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**MINUTES OF THE MEETING OF THE CABINET,  
HELD ON FRIDAY, 14TH JUNE, 2019 AT 10.30 AM  
ESSEX HALL - TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

**Present:** Councillors Neil Stock OBE (Leader of the Council)(Chairman), Joy Broderick (Portfolio Holder for Independent Living), Carlo Guglielmi (Deputy Leader of the Council & Portfolio Holder for Corporate Finance and Governance), Paul Honeywood (Portfolio Holder for Housing), Lynda McWilliams (Portfolio Holder for Partnerships), Alex Porter (Portfolio Holder for Leisure and Tourism) and Michael Talbot (Portfolio Holder for Environment and Public Space)

**Group Leaders Present by Invitation:**

Councillors Jayne Chapman (Leader of the Independent Group), Ivan Henderson (Leader of the Labour Group)(except items 10 (part) - 12), Gary Scott (Leader of the Liberal Democrats Group) and Mark Stephenson (Leader of the Tendring Independents Group)(except items 9 – 12)

**Also Present:** Councillor Michael Bush (except items 9 – 12)

**In Attendance:** Ian Davidson (Chief Executive), Ewan Green (Corporate Director (Planning and Regeneration)), Keith Simmons (Head of Democratic Services and Elections), Richard Barrett (Head of Finance, Revenues and Benefits Services & Section 151 Officer), Anastasia Simpson (Head of People, Performance and Projects), Andy White (Head of Property Services), Mark Westall (Head of Customer and Commercial Services), Ian Ford (Committee Services Manager & Deputy Monitoring Officer) and Debianné Messenger (Work Based Learning Manager)

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Newton (Portfolio Holder for Business and Economic Growth) and Councillor Allen (Leader of the Tendring First Group).

**2. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the Minutes of the meeting of the Cabinet held on Friday 8 March 2019 be approved as a correct record and signed by the Chairman.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this time.

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

“Green Issues”

The Leader of the Council (Councillor Stock OBE) referred to a leaflet that had been circulated prior to the commencement of the meeting by a representative of Extinction Rebellion. Councillor Stock informed Members that he had taken “Green Issues” under his portfolio and that he would seek to find ways in which the Council could promote “Green Industry” further. He referred to the solar farms, wind turbines and introduction of electric car charging points within car parks as examples of “green” activity within the District.

Councillor Stock stated that he had an “open mind” on this matter and he called for members and the public to submit their ideas to him.

#### New Corporate Plan for the Council

Councillor Stock read out the following statement:-

*“As we are at the beginning of a new Council and with a new Cabinet this is the right time to review our priorities and to prepare a new Corporate Plan.*

*The current Plan runs to 2020 but now is the time to revisit it and to set out a new Plan for a new Council.*

*It is the Council’s responsibility to agree the Corporate Plan and it is Cabinet’s job to set out a proposed plan so that is an early job for us to do.*

*Our draft proposals will be put to both of the Overview and Scrutiny Committees for comment and we will have regard to those comments when finalizing our recommendations to the Full Council.*

*That level of transparency and scrutiny will take some time but it is the right thing to do to make sure we end up with a robust plan which will be adopted by the Council and will guide our work over the coming four years.*

*I am therefore announcing that I have asked officers to bring forward a report to the next meeting of the Cabinet to start the process off.”*

#### Change of Date – July Meeting of the Cabinet

Councillor Stock informed Members that he was changing the date of the July formal Cabinet meeting. That meeting would now be held on Friday 19 July and not 12 July 2019 as previously notified to Members.

### **5. ANNOUNCEMENTS BY CABINET MEMBERS**

#### Water Safety Event

The Portfolio Holder for Partnerships (Councillor McWilliams) informed Members that a Water Safety Event for Children would be held at Clacton Pier between 14 – 24<sup>th</sup> June at Clacton Pier and she encouraged Members to pay a visit.

### **6. MATTERS REFERRED TO THE CABINET BY THE COUNCIL**

There were none on this occasion.

7. **MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.1 - PERFORMANCE REPORT 2018/2019 THIRD QUARTER**

Cabinet was aware that the Community Leadership Overview and Scrutiny Committee at its meeting held on 25 February 2019 (Minute 44 referred), had considered a report of the Deputy Chief Executive which had presented the Performance Report for Quarter Three (October to December 2019), including the Corporate Plan and Priorities and Projects 2018/19.

Having considered and discussed the information provided the Community Leadership Overview and Scrutiny Committee had:-

*“RESOLVED (a) that this Committee recommends to Cabinet that this Council should maximise every opportunity to promote and market the Tendring District Council ‘brand’ at sports and leisure events and activities held within the District; and*

*(b) the contents of the report be noted.”*

Cabinet had before it the response of the Leisure and Tourism Portfolio Holder to the recommendation of the Community Leadership Overview and Scrutiny Committee as follows:-

*“I would like to thank the Committee for its recommendation and I can confirm that where this is practical and feasible such promotion does and will continue to take place.”*

Having considered the response of the Leisure and Tourism Portfolio Holder to the recommendation of the Community Leadership Overview and Scrutiny Committee:-

It was moved by Councillor Porter, seconded by Councillor McWilliams and:-

**RESOLVED** that Cabinet notes the Community Leadership Overview and Scrutiny Committee’s recommendation and endorses the Portfolio Holder’s response thereto.

8. **MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.2 - FINANCIAL PERFORMANCE REPORT - IN-YEAR PERFORMANCE AGAINST THE BUDGET AT THE END OF DECEMBER 2018 AND LONG TERM FINANCIAL FORECAST UPDATE**

Cabinet was aware that the Resources and Services Overview and Scrutiny Committee at its meeting held on 18 March 2019 (Minute 67 referred), had considered a report of the Deputy Chief Executive which had presented an overview of the Council’s actual financial position against the budget as at the end of December 2018 and which also presented an updated forecast on an on-going basis as part of developing the budget for 2019/20 and beyond.

Having considered and discussed the information provided the Resources and Services Overview and Scrutiny Committee had:-

*“RESOLVED that this Committee recommends to Cabinet that –*

- (1) *the uncommitted grant income of £98,000 received from the Government as New Burdens funding be allocated to meet the rising costs of the homelessness service;*
- (2) *the Housing Portfolio Holder be urged to direct his Officers to demolish the former Honeycroft sheltered housing scheme building as a matter of urgency in view of the ongoing costs to this Council such as Council Tax on empty properties;*
- (3) *the previously carried feasibility studies be revisited in order to investigate the potential of the former Spendells sheltered housing scheme building being used for the homeless as a temporary alternative housing provision to bed and breakfast accommodation."*

Cabinet had before it the responses of the Housing Portfolio Holder to the recommendations of the Resources and Services Overview and Scrutiny Committee as follows:-

*"I would like to thank the Committee for its recommendation [number (1)] which I am happy to accept;*

*I would like to thank the Committee for its recommendation [number (2)] and I can advise the Committee that officers are in the process of recruiting a surveyor to organise the demolition of this building in conjunction with the demolition of another large building in order to maximise value for money. Due to the complexity of the demolition it has not been possible to organise this within existing resources and the initial recruitment process was not successful. The new post holder will also be responsible for some new build projects following the recent retirement of the Building and Structures Manager; and*

*I would like to thank the Committee for its recommendation [number (3)] and I can confirm that this is one of the options being considered alongside a parallel proposal from a partner agency which would like to lease the building for housing purposes."*

Having considered the responses of the Housing Portfolio Holder to the recommendations submitted by the Resources and Services Overview and Scrutiny Committee:-

It was moved by Councillor G V Guglielmi, seconded by Councillor P B Honeywood and:-

**RESOLVED** that Cabinet notes the Resources and Services Overview and Scrutiny Committee's recommendations and endorses the responses of the Housing Portfolio Holder thereto.

## **9. LEADER OF THE COUNCIL'S ITEMS**

There were no such items on this occasion.

## **10. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.3 - PERFORMANCE REPORT JANUARY - MARCH 2019 (QUARTER 4 - OUTTURN)**

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.3) which presented the Performance Reports (2018/19) for the period January – March 2019 (Quarter 4 - Outturn). The Performance Reports (*Resources & Services and Community Leadership*) set out the detailed actions and targets for the delivery of the Council's priorities throughout the year and included both the Corporate Plan and Priorities and Projects 2018/19.

It was reported that of the 18 indicators and projects where performance was measured, the outturn position had demonstrated that 13 (72%) were on, or above, their expected target and 5 (28%) were not in line with the expected performance. Members were aware that the indicators and projects highlighted in the *Community Leadership* report were deemed 'non measurable' as the Council's role was that of 'influence' only.

The Cabinet also received an update on the progress of the "Transforming Tendring" project.

Having considered the information provided in the report and appendices thereto:-

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

**RESOLVED** that the contents of the Performance Reports for the period January - March 2019 (Quarter 4 - Outturn) be noted.

11. **CABINET MEMBERS' ITEMS - REPORT OF CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.4 - UPDATE ON APPRENTICESHIP PROVISION OF CAREER TRACK**

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.4) which provided it with an update on the work of the Council's apprenticeship service Career Track.

Members were informed that Career Track had first been established within Tendring District Council in 1983. Since then it had continuously provided apprenticeship opportunities within the organisation and for other employers. Over the years the nature of the apprenticeships and indeed the very definition of 'what is an apprentice' had changed when central Government priorities and focus had been amended as part of both education and employment policy.

Cabinet was aware that the Council's sustained commitment to the Career Track apprentice scheme had been a central plank of its work to develop a more skilled workforce and to "grow its own" employees of the future.

It was reported however that, following the Government's simultaneous overhaul of apprenticeship delivery rules with the introduction of the national Register of Approved Training Providers alongside the introduction of the Apprenticeship Levy May 2017, and the consequent loss of opportunity to support non levy paying employers with apprenticeships within Tendring there had been an impact on Career Track over the past twelve months. This has resulted in an estimated total loss of £60,000 revenue. Perhaps more importantly and sadly it had meant that many long standing working relationships with small local businesses had now been lost. Local employers who had approached Career Track based on its long established and successful track record had had to be turned away and referred to larger institutions.

Members were made aware that this has also resulted in a dip in apprentice numbers as Career Track had had to identify new levy paying employers who were prepared to choose Career Track as their apprenticeship provider. Tendring Council did not have a large number of levy paying employers within the District. It also took longer to secure a contract with a larger employer. Nonetheless, new employers had come on board and more were joining. As well as supporting Tendring District Council, Career Track now also supported Colchester Borough Council, Maldon District Council, Ellison's Solicitors and Silverton Aggregates. Discussions were ongoing with a number of other employers.

Cabinet was informed that Career Track was currently supporting 24 apprentices within the organisation. 64% of all the apprentices in the Council were with Career Track. It was also supporting 12 apprentices in other organisations. A further eleven apprentices were expected to start soon as advertised apprentice vacancies were filled, with opportunities for 17 apprenticeships in three other organisations being discussed.

Members were advised that in November 2017 Career Track had had an audit visit from the Education and Skills Funding Agency (ESFA), following which no improvement measures had been required. Recent inspection visits from Pearson (the awarding body for qualifications) had also given a 100% report with no improvements required. At the time of writing an Ofsted inspection had not taken place but a monitoring visit was expected at any time during 2019. An invitation to re-apply to continue to provide apprenticeships via the ESFA national Register of Approved Training Providers (RoATP) was imminently due.

Cabinet was informed that specific priorities going forward for Career Track included:-

- (1) increase the number of apprentices to a total of 70 by the end of 2019;
- (2) develop new marketing and promotion materials and strategy and increase digital presence by August 2019;
- (3) prepare for the Ofsted inspection with a target to gain a 'Good' grading by December 2019; and
- (4) Re-apply to ROAPT for continued 'Main Provider' status during June 2019.

Having considered the information provided in the report:-

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

**RESOLVED** that the work of Career Track, as detailed in the report, be noted.

**12. CABINET MEMBERS' ITEMS - REPORT OF CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.5 - REVIEW OF THE REGISTRATION OF AN ASSET OF COMMUNITY VALUE: ARDLEIGH HALL LEISURE AND SQUASH CLUB**

The Cabinet gave consideration to a report of the Corporate Finance and Governance Portfolio Holder (A.5) which reviewed the listing of Ardleigh Hall Leisure and Squash Club under the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012, following a request for such a review by Ardleigh Hall LLP the owner

of the Ardleigh Hall Squash Club (which is registered with title number EX489331 at HM Land Registry).

It was reported that in January 2015 a valid nomination to register an asset of community value had been received from Ardleigh Parish Council in respect of Ardleigh Hall Leisure and Squash Club, Dedham Road, Ardleigh. Subsequently, in February 2015 Cabinet had resolved to add Ardleigh Hall Squash and Leisure Club to the list of Assets of Community Value, having taken into account the evidence provided that the site met the criteria set out in Section 88 of the Localism Act 2011.

Members were informed that, on 1 February 2018 planning application 16/00878/FUL had been granted for the demolition of all existing buildings forming Ardleigh Hall Leisure and Squash Club and the construction of 7 No. 4 bedroom detached houses and associated garages (the properties) and the diversion of an existing footpath public right of way. The properties were now nearing completion and the owner wished to sell those properties. However, any such attempted sale would trigger a moratorium period as a result of the Asset of Community Value Listing attached to the site and previous buildings which had now been demolished by the owner. The owner had therefore requested a review of the listing asking that their land was now removed from the Asset of Community Value List.

Having carefully considered all of the information contained in the report, including the listed reasons for seeking removal of the designation provided by the owner of the site, the statutory provisions of Sections 88, 91 and 92 of the Localism Act and Schedule 2 of the Local Authorities (Functions and Responsibilities) Regulations 2000 (as amended) and the advice of Officers:-

It was moved by Councillor G V Guglielmi, seconded by Councillor P B Honeywood and:-

**RESOLVED** that Cabinet –

- (a) notes the change in circumstances at the former Ardleigh Hall Squash and Leisure Club since its decision in January 2015;
- (b) agrees that it is not realistic that the original land nominated including the buildings subsequently demolished will further the social well-being or social interests of the local community in the future; and consequently
- (c) concludes that the criteria required in Section 88 Localism Act 2011 is no longer satisfied and therefore authorises that the land be now removed from the List of Assets of Community Value.

The Meeting was declared closed at 11.26 am

**Chairman**