

RECORD OF EXECUTIVE DECISION (THE DECISIONS LIST)

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* Yes
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SUBJECT OF DECISION:

Petition: "Say No to plans for Millennium Square, Walton-on-the-Naze - Save our Trees and £90,000

Decision:

That the previous decision taken by the Cabinet at its meeting held on 14 July 2017 (Minute 76) on this matter be rescinded.

Reasons for Decision:

Having considered the petition and the address made by Mr Green and in the light of the fact that the Council's regeneration aspirations for Walton-on-the-Naze would no longer be met by this project.

Alternative Options Considered:

There were several course of action available to Cabinet, including:

- No action (with reasons as to why no action is proposed)
- Taking the action requested in the petition
- Undertaking research into the matters raised (this could include referring the matter to the relevant Portfolio Holder, or officer of the Council) and holding a meeting with the petitioners
- Referring the petition to the relevant Overview and Scrutiny Committee
- Holding a public meeting

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

Councillor Bucke declared an interest in this item insofar as he was also a member of Frinton and Walton Town Council.

Consultation with Ward Member:

None

Contact Officer:

Lisa Hastings, Head of Governance and Legal Services

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Online Tending Lottery

Decision:

That the Community Leadership and Partnerships Committee be thanked for its support of this project and its helpful suggestions, which will be taken into account in bringing this project forward to a future meeting of Cabinet for consideration.

Reasons for Decision:

Having considered the comments of the Community Leadership and Partnerships Committee.

Alternative Options Considered:

None.

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

None

Consultation with Ward Member:

None

Contact Officer:

Mark Westall, Head of Customer and Commercial Services

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Waste and Recycling

Decision:

- (a) a Member Working Party for the new waste contract be not set up as it will not add any substantial value to this process; and
- (b) a Members' briefing be held on the renewal of the waste contract in Spring 2018, or at a relevant time, to enable Members to discuss, and comment on, the proposals for the new waste and recycling contract.

Reasons for Decision:

Having considered the recommendations of the Corporate Management Committee and the responses thereto of the Environment Portfolio Holder.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

John Fox, Head of Environmental Services

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Performance Management - Quarter One

Decision:

That the full range of existing indicators should remain in the Performance Report for the benefit of Cabinet and that the Corporate Management Committee can choose not to scrutinise the indicators it has highlighted if they so wish.

Reasons for Decision:

Having considered the comments of the Corporate Management Committee and the response thereto of the Financial and Corporate Services Portfolio Holder.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Anastasia Simpson, Head of People, Performance and Projects

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Corporate Budget Monitoring for the First Quarter of 2017/18

Decision:

That a review of Council owned garages be undertaken, and that the findings be reported back to Corporate Management Committee, in accordance with that Committee's work programme.

Reasons for Decision:

Having considered the comments of the Corporate Management Committee and the response thereto of the Financial and Corporate Services Portfolio Holder.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Richard Barrett, Head of Finance, Revenues and Benefits Services

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Long Term Financial Sustainability Plan/Ten Year Forecast

Decision:

- (a) Cabinet is pleased that the Committee supports the Long Term Financial Sustainability Plan and Ten Year Forecast; and
- (b) the Council already has treasury / investment policies in place that seek to obtain the best possible returns on its reserves whilst balancing the security of the investment. However, the Committee's comments will be considered where opportunities to obtain greater returns across its entire investment portfolio become available in the future.

Reasons for Decision:

Having considered the comments of the Corporate Management Committee and the response of the Finance and Corporate Services Portfolio Holder.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Richard Barrett, Head of Finance, Revenues and Benefits Services

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Assets Update

Decision:

- (a) requests that, under the direction of the Deputy Leader of the Council, Officers pursue a prioritised and balanced programme of work including both large and small transactions, moving positively forward with that programme while addressing the need for accurate, complete, and accessible records and that these transactions are carried out as expeditiously as properly possible;
- (b) requests that reviews of CAROS and of Community Halls be brought forward for its consideration on the principle that there will be no changes to the terms and conditions of the CAROS scheme for existing recipients of CAROS;
- (c) requests that Officers consider the potential for the care of community land and facilities to be provided within the community and for a renewed emphasis on the disposal of land that does not, and cannot, contribute to the community; and
- (d) requests that Officers continue to seek grant funding of projects and initiatives wherever possible.

Reasons for Decision:

Having considered the comments and recommendations of the Corporate Management Committee and the responses of the Finance and Corporate Services Portfolio Holder.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Andy White, Head of Property Services

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Review of Clacton Air Show 2017

Decision:

That the contents of the report be noted.

Reasons for Decision:

Having considered the comments and recommendations of the Service Development and Delivery Committee and the response of the Leisure and Tourism Portfolio Holder.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Michael Carran, Head of Sport and Leisure

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Litter from Fast Food Outlets around the District and on the A120

Decision:

That the contents of the report be noted.

Reasons for Decision:

Having considered the comments of the Service Development and Delivery Committee and the response of the Environment Portfolio Holder.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

John Fox, Head of Environmental Services

Date:	Decision Maker:	Subject to Call-in*
10 November 2017	Cabinet	No

SUBJECT OF DECISION:

Amendments to the Council's Constitution - Financial & Procurement Matters

Decision:

RESOLVED that Cabinet –

- (a) approves that the Portfolio Holder for Finance and Corporate Resources be authorised, in consultation with the Chief Finance Officer, to agree the outturn position / report each year in order to provide the necessarily flexibility to comply with the new statutory timetable for publishing the Council's Statement of Accounts;
- (b) approves that the Scheme of Delegation – Schedule 3 - Responsibility for Executive Functions Part 3.41 of the Constitution be amended to include that specific delegation; and

RECOMMENDED TO COUNCIL that

- (c) the Council's Constitution be amended to reflect the proposed changes to the Financial and Procurement Procedure Rules as set out in the Appendix to item A.10 to the Joint Report of the Leader of the Council and the Portfolio Holder for Finance and Corporate Services.

Reasons for Decision:

Having considered the information submitted and the advice of Officers contained within the report.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Lisa Hastings, Head of Governance and Legal Services

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* Yes
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SUBJECT OF DECISION:

Destination Inclusive Play Area, Walton-on-the-Naze

Decision:

That Cabinet approves -

- (a) the construction of a Play Area and portable Changing Place facility in Walton-on-the-Naze at the location, shown red, on the Plan attached as Appendix A to item A.11 of the Report of the Environment Portfolio Holder, using a grant of £100,000 from Essex County Council, Section 106 contributions of up to £80,000 and £20,000 from existing play area budget;
- (b) the heads of terms for the Funding Agreement negotiated by the Corporate Director (Operational Services) with Essex County Council, which are set out in Appendix B to the above-mentioned report;
- (c) the final Funding Agreement being completed in consultation with the Head of Governance and Legal Services;
- (d) the selection of Jupiter Play and Leisure for the design and construction of the Play Area following a competitive tender process under a framework agreement. The design and proposal is attached as Appendix C to the aforementioned report; and
- (e) the responsibility for the maintenance and security of the Play Area and Changing Places facility being incorporated into the Public Realm in-house service and the cost being met within existing budgets and resources.

Reasons for Decision:

Having considered the information submitted and the advice of Officers contained within the report.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

Yes.

Contact Officer:

Ian Taylor, Head of Public Realm

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Performance Report: July - September 2017 - Quarter Two Report

Decision:

That the contents of the report be noted.

Reasons for Decision:

Having considered the information provided.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Anastasia Simpson, Head of People, Performance and Projects

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* No
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SUBJECT OF DECISION:

Corporate Budget Monitoring Report for the Second Quarter of 2017/18

Decision:

- (a) the financial position, as at the end of September 2017, be noted;
- (b) in respect of the 2017/18 budget, the central agency staff budget be increased by £0.150m funded by a transfer from the associated vacancy savings accrued to the end of September 2017; and
- (c) in respect of the Council's Treasury Management practices, the aggregate amount of money that can be placed overnight with the Council's bankers be increased temporarily from £1.000m to £1.500m for each day the Council Offices are closed over the Christmas break.

Reasons for Decision:

Having considered the report and appendices.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Richard Barrett, Head of Finance, Revenues and Benefits Services

Date:	Decision Maker:	Subject to Call-in*
10 November 2017	Cabinet	No

SUBJECT OF DECISION:

Tendring Children and Young People's Strategy 2017 - 2020

Decision:

- (a) the comments from the Community Leadership and Partnerships Committee be noted;
- (b) the Tendring Children & Young People's Strategy 2017 – 2020, as set out at Appendix A to item A.14 of the Report of the Health and Education Portfolio Holder, be approved;
- (c) the Children and Young People's Partnership Delivery Plan 2017/2018 as set out at Appendix B to the aforesaid report, be approved in support of the Council's Corporate Plan priorities; and
- (d) the Tendring Children & Young People's Partnership Delivery Plan be reviewed annually with updates provided to the Community Leadership and Partnerships Committee.

Reasons for Decision:

Having considered the information submitted and the comments of the Community Leadership and Partnerships Committee.

Alternative Options Considered:

None.

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

None.

Consultation with Ward Member:

None.

Contact Officer:

Anastasia Simpson, Head of People, Performance and Projects

Date:	Decision Maker:	Subject to Call-in*
10 November 2017	Cabinet	No

SUBJECT OF DECISION:

The Local Council Tax Support Scheme, Council Tax Exemptions/Discounts for 2018/19 and Annual Minimum Revenue Provision Policy Statement 2018/19

Decision:

RECOMMENDED TO COUNCIL that

- (a) the Local Council Tax Support Scheme (LCTS) remains the same as the current year, as set out as Appendix A to item A.15 of the Report of the Housing Portfolio Holder and that therefore:
 - i) the LCTS be approved with the maximum LCTS award being 80% for working age claimants; and
 - ii) delegation be given to the Corporate Director (Corporate Services), in consultation with the Housing Portfolio Holder, to undertake the necessary steps and actions to implement the LCTS scheme from 1 April 2018.
- (b) the Council Tax Exceptional Hardship Policy, as set out in Appendix B to the aforesaid report, be approved.
- (c) the proposed Council Tax exemptions and discounts (which remain unchanged), as set out in Appendix C to the aforementioned report, be approved and that delegation is given to the Corporate Director (Corporate Services), in consultation with the Housing Portfolio Holder, to undertake the necessary steps and actions to implement the Council Tax exemptions and discounts from 1 April 2018.
- (d) the Annual Minimum Revenue Provision Policy Statement for 2018/19, as set out in Appendix D to the above report, be approved.

Reasons for Decision:

Accordingly and in order to allow these matters to progress to Council.

Alternative Options Considered:

None.

Conflicts of Interest Declared

(and Dispensations Granted by the Monitoring Officer)

None.

Consultation with Ward Member:

None.

Contact Officer:

Richard Barrett, Head of Finance, Revenues and Benefits Services

Date:	Decision Maker:	Subject to Call-in*
10 November 2017	Cabinet	Yes

SUBJECT OF DECISION:

Formal Consultation on the future of two Sheltered Housing Schemes

Decision:

That Cabinet agrees that –

1. the Spendells and Honeycroft Sheltered Housing schemes have proven to be unpopular for several years due to their shared facilities and dated design and that it is economically unviable for the Housing Revenue Account (HRA) to continually subsidise the on-going and increasing revenue loss of rental income at these schemes;
2. formal consultation on the principle of closing both the schemes be commenced with residents in accordance with Section 105 of the Housing Act 1985;
3. that the Portfolio Holder for Housing present the outcome of the viability work for each scheme to the Service Development and Delivery Committee, during the consultation period;
4. the outcome of the formal consultation, along with more detail on the costs associated with closure, be reported back to Cabinet to inform the final decisions on the future of these schemes;
5. an associated budget of £200,000 within the HRA in 2017/18, be established to support residents throughout the whole process, funded from the HRA General Reserve;
6. Officers be authorised to commence preparations to secure alternative accommodation for affected residents in the event that Cabinet decides to close these schemes, including holding open voids at other sheltered schemes; and
7. further work be undertaken by Officers exploring the provision of alternative sheltered type housing accommodation after detailed financial modelling within the HRA.

Reasons for Decision:

Accordingly and in order to allow these matters to progress.

Alternative Options Considered:

None.

Conflicts of Interest Declared

(and Dispensations Granted by the Monitoring Officer)

Councillor G V Guglielmi declared an interest in this item insofar as he lived adjacent to the Honeycroft, Lawford Sheltered Housing Scheme.

Councillor Bucke declared an interest in this item insofar as he was also a member of Frinton and Walton Town Council.

Councillor Baker declared an interest in this item insofar as he was the Ward Member for Lawford.

Consultation with Ward Member:

Yes.

Contact Officer:

Tim Clarke, Head of Housing

Date: 10 November 2017	Decision Maker: Cabinet	Subject to Call-in* Yes
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SUBJECT OF DECISION:

Land east of Lotus Way, Jaywick, Clacton-on-Sea

Decision:

That Cabinet –

- (a) notes the progress of the Coastal Community Team, whose membership includes representation from Government, the community and the Council;
- (b) endorses the development of 10 properties at Jaywick Sands, five units being retained for Council housing stock and let in accordance with a local allocations policy (a local lettings plan);
- (c) authorises the Corporate Director (Operational Services) to develop and implement, in consultation with the Housing Portfolio Holder, a local allocations policy for Jaywick Sands which prioritises lettings to local residents;
- (d) agrees to formulate a Starter Homes Policy, using the definition proposed within the Housing and Planning Act 2016, for disposing of the remaining five properties to qualifying residents such as Key Workers;
- (e) authorises the Corporate Director (Operational Services) to develop and implement, in consultation with the Housing Portfolio Holder, a Starter Homes Policy, including assessment criteria and decision making for disposing of homes in accordance with Consent A of the General Housing Consents Order 2013; and
- (f) excludes disposals of properties as Starter Homes from the Property Dealing Procedure, as these will be subject to the Starter Homes Policy.

Reasons for Decision:

Having considered the information submitted, the advice of Officers contained within the report and to enable this development to move towards fruition.

Alternative Options Considered:

None.

Conflicts of Interest Declared

(and Dispensations Granted by the Monitoring Officer)

None.

Consultation with Ward Member:

None.

Contact Officer:

Paul Price, Corporate Director (Operational Services)

* 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, (Rule 16 (h) of the Overview and Scrutiny Procedure Rules) 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.