applicable amount is made up of three parts:

- a personal allowance; and
- personal allowances for children in your family; and
- premiums

Personal allowance

Your applicable amount always includes a personal allowance. Different amounts apply according to your age and whether you have a partner.

Personal allowances for children

If you are looking after children (other than foster children) then you get an allowance for each child included in your applicable amount according to his or her age. This allowance is included until that child leaves school or reaches their 20th birthday.

A special rule applies if the child has left school and started work before Child Benefit stops.

Premiums for your family

Once personal allowances and allowances for children have been worked out, premiums can be added – if they apply – to make up your applicable amount.

Your children

A family premium will be included if you have any dependent children in your household. No matter how many children you have, you can only get one family premium.

Premiums or components for disabilities

These premiums are included in your applicable amount for people in your family with disabilities. There are three premiums and two components in this group:

- disabled child premium (for each disabled child in your household);
- disability premium (if you or your partner gets one of the benefits listed below or you have been off sick for more than 52 weeks);
- severe disability premium (if you are disabled and live in special circumstances);
- work related activity component; and
- support component.

Disabled child premium

The disabled child premium is a flat-rate premium, which may be awarded for each disabled child in your household and can be included with any other premiums. Your child is considered disabled if they are:

- registered blind; or
- receiving Disability Living Allowance/Personal Independence Payment.

Disability premium

Disability premium will be included in your applicable amount if you and your partner are aged less than pension credit age and:

- either of you is registered blind; or

- either of you gets one of the qualifying benefits listed below; or
- has been off sick for 52 weeks or more.

Qualifying benefits
You will get the disability premium if you or your partner gets any of the following benefits:

- Disability Living Allowance ;or
- Personal Independence Payment.
- Working Tax Credit Disability Element; or
- Constant Attendance Allowance; or
- War pensioners' mobility supplement; or
- Severe Disablement Allowance; or
- Incapacity Benefit – long term rate or short-term higher rate paid at the long term rate.

Severe disability premium
This premium cannot be included on its own. You must first qualify for the disability premium.

If you are single or a lone parent - The severe disability premium may be included in your applicable amount if you:

- receive the care component of Disability Living Allowance at the highest or middle rate, Personal Independence Payment, Attendance Allowance or Constant Attendance Allowance; and
- live alone (but if others live with you, see below); and
- no one receives Carer's Allowance for looking after you.

If you have a partner
You may get the severe disability premium if you both:

- receive the care component of Disability Living Allowance (DLA) at the highest or middle rate, Personal Independence Payment, Attendance Allowance (AA) or Constant Attendance Allowance; or
- your partner is blind and you receive the care component of DLA at the highest or middle rate, Personal Independence Payment, Attendance Allowance (AA) or Constant Attendance Allowance; and
- no one lives with you; and
- no one receives Carers Allowance for looking after either one or both of you.

For the purposes of severe disability premium your LCTS is not affected if other people living with you are:

- Children; or
- aged 16-17; or
- a person who is registered blind; or
- receiving the care component of Disability Living Allowance (DLA) at the highest or middle rate, Personal Independence Payment or Attendance Allowance (AA); or
- people caring for you who are employed by a charity that makes a charge for this service

Enhanced Disability Premium

- Enhanced Disability Premium is awarded where you, or a member of your family, who is aged under 60 receives the highest rate of Disabled Living Allowance (DLA), Enhanced component of Personal Independence Payment or where the claimant is in receipt of Employment and Support Allowance Support Component. This premium will remain in payment if the DLA/PIP is suspended during hospitalisation. This premium is awarded at three different rates. They are:

- a rate for each dependent child/young person in your household who receives the highest rate of DLA/Enhanced component of Personal Independence Payment;
- a rate for a single person who receives the highest rate of DLA/Enhanced component of Personal Independence Payment;
- a rate for couples where at least one member of the couple receives the highest rate of DLA/Enhanced component of Personal Independence Payment.

Work Related Activity Component
This is awarded where you or your partner receives main phase Employment and Support Allowance and receives a similar component within that benefit

Support Component
This is awarded where you or your partner receives main phase Employment and Support Allowance and receives a similar component within that benefit

Carer Premium
The Carer Premium is awarded if either you or your partner is looking after a disabled person and:

- receive Carer's Allowance; or
- made a claim for Carer's Allowance and would be entitled but for an overlapping benefit.

If both you and your partner satisfy the qualifying conditions two premiums can be awarded.

The carer premium continues for eight weeks after caring ceases.

Calculating your resources

Your resources are made up of your income and your capital. These are worked out as a weekly amount of income.

Income

Income is all the money that you have coming in from earnings, social security benefits, maintenance payments and other sources. Depending on the type of income, it may be completely or partially ignored in the calculation of your LCTS (the disregards), or taken fully into account.

For the Working Age Scheme your resources and those of your partner are taken together along with any Non-Dependants income when your household income and capital are worked out.

For the Pension Age Scheme your resources and those of your partner are taken together when your income and capital are worked out.

Income from employment
This explains what counts as your income from work you do, as an employee, when you are employed by someone else. If you are a company director or any other officeholder in a company you are classed as an employee of that company.

Earnings from employment mean any money you are paid when you work for someone else. This includes the following types of payments:

- bonuses or commission (including tips);
- money you get instead of your normal pay (for example, a liquidator may give you money when your employer stops trading and you are owed some pay);
- money you get in place of notice to end your employment, or money you get to make up for losing your job;
- money you get for holidays you did not take (holiday pay) – but not holiday pay owed to you more than four weeks after you stopped work;
- money you get if you are kept on while doing no work (for example, a retainer paid to school cooks during school holidays);
- expenses you are given to cover your travel to and from work;
- expenses you are given to cover the costs of looking after someone in your family
- any expenses you are given that are not essential for you to carry out your work;
- money you get, under the Employment Protection (Consolidation) Act 1978, when you are not given work because of bad weather, or money you get because of unfair dismissal;
- money that an industrial tribunal orders your employer to give you if the period of notice or redundancy that is required by law has not been given;
- money you get from your former employer's redundancy funds if the business goes into liquidation;
- Statutory Sick Pay or Statutory Maternity Pay;
- Statutory Paternity Pay and Statutory Adoption Pay;
- Employer's sick pay or employer's maternity pay
- earnings from permitted work, that is, work while you are getting an incapacity benefit which your doctor thinks would benefit your health.

Earnings from employment do not include:

- payment in kind (where no money is involved)
- expenses you are given that are essential for you to carry out work
- any occupational pension.

Net earnings

Once your gross earnings have been worked out, your council will take away:

- your income tax payments (allowing for personal relief); and
- your National Insurance (NI) contributions; and
- half of any contributions you make to an occupational or personal pension scheme (any amounts paid to a pension scheme by your employer do not count).

This gives your net earnings, which are used to work out your LCTS

Self-employed earnings

If you are self-employed, all the money you earn when you are not employed by someone else is known as your earnings from self-employment. You may have self-employed earnings even if you are also working for someone else, or if you are a franchise holder.

When working out your earnings the Council will want to know how much you earn when you are self-employed, and you will be asked to provide evidence, if possible, of how much you earn.

There are three stages in working out your self-employed earnings. The first is calculating the

gross profit of your business. In the second stage, deductions – which are called allowable expenses – are taken away from the gross profit to give the net profit of the business. In the third stage, tax, NI, and pension payments are taken away from your net profit to give your net earnings. The Council will apply a minimum income floor calculation in such cases where the declared income is less than an amount determined as appropriate for the type of business.

Child-minders
If you are a child-minder only one third of your earnings from child-minding will be taken into account when the council works out your LCTS for the Pension Age Scheme.
For the Working Age Scheme all of your earnings from child-minding will be taken into account.

Earnings and earnings disregards
After working out your net earnings, any amount that is not counted in the calculation of your LCTS is known as a disregard.

The amount of your earnings that is not counted depends on which premium is included in your applicable amount. There is more information on the applicable amount and premiums.

When £5 is not counted - If you are single and you cannot get a greater disregard by any of the means explained below, up to £5 of your weekly earnings will not be counted (the £5 disregard).

When £10 is not counted - If you have a partner and you cannot get the £20 disregard by any of the means explained below, up to £10 of your joint weekly earnings will not be counted (the £10 disregard).

When £20 is not counted - £20 per week of your earnings will not be counted if your applicable amount includes:

- the disability premium; or
- the severe disability premium; or the carer premium (where the carer is working).

If both you and your partner are carers, the total disregard cannot be more than £20. The carer premium and this earnings disregard can continue for a further eight weeks after caring ceases.

If you have a partner, your earnings are added together when your LCTS is worked out.

If you cannot get the £20 disregard under the above categories, you may still be able to get it if you are:

- a part-time fire-fighter; or
- an auxiliary coastguard; or
- a part-time member of a crew launching or manning a lifeboat; or
- a member of the Territorial Army or the Reserve Forces.

Additional disregard
If you work on average 30 hours a week or more you will usually be able to get an extra earnings disregard. In certain circumstances you can also qualify for the higher earnings disregard if you work 16 hours or more e.g. if you are a lone parent or disabled. This is the same amount as the 30-hour tax credit in your Working Tax Credit (WTC)

Childcare charges
In certain circumstances, average childcare charges of up to £175 (for one child) or up to £300 for 2 or more children per week per family can be offset against your earnings. This disregard, which

is in addition to the other earnings disregards, is available to:

- lone parents who are working 16 hours or more per week;
- couples where both are working 16 hours or more per week;
- couples where one member is working 16 hours or more per week and, generally, the disability premium, or, in certain circumstances, the higher pensioner premium, is included in the applicable amount on account of the other member's incapacity or the other member is in hospital or in prison.

It applies where formal childcare is provided by, for example, registered child-minders or day nurseries for children until the first Monday in September following their 15th birthday (or the 16th birthday for children who are entitled to Disability Living Allowance or who are registered blind).

In certain circumstances, help with childcare costs can be given while you are on maternity leave or paternity or adoption leave or you are sick. The authority will be able to give you more details.

In some other cases explained here, different amounts of your earnings are not counted.

If you are in receipt of Pension Credit Guarantee, Income Support, income-based Jobseeker's Allowance or income related Employment and Support Allowance then any earnings you get will not be counted again in working out LCTS.

Notional Earnings
If you have done some work and you seem to have been paid very little for it, then the Council will estimate what that work is worth. If you have a good reason for the pay being so low – for example, if you worked for someone who had very little money – then you should let the Council know. If necessary, the Council may check your statement of earnings by asking your employer.

Other income
Other income is all the other money you have coming in apart from earnings from employment or self-employment. It is sometimes called unearned income. In some cases none of your unearned income is counted. Sometimes part of it is counted, and in other cases it is all counted.

State benefits
The following benefits are counted in full as income for LCTS:

- Contribution-based Jobseeker's Allowance
- Contribution-based Employment and Support Allowance
- Universal Credit
- State Pension
- Incapacity Benefit
- Severe Disablement Allowance
- Carer's Allowance
- Industrial Injuries Disablement Benefit
- Industrial Death Benefit
- Working Tax Credit
- Child Tax Credit (ignored if you or your partner are pension age)
- Savings Credit of Pension Credit
- Bereavement Benefits (ignored if you or your partner are pension age).

Unearned income that is not counted

The following types of income are not counted by the Council when it works out your LCTS:

- any income you get if you are getting the Guarantee Credit of Pension Credit, Income Support, income related Employment and Support Allowance (ESAIR) or income-based Jobseeker's Allowance (JSA);
- Disability Living Allowance (DLA)/ Personal Independence Payment (PIP);
- Attendance Allowance (AA) or Constant Attendance Allowance (CAA);
- Attendance allowances paid as part of a War Disablement Pension or Industrial Injuries Disablement Benefit;
- Child Benefit;
- Child Maintenance (spousal maintenance is taken into account in part or in full depending on whether you have a child);
- money you get which takes the place of DLA, AA, CAA, or Income Support;
- war pensioners' mobility supplement;
- any money you get from the Social Fund;
- Guardian's Allowance;
- money you get as a holder of the Victoria Cross, the George Cross, or any comparable award;
- any grants or allowances you get from your local education authority if you have a dependent child who continues in education after school leaving age;
- any training premium and any refunded travelling expenses or living away from home allowances when you are on a Department for Education and Employment Training Scheme training course or at an employment rehabilitation centre;
- any money such as interest or dividends from savings or investments;
- any expenses you get from an employer that you need to carry out your work;
- any expenses you get from a charity so that you can carry out unpaid work;
- any income in kind (where you are given something other than money);
- any income you have which has been held back outside this country, as long as it remains held back, and it is not within your control;
- any money you get for fostering a child;
- any money you get for looking after an elderly or disabled person temporarily (community boarding out schemes);
- any money you get from a local Social Services Department to help keep a child at home instead of putting them into care;
- any Council Tax Benefit you have received;
- special payments made with your War Widow's Pension if you have been designated as a pre-1973 war widow;
- any charitable or voluntary payments which are made regularly;
- payments made under the Employment Department's 'Access to Work' scheme for disabled people; or
- War Disablement Pension or a War Widow's/Widower's Pension, or any similar payment from another country (Local Scheme)
- Payment(s) made via regulations or other means, that the Government instructs the Council to disregard during the year

Some types of income may be counted as capital.

Unearned income that is counted in part

The following are the types of unearned income that are only partly counted.

- the first £15 of Widowed Mother's Allowance or Widowed Parent's Allowance;
- the first £20 of any money from sub-tenants; or
- the first £20 then 50% of the excess of money you receive from a boarder is ignored. The

balance is treated as income.

Notional income
The council may think that there is income, which you could get, but you are not claiming it. This is known as notional income because you do not actually receive that income. The Council may take this into account for LCTS purposes

Parental contributions to students
If you are making a parental contribution to a student then part of your income is not counted to take account of this.

Capital
Your capital includes savings and investments held by yourself in any form (for example, bank and building society accounts, investment trusts, and shares) from any source (for example, inheritance, redundancy payments, and irregular payments from a charitable or voluntary source). It will normally also include the net sale value of land and housing that you do not occupy, after deducting 10% for expenses of sale.

If you have a partner, capital belonging to your partner is treated as yours for the purposes of LCTS

Capital outside the United Kingdom
If you have capital – in the form of liquid or fixed assets – outside this country, the Council will need to know how soon it can be transferred and how much it is worth. If the capital cannot be brought into this country, enquiries will be made about how easily it can be sold, and whether a willing buyer can be found. If no willing buyer can be found, it may not be counted.

Capital for Working Age
The first £6,000 of capital is not counted. Capital over £6,000 up to £16,000 will be taken into account at £1 a week for each £250 (or part of £250) of capital over £6,000. Actual interest payments or dividends are not counted as income but as capital.

Capital for Pension Age
The first £10,000 of capital is not counted. Capital over £10,000 up to £16,000 will be taken into account at £1 a week for each £500 (or part of £500) of capital over £10,000. Actual interest payments or dividends are not counted as income but as capital.

For customers who receive the Guarantee Credit of Pension Credit there is no upper limit on the capital you can have.

For the Pension Age scheme if you have capital over £16,000, you may still be entitled to Second Adult Discount, as your income and savings are not taken into account. However, the actual income received from the second adult's capital will be taken into account.

Personal possessions
Personal possessions – for example, a car, furniture and fittings in your house, and family belongings – are usually not included in the calculation of capital. However, this may not be the case where the Council has good reason to believe that something has been bought to reduce your capital in order to gain or increase entitlement to benefit. If the Council decides that you deliberately disposed of capital just so that you can get LCTS, it may assume that you have

notional capital to the value of the capital you disposed of.

If you own your home
The value of your property (including the house, garage and outbuildings) is not counted unless any part of the property could reasonably be sold off separately. Loans raised on the property will be counted as capital.

Property you own but do not occupy
The value of this property is counted as capital but you may be able to get LCTS even if the value of the property means that your savings are more than £16,000. This is because the value of the property may be ignored when your savings are worked out, in certain circumstances.

If the property is occupied by an elderly or disabled relative as their home, its value is not taken into account for as long as it is so occupied.

If you have recently acquired the property and you intend to occupy it as your home, its value may not be counted for 26 weeks, or for a longer period if reasonable, from the date you acquired it.

If you are trying to sell the property, its value may not be counted for the first 26 weeks after you start doing this. It may not be counted for longer than this if you are finding it difficult to sell the property.

If you are carrying out essential repairs or alterations so that you can live in the property, its value may not be counted for a period of 26 weeks from the date you first arranged for repairs to be carried out. It may not be counted for longer than this if you are finding it difficult to finish the work.

If you are taking legal action so that you can live in the property, its value may not be counted for the first 26 weeks after you start doing this. It may not be counted for longer than this if legal action is continuing and you cannot live in the property.

If you have left the property after the breakdown of a relationship, and it is occupied by your former partner, its value may not be counted for the first 26 weeks after you left. If the property is occupied by your former partner and they are a lone parent, the property will not be counted for as long as it continues to be so occupied.

Deposits on your accommodation
Sums that have to be deposited with a housing association as a condition of your tenancy are not counted.

Earmarked capital
If capital from the sale of a house is kept for a house purchase, it is not counted for up to six months, or longer if:

- major repairs or adaptations are needed for you to occupy your home; or
- the completion of the purchase of your new home is unavoidably delayed.

Compensation received for a burglary or for damage to or loss of a house is also not counted for six months, as long as it is to be used for repair or replacement

Valuation of property
Property will be valued at the price it would be expected to fetch on the open market, less any outstanding mortgage or legal charges on the property. Ten per cent of the current market value will also be deducted to take into account the cost of the sale.

If you have property outside Great Britain and there is no restriction on transferring money to this country, your property will be valued at its local sale value. If there is a restriction, its notional value will be the value of a sale to someone in the UK. In both cases, any outstanding mortgage or legal charges will be deducted, together with 10% of the total to cover the cost of the sale.

National Savings Certificates
National Savings Certificates of the current issue are valued at purchase price. Certificates of a previous issue are valued as if they were purchased on the last day of that issue.

Life assurance policies
The surrender value of life assurance policies is not taken into account when assessing LCTS.

Arrears of benefits
Any arrears of Disability Living Allowance, Attendance Allowance, Pension Credit, Income Support, income-based Jobseeker's Allowance, Personal Independence Payment, Universal Credit, Working Tax Credit and Child Tax Credit that you get are not counted for up to 12 months.

Lump sum payment of deferred State Pension
The gross amount of lump sum, or an interim payment made on account of a final lump sum, paid at the end of the period of deferring State Pension will be disregarded as capital for the life of the recipient.

Compensation payments
For LCTS purposes, compensation payments will normally be counted in full as capital. Capital will not be counted if it is held in trust or by the 'Court of Protection' as a result of a personal injury payment – for example, a criminal injury payment or a vaccine damage payment. For persons of Pension Age compensation payments made as a result of personal injury are ignored whether or not placed in a trust.

Business assets
Business assets of a self-employed earner are not counted while engaged in that business. Nor are they counted in certain other circumstances, but any shares owned will be treated as capital.

Notional Capital
The council may think that there is capital which you could get but which you do not have. This is known as notional capital because you do not actually possess that capital.

- Capital you have disposed of - You will be treated as having notional capital if you have disposed of capital in order to get LCTS or to get more LCTS.

- Capital you could have got - If you have the right to money held in a private trust, then that is actually your capital, and will be taken fully into account.

If the Council has decided to treat you as possessing notional capital they will reduce the amount of this capital on a regular basis by a set calculation. This calculation reduces your notional capital by the amount of support you have lost as a result of deprivation.

How LCTS is paid

If you are liable to pay the Council Tax, the Council will normally send you a Council Tax bill from which your LCTS has already been deducted. You will then have to pay only the reduced amount. This means that you will not actually receive any money, but your Council Tax bills will be reduced.

How you will be notified about your LCTS

The Council will reach a decision on your entitlement to LCTS as soon as possible after our claim and all supporting evidence is received.

How can I appeal?

If you disagree with the decision you will need to write to the Council stating the reasons. The Council has two months to reply to you. If the Council agrees with your appeal then the LCTS will be amended and you will receive another Council Tax bill showing the revised amount.

If the Council does not agree with your appeal or you do not receive a response within two months, you may appeal to the Valuation Tribunal. This is an independent tribunal who will hear your case (either in person or in writing). If the Valuation Tribunal agrees with you they will instruct the Council to amend your LCTS accordingly.

Throughout the appeal you will still be required to make payment of your Council Tax liability as determined by the Council.

Changes of circumstances

You must notify your Council immediately if there is a change in anything that might affect your right to or the amount of LCTS.

This will include:

- where you live; or
- who you live with; or
- your income, savings and investments; or if you stop getting Pension Credit, Income Support, income-based Jobseeker's Allowance, Universal Credit or Employment and Support Allowance; or
- if you get a job; or
- if you or your partner go into hospital; or
- if there is any other change in your circumstances which you might reasonably be expected to know might affect your right to LCTS

The changes must be notified in writing although in certain circumstances the Council may accept this by telephone or electronically

Most of these changes will affect your LCTS in the following support week, but changes in the amount of Council Tax payable will affect your LCTS from the day on which the change occurs.

Students

LCTS is not normally available for students. The exceptions are:

- vulnerable students, such as disabled students and lone parents;
- part-time students; and
- couples where one partner is not a student.

Students who are liable to pay the Council Tax may claim Second Adult Discount (SAD) if they are of pension age.

Loan and grant income

The grant money you get is generally paid to cover the period you are studying. If it does not cover this period the Council, or Student Awards Agency for Scotland, will tell you the period it does

cover.

If you are eligible for a loan or have been awarded a grant the Council will assume that these amounts are paid, whether they are actually paid or not.

The money you receive in your loan is your income for the period between the beginning of September and the end of June and is divided by the number of weeks in that period to give a weekly amount.

If you receive a dependant's grant this will be taken into account over the same period as your loan unless you also receive, or only receive, a grant towards your personal maintenance.

Because much of your loan is meant for essential educational items, some of the grant is ignored when working out your income for LCTS. The following elements of your loan or grant are not counted:

- tuition and examination fees;
- any disability allowance in your grant;
- the cost of term-time residential study away from your college;
- the Two Homes Grant – given when you have to maintain another home away from college;
- an allowance for books and equipment; and
- travel expenses.

Students and partners
Your grant may have been reduced to allow for your partner's income because your partner can make a contribution to your expenses. An amount – equal to that contribution – is then ignored when the Council works out your joint income for LCTS. If a student is required to contribute to his own grant income, an equivalent amount is disregarded from the income used to assess that contribution.

Other income
This will be treated in the same way as grant income if it is intended for expenditure that is needed on the course. If the income is not intended for expenditure on the course, it is treated under the normal rules for income.

Loans from the Student Loans Company
The maximum loan available to you will be taken into account regardless of whether you have borrowed up to your limit or not. The loan will be divided by the number of weeks between the beginning of September and the end of June to arrive at a weekly figure for assessment purposes. Up to £10 a week of the loan may be ignored.

Access funds
These are discretionary payments made by educational establishments to students who are facing financial hardship.

The amount of the payment to be taken into account will depend on how it is to be paid and what the payment is for. Some payments from the funds can be disregarded in full.

Information and information sharing

The Council will use information provided by the Department of Work and Pension and Her Majesty's Revenues and Customs for the purposes of LCTS, council tax liability, billing, administration and enforcement

The Council may receive and obtain information and evidence relating to claims for LCTS from–

a. persons making claims for LCTS;
b. other persons in connection with such claims;
c. other local authorities; or
d. central government departments including the DWP and HMRC

The Council may verify relevant information supplied to, or obtained for, LCTS purposes.

Counter Fraud and Compliance

In order to protect the finances of the Council and also in the interests of all Council Taxpayers, the authority will undertake such actions as allowed by law to;

a. Prevent and detect fraudulent claims and actions in respect of LCTS;
b. Carry out investigations fairly, professionally and in accordance with the law; and
c. Ensure that sanctions are applied in appropriate cases.

Localised Support for Council Tax

Exceptional Hardship Policy

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1.0 Background

1.1 An Exceptional Hardship Fund (EHF) has been set up by the Council to assist Council Tax payers who are facing 'exceptional hardship'. Although it is envisaged that the majority of recipients will be in receipt of local council tax support (LCTS), in exceptional circumstances, applications will also be considered from council tax payers who do not qualify for LCTS.

1.2 The main features of the fund are as follows:

- The operation of the Fund will be at the total discretion of the Council;
- The Fund will be operated by the Revenues and Benefits section of the Council;
- There is no statutory right to payments from the fund although the Council will consider all applications received;
- Exceptional Hardship Fund payments are not payments of Council Tax Support (as defined within S13a of the Local Government Finance Act 1992);
- Exceptional Hardship Fund payments will only be available from 1st April 2013 and **will not be available for any other debt other than outstanding Council Tax**;
- Where an Exceptional Hardship Payment is requested for a previous period, Exceptional Hardship must have been proven to have existed throughout the whole of the period requested;
- Exceptional Hardship Payments are designed as a short-term help to the applicant and it is expected that payments will be made for a short term only to give applicants time to explore sustainable / alternative solutions; and
- All applicants will be expected to engage with the Council and undertake the application process.

2.0 Exceptional Hardship Fund and Equalities

2.1 The creation of an Exceptional Hardship Fund facility meets the Council's obligations under the Equality Act 2010.

2.2 This policy has been created to ensure that a level of protection and support is available to those applicants most in need. It should be noted that the Exceptional Hardship Fund is intended to help in cases of **extreme** financial hardship and not to support a lifestyle or lifestyle choice. Whilst the definition 'Exceptional Hardship' is not exactly defined by this policy, it is accepted that sudden or unexpected changes to individual circumstances may cause temporary financial hardship with any support made under this policy being at the total discretion of the Council. However exceptional hardship should be considered as 'hardship beyond that which would normally be suffered'

3.0 Purpose of this policy

3.1 The purpose of this policy is to specify how the Council will operate the scheme, to detail the application process and indicate a number of factors, which will be considered when deciding if an Exceptional Hardship Fund payment can be made.

3.2 Each case will be treated on its own merits and all applicants will be treated fairly and equally in gaining accessibility to the Fund and also in respect of the decisions made on each application.

4.0 The Exceptional Hardship Fund Process

4.1 As part of the process of applying for additional support from the Exceptional Hardship Fund, all applicants must be willing to undertake **all** of the following:

- Make a separate application for assistance;
- Provide full details of their income and expenditure;
- Accept assistance from either the Council or third parties such as the CAT or similar organisations to enable them to manage their finances more effectively including the termination of non-essential expenditure;
- Identify potential changes in payment methods and arrangements to assist the applicant;
- Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted; and
- Maximise their income through the application for other welfare benefits, cancellation of non-essential contracts and outgoings and identifying the most economical tariffs for the supply of utilities and services generally.
- Where applicable, explain actions they are currently exploring to find a sustainable response to their current circumstance if it is expected that exceptional hardship may continue for a longer period of time.

4.2 Through the operation of this policy the Council will look to

- Support those in exceptional hardship;
- Allow a short period of time for someone to adjust to unforeseen short-term circumstances and to enable them to "bridge the gap" during this time, whilst the applicant seeks alternative solutions;
- Enable long term support to households in managing their finances;
- Help applicants through personal crises and difficult events that affect their finances;
- Help those applicants who are trying to help themselves financially; and
- Encourage and support people to obtain and sustain employment.

4.3 It cannot be awarded for the following circumstances:

- Where full Council Tax liability is being met by Council Tax Support;
- For any other reason, other than to temporarily reduce Council Tax liability;

- Where the Council considers that there are unnecessary expenses/debts etc. and that the applicant has not taken reasonable steps to reduce these;
- To pay for any overpayment of Council Tax Support caused through the failure of the applicant to notify changes in circumstances in a timely manner or where the applicant has failed to act correctly or honestly;

5.0 Awarding an Exceptional Hardship Fund Payment

5.1 The Council will decide whether or not to make an Exceptional Hardship Fund award, and how much any award might be up to a maximum of the amount of Council Tax outstanding, with each decision being reviewed by a senior manager to demonstrate fairness and consistency.

5.2 When making this decision the Council will consider:

- Whether the applicant has engaged with the Exceptional Hardship Payment process;
- All capital, income received & expenditure of the applicant, their partner and any member of their household irrespective of whether the income is included or not as household income under the Council Tax Support scheme
- How **reasonable** expenditure exceeds income;
- The difficulty experienced by the applicant that prohibits them from being able to meet their Council Tax liability, and the length of time this difficulty will last.
- The personal circumstances, age and medical circumstances (including ill health and disabilities) of the applicant, their partner any dependants and any other occupants of the applicant's home;
- Other debts outstanding for the applicant and their partner;
- The exceptional nature of the applicant and/or their family's circumstances that impact on finances;
- The length of time they have lived in the property; and
- If a Discretionary Housing Payment has already been awarded to meet a shortfall in rent;

5.3 The above list is not exhaustive and other relevant factors and special circumstances will be considered.

5.4 An award from the Exceptional Hardship Fund does not guarantee that a further award will be made at a later date, even if the applicant's circumstances have not changed.

6.0 Publicity

6.1 The Council will make a copy of this policy available for inspection and will be published on the Council's website.

7.0 Claiming an Exceptional Hardship Fund payment

7.1 An applicant must make a claim for an Exceptional Hardship Fund award by submitting an application to the Council, preferably via email to benefitsmail@tendringdc.gov.uk.

7.2 If it is not possible to make a claim via email or if any further help is required, assistance is available at the Council Tax Office, Pier Avenue, Clacton.

7.3 Where the Revenues and Benefits Service identify a household that is failing to clear previous years Council Tax but are paying current Council Tax with best endeavours, then their ability to pay arrears maybe considered for help through the hardship fund. This clause is not intended to cover those taxpayers who have not paid or have failed to pay until a summons has been issued.

7.4 In most cases the person who claims the Exceptional Hardship Fund award will be the person liable to pay Council Tax, however, a claim can be accepted from someone acting on another's behalf, such as an appointee, if it is considered reasonable.

8.0 Changes in circumstances

8.1 The Council may revise an award from the Exceptional Hardship Fund where the applicant's circumstances have changed.

9.0 Duties of the applicant and the applicant's household

9.1 A person claiming an Exceptional Hardship Fund payment is required to:

- Provide the Council with such information as it may require to make a decision;
- Tell the Council of any changes in circumstances that may be relevant to their ongoing claim; and
- Provide the Council with such other information as it may require in connection with their claim.

10.0 The award and duration of an Exceptional Hardship Payment

10.1 Both the amount and the duration of the award are determined at the discretion of the Council, and will be done so on the basis of the evidence supplied and the circumstances of the claim.

10.2 The start date of such a payment and the duration of any payment will be determined by the Council. In any event, the maximum length of the award will not exceed the end of the financial year in which the award is given.

11.0 Award of the Exceptional Hardship Fund payment

11.0 Any Exceptional Hardship Fund payment will be made direct onto the customer's Council Tax account, thereby reducing the amount of Council Tax payable.

12.0 Overpaid Exceptional Hardship Fund Payments

12.1 Overpaid Exceptional Hardship Fund payments will generally be recovered directly from the applicant's council tax account, thus increasing the amount of council tax due and payable.

13.0 Notification of an award

13.1 The Council will notify the outcome of each application for Exceptional Hardship Fund payments in writing. The notification will include the reason for the decision and advise the applicant of their appeal rights.

14.0 Appeals

14.1 Exceptional Hardship Fund payments are not part of Council Tax Support, and are therefore not subject to the statutory appeal process.

14.2 If the applicant is not satisfied with the decision in respect of an application for an Exceptional Hardship Fund payment, a decision to reduced amount of Exceptional Hardship Fund payment, a decision not to backdate an Exceptional Hardship Fund payment or a decision that there has been an overpayment of an Exceptional Hardship Fund payment, the Council will look at the decision again.

14.3 An officer, other than the original decision maker, will consider the appeal by reviewing the original application and any other additional information and/or representation made, and will make a decision within 10 working days of referral or as soon as practicable. This decision will be final.

14.4 Any request for an appeal must be made within one month of the date of the notification letter confirming the original decision.

14.5 The outcome of the appeal will be set out in writing, detailing the reasons for the decision or upholding the original decision.

15.0 Fraud

15.1 The Council is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.

15.2 An applicant who tries to fraudulently claim an Exceptional Hardship Fund payment by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

15.3 Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.

16.0 Complaints

16.1 The Council's Complaints Procedure (available on the Council's website) will be applied in the event of any complaint received about this policy.

17.0 Policy Review

17.1 This policy will be reviewed at least every year and updated as appropriate to ensure it remains fit for purpose. However, the review may take place sooner should there be any significant changes in legislation.

Under the Council Tax (Prescribed Classes of Dwellings) regulations the following discretionary discounts will apply for the 2026/2027 financial year:-
Class A – Unoccupied and furnished dwellings with a planning restriction preventing occupation for at least 28 days. **0% discount** (on the days when the property cannot be used due to a planning restriction a statutory exemption is allowed under Class G).
Class B – Unoccupied and furnished dwellings without a planning restriction preventing occupation for at least 28 days. **0% discount**
Class C – Unoccupied and substantially unfurnished dwellings. **0% discount**
Class D – Unoccupied and unfurnished requiring major repairs or alterations. (a) which satisfies the requirement set out in the regulations unless it has been such a dwelling for a continuous period of twelve months or more ending immediately before the day in question; (b) the requirement referred to in paragraph (a) is that the dwelling is vacant and— (i) requires or is undergoing major repair work to render it habitable, or (ii) is undergoing structural alteration; or (iii) has undergone major repair work to render it habitable, if less than six months have elapsed since the date on which the alteration was substantially completed and the dwelling has continuously remained vacant since that date; (c) For the purposes of paragraph (b) above “major repair work” includes structural repair work. **100% discount up to 12 months**

Care Leaver's Council Tax Discount Policy

Introduction

This policy utilises the discretionary power available to billing authorities arising from S13A(1)(c) of the Local Government Finance Act 1992 to reduce, or further reduce, the amount of council tax a care leaver is liable to pay with effect from 1 April 2026.

Definitions

For the purpose of this policy, a 'care leaver' is defined as:

A person aged up to 21, who has either

(a) been looked after by Essex County Council 'Essex' for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date; or

(b) who is entitled to leaving care support from Essex.

The Children Act 1989 defines the categories of children entitled to leaving care support as:

'Eligible children' are those young people aged 16-17 who are still in care and have been 'looked after' for a total of 13 weeks from the age of 14 and including their 16th birthday;

'Relevant children' are those young people aged 16 and 17 who have already left care, and who were 'looked after' for at least 13 weeks from the age of 14 and have been 'looked after' at some time while they were 16 or 17;

'Former relevant children' are those young people aged 18, 19 or 20 who have been eligible and/or relevant.

Policy statement

For the purpose of calculating the amount of discretionary council tax reduction to apply, care leavers and those in their household are required to take steps to minimise their liability for council tax by claiming discounts, exemptions and council tax reduction.

After all discounts, exemptions and council tax reduction have been claimed the Council will reduce the council tax liability so that the liability of the household is the same that it would have been had the care leaver been a 'disregarded persons' (such as students) as detailed in s11 and Schedule 1 of the Local Government Finance Act 1992

For example:

A care leaver joining an existing household with a single person discount in place will be given sufficient discretionary relief to ensure that the council tax liability does not increase as a result of their presence.

A household where only care leavers are liable to pay council tax will be given sufficient discretionary relief to extinguish the council tax liability completely.

A care leaver in a property, which would otherwise be exempt from council tax, will be given sufficient discretionary relief to ensure that no council tax continues to be payable.

Council Tax Premiums to apply for the 2026/27 financial year:-
Long Term Empty properties (unoccupied and substantially unfurnished ***- From 1 April 2026, additional amounts of council tax will be charged when a property has been empty for one year or more as follows*:***
For one year, but less than five years, will attract a premium of 100%, and therefore charged 200% of the set council tax.
For five years, but less than ten years, will attract a premium of 200%, and be charged 300% of the set council tax.
For ten years or more will attract a premium of 300%, and be charged 400% of the set council tax.
Properties Occupied Periodically (no resident of the property and the property is substantially furnished) ***- From 1 April 2026, additional amounts of council tax will be charged as follows:***
A premium of 100%, and therefore charged 200% of the set council tax.

****The above premiums apply to the property, so a change of ownership or tenancy will not affect the premium.***

ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT for 2026/2027

The Council is required to have a policy on providing a prudent minimum revenue provision which must be approved by Full Council each year.

The duty to make a Minimum Revenue Provision ("MRP") is an important component of the legislative and regulatory framework which underpins the decision making by local authorities to demonstrate that borrowing is prudent, affordable and sustainable. Therefore, where local authorities finance capital expenditure with debt, they must set aside an amount of money each year to ensure that debt can be repaid and in deciding whether any capital expenditure is affordable, an authority must consider whether it can meet the cost of the associated MRP charged within its budget.

The amount of MRP should be determined with respect to a local authority's Capital Financing Requirement (CFR). CFR is the total outstanding capital expenditure that has not yet been funded from either revenue or capital resources and is therefore a measure of the Council's underlying borrowing need after taking into account the provision included in the revenue budgets for the repayment of outstanding debt. The calculation of actual CFR is defined in the prudential code and is derived from the consolidation of a number of items on the Council's Balance Sheet that is published within its Statement of Accounts each year.

In-line with the prudential code, the Council makes reasonable estimates of the total capital financing requirement at the end of each forthcoming financial year and the following two years. These prudential indicators are referred to as the estimates of capital financing requirement. The estimate of capital financing requirement at the end of each year will relate to all capital expenditure – i.e. it includes relevant capital expenditure incurred in previous years. The capital financing requirement will reflect the authority's underlying need to finance capital expenditure by borrowing or other long-term liability arrangements. In order to make these estimates, the Council considers all of the financing options available and estimates their use of these. The estimates will not commit the local authority to particular methods of financing. These estimates of CFR are set out within the Annual Capital and Treasury Strategy presented to Full Council in March each year.

The actual financing of capital expenditure is determined at the end of the financial year, which is reported within the associated financial outturn reports presented to the Finance and Governance Portfolio Holder / Cabinet.

It is important to highlight that, except in the short term, total gross debt should not exceed the CFR.

There are currently no plans to reduce the Council's indebtedness via the use of capital receipts, and therefore no impact on the calculation of the MRP charge. It is important to highlight that:

- capital receipts are not being used to replace MRP
- there are no instances where MRP is not being made with respect to any amount of CFR
- no debt financed capital spend has been excluded
- there are no planned voluntary overpayment of MRP and no offset of a previous years overpayments will be made.

In preparing this statement, the local authority has considered the requirements set out in statute and associated guidance to ensure it is meeting its duty to make prudent provision. There have been no departures from this guidance.

The aim of the regulations is that the period over which an MRP is calculated closely relates to the life of the asset and therefore in determining the period of time over which the debt should be reduced to nil, local authorities should align the period over which they charge MRP to one that is commensurate with the period over which their capital expenditure provides benefit. With this in mind, the options applicable in calculating MRP as set out in the guidance are as follows:

Where Capital Expenditure is financed by Government Supported Borrowing

- **Regulatory Method –** This is where borrowing is supported by the Government through the Formula Grant and Local Authorities can continue to use the existing approach as set out in the old regulations.

- **Capital Financing Method –** Similar to the above, Local Authorities can continue to set aside 4% of their General Fund capital expenditure financed by borrowing each year as MRP. The difference compared with the regulatory method is that it excludes a transitional adjustment that relates to the regulations that were applicable before the current regulations. As this adjustment does not apply to TDC, the two approaches are essentially the same.

Where Capital Expenditure is financed by Prudential Borrowing

- **Asset Life Method –** Two alternatives are provided within the guidance. The first is that MRP can be calculated by taking the amount borrowed and dividing it by the associated assets useful life – equal instalment method. The second is based on a more complicated annuity basis although based on the same principle. *(This method will be applied to assets and equipment leased in, where the MRP requirement will be regarded as met by a charge equal to the associated annual rental / service charge)*

- **Depreciation Method –** This requires that an MRP is made in accordance with current rules for depreciation accounting whereby an amount would be charged equal to the annual depreciation of the specific asset which could differ from the previous options given the alternatives for calculating depreciation.

An advantage of the asset life method over the depreciation method is that MRP does not have to start until the year the related asset becomes operational which may be different to the year in which depreciation would be charged.

It is important to note that subject to the type of asset acquired there may be a significant impact on the revenue budget, which would need to be taken into account in any future spending / borrowing decisions.

The above applies to the Council's General Fund. In respect of the Council's Housing Revenue Account (HRA) it has been the Council's policy not to make any MRP charge to the HRA because the level of borrowing relating to the HRA is significantly less than the capital value of the housing stock. Following the implementation of the new self-financing arrangements from April 2012, the structure of the borrowing to fund the associated HRA debt settlement was based on principal being repaid over the 30 years of the HRA business plan. Therefore this principal is in effect the amount set aside to repay debt and will therefore be treated as HRA MRP. In terms of MRP for 'old' HRA debt, this will be kept under review as part of future HRA business planning processes.

Having reviewed the position for 2026/27, there are no changes to the Council's approach to calculating MRP compared to 2025/26. The Annual Minimum Revenue Provision Policy Statement for 2026/27 is therefore as follows:

In accordance with the Local Authorities (Capital Finance and Accounting)(England)(Amendment) Regulations 2003 and having due regard to guidance issued under Section 21 (1A) of the Local Government Act 2003, the Council's policy for the calculation of MRP for 2026/27 shall be the Capital Financing Requirement Method for supported borrowing and the Asset Life (equal instalment) Method for prudential borrowing.

COUNCIL

25 NOVEMBER 2025

REPORT OF CHIEF EXECUTIVE

A.2 RESIGNATION FROM THE REFORM UK GROUP

(Report prepared by Ian Ford)

I formally report that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor Richard Everett on 13 August 2025, served formal notice on the Council that he no longer wished to be treated as a member of the Reform UK political group.

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

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

25 NOVEMBER 2025

BACKGROUND PAPERS LIST FOR
REPORT OF CHIEF EXECUTIVE

A.2 RESIGNATION FROM THE REFORM UK GROUP

Notice of Wish to no longer be treated as a Member of a Political Group (Reform UK) signed by Councillor Everett and dated 13 August 2025.

COUNCIL

25 NOVEMBER 2025

REPORT OF CHIEF EXECUTIVE

A.3 CHANGE IN MEMBERSHIP OF COMMITTEES
(Report prepared by Ian Ford)

I formally report that, in accordance with the expressed wish of the Leader of the Conservative Group and the authority delegated to me, the following appointment has been duly made since the last meeting of the Council, namely:-

Standards Committee

Councillor Sue Honeywood has been appointed to serve in place of Councillor Dan Land.

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

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

25 NOVEMBER 2025

BACKGROUND PAPERS LIST FOR
REPORT OF CHIEF EXECUTIVE

A.3 CHANGE IN MEMBERSHIP OF COMMITTEES

Email dated 13 November 2025 received from the Leader of the Conservative Group (Councillor Paul Honeywood).

Formal appointment dated 14 November 2025.

COUNCIL

25 NOVEMBER 2025

REPORT OF CHIEF EXECUTIVE

A.4 PROPOSED CHANGE OF DATE OF THE 2026 ANNUAL MEETING OF THE COUNCIL

(Report prepared by Ian Ford)

Full Council will be aware that, earlier this year it decided, inter alia, that the 2026 Annual Meeting of the Council would be held on Tuesday 28 April 2026 (Minute 14 – 29.4.25 refers). Members will also be aware that Greater Essex was accepted into the Government's Devolution Priority Programme and that work has been progressing on this matter alongside the related Local Government Re-organisation affecting all Councils in Essex.

Having been accepted into the Government's Devolution Priority Programme, Parliament subsequently gave its consent that the elections of Councillors to serve on Essex County Council that had been due to take place in May 2025 would be postponed for one year.

The current position is that the postponed election of Essex County Councillors will be held on Thursday 7 May 2026 and it is almost certain that the election of the Mayor for Greater Essex will be held on that same date. This has a knock-on effect on our Annual Council date of 28 April 2026.

Council will recognise that, in the period leading up to the elections on 7 May 2026, many Officers across the Council (including the Democratic Services Team and the Leadership Support Team who have key roles to play in arranging and facilitating the Annual Meeting of the Council) will be involved in various election duties supporting colleagues in the Elections Team. Members themselves are likely to be involved in canvassing duties on behalf of their preferred candidates.

I have therefore concluded that it would be in the Council's best interests that the 2026 Annual Meeting of the Council be postponed avoiding an unneeded distraction around the time of the elections on 7 May 2026. I propose therefore that the Annual Meeting now be held on Tuesday 19 May 2026, which has been previously earmarked for the first ordinary meeting of the Council in the 2026/27 Municipal Year. Furthermore, to ensure that the provisions of Council Procedure Rule 3 (which, inter alia, states that the first ordinary Council meeting is held within 15 working days of the annual meeting) are met, I further propose that an ordinary meeting of the Council is held on Tuesday 2 June 2026.

I therefore **RECOMMEND TO COUNCIL that –**

(a) the 2026 Annual Meeting of the Council be postponed from 28 April 2026 to 19 May 2026; and

(b) the first ordinary meeting of the Council in the 2026/27 Municipal Year be held on 2 June 2026.

IAN DAVIDSON
CHIEF EXECUTIVE

COUNCIL

25 NOVEMBER 2025

BACKGROUND PAPERS LIST FOR
REPORT OF CHIEF EXECUTIVE

A.4 PROPOSED CHANGE OF DATE OF THE 2026 ANNUAL MEETING OF THE COUNCIL

None.