

**MINUTES OF THE MEETING OF THE CABINET, HELD ON FRIDAY 10 JUNE 2016 AT  
10.30 AM IN THE ESSEX HALL, TOWN HALL, CLACTON-ON-SEA**

**PRESENT:**

Councillor N R Stock  
Councillor G V Guglielmi  
  
Councillor T M Ferguson  
Councillor P B Honeywood  
Councillor T A Howard  
Councillor M J Hughes  
Councillor L A McWilliams  
Councillor M J Talbot  
Councillor G F Watling

**PORTFOLIO:**

Leader of the Council (Chairman)  
Deputy Leader of the Council, Portfolio Holder for  
Enforcement and Community Safety  
Portfolio Holder for Tourism and Culture  
Portfolio Holder for Housing  
Portfolio Holder for Finance and Revenues & Benefits  
Portfolio Holder for Corporate Services  
Portfolio Holder for Leisure, Health and Well-being  
Portfolio Holder for Environment  
Portfolio Holder for Planning and Regeneration

**Group Leaders Present by Invitation:**

Councillors J A Broderick (Leader of the Holland-on-Sea Residents' Group) (except items 27 – 33), J Chittock (Leader of the Tendring Independents Group), I J Henderson (Leader of the Labour Group)(except items 27 – 33), R H Everett (Deputy Leader of the UKIP Group)

**Also Present:** Councillors Bucke, Chapman (except items 27 – 33), Hones (except items 29 – 33), Pemberton (except items 29 – 33), Steady and Yallop

**In Attendance:** Chief Executive (Ian Davidson), Corporate Director (Corporate Services) & Deputy Monitoring Officer (Martyn Knappett) (except items 16 – 18), Corporate Director (Operational Services) (Paul Price), Head of Planning Services (Cath Bicknell) (except items 27 – 33), Finance and Procurement Manager & Section 151 Officer (Richard Barrett), Planning and Regulation Manager (Simon Meecham) (except items 25 – 33) , Senior Democratic Services Officer (Ian Ford), Communications and Public Relations Manager (Nigel Brown) and Democratic Services Officer (Janey Nice)

**16. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors N W Turner (Portfolio Holder for Commercialisation), M J D Skeels (Leader of the Coastal Independents Group) and M E Stephenson (Leader of the UKIP Group).

**17. MINUTES OF THE LAST MEETING HELD ON FRIDAY 13 MAY 2016**

The minutes of the last meeting of the Cabinet, held on Friday 13 May 2016, were approved as a correct record and signed by the Chairman.

**18. DECLARATIONS OF INTEREST**

The Chief Executive read out the following advice which had previously been circulated by the Council's Monitoring Officer to all Members of the Council in relation to the Tendring District Council Local Plan Preferred Options consultation document:

*"It is important to recognise that the decision being sought at these meetings, Cabinet and full Council, does not concern the adoption of the Local Plan, but simply whether to consult on the preferred options (and the Preferred Options decision is looking at the District as a whole, rather than site by site). However, the majority of members could be regarded as having, as a matter of law, Disclosable Pecuniary Interests due*

*to land ownership within the red line settlement boundaries simply because you are residents of the District. Government has previously issued guidance that the legislation was not intended to cover such District wide decisions, however, for the avoidance of doubt the Council's Monitoring Officer states it is entirely reasonable that the criteria set out in Section 33 (a) to (e) of the Localism Act 2011 applies and for land ownership within the red line settlement boundaries, a dispensation is granted to all Members to debate and vote on the preferred options consultation document.*

*However, if Members have land ownership in any of the specific areas to be allocated, shown coloured orange on the plans within the consultation document, Members must approach the Monitoring Officer individually to discuss the interest, as the above dispensation does not apply to the specific land allocations.*

*Ownership of land may also fall within the definition of Non-Pecuniary Interests, if you were appointed or nominated to an outside body or organisation by the Council or are a member of a outside body which owns land. A number of these organisations could meet the "likely to affect" test. The impact of having a Non-Pecuniary Interest on participation at meetings is set out in the Code of Conduct. The test is whether the Councillor could reasonably be regarded as having an interest so significant that it was likely to prejudice their judgement. As the decision is not to adopt the Local Plan, but to recommend or approve the Preferred Options document for consultation, my advice to Councillors is that this test would not be met and therefore, Councillors can play a full part in the debate and vote (after declaring the interest). By making the declaration of interest, each Councillor will confirm that their interest does not prejudice their judgement and would not affect their consideration of the merits of the decision. If any Member feels that their judgement is prejudiced, or could be regarded as such, that Member should not take part in the decision."*

Councillor G V Guglielmi declared an interest in item A.3 – Occupancy Levels in Sheltered Housing Schemes insofar as he was a neighbour of Honeycroft, Lawford.

**19. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL**

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

**20. ANNOUNCEMENTS BY CABINET MEMBERS**

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

**21. MATTERS REFERRED TO THE CABINET BY THE COUNCIL**

**Proposed Disposal of the Council Offices, Thorpe Road, Weeley (Report A.1)**

Cabinet was aware that, at a meeting of the Council held on 17 May 2016, the following motion had been moved by Councillor Broderick and seconded by Councillor Winfield and, in accordance with Council Procedure Rule 11.4, had stood referred to the Cabinet for consideration and report:

*"This Council agrees to sell the premises, Council Offices, Thorpe Road, Weeley for the best possible price.*

*It is no secret that this Council, like many others, is having to fund serious budget gaps in order to run basic services.*

*We are looking at a budget gap of £3.5 million over the next two years, we are in crisis. This council is lucky to have a team of fiscally astute officers who have*

*managed to just about keep the Council's head above water - however there is a limit when faced with the task we now face.*

*We all know that staff numbers have been already cut to the quick so our only option now is look at other areas of expenditure for example to downsize underused or expensive Council offices. The obvious choice is the Council's Weeley based building. This building and its running costs is a luxury that the Council can no longer sustain or justify, as I am sure all members of the Council would agree.*

*It is a remote location to most users, antiquated, uninviting and totally inadequate for planning committee public attendance. This 'mausoleum' sends out a message to Tendring residents and tax payers that Tendring Council is old fashioned and has money to burn.*

*This Motion suggests that services currently based at Weeley offices be transferred to the Town Hall."*

In accordance with Council Procedure Rule 11.5 Councillor Broderick attended the meeting and explain the motion.

The Leader of the Council, Councillor Stock, thanked Councillor Broderick for her motion, recognising the budget savings required and pushing this matter up the political agenda.

The Deputy Leader of the Council, Councillor G V Guglielmi, stated that he would be arranging an all-Member Briefing on the future of the Council Offices, Weeley in order to ascertain Members' views on this matter.

With the permission of the Chairman, Councillor Bucke addressed the Cabinet on this item.

Having considered Councillor Broderick's explanation and the motion it was moved by Councillor Howard, seconded by Councillor G V Guglielmi and:

**RECOMMENDED TO COUNCIL** that Councillor Broderick's motion be not supported on the grounds that the issue should be considered as part of the wider savings proposals and therefore it is premature at this stage.

## **22. MATTERS REFERRED TO THE CABINET BY A COMMITTEE – REFERENCE FROM THE CORPORATE MANAGEMENT COMMITTEE**

### **Performance Report – Outturn Report April 2015 to March 2016 (Report A.2)**

Cabinet was informed that the Corporate Management Committee (CMC), at its meeting held on 9 May 2016, had received the same report and made a number of comments.

At the CMC meeting Members had been made aware that, of the 30 indicators and projects reported, 24 (80%) were on, or above, their expected target. There were six (20%) that were not in line with the expected performance. Explanations of the performance and the supporting data had been included.

Officers had responded to questions raised by CMC Members on various topics and where an answer was not immediately available, the Officers had undertaken to respond to those Members as soon as possible after the meeting. Those issues had included:

(1) Tour de Tendring 2016;

- (2) Clacton Air Show 2016;
- (3) Enactment dates for the Work and Welfare Bill and the Housing and Planning Bill;
- (4) Disposal of Clay Hall; and
- (5) Other leisure events.

The Committee had commented to Cabinet as follows, namely that it:

- (a) noted the Council's performance report for the period January to March 2016;
- (b) was concerned at the continuing decline in the Recycling Rate and felt that this needed a fresh look at in order to avoid consistent failure; and
- (c) was disappointed at the lack of content and the level of current data information in the report on planned leisure events (e.g. the new statutory charges imposed on the Clacton Air Show) and other issues (e.g. the extra risks to the timescale for the disposal of Clay Hall arising from legal matters in relation to the linked planning application.)

With the permission of the Chairman, the Chairman of the Corporate Management Committee, Councillor Steady, addressed the Cabinet on this item.

Having considered the comments of the Corporate Management Committee it was moved by Councillor Hughes, seconded by Councillor G V Guglielmi and:

**RESOLVED** that

- (a) the Corporate Management Committee be thanked for its comments;
- (b) Cabinet invites that Committee to put forward proposals to improve recycling performance bearing in mind the Council's financial position at its meeting on 27 June 2016; and
- (c) Cabinet notes that the Performance Report has been amended to include additional information regarding Leisure Services activities.

**23. MATTERS REFERRED TO THE CABINET BY A COMMITTEE – REFERENCE FROM THE SERVICE DEVELOPMENT AND DELIVERY COMMITTEE**

**Occupancy Levels in Sheltered Housing Schemes (Report A.3)**

Cabinet was aware that earlier in the meeting (Minute 18 referred) Councillor G V Guglielmi had declared an interest in this item insofar as he was a neighbour of Honeycroft, Lawford.

The Cabinet was informed that, at the meeting of the Service Development and Delivery Committee (SDDC) held on 11 April 2016, the Council's Housing Manager (David Black) had given detailed information regarding the ten Sheltered Housing Schemes maintained by the Council. He had stated that many of the schemes had been built over 50 years ago and that although maintained and managed to a very high standard, many would now find it difficult to meet modern needs and requirements. He had gone on to say that there were 325 units in total with 53% of those units being bedsit studio flats with shared facilities (bathrooms/shower rooms).

Mr Black had added that a 'snapshot' of occupancy on 14 March 2016 showed that 82.5% of sheltered units were let and tenanted and 17.5% were void/empty. However, occupancy levels at two of the schemes were particularly worrying and had been for some time. At Spendells House, Walton only 14 of 30 units were let and at

Honeycroft, Lawford only 20 of 39 units were let. Mr Black stated that the location, as well as the type of accommodation, were the major factors that potential residents considered.

Based on current voids the combined lost rent, council tax and utility payments for those two schemes amounted to circa £207,138 per annum whereas the current combined rental income was circa £172,800. Honeycroft also now needed to be refurbished in order to maintain living standards.

The SDDC Members asked a number of questions and discussed various issues before making the following recommendations and comments to Cabinet:

The SDDC had recommended to Cabinet that:

- “(a) The Portfolio Holder for Housing and the relevant Officers commission a report on the viability of the schemes at Spendalls Court and Honeycroft that included the future for the two sites with a report being brought back to the Committee for a meeting in September;*
- (b) Councillors Miles, Poonian, Baker and V E Guglielmi be invited to the September meeting as Ward Councillors to discuss the report and*
- (c) A Working Party visit the sites once the report is completed;*

*In addition, that Cabinet note the following considerations notwithstanding the contents of the report;*

- (d) That the Council move towards modernising Spendalls Court and Honeycroft to include ensuite bathroom facilities;*
- (e) That the Council consider a more holistic approach toward residents in sheltered accommodation and working with partners to achieve this; and*
- (f) That the Council engage with multi-agency partners in order to create a scoping document that outlines options and ideas for further usage of the two above-mentioned sheltered housing schemes.”*

The Housing Portfolio Holder, Councillor Honeywood responded to the SDDC's recommendations as follows:

*“I broadly accept the recommendations from the Committee and have already asked officers to commission viability reports on the schemes. Clearly until those reports are finalised, and I would highlight that the structural investigations may take a little longer than three months to complete, it would be premature to speculate on any conclusions. I would welcome Ward Members' input following receipt of the reports and I can confirm that a holistic and proactive approach is taken towards residents and we have been working with many partner agencies for some time in respect of all of our sheltered accommodation.”*

Having considered the recommendations of the Service Development and Delivery Committee, it was moved by Councillor Honeywood, seconded by Councillor G V Guglielmi and:

**RESOLVED** that the contents of the report be noted.

24. **LEADER OF THE COUNCIL'S ITEMS - JOINT REPORT OF THE LEADER OF THE COUNCIL AND THE PLANNING AND REGENERATION PORTFOLIO HOLDER**

**Tendring District Local Plan Preferred Options Consultation (Report A.4)**

Cabinet was aware that the Council was preparing a new Local Plan to guide future development in the Tendring area between now and 2033 and that having an up-to-date Plan was critical for creating job opportunities, attracting investment for improved infrastructure, protecting the environment and ensuring that the new homes required to meet the needs of a growing population were built in the right locations and achieve good standards of quality and design. Without an up to date plan it would be more difficult for the Council to secure investment and to protect the District from developments that were unplanned.

There was submitted a joint report of the Leader of the Council and the Planning and Regeneration Portfolio Holder that sought Cabinet's endorsement that the Tendring District Local Plan Preferred Options consultation documents be approved by Full Council to go out to consultation. The Appendix to the report contained the covering report that was considered by the Local Plan Committee on 9 June 2016 and the Tendring District Council Local Plan Preferred Options consultation document.

Cabinet had before it the decision made by the Local Plan Committee on 9 June 2016 which was as follows:

***"RESOLVED** that the Committee approves the content of the Tendring District Local Plan Preferred Options consultation document, attached as Appendix A to the Report of the Head of Planning Services, subject to the amendments agreed at the meeting, for recommendation to Full Council and that the Cabinet be consulted and invited to endorse the content of the Local Plan.*

**RECOMMENDED TO COUNCIL** that

- (a) the content of the Tendring District Local Plan Preferred Options consultation document, as set out in the Appendix to the Report of the Head of Planning Services, and as amended at the meeting, be approved for public consultation for a period of eight weeks;*
- (b) authority be delegated to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to make minor amendments to the text of the Local Plan consultation documents up to the point of publication for consultation purposes. Such amendments are to be circulated to all Members of the Council prior to the commencement of the public consultation; and*
- (c) authority be delegated to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to agree the content of the Sustainability Appraisals for the Local Plan Consultation Documents for public consultation for a period of six weeks. The content of the Sustainability Appraisals are to be circulated to all Members of the Council prior to the commencement of the public consultation."*

The Cabinet also had before it a schedule of alterations and additions to the Preferred Options consultation document which had been agreed by the Local Plan Committee on 9 June 2016.

Having considered the contents of the proposed consultation document it was moved by Councillor Stock, seconded by Councillor G V Guglielmi and:

**RESOLVED** that Cabinet endorses the contents of the Tendring District Local Plan Preferred Options consultation document, as amended and agreed by the Local Plan Committee.

**25. LEADER OF THE COUNCIL'S ITEMS - JOINT REPORT OF THE LEADER OF THE COUNCIL AND THE CORPORATE SERVICES PORTFOLIO HOLDER**

**Performance Report 2016/17 Including the Corporate Plan 2016 to 2020 and Priorities and Projects 2016 (Report A.5)**

There was submitted a joint report of the Leader of the Council and the Corporate Services Portfolio Holder that sought Cabinet's approval to submit the Performance Report 2016/17 including the Corporate Plan 2016 to 2020 and Priorities and Projects 2016 to Full Council for final approval on 5 July 2016.

Cabinet was aware that:

- the preparation of the new Corporate Plan had been set against the context of a changing environment for Councils with continuing financial pressure and an increased focus on Councils' Community Leadership role and involvement across issues including Education, Health and Community Safety;
- the delivery of a balanced budget was the overriding priority for this Council with this having an influence on other projects and priorities, targets, delivery and performance management;
- for the first time the Corporate Plan had been produced as a plan on a page both in order to increase accessibility and focus attention on key priorities. Underpinning this were the strategic projects for the year and detailed performance monitoring indicators and measures.

The Performance Report 2016/17 including the Corporate Plan and Priorities and Projects 2016 was attached as Appendix A to item A.5 of the joint report of the Leader of the Council and the Corporate Services Portfolio Holder.

The Performance Report contained details of 12 projects, 5 performance indicator targets, and headline performance in dealing with complaints and the staff's absence rate.

The projects in the Performance Report were:

- Transforming the way we work
- Financial Self Sufficiency
- Elections and Referendum
- 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 headline performance indicators were:

- Sickness
- Authorised Covert Surveillance
- Complaints

Cabinet was aware that, at its meeting held on 9 May 2016, the Corporate Management Committee (CMC) had scrutinised the Performance Dashboard Report 2016/17 including the Corporate Plan 2016 to 2020 and Priorities and Projects 2016/17. The CMC had decided to comment to Cabinet as follows, namely that it:

(a) *notes the Council's Performance Report for 2016/17 including the Corporate Plan 2016 - 2020 and Priorities and Projects 2016, as attached as Appendix A to item A.2 of the report of the Corporate Director (Corporate Services);*

(b) *recommends that the following matters should be looked at again:*

- (i) Maximising Tourism and Leisure Opportunities - these should be in date order;*
- (ii) Layout of the Index*
- (iii) Employment - how is the Council going to encourage more businesses to invest in the District*
- (iv) Fly Tipping - consider including a target to reduce the incidents of fly tipping;*
- (v) Improved Broadband - what is the definition of an appropriate planning application for a planning condition to be included requiring a broadband connection;*
- (vi) A dashboard for performance should be included.*

An informal meeting of the CMC had then been held on 16 May 2016 when the Corporate Director (Corporate Services) and the Head of People, Performance and Projects had been in attendance to discuss the issues highlighted by the Committee. As a result a number of amendments to the Performance Report set out in Appendix A had been made with the agreement of the Corporate Services Portfolio Holder.

Having considered the contents of the various documents and the comments made by the Corporate Management Committee, it was moved by Councillor Hughes, seconded by Councillor G V Guglielmi and:

**RESOLVED** that Cabinet notes the comments of the Corporate Management Committee and thanks it for its comments.

**RECOMMENDED TO COUNCIL** that the Performance Report 2016/17 including the Corporate Plan 2016 to 2020 and Priorities and Projects 2016, as attached at Appendix A to item A.5 of the joint report of the Leader of the Council and the Corporate Services Portfolio Holder be approved.

### **Cabinet Members' Items – Report of the Portfolio Holder for Enforcement and Community Safety**

#### **26. BRIGHTLINGSEA SWIMMING POOL (Report A.6)**

There was submitted a report by the Portfolio Holder for Enforcement and Community Safety which updated Cabinet on the outcome of investigatory works undertaken at Brightlingsea Swimming Pool (BSP) in relation to a minor leak experienced during the



2015 season and sought its determination on how to proceed given the financial implications. Attached as an appendix to the report was a document submitted by Brightlingsea Town Council on this matter which contained a proposed action plan for the BSP.

Cabinet was reminded that the tidal surge in December 2013 had caused significant flooding at BSP and had resulted in substantial remediation works being required, funded almost entirely from the ensuing insurance claim. Those works had been undertaken in advance of the 2014 season due to residual damage to the pool plant. Following those works the Pool had operated effectively and with excellent water clarity in subsequent years.

Despite this, a gradual loss of water had been noted by the operational team in 2015 and investigatory works had been commissioned to be undertaken by a specialist contractor prior to the 2016 season. Although it was initially considered likely that the leak was due to pipework becoming detached from strainer baskets, investigations had identified that sections of the pipe run had 'collapsed' and those pipes would require replacing. As the pipe run was buried beneath concrete slabs around the perimeter of the pool, this was a significant undertaking to gain access to the areas identified and then to effect the remediation works.

It was reported that the budget cost provided by a specialist contractor to address this matter was approximately £36,000 but given the nature of the works and potential for further issues being identified a budget of £40,000 should be allocated. There was at present insufficient capital in the service area budget to cover this work but there were other matters which needed to be considered alongside any budget allocation.

Members were informed that the current revenue budget for BSP was £63,000 per annum, partially offset by a £10,000 annual contribution from Brightlingsea Town Council (BTC). This was the net operating cost for the Pool and included staffing, chemicals, NNDR etc. Based on the 2015/16 budget and attendance figures of 8,331, the most up-to-date cost per head calculation was £7.80 per visitor.

It was felt that given the current review of budgets across all service areas, including all leisure facilities, the capital expenditure required to repair the existing infrastructure for the pool brought into sharp focus the on-going revenue costs. All options would need to be considered before a decision was made on whether to commission the repair works to enable the BSP to open to the public and to continue subsidising the facility, taking into account the significant cost savings required to balance the corporate budget.

In the event Cabinet decided to negotiate disposal to Brightlingsea Town Council, the provisions of the General Disposal Consent Order (England) 2003 were to be relied upon to agree terms directly with the Town Council due to the social, economic and environmental benefits of the leisure facility to the town of Brightlingsea.

Cabinet considered the following four Options, namely:

1. Undertake repairs to the damaged pipework at a cost of around £40,000, and continue to subsidise the pool at a cost of around £62,000 per annum;
2. Undertake repairs to the damaged pipework at a cost of around £40,000, accepting BTC's offer of £16,000 to £18,000 and continue to subsidise the Pool at a cost of around £62,000 per annum, (BTC's offer was contingent on the pool remaining open for at least the 2016 season);
3. Determine not to undertake the repairs and proceed to decommission BSP following an equalities impact assessment; and

4. Following the reaching of a prior agreement with BTC to purchase the pool from this Council at a cost of £1, such an agreement to be reached within 28 days from the Cabinet's decision, undertake the repairs to the Pool, within a target of 28 days, at a capital cost of around £40,000, with a view to handing over the Pool to BTC in perpetuity to maintain and operate the pool with no overhanging commitment on this Council.

Cabinet had before it an updated action plan from Brightlingsea Town Council, a written submission submitted by Sally Wainman and a written response by Brightlingsea Town Councillor for Amenity Areas and Open Spaces, Mick Barry to the Officers' report.

With the permission of the Leader of the Council, the three Ward Members for Brightlingsea namely Councillors Chapman, Steady and Yallop each addressed the Cabinet on this matter. In addition, Sally Wainman also addressed the Cabinet.

Having considered the options available and the submissions made by Brightlingsea Town Council, the local ward Members and Sally Wainman it was moved by Councillor G V Guglielmi, seconded by Councillor Watling and:

**RESOLVED** that Cabinet agrees with Option 4, i.e. to explore disposing of the Brightlingsea Swimming Pool to Brightlingsea Town Council at a cost of £1.00, subject to the following principles:

1. to rely on the provisions of the General Disposal Consent Order due to the social, economic, and environmental benefits of the leisure facility to the town of Brightlingsea; and
2. to delegate authority to the Portfolio Holders for Enforcement & Community Safety and Leisure, Health and Wellbeing, having responsibility for Asset Management and Leisure Facilities respectively, to agree the terms as set out and such other terms that may be considered necessary in consultation with the Corporate Director (Operational Services) and the Head of Governance and Legal Services, including authorising the repair works and related costs to the existing structure.

#### **Cabinet Members' Items – Joint Report of the Portfolio Holder for Enforcement and Community Safety and the Portfolio Holder for Housing**

#### **27. FREEHOLD DISPOSAL OF TWO SITES IN JAYWICK, CLACTON-ON-SEA (Report A.7)**

There was submitted a joint report by the Portfolio Holder for Enforcement and Community Safety and the Portfolio Holder for Housing which sought Cabinet's approval, in principle, to the freehold disposal of two sites in Jaywick, Clacton-on Sea, in furtherance of the Council's regeneration ambitions for the area.

Cabinet was informed that the Council owned plots 20 and 22 Humber Avenue, Jaywick, two of sixteen plots within the Brooklands area. The plots were currently vacant and unkempt although they were currently leased to a Jaywick resident. The Council had been approached by a television production company which was keen to provide a positive message in Jaywick via a new build project to develop a residential unit, meeting all flood resilient and other development protocols. The production would be fronted by a reality television personality, Daniel Hill. Mr Hill proposed to engage local labour and develop apprenticeship opportunities while filming the development of the site.

Whilst recognising that the involvement of the television company was not entirely altruistic it was felt that the positive media coverage would certainly help in changing perceptions of Jaywick and any new development would add to the other development strands which the Council was currently progressing. Upon completion it was understood that Mr Hill was hoping to help someone currently without a home into secure safe accommodation.

Cabinet was advised that the sites had been valued by the Council's Valuer and the production company had agreed to pay the full value.

Having considered the report it was moved by Councillor Honeywood, seconded by Councillor Watling and:

**RESOLVED** that Cabinet approves, in principle, the freehold disposal of 20 and 22 Humber Avenue, Jaywick, subject to its decision on terms set out in the report in Part B of the Agenda.

### **Cabinet Members' Items – Report of the Portfolio Holder for Finance and Revenues & Benefits**

#### **28. FINANCIAL OUTURN (Report A.8)**

There was submitted a report by the Portfolio Holder for Finance, Revenues & Benefits which sought to provide Cabinet with an overview of the financial outturn for the year 2015/16 and sought approval for:

- (i) revenue and capital commitments to be carried forward to 2016/17;
- (ii) funding of the 2015/16 General Fund and HRA Capital Programmes;
- (iii) the Reserves Position at the end of 2015/16;
- (iv) the updated General Fund Capital Programme for 2016/17 to 2019/20 and associated funding; and
- (v) the allocation of the overall General Fund variance for the year.

Having considered the report, it was moved by Councillor Howard, seconded by Councillor Stock and:

**RESOLVED** that

- (a) the financial outturn position for 2015/16 as set out in the report and appendices be noted;
- (b) the General Fund Revenue Commitments of £10.267million to be carried forward from 2015/16 to 2016/17, as set out in Appendix A to the report, be approved;
- (c) the following budget adjustments funded from the General Fund variance for 2015/16 of £1.024million be approved:
  - £0.250million be allocated to a central agency staff budget in 2016/17;
  - £0.500million be set aside for the Tendring-wide broadband project currently being developed in partnership with Essex County Council;
  - £0.024million be allocated to the Public Convenience Cleaning Contract budget in 2016/17 to support increased short-term costs whilst a review of the contract is carried out;
  - £0.250million be set aside to support the Garden Communities Project, with authorised delegation given to the Leader of the Council to agree expenditure against this project.
- (d) the financing of General Fund capital expenditure for 2015/16, as detailed in Appendix D to the report, be approved;

- (e) the General Fund capital budgets of £8.572million to be carried forward from 2015/16 to 2016/17 and the associated carry forward of the revenue contribution to capital of £0.378million be approved;
- (f) the updated General Fund capital programme for 2016/17 to 2019/20 and associated financing, as set out in Appendix K to the report be approved;
- (g) the movement in uncommitted and earmarked General Fund reserves for 2015/16, as set out in Appendix E to the report and any amendments arising from resolution (c) above along with changing the name of the Austerity Reserve to the Building for the Future Reserve from 1 April 2016 be approved;
- (h) in respect of the HRA, the movement on HRA balances for 2015/16 including the commitments set out within Appendices I and J to the report along with recharges to the HRA from the General Fund of £2.107million for the year and the financing of the HRA capital expenditure set out in Appendix J aforesaid be approved; and
- (i) authorised delegation is given to the Council's Section 151 Officer, in consultation with the Portfolio Holder for Finance and Revenues & Benefits, to adjust the outturn position for 2015/16 along with any corresponding adjustment to earmarked reserves as a direct result of any recommendations made by the Council's External Auditor during the course of their audit activities relating to the Council's 2015/16 accounts.

**29. MANAGEMENT TEAM ITEMS**

There were none on this occasion.

**30. 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 12 and 13 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.

**31. EXEMPT MINUTE OF THE LAST MEETING HELD ON FRIDAY 13 MAY 2016**

The exempt minute of the last meeting of the Cabinet, held on Friday 13 May 2016, was approved as a correct record and signed by the Chairman.

**CABINET MEMBERS' ITEMS – JOINT REPORT OF THE PORTFOLIO HOLDER FOR ENFORCEMENT AND COMMUNITY SAFETY AND THE PORTFOLIO HOLDER FOR HOUSING**

**32. FREEHOLD DISPOSAL OF TWO SITES IN JAYWICK, CLACTON-ON-SEA (Report B.1)**

**RESOLVED** that Cabinet:

- (a) Approves the terms for a freehold disposal to Daniel Hill as attached at the Appendix to item B.1 of the joint report of the Portfolio Holder for Enforcement and Community Safety and the Portfolio Holder for Housing; and
- (b) Authorises the Corporate Director (Corporate Services) to enter into a contract to dispose of the site on the terms set out and subject to such other terms that he considers necessary.

**DATE AND TIME OF NEXT SCHEDULED MEETING**

The next scheduled meeting of the Cabinet was due to take place on Friday 8 July 2016 at 10.30 a.m. in the Essex Hall, Town Hall, Station Road, Clacton-on-Sea.

The meeting was declared closed at 12.19 p.m.

Chairman