

**MINUTES OF THE MEETING OF THE COUNCIL,
HELD ON TUESDAY, 1ST SEPTEMBER, 2026 AT 7.30 PM
IN THE PRINCE'S THEATRE, TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Oxley (Chairman), Guglielmi (Vice-Chairman), Alexander, Amos, Baker, Barrett, Barry, Bensilum, Bray (except items 43, 44 & 49), Calver, Casey, Chapman BEM, Codling, A Cossens, M Cossens, Davidson, Davis, Doyle, Everett, Fairley (except items 49 - 51), Ferguson, Fowler (except items 44 - 51), Goldman, Griffiths, Harris (except items 43, 44 & 49 - 51), I Henderson, J Henderson, P Honeywood, S Honeywood, Keteca (except items 43 & 44), Kotz, Land, Morrison, Placey, Platt, Scott, Skeels Jnr., Smith, Steady, G Stephenson, M Stephenson, Sudra, Talbot, Thompson (except items 43 - 51), White and Wiggins
In Attendance:	Ian Davidson (Chief Executive), Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Gary Guiver (Corporate Director (Planning & Community)), Keith Simmons (Assistant Director (Corporate Policy & Support) & Deputy Monitoring Officer), Ian Ford (Democratic Services Manager), Rebecca Catchpole (Leadership Support Officer) and Simon Kedge (Casual Technician (Princes Theatre))
Also in Attendance:	Paul Woods (Planning Policy Manager), Will Fuller (Senior Planning Policy Officer), James Dwan (Communications Officer) and Christopher Bailey (Elections and Leadership Support Officer)

32. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bush and Newton.

33. MINUTES OF THE LAST MEETING OF THE COUNCIL

It was moved by Councillor M E Stephenson, duly seconded and:-

RESOLVED that the minutes of the ordinary meeting of the Council held on 2 June 2026 be approved as a correct record and be signed by the Chairman.

34. DECLARATIONS OF INTEREST

Councillor Fairley made the following statement:-

"I would like to declare a disclosable pecuniary interest in relation to item 18 - A5 on the Agenda this evening, in that my family own and farm land at both Horsley Cross and Little Bromley. The sites are included within the Local Plan Review Submission Version being considered this evening and detailed within the report. I will be leaving the meeting prior to this item being debated."

Councillor M A Cossens made the following statement:-

"I rent land for storage purposes at Birch Hall, and this is a registered Disclosable Pecuniary Interest and the site is referenced within the Sustainability Report in the Appendix to Item 18 – Report A5, however it is mentioned because the site was submitted for housing purposes of which I was unaware of and am unsure of the exact location. But, in any event it has been discounted and rejected for the reasons provided within the Place Services document, as not being suitable, and is therefore an unallocated site. Having sought the Monitoring Officer's advice in advance of this meeting, my DPI is not a matter being directly decided upon or affected by any decision to be made this evening and therefore, I am able to participate in the meeting without any dispensations."

Councillor A I Cossens informed the meeting that Councillor M A Cossens' statement applied to her situation as well.

Councillor Bray declared a conflict of interest in relation to agenda items 12, 13 and 18 insofar as he was a member of the Cabinet of Essex County Council, as the Portfolio Holder for Regeneration, Planning & Heritage. He informed Council that he would withdraw from the meeting at the appropriate junctures and take no part in the consideration of those items.

Councillor Harris declared a conflict of interest in relation to agenda items 12, 13 and 18 insofar as he was the Leader of Essex County Council. He informed Council that he would withdraw from the meeting at the appropriate junctures and take no part in the consideration of those items.

Councillors Keteca and Thompson each declared conflicts of interest in relation to agenda items 12 and 13 insofar as they were both elected members of Essex County Council. They informed Council that they would withdraw from the meeting at the appropriate junctures and take no part in the consideration of those items.

35. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

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

36. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

Fire at a property in Edith Road, Clacton-on-Sea

The Chief Executive informed Council that there had been a property fire the previous night in Edith Road, Clacton-on-Sea. Eight people had been displaced, and Council staff had opened the Essex Hall, in the Town Hall as a rest centre for those people. By noon that day, the Council's homelessness team had managed to settle those persons into temporary accommodation.

37. STATEMENTS BY THE LEADER OF THE COUNCIL

Clacton Parliamentary Constituency By-Election – 13 August 2026

The Leader of the Council (Councillor M E Stephenson) made the following statement:-

"I want to use my statement today as Leader to recognise what I think has been an exceptional effort by staff across the council in delivering the Clacton by-election. None

of us saw this coming. Then, suddenly, we had a parliamentary by-election to deliver, with only a matter of weeks to prepare.

And this was no straightforward election either. We had 34 candidates, the largest number ever in a UK parliamentary election, a huge ballot paper, significant logistical challenges and an intense level of national and international scrutiny.

Most people see polling day, the count and the result. What they do not see is the enormous amount of work going on behind the scenes to make all of that happen. Our Elections and Democratic Services team had to go from zero warning to delivery mode almost immediately. That took an enormous amount of work and commitment, and I want to thank every one of them for what they did.

I also want to recognise our Returning Officer, Ian Davidson, and the senior team around him. The responsibility for delivering the election ultimately rested on Ian's shoulders. I know the pressure he and his team were under throughout this process, and they dealt with that pressure professionally from beginning to end. I want to put my personal thanks to Ian and his senior team on the record.

But this went far beyond one team.

Staff from right across the council stepped forward to work at polling stations, at the count and in all the different roles needed to keep an election of this scale moving.

And I also want to mention those who were not directly involved in the election. The colleagues who covered for others and kept everything else running. Residents still relied on us. Council services still had to be delivered. That work continued because people across the organisation stepped up.

For me, this was a whole council effort.

To those who organised it, to those who delivered it on the day, and to those who kept the rest of the council going around them, I want to put on record my heartfelt thanks and gratitude.

You were handed a difficult and completely unexpected job, under extraordinary scrutiny, and you delivered.

I am proud of what you achieved, and I know colleagues across this chamber will want to join me in giving Ian, his team and everyone else involved a sincere and thoroughly deserved thank you."

Members endorsed the Leader's sentiments with a round of applause.

Councillor Platt asked a question on the Leader's statement to which the Leader of the Council responded.

38. STATEMENTS BY MEMBERS OF THE CABINET

33rd Clacton Air Show – August 2026

The Portfolio Holder for Economic Growth, Regeneration & Tourism (Councillor I J Henderson) made the following statement:-

"I wish to make a statement to Councillors on the back of the fantastic and successful Air Show which has just taken place. Once again, we had two days of thrilling flying displays, ground attractions and family entertainment. This was the 33rd Airshow that the Council has put on. We estimate that around 215,000 people attended over the two days and the theme for this year was "A celebration of aviation" and it certainly shone through the programme throughout that time.

We had the headline favourites such as the Red Arrows, over the two days with their precision flying, which the crowd loves as one of their favourites, and we had the heritage flights of two Spitfires, marking the 90th anniversary of the Spitfire's first flight.

We had added flights also to that. We had the bonus of a new flight – G-Force Aerobatics – and we had a MiG-17. The most special flight that I saw was the "Sally B", the B-17 Flying Fortress, the last airworthy B-17, that provided one of the stand-out moments of the programme and added a powerful piece of living aviation history to the skies above Clacton.

Madam Chairman, we had the twilight flights, for residents and visitors, one of their favourite occasions in the year. The Air Show is one of the biggest calendar events of our summer and it is much loved by everyone. But to see those twilight flights – the Firebirds Aerobatic Team and the favourite Otto the Helicopter with its pyrotechnics and fireworks lighting up the sky over Clacton seafront – it was a memorable occasion.

But we also need to remember that it is not just about the brilliant spectacle in the sky. It was a celebration of aviation, our seafront, our local economy, and the thousands of visitors, local residents, local businesses, volunteers, sponsors and partners who all help make the event such a success each year.

On that note, I want to thank the sponsors – Red Nova IT Solutions; Actual Radio (who brought the sound and excitement of the airshow to audiences beyond the seafront); LocaliQ; Black Jacket; Fisher Jones Greenwood LLP; MRL Productions; Freeport East; The Lifehouse PH; Central Connect and Aspen Fire & Rescue.

I also want to say a big thank you to Jessica Bryan, the Airshow's event director and her brilliant supporting team. We know that once the Air Show has completed its second day that they start planning again for the next year and they are already looking at exciting opportunities for 2027. I want to mention two members of the event team who were unfortunately missing over the two days due to family bereavements, so I want to give a special thank you to Sarah Daniells and Joanne Needham for helping to make the Airshow such a success in the leadup to the event.

I want to thank too Council staff across every department who worked tirelessly to make the event such a success – selling programmes; collecting donations – and not forgetting the emergency services and the volunteers and traders on the Greensward.

One of the biggest attractions on the Greensward was the replica Typhoon cockpit – it was fantastic to see children, parents, people getting into that cockpit and seeing for themselves what it feels like and what the pilot can see and do.

And not forgetting David Walton of TSA Consultants Ltd., the Air Show Display Director who plays a really important role making sure everything goes to plan on the day. Finally, I'd like to say a big thank you to Air Marshal Phillip Osborn for all his support being the scenes and on the day. I know how much Air Marshal Osborn does to support us and make sure that we've got the right aircraft and some of the groundwork which he does to make sure that the Greensward has got the right attractions as well so a big thank you to him as well.

I'm sure that all Members give a big thanks to all the staff and look forward to next year's two day Air Show and that it will be as exciting as this year's show."

Beach Patrol Service

The Portfolio Holder for Leisure & Public Realm (Councillor Barry) made the following statement:-

"Chairman, I would like to take a moment to say a heartfelt thank you to the members of staff of our Beach Patrol team and recognise them for everything they have done to help keep residents and visitors safe along our coastline this summer - which has been particularly busy due to the prolonged hot weather we have experienced, with some media suggesting this could be the hottest UK summer on record.

The Essex Sunshine Coast is one of our District's greatest assets. Every year, tens of thousands of people come to enjoy our beaches, but we also know that the sea can be unpredictable and that conditions can change very quickly.

Throughout the summer, our Beach Patrol staff have worked incredibly hard, often in busy and challenging conditions. Much of their most important work is preventative. It is about spotting potential dangers early, speaking to people before they get into difficulty, encouraging swimmers to remain within safe areas and moving people away from piers, groynes, breakwaters and other coastal structures.

*Initial figures covering July and August show the scale of that work. Across our beaches, the team recorded **4,525 occasions when safety advice was given to members of the public**, provided first aid on **44 occasions**, and worked jointly with the emergency services in relation to **42 incidents**. The figures also record **64 rescues during July and August**. These are initial figures, they do not include the recent Clacton Airshow and the Bank Holiday period - nor the additional step-up patrols we put in place earlier in the season due to the hot weather - and due to the nature of the work there will inevitably be some gaps and 'tidying up' of the data to be completed.*

*The team's work is not limited to responding to incidents. A key part of their role is helping people understand how to stay safe in and around the water. This summer, the Council also supported the Swim Safe programme, with more than **530 young people** taking part in sessions designed to teach vital open-water safety skills and what to do if they or someone else gets into difficulty.*

The whole team has worked with professionalism and vigilance throughout a relentlessly hot summer period. They have shown the value of prevention and education in offering safety guidance, providing first aid and stepping in when people get into difficulty.

Sadly, we must also acknowledge that there have been tragic fatalities here and elsewhere on the Essex coast this summer.

First and foremost, our thoughts are with the families and friends of everyone affected by these tragic incidents. They have been heartbreaking for the communities involved, and I want to echo the condolences previously expressed.

The responsibility for staying safe at the coast is one we all share, but I hope Council will join me in recognising the dedication of our Beach Patrol team. Their work is not limited to the moments when a rescue is required. It is also found in the thousands of quieter interventions which prevent incidents from happening in the first place.

On behalf of Tendring District Council, I would like to place on record our sincere thanks to every member of the Beach Patrol team, and also to the emergency services and partner organisations who have worked alongside them throughout the summer. Their commitment, professionalism and public service have made a real difference throughout the season, and we are extremely grateful to them."

39. 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.

40. 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.

41. REPORT OF THE LEADER OF THE COUNCIL - A.1 - URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

Council considered a report of the Leader of the Council (A.1) that, in 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, 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) Short Term Licence to Occupy over Rush Green Bowl, Rush Green Road, Clacton-on-Sea

On 23 June 2026, in view of the urgency of the issue concerned, and in accordance with Rule 15 of the Access to Information Procedure Rules, the Corporate Director (Planning & Community), acting on behalf of the Portfolio Holder for Assets & Community Safety, had sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Portfolio Holder's urgent "Part B" decision, relating to the agreement of terms for a short-term licence to Clacton Town Football Club Ltd could be taken under the special urgency procedure and therefore be automatically exempted from the call-in procedure.

The Portfolio Holder's decision had been as follows:-

- (a) *To agree terms for a short-term licence to Clacton Town Football Club Ltd on terms and conditions set out in Appendix A; and*
- (b) *To authorise the Corporate Director for Planning and Community to complete the licence on the agreed terms and on any other terms as he considers appropriate.*

It had been felt that any delay likely to be caused by the normal "Part B" decision process and/or the call-in process would have seriously prejudiced the Council's and the public's interest for the following reasons:-

"The Football Club required the licence to be confirmed imminently in order to enter into new contracts with utility companies."

This decision enabled this Council to regularise current occupation arrangements and ensure appropriate legal and governance controls. As well as enabling continued community use of the facility whilst allowing time for a compliant and transparent tender process, it also meant that the current football club operating from the site avoided losing their place in the league, which would have prejudiced their position when it came time to submit a tender.

- (2) Extension of the Householder Permit scheme through July and August 2026 for Orwell Place car park, Dovercourt

On 10 July 2026, in view of the urgency of the issue concerned, and in accordance with Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency), the Portfolio Holder for Leisure & Public Realm sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Portfolio Holder's urgent decision, relating to the extension of the householder permit scheme through July and August 2026 for the Orwell Place car park, Dovercourt, would be exempted from the call-in procedure.

The Portfolio Holder's decision had been as follows:-

"To extend the householder permit scheme through the months of July and August 2026 for Orwell Place car park Dovercourt."

It had been felt that any delay likely to be caused by the call-in process would have seriously prejudiced the Council's and the public's interest for the following reasons:-

"That the public works in Dovercourt were already underway removing parking bays and the mitigating actions for parking to support local firms were required immediately."

It was moved by Councillor M Stephenson and:-

RESOLVED that the contents of the report be noted.

42. 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) Resources and Services Overview & Scrutiny of Thursday 21 May 2026;
- (b) Planning Policy & Local Plan of Monday 8 June 2026;
- (c) Resources and Services Overview & Scrutiny of Tuesday 16 June 2026;
- (d) Community Leadership Overview & Scrutiny of Tuesday 23 June 2026;
- (e) Audit of Thursday 25 June 2026;
- (f) Standards of Wednesday 15 July 2026; and
- (g) Human Resources & Council Tax of Thursday 30 July 2026.

43. MOTION TO COUNCIL - OPPOSITION TO ANY MOVE BY ESSEX COUNTY COUNCIL TO RETREAT FROM ITS COMMITMENTS ON CLIMATE ACTION, BIODIVERSITY, ENVIRONMENTAL PROTECTION OR NATURE RECOVERY

Further to declarations of interest made under minute 34 above, Councillors Bray, Harris, Keteca and Thompson withdrew from the meeting whilst this item was considered and determined.

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

“This Council –

- (a) notes that **Essex County Council** has adopted clear and significant policies and strategies to protect the environment, tackle climate change and support nature recovery across Essex, and that these commitments have been presented as central to the county’s long-term wellbeing and resilience;*
- (b) further notes that these policies are not symbolic gestures but are grounded in scientific evidence, statutory duties, cross-party commitments and years of partnership working, including through the **Essex Climate Action Commission**, the **Climate Action Plan** and the **Local Nature Recovery Strategy**;*
- (c) therefore expresses its unequivocal opposition to any move by **Essex County Council** to dilute, delay, dismantle or walk away from its commitments on climate action, biodiversity, environmental protection or nature recovery, as any such retreat would be reckless, short-sighted and wholly contrary to the interests of residents, communities and future generations, particularly if pursued without proper consultation, transparent evidence or a credible public mandate;*
- (d) **resolves:** (1) to reaffirm its full support for robust climate action, environmental protection and nature recovery across Essex; (2) to make clear its opposition to any attempt to weaken or remove existing strategies, protections or programmes in these areas without compelling evidence and full public accountability; and (3) to request that the Leader of the Council write to the Leader of **Essex County Council** in the strongest possible terms, urging that there must be no reduction in commitment to climate and environmental protection and that all existing strategies and programmes should be maintained and implemented in full.”*

At the time that the agenda had been published it had been 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 Barrett formally moved the motion, and Councillor Barry formally seconded the motion.

Councillor Barrett then indicated that he wished to alter his motion so that it instead read as follows:-

“This Council –

- (a) notes that Essex County Council previously adopted clear and significant policies and strategies to protect the environment, tackle climate change and support nature recovery across Essex, and that those commitments were presented as central to the county’s long-term wellbeing and resilience;*
- (b) further notes that those policies were not symbolic gestures but were grounded in scientific evidence, statutory duties, cross-party commitments and years of partnership working, including through the Essex Climate Action Commission, the Climate Action Plan and the Local Nature Recovery Strategy;*
- (c) therefore, expresses its unequivocal opposition to the recent move by Essex County Council to dismantle and walk away from its commitments on climate action as any such retreat would be reckless, short-sighted and wholly contrary to the interests of residents, communities and future generations, particularly if pursued without proper consultation, transparent evidence or a credible public mandate;*
- (d) resolves: (1) to reaffirm its full support for robust climate action across Essex; (2) to make clear its opposition to this attempt to weaken or remove existing strategies, protections or programmes in the area of climate action without compelling evidence and full public accountability; and (3) to request that the Leader of the Council write to the Leader of Essex County Council in the strongest possible terms, urging that Essex County Council reconsiders and reverses its decision to scrap "net-zero and greenhouse gas reduction" policies and to no longer commit to being a net-zero organisation by 2030, and to sever support for the Essex Climate Action Commission;*
- (e) further requests that the Leader of the Council writes to the Leader of Essex County Council seeking:*
 - 1. an itemised account of the climate, net-zero, biodiversity, nature-recovery and environmental commitments that will continue, be amended or cease;*
 - 2. confirmation of the status of the Essex Climate Action Plan 2025–2028 and its constituent programmes;*
 - 3. confirmation of the resources that will remain available for the Local Nature Recovery Strategy, biodiversity, air and water quality, flood resilience and coastal environmental work;*
 - 4. details of the anticipated savings arising from the changes and any assessment of potential financial, environmental, health or service consequences;*
 - 5. confirmation of how progress will be monitored and publicly reported following the proposed ending of annual climate reporting and benchmarking; and*
 - 6. a commitment to consult district, borough and unitary councils and other delivery partners before any further significant changes are made.*

- (f) *requests that Essex County Council's response be reported to a future meeting of this Council so that Members can consider whether further representations or action are required.*

The seconder of the motion (Councillor Barry) duly gave his consent to the alteration, as required by Council Procedure Rule 16.6(a) (Alteration of Motion).

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

Councillors Barrett, Barry, Smith, P B Honeywood, I J Henderson, Scott, Morrison, Calver, Doyle and Alexander spoke during the debate on this matter.

Pursuant to the provisions of Council Procedure Rule 19.5, Councillor Morrison, supported by, at least, nine other Members rising in their places, requisitioned a record of the voting on Councillor Barrett's motion, as altered, as set out above. That vote resulted as follows:-

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Baker	Amos	Alexander	Bray
Barrett	Codling	A I Cossens	Bush
Barry	Land	M A Cossens	Harris
Bensilum	Skeels	Davis	Keteca
Calver		Everett	Newton
Casey		Fairley	Thompson
Chapman BEM		Ferguson	
Davidson		Griffiths	
Doyle		Guglielmi	
Fowler		P B Honeywood	
Goldman		S A Honeywood	
I J Henderson		Platt	
J Henderson			
Kotz			
Morrison			
Oxley			
Placey			
Scott			
Smith			
Steady			
G L Stephenson			
M E Stephenson			
Sudra			
Talbot			
White			
Wiggins			

Councillor Barrett's motion, as altered, was thereupon declared **CARRIED**.

44. MOTION TO COUNCIL - CALL ON ESSEX COUNTY COUNCIL ET AL TO DIRECT THAT THE OLIVER MCGOWAN MANDATORY TRAINING ON LEARNING

DISABILITY AND AUTISM FOR ALL STAFF ACROSS SCHOOLS IN THE DISTRICT OF TENDRING BE IMPLEMENTED URGENTLY

Further to declarations of interest made under minute 34 above, Councillors Bray, Harris, Keteca and Thompson withdrew from the meeting whilst this item was considered.

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

“That Tendring District Council –

- (1) Believes that too many children with Special Educational Needs & Disability (SEND) are still misunderstood or unsupported at school, and too many families must fight to get the right help;*
- (2) Reiterates that this is not a criticism of school staff but about making sure they have the training and confidence to support every child properly;*
- (3) Notes that Oliver McGowan Mandatory Training is the Government’s preferred and recommended training for learning disability and autism in health and social care, as set out in the most recent Code of Practice published in September 2025 and which is nationally recognised and co-produced with people with lived experience;*
- (4) Believes in inclusive education, and that understanding should not be optional or dependent on which school a child attends and that every child deserves to be understood, to feel safe at school, and to have the chance to achieve their full potential;*
- (5) Feels strongly that mandatory training for school staff would bring consistency, earlier understanding, better communication with families, and better outcomes for children across Tendring and that better informed staff can reduce anxiety, improve attendance and create a stronger learning environment for everyone;*
- (6) Therefore, calls on Essex County Council and relevant Academies to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring be implemented urgently as a simple matter of fairness, inclusion and responsibility.”*

At the time the agenda had been published it had been 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.

However, prior to the commencement of the meeting the Council’s Corporate Director (Law and Governance) & Monitoring Officer had circulated the following email to Members:-

“I am writing to you on behalf of Ian Davidson [the Council’s Chief Executive] and I regarding the Motion to Council pursuant to Council Procedure Rule 12, submitted by Councillor Carrie Doyle, calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring be implemented urgently.

Some Elected Members have approached Ian and I separately, to enquire how can they debate this topic without further information regarding the subject matter, which is sensitive and technical, and upon reflection both of us agree with this viewpoint.

Having reread the motion and reflected upon its contents, while it does not have legal, financial or resource implications for TDC (which would have been the purposes of any statutory officers' advice), the wording makes reference to specific types of training and 'believes in inclusive education', and asks full Council to support this, in effect as a policy position. Article 13 in Part 2 of the Constitution refers to the principles of decision making, 13.02 (b) requires consideration of all the relevant factors and options and (e) refers to clarity of aims and desired outcomes.

As the Council's Corporate Director for Law & Governance, I am bound to advise all Members on decision making and following discussions with the Chief Executive who supports the approach, we are of the opinion that this motion should be referred to the Community Leadership Overview and Scrutiny Committee under the provisions in Council Procedure Rule 12.7 (3)(a) to require further information of the implications of the potential decision to be researched and submitted. This process can be achieved through an amendment in the normal manner.

As you will appreciate only Members can move amendments, therefore the purpose of this email is to give all Members our advice in advance of the meeting."

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

Councillor Doyle then indicated that she wished to alter her motion by the addition of the following text as a new opening paragraph:-

"That my Motion as set out below in full, calling on Essex County Council to direct that the Oliver McGowan Mandatory Training on Learning Disability and Autism for all staff across schools in the District of Tendring, be referred to the Community Leadership Overview and Scrutiny Committee for further information on the type of training mentioned and the implications of 'inclusive education' being researched, with evidence in support, and then submitted back to Full Council prior to making its informed decision on the subject matter."

The seconder of the motion (Councillor Davidson) duly gave his consent to the alteration, as required by Council Procedure Rule 16.6(a) (Alteration of 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.

Councillors Doyle, Davidson, P B Honeywood, Ferguson, Griffiths and M E Stephenson spoke during the debate on this matter.

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

45. REFERENCES OR REPORTS FROM THE CABINET

On this occasion Members were informed that there were no references or reports from the Cabinet that needed to be considered by Council.

46. REFERENCE FROM THE COUNCIL'S TWO OVERVIEW AND SCRUTINY COMMITTEES - A.2 - OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED

WORK PROGRAMMES FOR 2026/2027 AND A REVIEW OF THE WORK CARRIED OUT DURING 2025/2026

Council considered a joint reference report that sought its approval of the respective proposed work programmes for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the remainder of 2026/27. Through the report, Council was also asked to receive the proposed 'Annual Report 2025/26' for the overview and scrutiny work undertaken through those Committees.

Members were aware 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 2026/27, 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 our Local Environment;
- Working with Partners to Improve Quality of Life;
- Promoting our 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 2025/26 and had considered items for inclusion in their respective proposed Work Programmes for 2026/27 as follows:

INFORMAL MEETING

Joint meeting of the Community Leadership Overview and Scrutiny Committee and the Resources and Services Overview and Scrutiny Committee held on 4 June 2026.

FORMAL MEETINGS

Community Leadership Overview and Scrutiny Committee – 23 June 2026; and
Resources and Services Overview and Scrutiny Committee – 16 June 2026.

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 2026/27.

Both Committees had received the results of the public consultation that had run from 13 April 2026 to 30 May 2026. 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 2026/27 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 2025/26. 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 Steady, seconded by Councillor P B Honeywood and:-

RESOLVED that Council –

- (a) approves the proposed work programme for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the 2026/27 Municipal Year, as set out in Appendices Ai and Aii respectively; and
- (b) notes the work carried out by those Committees in the year 2025/26, as set out in Appendix B.

47. REPORT OF THE CHIEF EXECUTIVE - A.3 - MEMBERSHIP OF COMMITTEES

The Chief Executive formally reported that, in accordance with the expressed wishes of the Leader of the Conservative Group, and the authority delegated to him, the following appointment had been duly made since the last meeting of the Council, namely:-

Planning Committee

Councillor Dan Land had been appointed to fill the vacant allocated seat.

Council **NOTED** the foregoing.

48. REFERENCE FROM THE STANDARDS COMMITTEE - A.4 - AMENDMENTS TO TENDRING DISTRICT COUNCIL'S LICENSING GUIDANCE FOR COUNCILLORS

Council considered a reference report that proposed amendments to the Members' Licensing Guidance (now called the Licensing and Registration Probity Protocol) following a review carried out by the Standards Committee.

It was reported that the Standards Committee ("the Committee"), at its meeting held on 15 July 2026 (Minute 5 referred), had considered a report of the Monitoring Officer (A.1) which had presented the updated revised version of the Licensing and Registration Probity Protocol, following consultation with the members of the Licensing and Registration Committee, the Portfolio Holder for Assets and Community Safety (the Cabinet Member with responsibility for overseeing licensing policy matters specifically under the Gambling Act 2005, but more widely (excluding under the Licensing Act 2003) including for taxis and private hire matters), Officers responsible for licensing services in

the Law & Governance and the Environment & Housing Directorates and the Council's Independent Persons.

It had been reported that some themes emerging from the consultation were:

- *expand more on 'prejudicial' interest;*
- *add to Member training section about training to be allowed to sit on the Committee should be from the Council but could be topped up through other means such as LGA;*
- *make 'to stay open-minded' stronger; and*
- *to add that Members are not allowed to discuss blue pages documents outside of the Committee membership.*

Members had been made aware that the outcome of the consultation had been set out in Appendix B of the Officer report. In addition, the Committee had noted their opinion that the relevant Ward Councillors should be informed of any changes to a premises licence or the removal of a premises licence.

It had been RESOLVED that the Standards Committee –

- (a) *notes the outcome of the consultation with members of the Licensing and Registration Committee, the Portfolio Holder for Assets and Community, Officers responsible for licensing services in the Governance and the Environment & Housing Directorates and the Independent Persons;*
- (b) *endorses the revised Licensing and Registration Probity Protocol (with the tracked changes being accepted) and recommends to Full Council that it be adopted and incorporated into the Council's Constitution; and*
- (c) *authorises the Council's Monitoring Officer to make the administrative amendments, as highlights at the Committee meeting, prior to the Protocol's consideration at Full Council.*

Having duly considered this report:-

It was moved by Councillor Wiggins and:-

RESOLVED that the revised Licensing and Registration Probity Protocol be and is formally approved and adopted and that it be incorporated into the Council's Constitution.

49. REFERENCE FROM THE PLANNING POLICY & LOCAL PLAN COMMITTEE - A.5 - TENDRING DISTRICT LOCAL PLAN REVIEW: SUBMISSION VERSION

Further to declarations of interest made under minute 34 above, Councillors Bray, Fairley and Harris withdrew from the meeting whilst this matter was considered and determined.

Council considered a reference report (and its addendum) that set out the recommendations made to it by the Planning Policy and Local Plan Committee in relation to the Tendring District Local Plan Review – Submission Version.

It was reported that the Planning Policy and Local Plan Committee (“the Committee”), at its meeting held on 25 August 2026 (minute 15 referred), had considered a comprehensive report of the Corporate Director (Planning and Community) (A.1) which had presented the Tendring District Local Plan ‘Submission Version’ to the Committee and which had sought the Committee’s agreement for this document, along with the Sustainability Appraisal and Habitat Regulations Assessment, to be recommended for approval by Full Council. That approval would allow that document to proceed to formal public consultation in line with Regulation 19 of the statutory plan-making process.

Having considered that report the Committee had formally resolved unanimously:-

“that the Planning Policy and Local Plan Committee –

- a) notes the contents of this report that explains how the Tendring District Local Plan – Submission Version has been developed having regard to the direction given and decisions taken by the Committee at previous meetings, feedback from the public consultation on the Preferred Options Draft carried out in February and March 2026 and the updated evidence base especially, together with the Sustainability Appraisal and Habitats Regulation Assessment, which have been an integral part of the Local Plan preparation and informed the Local Plan for submission, as well as the requirements of national planning policy;*
- b) subject to the agreement of the Leader of the Council and the Portfolio Holder responsible for Planning, agrees to recommend to Full Council:*
 - i. that the Tendring District Local Plan – Submission Version (at Appendix 1), being considered to meet the tests of soundness, be approved for six-weeks’ formal public consultation, alongside the related Sustainability Appraisal (at Appendix 2), Habitat Regulations Assessment (at Appendix 3) and other updated supporting evidence (including those listed as background documents) in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Regulation 13 of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended); and*
 - ii. that the Corporate Director (Planning and Community) be authorised, in consultation with the Chairman of the Planning Policy and Local Plan Committee, to make corrections, if necessary, to address minor formatting, mapping, typographical, grammatical or factual errors within the aforementioned Draft Plan (in Appendix 1), in the event that any are discovered before the public consultation commences;*
- (c) notes that a final decision to confirm the Council’s wish to submit the Local Plan and associated documents to the Secretary of State will need to be taken by Full Council, on the recommendation of the Planning Policy and Local Plan Committee, following the closure of the Regulation 19 public consultation; and*
- (d) notes that the submission of the Local Plan to the Secretary of State will need to happen before 31 December 2026 or else the Council will need to begin the Local Plan review ‘from scratch’ under a new system.”*

In addition, on 26 August 2026, the Leader of the Council and the Portfolio Holder for Housing & Planning had made a joint decision to agree, inter alia, and on behalf of the Cabinet, to recommend to Full Council that the Submission Version of the Local Plan be approved for six-weeks public consultation, alongside the related Sustainability Appraisal (at Appendix 2), Habitats Regulation Assessment (at Appendix 3) and other supporting evidence (including those listed as background documents) in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Regulation 13 of the Environmental Assessment of Plans and Programme Regulations 2004, as amended.

Councillors Guglielmi, Keteca, Barry, M A Cossens, Scott, Baker and M E Stephenson addressed Council during the debate on this matter.

Having duly considered the recommendations submitted to it by the Planning Policy and Local Plan Committee, and by the Leader of the Council and the Housing & Planning Portfolio Holder, acting on behalf of the Cabinet:-

It was moved by Councillor Guglielmi, seconded by Councillor Baker and:-

RESOLVED that –

- (a) the Tendring District Local Plan – Submission Version, being considered to meet the tests of soundness, be approved for six-weeks public consultation, alongside the related Sustainability Appraisal, Habitats Regulations Assessment and other supporting evidence (including those listed as background documents) in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and Regulation 13 of the Environmental Assessment of Plans and Programme Regulations, as amended;
- (b) the Corporate Director (Planning and Community), in consultation with the Chairman of the Planning Policy and Local Plan Committee, be authorised to make corrections, if necessary, to address any minor formatting, mapping, typographical, grammatical or factual errors within the aforementioned Draft Plan, in the event that any are discovered before the consultation commences;
- (c) it is noted that a final decision to confirm the Council's wish to submit the Local Plan and associated documents to the Secretary of State will need to be taken by Full Council, on the recommendation of the Planning Policy and Local Plan Committee, following the closure of the Regulation 19 public consultation; and
- (d) it is noted that the submission of the Local Plan to the Secretary of State will need to happen before 31 December 2026 or else the Council will need to begin the Local Plan review 'from scratch' under a new system.

50. 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.

It was reported that no questions on notice had been submitted by Members on this occasion.

51. 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 9.37 pm

Chairman