

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date:	Decision Maker:	Subject to Call-in*
14 November 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Environment & ICT Portfolio Holder - A.1 - Approving Award of the Waste & Recycling Collection and Street Cleaning Contract following Evaluation of Tenders

Decision:

RESOLVED that Cabinet –

1. notes the further extensive work undertaken on the procurement process, both by officers and external consultants following the revisions to the Core Specification Principles adopted in May 2025 and the subsequent decision, to approve the detail of the service specification and other related documentation associated with the Invitation to Submit Final Tenders stage of the waste contract procurement;
2. thanks the Resources and Services Overview and Scrutiny Committee and notes their recommendations following the meeting on 4 November 2025, as set out in this report, which will be considered as part of the work associated with the implementation of the contract and revised service going forward;
3. acknowledges that the tender received from Veolia ES (UK) Ltd (company registration number 02481991) has been fully evaluated and meets the requirements of the final service specification that in turn is based on the revised Core Specification Principles;
4. agrees to award the contract to Veolia ES (UK) Ltd commencing on 1 April 2026:
 - (i) for an initial term of three years (with the option to extend for up to two years);
 - (ii) at a total gross cost over the initial three-year term of £7.796m over and above existing budgetary provision as set out in Table 1 of this report;
 - (iii) that associated Government grant funding of £0.437m as set out within the finance section of this report be allocated towards the cost highlighted in (4)(ii) above;
 - (iv) that the necessary further budget adjustments set out within Table 3 of this report be agreed to meet the net overall additional three-year contract costs;
 - (v) that any unspent money from the previously agreed sum of £0.400m that was set aside to support the overall procurement process be applied as a further contingency sum to support the implementation of the new contract;
 - (vi) that, subject to (4)(i) to (4)(v) above, agrees a delegation to the Corporate Director (Finance & ICT), in consultation with the Corporate Director (Operations & Delivery), the Portfolio Holder for Corporate Finance & Governance and the Portfolio Holder for Environment & ICT to make the necessary changes to the budget to reflect the implementation of the new contract; and
 - (vii) notes the next steps and key procurement target dates set out within this report and acknowledges that the Portfolio Holder for Environment & ICT and the Corporate

Director (Operations & Delivery) will prepare an implementation and communications plan as part of the smooth transition and roll out of the new service, ensuring that residents are aware of the new requirements.

Reasons for Decision:

The reasoning behind the decision was as follows:-

- (a) The Council's current contracts with Veolia ES (UK) Ltd for household waste and recycling collection and street sweeping both expired on 1st April 2026. As such, a contractor needed to be found to deliver those services on expiry of the current arrangements.
- (b) The Council had now undertaken a full and thorough procurement exercise to find a suitable contractor to deliver the service based upon the Core Specification Principles previously approved by Cabinet for April 2026 and beyond.
- (c) The recommendations ensured that the Council continued to progress the future of this important statutory service, meeting its affordability envelope whilst complying with the Environment Act 2021 requirements that would commence on 1 April 2026.
- (d) Under the Environmental Protection Act 1990 the Council was designated as a Waste Collection Authority (WCA) and as such had a statutory duty to collect household waste and recycling from homes in the District. From 1 April 2026, the Council would be required under provisions in the Environment Act 2021 to collect a wider range of recyclable material and as such any new service commencing in 2026 must be compliant with or at least working towards compliance with this requirement. A failure to comply with those Environment Act requirements could result in the Council being subjected to a Judicial Review and funding provided by DEFRA being withdrawn. This funding included that provided towards the revenue costs of delivering an enhanced food waste collection service and Extended Producer Responsibility (EPR) funding towards the cost of the increased collection of recyclable materials at the kerbside.

Alternative Options Considered:

At this stage and having undertaken a full and thorough procurement exercise resulting in the submission of a tender that meets the service specification and is within the Council's affordability envelope there are only handful of realistic options:

1. To accept the tender and appoint the successful contractor to commence service delivery from 1 April 2026 – this is the recommended option.
2. To seek to reduce the specification requirements – procurement rules do not allow this option. The contractor has submitted a tender based on the specification the Council issued. Whilst very minor points of clarification are permitted it is not possible now that final tenders have been received to further reduce the specification requirements. Efficiency reviews, undertaken annually as part of the contract may allow for small efficiency savings where these are agreed between the Council and the contractor.
3. To not appoint a contractor, the implications of which would be:
 - a. not having a contractor in place to deliver the statutory services beyond April 2026;
 - b. the risk of not being compliant with the Environment Act 2021 requirements and consequent risk of judicial review and withdrawal of funding from DEFRA; and,
 - c. the tender exercise would need to be re-started under the new Procurement Act 2023 -

legislation that came into force after the current procurement exercise commenced.

4. The Council does have one option in the specification around the use of a mobile crew. Similarly to the current contract, it is proposed that this option is taken up and the mobile crew will be used to undertake cleaning of housing land and other ad hoc cleaning / clearance works that would otherwise be the subject of a variation order. A variation order is something that is used to commission additional work based on the day rates set out in the contractors pricing schedule.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Tim Clarke, Assistant Director (Housing and Environment)

Date:	Decision Maker:	Subject to Call-in*
14 November 2025	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.2 - Financial Performance Report 2025/26 - General Update at the end of September 2025

Decision:

RESOLVED that Cabinet –

- (a) notes the Council's in-year financial position at the end September 2025;
- (b) approves the proposed adjustments to the 2025/26 budget, as set out in Appendix 1H and requests Officers to review the potential on-going impact in 2026/27 and beyond, where necessary, as part of developing the forecast and detailed estimates for further consideration by Cabinet later in the year;
- (c) agrees that the Council continues to be a member of the Essex Business Rates Pool and Council Tax Sharing Agreement with Essex County Council and the other Major Preceptors in 2026/27, if it remains financially advantageous to do so;
- (d) notes the updated context to the financial forecast from 2026/27, as set out in this report (A.2) and requests Officers, in consultation with Portfolio Holders, to further develop the financial forecast alongside the development of the Council's priorities; and
- (e) formally invites the views of the Resources and Service Overview and Scrutiny

Committee on the information set out in this report along with the Council's wider financial position, as part of its work programme for the year.

Reasons for Decision:

In order to set out the latest financial position for the Council and to respond to emerging issues in 2025/26 and to develop the budget and long-term forecast from 2026/27.

Alternative Options Considered:

These are broadly described within the body of the Portfolio Holder's report.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

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

Date:	Decision Maker:	Subject to Call-in*
14 November 2025	Cabinet	Yes

SUBJECT OF DECISION:

Leader of the Council's Items - A.3 - (1) Highlight Priority Actions 2025/26 - Monitoring Report at the Half Year Point and Proposed Priorities to 31 March 2028 and (2) Pride in Place Programme

Decision:

RESOLVED that Cabinet –

- (a) notes the six-month progress report on the current adopted highlight priorities, as set out at Appendix A to the Leader of the Council's report (A.3);
- (b) approves a re-alignment of the highlight priorities for the Council for the period until new Unitaries take on local government services in Greater Essex as set out in Appendix B to the report (A.3);
- (c) directs Officers to undertake the necessary work to develop those items set out in (b) above for consideration as part of the proposed two year 'work programme'; and
- (d) endorses that the Leader of the Council, in consultation with the Council's statutory officers, will determine the Council's 'in principle' support for those measures to be included in the Clacton Town Board's 10-year Vision and 4-year Investment Plan with the UK Government's Pride in Place Programme that may, in turn, be submitted to this Council as specific projects for delivery (subject to the Council's own governance

arrangements at the time they are submitted and subsequently).

Reasons for Decision:

In order to (i) review the highlight priorities and provide a focus for the Council over the 2 ¼ years envisaged for this Council ahead of new Unitaries in the area; (ii) enable funds to be allocated to those projects/activities as part of the stated two year financial ‘work programme’ to secure front line services and key actions across the Council within its available resources; and (iii) ensure that there was a clear collaborative understanding between the Council and the Clacton Town Board on the principle of the Council delivering a number of the projects to be set out in the Board’s 10-Year Vision and 4-Year Investment Plan for the Town.

Alternative Options Considered:

Consideration was given to not submitting this report. However, that would be contrary to the approach adopted by the Council for monitoring and reporting on performance against the highlight priorities for the year. This information rightly should be in the public domain. As we have now passed the point of submission of proposals for local government reorganisation from 1 April 2028 it is also appropriate to establish the focus of the Council to that point. Not doing so was considered and discounted in view of pressing need to define that focus, irrespective of what unitary structure is implemented by the UK Government.

Consideration was given to whether to include the recommendation in respect of the UK Government’s Pride in Place Programme. Not including it would be contrary to the Council’s commitment to openness and as such it was included in order to support that commitment.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Keith Simmons, Assistant Director (Corporate Policy & Support) & Deputy Monitoring Officer

Date:	Decision Maker:	Subject to Call-in*
14 November 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Economic Growth, Regeneration & Tourism Portfolio Holder - A.4 - Community Regeneration Partnership (CRP2) - Programme Update and Reallocation of Funding

Decision:

RESOLVED that Cabinet -

- (a) approves the reallocation of funding within the programme as set out below, for the purposes of contingency; the opportunity to add quality and value to the schemes; deliver within tight programme deadlines; and manage organisational capacity:
- i. to no longer pursue the Ten_13 Town Centre Building project, reallocating the £5m capital funding set out within the MOU elsewhere within the programme;
 - ii. reallocate £1.5m of the capital funding allocated to the Ten_05 Tudor Fields project within the programme, and for this Council to progress the delivery of a
 - iii. walking and cycling route only with the remaining £1m allocation, and for a Project Initiation Document to be presented to the Portfolio Holders for
 - iv. Leisure & Public Realm and Housing & Planning for their approval;
 - v. reallocate £100,000 the capital funding allocated to the Ten_06 Jaywick Healthy Buildings project within the programme, and to rescope the project to include works to the Enterprise Centre to support the team's operations, with a Project Initiation Document to be presented to the Portfolio Holders for Assets & Community Safety and Housing & Planning for their approval;
 - vi. allocate an additional £50,000 Capital to the Ten_04 Sunspot Solar Panels project, raising the total project budget to £200,000;
 - vii. allocate an additional £2.5m Capital to the Ten_07 Clacton Town Centre Public Realm project, raising the total project budget to £3.8m;
 - viii. allocate an additional £200,000 Capital to the Ten_08 Jaywick and Clacton Shopfront Improvements project, raising the total project budget to
 - ix. £700,000, with a sum of £150,000 ringfenced for grants in Jaywick Sands;
 - x. allocate an additional £1.2m Capital to the Ten_09 Jaywick Sands Open Spaces project, raising the total project budget to £3.2m;
 - xi. allocate an additional £400,000 Capital to the Ten_10 Seafront Micro Venue project, raising the total project budget to £900,000;
 - xii. allocate an additional £1.5m Capital to the Ten_11 Martello Tower E project, raising the total project budget to £3.5m; and
 - xiii. allocate an additional £750,000 Capital to the Ten_12 Active Wellbeing Centre Phase 1 project, raising the total project budget to £3.75m.
- (b) allocates £200,000 of revenue funding to the Ten_06 Jaywick Healthy Buildings project to progress an approach to achieve the intended outputs & outcomes through enforcement;
- (c) requires the £200,000 funding to be delivered via the capitalising of project management time of the Project Delivery Unit across the various CRP2 projects through existing delegations and / or financial performance reports as necessary;
- (d) authorises the Portfolio Holder for Economic Growth, Regeneration and Tourism, in consultation with the supporting Portfolio Holder for each project, to approve Change Control Notices setting out the detailed implications and implementation of the above; and
- (e) notes the requirement from MHCLG that a substantial start and commitment to projects within the Community Regeneration Partnership (CRP2) programme can be demonstrated by March 2026.

Reasons for Decision:

The reasoning behind the decision was as follows:-

- (i) MHCLG required evidence that a substantial start and commitment by the Council could be demonstrated to deliver the Community Regeneration Partnerships (CRP2) Programme by March 2026. Clarification from MHCLG received in August 2025 did not require contracts to be entered into by March 2026, however commitment from the Section 151 Officer that the projects would be delivered would be sought.
- (ii) in effect this commitment was a collective responsibility with assurance being given via the Council's usual decision-making processes. It was therefore reasonable to assume from the guidance, advice and clarification received from MHCLG to date that the necessary commitments could be made via formal resolutions from decisions of either Cabinet, individual Portfolio Holders or Officers as necessary across the various procurement and decision-making milestones that were required to successfully deliver the projects. Where projects were being delivered by external partners, the same level of governance would be expected, to enable the Council acting as the accountable body to successfully meet the requirements of the funding arrangements with MHCLG across all relevant schemes and projects. This approach should also encompass the 'accounting for outcomes' element of the projects alongside the 'accounting for the funding' requirement as the accountable body.
- (iii) the Memorandum of Understanding (MoU) empowered the Council to reallocate funding within the programme; if additional projects were proposed, they required Ministerial approval which had a time implication of a minimum of two months.
- (iv) Further to the feasibility and project initiation work undertaken, two of the Capital Projects within the programme had been found to be subject to prohibitive deliverability risks within the constraints of the funding, as originally set out within the MOU (Ten_05 Tudor Fields and Ten_13 Town Centre Building) and one of the Capital Projects (Ten_06 Jaywick Healthy Homes Initiative) had been found to be deliverable but could not be funded from Capital as the result would be Revenue expenditure through enforcement action.

Alternative Options Considered:

Not reallocating funding: not reallocating the funding away from the at-risk projects at this time would result in the funding being subject to return to MHCLG which could impact the Council's ability to access future Government funding and take benefit away from the District.

Not to reallocate funding at this point: given the tight timelines for the programme this would risk the feasibility of expending the funding elsewhere within the programme. Specific alternative options in relation to the projects identified were highlighted within the Portfolio Holder's report.

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

None

Consultation with Ward Member:

Yes

Contact Officer:

David Ousby, Interim Assistant Director (Project Delivery)

Date:	Decision Maker:	Subject to Call-in*
14 November 2025	Cabinet	No

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - 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

Decision:

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

Reasons for Decision:

In order 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 decisions were set out within the main body of the Portfolio Holder’s report.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

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

Date:	Decision Maker:	Subject to Call-in*
14 November 2025	Cabinet	Yes

SUBJECT OF DECISION:

Cabinet Members' Items - Report of the Environment & ICT Portfolio Holder - A.6 - Adoption of the Essex Wide Air Quality Strategy

Decision:

RESOLVED that –

- (a) the Essex Wide Air Quality Strategy 2025-2029 in the form appended to this report (i.e. Appendix 1) be formally adopted; and
- (b) it is noted that other councils across Essex will be taking individual decisions regarding adopting the Essex Wide Air Quality Strategy 2024-2029.

Reasons for Decision:

The reasoning behind the decision was as follows:-

- (1) by formally adopting the Essex Wide Air Quality Strategy it would ensure that Tendring was part of a robust and focussed approach to tackling poor Air Quality across the County, whilst implementing changes where appropriate to protect the health and safety of current and future generations who resided in this District. It would allow Tendring to be part of discussions on a county level via working groups and ensure that it was ahead of the curve regarding any proposed or new legislative changes.
- (2) in the light of impending Local Government Reorganisation (LGR) it would afford the opportunity to work collaboratively with neighbouring Councils and provide a joined-up approach to protect public health and wellbeing.

- (3) although Tendring did not have an Air Quality Management Area (AQMA) within the District, it needed to assess air quality in the District for the specified pollutants and submit Annual Status Reports to the Department for Food & Rural Affairs (DEFRA). By adopting the Essex Wide Air Quality Strategy, it would remove the need for Tendring to draft its own strategy, whilst ensuring that it adhered to the principles set out in the strategy and continued to follow best practice in accordance with other Local Authorities throughout the County. By being part of the strategy and the Essex wide working groups, it would ensure that any new legislation, regulations and guidance were discussed and that this Council's work in monitoring and improving Air Quality in Tendring was appropriate and focussed accordingly.

Alternative Options Considered:

1. To draft our own strategy which encompasses specific issues and data relating to the Tendring District solely. This would be a bespoke to Tendring and follow the contents of our Annual Air Quality Status Reports supplied to the Department for Food & Rural Affairs (DEFRA). This option is not recommended due to the impending LGR and that we will become a unitary authority with our neighbouring Councils who are hoping to be part of the Essex Wide Strategy.
2. Adopt the Essex Wide Air Quality Strategy where we will work collaboratively according to principles set out The Air Quality Strategy for England and take specific proactive action to improve air quality. This is the option chosen for Tendring to implement as it will negate the need for TDC to produce its own strategy.
3. No strategy – This is not an option as it is a mandatory for all Local Authorities to have their own Air Quality Strategy. The requirement for a strategy fulfils the statutory requirement of the Environment Act 1995 as amended by the Environment Act 2021 to publish an Air Quality Strategy setting out air quality standards, objectives, and measures for improving ambient air quality every 5 years.

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

None

Consultation with Ward Member:

N/A

Contact Officer:

Grant Fenton-Jones, Environmental Health Manager

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