

**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 9TH SEPTEMBER, 2016 AT 10.30 AM
PRINCES THEATRE, TOWN HALL, CLACTON-ON-SEA, CO15 1SE**

Present: Councillors Stock (Chairman), C Guglielmi, Ferguson, Honeywood, Howard, Hughes, McWilliams, Talbot and Turner

Group Leaders Present by Invitation:

Councillor Joy Broderick, Councillor Ivan Henderson, Councillor Mick Skeels (Snr) and Councillor Anne Poonian

Also Present: Councillor Steady

In Attendance: Ian Davidson (Chief Executive), Paul Price (Corporate Director (Operational Services)), Lisa Hastings (Head of Governance and Legal Services), Richard Barrett (Head of Finance, Revenues and Benefits Services), John Fox (Head of Environmental Services), Andy White (Head of Property Services), Karen Neath (Management and Members' Support Manager), Ian Ford (Committee Services Manager), Elizabeth Ridout (Deputy Management and Members' Support Manager) and Janey Nice (Committee Services Officer)

51. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors G F Watling (Portfolio Holder for Planning and Regeneration), J Chittock (Leader of the Tendring Independents Group) and M E Stephenson (Leader of the UKIP Group).

52. MINUTES OF THE LAST MEETING HELD ON FRIDAY 5 AUGUST 2016

It was moved by Councillor Talbot, seconded by Councillor Ferguson and **RESOLVED** that the minutes of the last meeting of the Cabinet, held on Friday 5 August 2016, be approved as a correct record and signed by the Chairman.

53. DECLARATIONS OF INTERESTS

There were no declarations of interest made at this meeting.

54. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

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

55. ANNOUNCEMENTS BY CABINET MEMBERS

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

56. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

There were no matters referred to the Cabinet by the Council on this occasion.

57. MATTERS REFERRED TO THE CABINET BY A COMMITTEE

There were no matters referred to the Cabinet by a Committee on this occasion.

58. LEADER OF THE COUNCIL'S ITEMS

There were no items from the Leader of the Council on this occasion.

**59. REPORT OF THE CORPORATE SERVICES PORTFOLIO HOLDER - A.1 -
PERFORMANCE REPORT - QUARTER ONE REPORT - APRIL 2016 - JUNE 2016**

There was submitted a report by the Portfolio Holder for Corporate Services (Report A.1), which presented to Cabinet the performance report for the period April 2016 to June 2016 (Quarter One).

The Cabinet was reminded that the Performance Report 2016/17 set out the detailed actions and targets for the delivery of the Council's priorities for 2016/2017. It reported on 11 projects, 5 performance indicator targets and 3 headline performance indicators, which included complaints and staff absence rates.

- The projects in the Performance Report were:-
 - *Transforming the way we work*
 - *Financial Self Sufficiency*
 - *Improved Broadband*
 - *Jaywick Community Development*
 - *Cliff Stabilisation (Protecting our Coastline)*
 - *Health and Wellbeing*
 - *Local Plan*
 - *Economic Development Delivery*
 - *Maximising Tourism and Leisure Opportunities*
 - *Enhancing Leisure Facilities*
 - *Garden Community*
- The performance indicator targets in the Performance Report were:-
 - *Fly tipping*
 - *Missed Bins*
 - *Recycling Rate*
 - *Handling of Planning Applications*
 - *5 Year Housing Supply Approvals*

The Performance Report for Quarter One, 2016/17, included the Corporate Plan and Priorities and Projects 2016. The Corporate Plan focussed on the Council's Community Leadership role in addressing the various key challenges in the District. Other key themes include:-

- *Health and Housing*
- *Employment and Enjoyment*
- *Council and Community*

All projects and targets detailed in the performance report for 2016/17 linked back to those headings.

Current Performance

It was reported that three of the indicators and projects highlighted in the report were deemed 'non measurable' as this Council's role was one of influence only. Of the 14 indicators and projects where performance was measured, 12 (86%) were on, or above, their expected target and 2 (14%) were not currently in line with the expected performance. Explanations of the performance and the supporting data were included in each topic.

Cabinet was informed that this report would be submitted to the Corporate Management Committee at its meeting to be held on 26 September 2016. Any comments or recommendations from that Committee would be reported to a future meeting of the Cabinet.

Having considered the reported information:-

It was moved by Councillor Hughes, seconded by Councillor Turner and:-

RESOLVED that the contents of the report be noted.

60. REPORT OF THE ENFORCEMENT AND COMMUNITY SAFETY PORTFOLIO HOLDER - A.2 - NEW LEASE FOR THE FORMER TOURIST INFORMATION CENTRE, WALTON-ON-THE-NAZE

There was submitted a report by the Portfolio Holder for Enforcement and Community Safety (Report A.2), which sought Cabinet's approval, in principle, for the granting of a new lease of the former tourist information centre in Walton-on-the-Naze, following its relocation.

Cabinet was aware that the Council owned the freehold of the former tourist information office in Walton-on-the-Naze, which was situated on the seafront opposite the High Street and close to the town centre. The building was semi detached, with the other side being an established kiosk. The tourist information centre had closed after the 2015 summer season and had been relocated to the new visitor centre at The Naze.

Cabinet was informed that the site had now been fully marketed and details had been sent out to those persons who had previously expressed an interest in that kind of property. Two tenders had been received and evaluated, resulting in one tenderer being identified as the strongest in terms of the use of the site, jobs creation and regeneration and the other as the strongest in terms of financial gain. It was the Officers' recommendation to grant a lease of the site to the first party in terms of use, job creation and regeneration of the site, due to the prominent location on the seafront. Further details of the tenders and evaluation process were set out in item B.1 of the Report of the Portfolio Holder for Enforcement and Community Safety.

Having considered the information provided together with the advice of Officers:-

It was moved by Councillor G V Guglielmi, seconded by Councillor Turner and:-

RESOLVED that Cabinet approves, in principle, the granting of a new lease of the site.

61. REPORT OF FINANCE, REVENUES & BENEFITS PORTFOLIO HOLDER - A.3 - CORPORATE BUDGET MONITORING - FIRST QUARTER 2016/2017

There was submitted a detailed report and appendices by the Portfolio Holder for Finance, Revenues & Benefits (Report A.3), which provided an overview of the Council's actual financial position against the budget as at the end of June 2016 and to set out budget adjustments required in 2016/17.

That overview covered the following areas of the budget:-

- (1) General Fund Revenue;
- (2) Expenditure Budgets;
- (3) Income Budgets;
- (4) Other Budgets;
- (5) 2016/2017 Budget Adjustments and Issues;
- (6) Housing Revenue Account – Revenue;
- (7) Capital Programme – General Fund;
- (8) Capital Programme – Housing Revenue Account;
- (9) Corporate Debt; and
- (10) Treasury Activity.

Having considered the report and appendices:

It was moved by Councillor Howard, seconded by Councillor Honeywood and:-

RESOLVED That:

- (a) the financial position as at the end of June 2016 was noted;
- (b) the 2016/17 budget is to be amended via the transfer of up to £0.150m from employee budgets to a planning inquiry budget to meet this cost pressure which had emerged during the first quarter of 2016/17;
- (c) delegation to be given to the Head of Finance, Revenues and Benefits to amend the 2016/17 budgets to reflect the IT service being brought in-house from April 2016 with no net impact on the Council's overall budget and;
- (d) delegation to be given to the Head of Finance Revenues and Benefits, in consultation with the Finance, Revenues and Benefits Portfolio Holder, to accept the Government's 4 year revenue support grant offer, via the submission of an efficiency plan, if favourable to the Council.

62. REPORT OF FINANCE, REVENUES & BENEFITS PORTFOLIO HOLDER - A.4 - CAPITAL STRATEGY 2016/17 TO 2019/20

There was submitted a detailed report by the Portfolio Holder for Finance, Revenues & Benefits (A.4) which sought Cabinet's approval for a revised Capital Strategy covering the period 2016/17 to 2019/20.

Cabinet was reminded that it had approved the current Capital Strategy in September 2011. Officers had felt that it was therefore timely to update the Strategy to not only take account of changes to the Council's financial environment but also to include more practical guidance on what was expected to be included in individual capital investment decisions in order to promote consistency and to reflect the most up-to-date financial governance requirements.

Having discussed the proposed revised Strategy:-

It was moved by Councillor Howard, seconded by Councillor G V Guglielmi and:-

RESOLVED That the updated Strategy covering the period 2016/17 to 2019/20 was approved.

63. REPORT OF LEISURE, WELL-BEING AND PARTNERSHIPS PORTFOLIO HOLDER
- A.5 - UPDATE ON COMMUNITY PROJECTS - EDUCATION AND HEALTH

There was submitted a report by the Portfolio Holder for Leisure, Well-being and Partnerships (Report A.5), which provided an update on community projects relating to education and health and sought Cabinet's endorsement of those projects.

Cabinet was aware that the Council's Corporate Plan 2016-2020 put Community Leadership at the heart of the Council's activities and within this context a number of projects were being undertaken to support the education and health agendas across the District.

Cabinet was reminded that:-

- Current specific projects in relation to education were formed around the following:-
 - Teacher recruitment
 - Emotional and Wellbeing Health School Hub
 - Post 16 provision
 - Teacher accommodation
 - Building bridges with universities
 - School places
- Current specific projects in relation to health are formed around the following:-
 - Parkrun Clacton
 - Falls prevention
 - Housing checklist
 - Breastfeeding Friendly Cafes
 - Making every contact count
 - Tendring Mental Health Hub
 - Tendring Health and Wellbeing Board

It was proposed that the health projects identified above were those that would be monitored through the Performance Plan in relation to the target around Health and Wellbeing with further projects being added as they were developed.

Cabinet was informed that the above projects would continue to form the subject of regular updates to the Portfolio Holder and that engagement in those areas was supplemented by the work of the Community Leadership and Partnerships Committee which provided an overview and scrutiny of those sectors as part of its work programme.

Having considered the update:

It was moved by Councillor McWilliams, seconded by Councillor Ferguson and:

RESOLVED That:

- (a) Cabinet endorsed the listed projects as those which will continue to be delivered in 2016/17 in support of the Corporate Plan priorities; and
- (b) The currently identified health related projects would be monitored through the Council's Performance Plan as part of the Health and Well-being indicator, together with future projects agreed with the Portfolio Holder.
- (c) The educational update is to be presented to the next meeting of the Community Leadership and Partnerships Committee.

64. JOINT REPORT OF THE FINANCE, REVENUES & BENEFITS PORTFOLIO HOLDER AND THE ENFORCEMENT AND COMMUNITY SAFETY PORTFOLIO HOLDER - A.6 - ACQUISITION OF INVESTMENT PROPERTY

There was submitted a joint report by the Portfolio Holder for Finance, Revenues and Benefits and the Portfolio Holder for Enforcement and Community Safety (Report A.6), which sought Cabinet's approval of a Commercial Property Investment Policy in order to enable the acquisition of Commercial Property within the budgets set out in the Capital Programme and in accordance with the Council's Treasury Management Strategy.

The proposed Commercial Property Investment Policy was before the Cabinet as Appendix A to the aforementioned report.

Having considered the proposed Policy, the Officers' advice and the implications of this decision:-

It was moved by Councillor G V Guglielmi, seconded by Councillor Howard and:-

RESOLVED that Cabinet:

- (a) authorised the acquisition of investment properties within the budget, criteria and delegations in resolutions (b), (c) and Recommendation (d) below;
- (b) approved the Commercial Property Investment Policy set out in Appendix A to item A.6 of the Joint Report of the Portfolio Holder for Finance, Revenues and Benefits and the Portfolio Holder for Enforcement and Community Safety, subject to resolution (a) above; and
- (c) authorised the Corporate Director (Corporate Services) to acquire and invest in property within the investment portfolio, subject to the budget and criteria above, in consultation with the Leader of the Council and the Portfolio Holder for Enforcement and Community Safety, and to enter into, and conclude, all legal agreements and in every respect manage the proposed investment portfolio within the criteria set out.

RECOMMENDED TO COUNCIL (d) that the Property Dealing Procedure contained a new exclusion at 1.2.5 that investment properties which become vacant through the duration of an existing lease being re-let swiftly through a Corporate Director (Corporate Services) decision, with the concurrence of the Portfolio Holder, ensuring maximum return.

65. MANAGEMENT TEAM ITEMS

There were no items from the Management Team on this occasion.

66. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock, seconded by Councillor G V Guglielmi and:

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Items 17 and 18 on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A, as amended, of the Act.

67. EXEMPT MINUTE OF THE LAST MEETING HELD ON FRIDAY 5 AUGUST 2016

The exempt minute of the last meeting of the Cabinet, held on Friday 5 August 2016, was approved as a correct record and signed by the Chairman.

68. REPORT OF THE ENFORCEMENT AND COMMUNITY SAFETY PORTFOLIO HOLDER - B.1 LEASE OF THE FORMER TOURIST INFORMATION PREMISES, WALTON-ON-THE-NAZE: TENDER SELECTION AND TERMS

RESOLVED that

- (a) the tender submitted by a named individual be accepted as the successful one;
- (b) the terms for a new lease, as set out in the Current Position section of item B.1 of the Report of the Portfolio Holder for Enforcement and Community Safety be approved; and
- (c) the Corporate Director (Corporate Services) be authorised to enter into a lease of the former tourist information centre to the named individual, on the terms set out and on such other terms as he considers appropriate.

The Meeting was declared closed at 11.31 am

Chairman