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**MINUTES OF THE MEETING OF THE CABINET,  
HELD ON FRIDAY, 29TH JANUARY, 2021 AT 10.30 AM  
MEETING WAS HELD PURSUANT TO PROVISIONS OF STATUTORY INSTRUMENT  
2020/392.**

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

**Group Leaders Present by Invitation:** Councillors E T Allen (Leader of the Tendring First Group), J B Chapman (Leader of the Independents Group), G G I Scott (Leader of the Liberal Democrats Group) and M E Stephenson (Leader of the Tendring Independents Group)

**Also Present:** Councillor Graham Steady (Deputy Leader of the Independent Group)

**In Attendance:** Ian Davidson (Chief Executive), Paul Price (Deputy Chief Executive & Corporate Director (Place and Economy)), Damian Williams (Corporate Director (Operations and Delivery)), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), Tim Clarke (Assistant Director (Housing and Environment)), Michael Carran (Assistant Director (Economic Growth and Leisure)), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Russell Cole (Community Engagement Manager), Matt Cattermole (Communications Assistant), Charlene Haynes (IT Officer) and Luke Rosier (IT Officer)

**110. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor I J Henderson (the Leader of the Labour Group).

**111. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the minutes of the meeting of the Cabinet, held on Friday 18 December 2020, be approved as a correct record and be signed by the Chairman.

**112. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this time.

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

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

**114. ANNOUNCEMENTS BY CABINET MEMBERS**

There were no announcements made by Cabinet Members on this occasion.

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

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

**116. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.1 - SCRUTINY OF THE TRANSFORMATION OF DIGITAL SERVICES**

Cabinet was aware that, at the meeting of the Resources and Services Overview and Scrutiny Committee held on 3 December 2020 (Minute 108 referred) that Committee had been provided with an overview of the Council's Digital Services Transformation.

It had been reported to the Committee that with Councillors having varying degrees of IT expertise the Council had identified an emerging picture whereby:

- *Some councillors were increasingly becoming disengaged - losing the ability to fully/ effectively engage with the range of digital information and services that the council operated.*
- *Some councillors were struggling with their IT and asking Council Officers to fix their personal equipment – potentially creating an insurance liability issue.*
- *The diversity of different Councillor Applications, all at different versions, was causing Councillors to experience different IT problems causing unnecessary stress and pressures for all concerned.*

The emerging digital picture had been therefore perceived as an opportunity to assist councillors in their community leadership role. Through providing each councillor with a standard, managed device backed up by IT training and supported via the Council's IT service desk intended benefits and improvements were, and remained, as follows:

- *To assist Councillors to improve their efficiency and access to stored digital information.*
- *Strengthen cybersecurity (and cybersecurity awareness) and further reduce any possibility of a data breach and Information Commissioner's Office (ICO) data loss.*
- *Enhance Councillors' digital engagement.*
- *Enhance mobile working and flexible working capabilities and thereby work/ life balance*
- *Further reduce reliance (and the costs) of printed information.*
- *Councillor IT equipment standardisation would in turn enable officers council-wide to standardise the range services that they provide which would achieve efficiency savings for both Councillors and Officers.*

Members of the Committee had heard how the strategy had been to purchase high quality Microsoft Surface Go tablets during 2019 and at the beginning of 2020 for Councillors to undertake their council-related duties. With some Councillors struggling with the tablet screen size Officers had additionally offered Councillors connection hubs, full size keyboards, 24" screens, cabled mouse. This gave Councillors a blend of home-based digital access with the ability to go mobile with their tablets when required.

As a result of COVID-19 and an emerging understanding as to its longevity, Officers had become conversant with the new face-to-face restrictive working arrangements and the use of virtual Microsoft Skype meetings had become a key 'new working norm'. Likewise, virtual meeting MS Skype capabilities had needed to be extended to Councillors to enable them to perform their duties, which was not an intended original use of the previously purchased tablets.

The Committee had also been informed that the Council now had a pressing financial, technological and support need to migrate fully from Microsoft Skype to Microsoft Teams. MS Teams offered a range of additional meeting business functionality benefits over Skype but it was far more demanding in terms of computing processing power. As such, it was close to the limit and was very likely to become beyond the processing capabilities of councillor tablets as Microsoft invested in further enhancing Teams functionality.

With a view to giving Councillors the very best experience possible during multi-party video conference calls, the decision had therefore been taken to allocate funding to quickly replace Councillors' tablets with the same Lenovo laptops that Officers used. Those laptops were tried and tested, high specification devices that had enabled Officers to perform the full range of council business demands.

The Committee was also informed that, in addition, and based upon approaches from several senior Councillors, that providing Members with a council tablet had unintentionally been seen as an 'imposition' by some Councillors, despite Officers' best intentions. Likewise, Officers had now acknowledged Councillors' desire to be increasingly involved in their use of digital technology and how they worked and engaged with council business.

With engagement firmly in mind but reflecting the need to standardise equipment across Officers and Councillors as far as was possible, Councillors would now be asked on an individual basis whether they would benefit more from having a smaller, lighter more portable 13" council laptop, or a larger 15" laptop with a bigger screen and near full-size keyboard. Council provided ancillary devices – keyboards, screens, mice, hubs – would continue to be offered to Councillors and those who already had them would be able to connect and continue to use them with their replacement laptops.

After deliberation the Committee had commented to Cabinet that the Committee endorsed the principle that Councillors be consulted on the IT kit that was to be provided to them to fulfil their roles as Members.

The Cabinet had before it the following response thereto which had been submitted by the Portfolio Holder for Corporate Finance and Governance (Councillor G V Guglielmi):-

*"I thank the Committee for their comments, and I am delighted to state that all Members of the Council have now been furnished with a brand new device of their individual choice. The roll out of these during the current lockdown has been carried out impeccably by our IT guys, who going by the comments I have personally received and fed back from colleagues, have done this in safest possible manner, and for which I am very grateful."*

Having considered the comment submitted by the Resources and Services Overview & Scrutiny Committee together with the Portfolio Holder for Corporate Finance and Governance's response thereto:

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

**RESOLVED** that the comment of the Resources and Services Overview and Scrutiny Committee be noted and the comments of the Corporate Finance and Governance Portfolio Holder, in response thereto, be endorsed.

**117. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.2 - SCRUTINY OF THE TRANSFORMATION OF DIGITAL CUSTOMER SERVICES**

Cabinet was aware that, at the meeting of the Resources and Services Overview and Scrutiny Committee held on 3 December 2020 (Minute 108 referred), the Committee had been provided with an overview of the Council's Transformation of Digital Customer Services.

The Committee had heard that the Customer Service provision at Tendring District Council had undergone significant change in the last two years. Over the past 18 months the Council had seen telephone calls into the Customer Service centre rise dramatically. Firstly in the summer of 2019, with the roll-out of 70,000 wheelie bins and the associated changes in the recycling service and then more latterly with the advent of the Covid-19 pandemic. Undoubtedly the option for many residents to use the My Tendring self-serve portal had been of great benefit to them.

Members of the Committee had heard that, within the next few months, the Council would complete the roll-out of self-service processes relating to Council Tax, Benefits and Taxi Licensing. Along with Recycling, those were considered as having the biggest impact for residents. When those services had gone live the Council would commence a media campaign so that it could channel shift more people away from the customer service centre and towards the self-serve portal, thus looking to reduce the need for human resources.

After deliberation the Committee had recommended to Cabinet that:

- *the development time frames and future services to be made available on My Tendring be shared periodically with Councillors, together with volume of customer services calls and email contact information, including call numbers, durations of call waiting and abandoned calls, with appropriate bench marking information from other organisations.*
- *the prospect of creating a seamless link between My Tendring and my permit for parking permits is actively explored.*
- *council tax billing and other services be asked to deliver those services in a way that avoids overloading the customer services team incoming call capacity, e.g. by spreading the dispatch of council tax bills.*
- *the development of the leisure app be urgently addressed.*

- *the Council look at joining the Institute of Customer Service.*
- *the progress of the transformation agenda and how the Council has responded to the COVID19 pandemic in its ability to work from home be noted and applauded.*

The Cabinet had before it the following response thereto which had been submitted by the Portfolio Holder for Corporate Finance & Governance:-

*"I would like to thank the Committee for their comments, and my responses are:*

- 1. This information is being collated for Management Team and will be made available for Councillors on a quarterly basis starting beginning April. We currently have no benchmarking practices in place but this is part of the Customer Services action plan for this year and will be added as soon as possible.*
- 2. A link to the MiPermit process on the My Tendring portal has now been added on.*
- 3. The despatch of council tax bills is very closely controlled by legislation so we do not have much leeway here. We will however do our utmost to protect the customer services team during annual billing and have created a working group to look at this. It is anticipated that having My Tendring self-service council tax balances available will also alleviate this problem along with helpful information (frequently asked questions etc) easily accessible on our website etc.*
- 4. We are very aware of the need to address this, but of a number of staff have been affected by Covid, and works has been prioritised to progress the Transformation project. I will be very happy to give the Committee an update on the progress of the App at its next meeting. I can advise that some of the improvements have already been written and are 'in test'.*
- 5. The ICS has been contacted and a preliminary conversation has taken place with them regarding the benefits of joining. Customer Services does not have a budget for professional memberships, therefore a business case will need to be drafted and approved by Management Team. An alternative of another professional body to this, such as Customer Service Excellence is also being looked at, that would also provide benchmarking and accreditation.*
- 6. I thank the Committee for the kind comment with regards to the Transformation works; I was delighted that the Planning Committee approved the revised proposals for the new Committee Room, which is the missing piece of the jigsaw puzzle, but the ability to have enabled so many members of staff, and members of the Council alike in working from home, is largely down to the substantial investment in IT we embarked on back in 2013, and the excellent efforts of the IT team in rolling out the Digital Transformation work, and supporting all of us in doing so during these incredible times."*

Having considered the recommendations submitted by the Resources and Services Overview & Scrutiny Committee together with the Portfolio Holder for Corporate Finance & Governance's response thereto:

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

**RESOLVED** that the recommendations of the Resources and Services Overview and Scrutiny Committee be noted and the comments of the Corporate Finance & Governance Portfolio Holder, in response thereto, be endorsed.

**118. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.3 - SCRUTINY OF THE TRANSFORMATION OF STAFFING**

Cabinet was aware that, at the meeting of the Resources and Services Overview and Scrutiny Committee held on 3 December 2020 (Minute 109 referred), the Committee had been provided with an overview of the Council's transformation of staffing.

It had been reported to the Committee that throughout 2019 a significant focus had been placed on preparing staff to work more flexibly and with greater autonomy. Two programmes had been key to this: InDependence and Managing Remote Teams. All courses had been delivered by external providers who had worked very closely with the Organisational Development Manager and HR Operations Manager on design, development and content.

The InDependence programme had been designed and developed by the Organisational Development Manager with input from an organisational psychologist. The workshops had been delivered by a team of six internal managers who had been trained in how to deliver the programme. In total 273 staff had attended that programme. The Managing Remote Teams course had been attended by 52 managers and team leaders.

In addition, a booklet entitled Modern Working, Your Guide had been circulated to all course attendees.

Members of the Committee had heard how a number of policies had been updated to support flexible working including the Allowances Policy (2018) and the Remote Working Policy (2019) which also included the Flexi Hours Scheme.

To further support the move towards greater flexible working and staff personal accountability online training had been overhauled. The Council had used a specialist online provider (iHasco) for all health and safety awareness training. That shift had resulted in greater compliance as staff could plan their own training schedule according to their work patterns. Compliance rates were in excess of 90%. Face to face delivery was still used for those requiring additional support or greater detail.

During the consideration of this report the Committee had made the following comment to Cabinet:-

- *that the adaptability of the staff and Councillors in relation to the restrictions introduced for COVID19 to continually deliver success, be formally recorded and appreciated.*

The Cabinet had before it the following response thereto which had been submitted by the Portfolio Holder for the Corporate Finance & Governance:-

*"I would like to thank the Resources and Services Overview and Scrutiny Committee for their comment and appreciation of both Staff and Councillors during the pandemic. I agree that Staff and Councillors have shown great flexibility, adaptability and a commitment to keep the business of the Council moving forward, alongside responding to the additional demands of the Covid response and recovery programmes."*

Having considered the comment submitted by the Resources and Services Overview & Scrutiny Committee together with the Portfolio Holder for Corporate Finance & Governance's response thereto:

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

**RESOLVED** that the comment of the Resources and Services Overview and Scrutiny Committee be noted and the comments of the Corporate Finance & Governance Portfolio Holder, in response thereto, be endorsed.

**119. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.4 - SCRUTINY OF THE UPDATED FINANCIAL FORECAST/BUDGET 2021/22 AND HOUSING REVENUE ACCOUNT BUDGET PROPOSALS 2021/2022**

Cabinet was aware that, at the meeting of the Resources and Services Overview and Scrutiny Committee held on 14 January 2021 (Minutes 116 and 117 referred), and in accordance with the requirements of the Budget & Policy Framework Procedure Rules had scrutinised:-

- (1) the updated financial forecast and proposed budget position for 2021/22; and
- (2) the Housing Revenue Account (HRA) Budget for 2021/22 including the movement in HRA Balances, the level of fees and charges for 2021/22 and the HRA Capital Programme.

As a result of that scrutiny the Resources and Services Overview and Scrutiny Committee made the following recommendations to Cabinet:-

Updated financial forecast and proposed budget position for 2021/22

**RECOMMENDATIONS TO CABINET:**

- (a) *In respect of future outturn positions on the Council's annual budget, to allocate as a priority any available underspend following permitted carry forwards to extend further the measures to achieve the Back to Business Agenda of the Council.*
- (b) *Further to (a), to establish a Business Roundtable for the District as part of the Back to Business Agenda and to inform that Agenda going forward.*
- (c) *To reassess all the current reserves, provisions and one off sums allocated by the Council to determine whether they were still required, relevant to the Council's Corporate Plan and the associated sum was at the appropriate level and:*
  - (i) *to re-allocate sums such as those for the Clacton Town Centre Fountain and Residents Free Parking (where the cost has been incorporated in the base*

revenue budget) to more closely align with the Corporate Plan priorities of the Council.

- (ii) *to identify the specific intentions for the £1.585M for Business Investment and Growth Projects reserve or otherwise look to reallocate that reserve.*
- (ii) *To allocate a further £56k to resourcing public realm improvements across the District (supplementing and extending the £44k set aside to fund '2 One year fixed term posts to support improvements to the overall appearance of the District') thereby allocating a total of £100k to this initiative in total.*
- (iv) *From the reallocation process, and in recognition of the additional £110k in recycling credits achieved by the Council in 2020/21, to identify £10k to improve recycling bring sites operated by the Council in the District to improve the attractiveness of those sites, signage at and to those sites and thereby further encourage their use and address relevant issues at those sites.*
- (d) *To request that proposals for use of the Tendring Community Fund be developed swiftly so that these can be put in front of a meeting of the Portfolio Holder Working Party on the Tendring Community Fund without delay.*
- (e) *To identify whether existing funding in the revenue budget and reserves, provisions and one-off sums enables the Council to adequately support co-ordinated measures to address the mental health needs of the local population as we ultimately come out of covid-19 pandemic restrictions and if this is found to be insufficient to look to allocate further resources as necessary to address those needs.*
- (f) *To pro-actively assess and monitor the resources required to deliver a dynamic and expansive Tourism Strategy for the District (and the Year 1 delivery plan to accompany that Strategy) to maximise the advantage to the District as soon as covid-19 pandemic restrictions are lifted and extending beyond the normal summer season.*

Housing Revenue Account (HRA) Budget for 2021/22 including the movement in HRA Balances, the level of fees and charges for 2021/22 and the HRA Capital Programme

*RECOMMENDATION TO CABINET: To set a target level for reducing void periods in 2021/22 in the housing stock with a view to providing specific focus to those measures.*

The Cabinet had before it the following responses thereto which had been submitted by the Portfolio Holder for the Corporate Finance & Governance:-

<b>R&amp;S O&amp;S Ref. from above</b>	<b>Response of the Portfolio Holder for Corporate Finance and Finance</b>
(a)	The allocation of any favourable outturn position each year will need to take into account a number of issues, including the funding of the Council's priorities, one being the very important back to business initiative. The allocation of this funding will therefore need to take into account the Council's wider financial position at the



	appropriate time.
(b)	This would be something that I would be happy to support as part of the on-going development of the back to business initiative.
(c)	The assessment of reserves, provisions and one-off budgets form part of the existing financial performance monitoring and budget setting processes throughout the year. They will therefore form part of these activities in 2021, which will include the reallocation of budgets as necessary, where the specific funding allocations put forward by the Committee can also be considered.
(d)	Work is underway to progress this initiative.
(e)	This will be considered as part of the Back to Business initiative, along with the activities set out in the response to (c) above.
(f)	This is currently being considered as part of the 'audit' of the various funded projects and initiatives to ensure their delivery, which must be both timely and effective to maximise value for money for the Council.
<b>HRA</b>	A number of issues / actions were highlighted in the Housing Revenue Account Budget report that was considered by the Committee, which will be monitored as part of the quarterly financial monitoring reports. The overall target is to return to the historic 'stable state' position of 2% over the coming year.

Having considered the recommendations submitted by the Resources and Services Overview & Scrutiny Committee together with the Portfolio Holder for Corporate Finance & Governance's responses thereto:

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

**RESOLVED** that the recommendations of the Resources and Services Overview and Scrutiny Committee be noted and the comments of the Corporate Finance & Governance Portfolio Holder, in response thereto, be endorsed.

**120. LEADER OF THE COUNCIL'S ITEMS - A.5 - EXECUTIVE DECISION(S) TAKEN AS A MATTER OF URGENCY**

During the meeting Councillors Scott and Chapman each declared for the public record that they had been recipients of Covid business support grants.

The Cabinet gave consideration to a report of the Leader of the Council (A.5) which notified Members of recent urgent Executive Decision(s) taken by the Leader of the Council on behalf of the Cabinet.

The Cabinet recalled that, as part of the Council's response to the COVID-19 public health emergency the Council's Monitoring Officer had produced a formal "Note on Decision Making Business Continuity Arrangements" which had set out the ways in which the normal operational business of the Council could continue in relation to decisions which would normally be referred to Cabinet, Council or Committees.

In relation to Cabinet decisions the Monitoring Officer's formal Note, as issued on 20 March 2020, had contained, inter alia, the following information and advice:

*"The Constitution requires certain matters to be decided by Cabinet collectively. The Leader of the Council may exercise any of the powers delegated to the Cabinet:*

*a. Following a resolution of the Cabinet (subject to the Constitution), or*

*b. In cases of urgency, in consultation with the Monitoring Officer and/or Section 151 Officer.*

*In cases of urgency the decision of the Leader of the Council will be recorded and published in accordance with the Constitution. The Leader of the Council will also be required to make a public statement at the next formal meeting of the Cabinet which will explain why they had taken the decision as a matter of urgency.*

*Therefore, following consultation with the Leader of the Council, it is recommended that to enable formal decisions to be made on behalf of Cabinet the following procedure should be adopted:*

- a formal decision will be published recording the matters taken into account;*
- at the first formal meeting of Cabinet a report of the decisions taken by the Leader under urgency powers will be produced; and*
- if it was necessary for a key decision to be made under urgency provisions this must be reported to Full Council (in accordance with the Access to Information Procedure Rules 15 & 16.2).*

*Whilst it was anticipated that decisions taken during urgency provisions would be limited or uncontroversial in nature, it must be highlighted that the ability of Members to undertake the statutory overview and scrutiny function is not removed."*

The Monitoring Officer had considered that, in responding to COVID-19, the Council was in exceptional times which therefore satisfied the grounds of urgency.

It was reported that in making the decision in question the Leader of the Council had exercised his delegated power as set out in the Council's Constitution in Part 3, Schedule 3 (Responsibility for Executive Functions) - Section 3 (General Principles Regarding Decision Making by the Cabinet) – Principle 4b [Part 3.28].

Members were reminded that the decisions taken as a matter of urgency had related to:-

(1) Members' Grant Scheme – Phase 2 [Published 8 January 2021]

Decision: (a) To approve the allocation of a further £1,000 to each ward Member from the Tendring Community Fund to support local communities during the on-going coronavirus pandemic; and

(b) To grant that the Council's Section 151 Officer has the delegated authority to undertake the necessary steps to implement this decision.

- (2) Next Phases of the Tendring Local Restrictions Support Grant Scheme (OPEN) and the Tendring Additional Restrictions Support Grant Scheme (ARG) [Published 15 January 2021]

Decision: (a) To approve the next phases of the Local Restrictions Support Grant Scheme (OPEN) and the Additional Restrictions Support Grant Scheme (ARG); and

(b) To authorise the Assistant Director (Finance & IT) to implement and administer the scheme and to amend the policy in line with any emerging Government guidance.

Having considered the contents of the report:

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

**RESOLVED** that –

- (a) the contents of the report be noted; and
- (b) the urgent decisions taken by the Leader of the Council on behalf of the Cabinet, as detailed in this report, be formally endorsed.

**121. LEADER OF THE COUNCIL'S ITEMS - A.6 - PRIORITY ACTIONS FOR 2021/22 AND MONITORING DELIVERY OF THOSE ACTIONS**

The Cabinet gave consideration to a report of the Leader of the Council (A.6) which invited it to determine its provisional key priority actions for 2021/22 and the means by which performance against those priorities would be monitored and reported on in that year. Cabinet was further invited to approve that consultation on those key priority actions and the performance monitoring proposals be undertaken with the Council's two overview and scrutiny committees. The outcome of such consultation would then be reported to Cabinet at its meeting due to be held on 19 March 2021.

Members were aware that the Council, at its meeting held on 21 January 2020 (Minute 78 referred), had approved a Corporate Plan for 2020/24 and that this had established its strategic direction for those four years. That strategic direction itself sought to reflect the issues that mattered most to local people, the national requirements from Government and the challenges that faced the District over that time period.

The themes of the 2020/24 Corporate Plan were:

- Delivering High Quality Services
- Building Sustainable Communities for the Future
- Strong Finance and Governance
- Community Leadership through Partnerships
- A Growing and Inclusive Economy

Cabinet was aware that it established each year its priority actions to deliver against the Corporate Plan and thereby ensured that the ambition of that Plan was central to its work. The priority actions did not cover every separate element of the ambition of the four year Corporate Plan; nor were they intended to indicate that other projects, schemes or activities were not being pursued. They were though intended to reflect

imperatives across the Council and for the District and actions that it was right to focus on in that year.

Members were aware that 2020 had been an exceptional year not only nationally but globally. In Tendring the Council's Community Leadership role had never been more important as the Council had taken on additional responsibilities in supporting its residents and businesses through the COVID-19 pandemic. Whilst Tendring District Council had not formally reported on its performance against priorities during 2020, much had been achieved including but not limited to:

- *The roll out of numerous grants in excess of £38million to businesses;*
- *The adoption of a local Back to Business Agenda which not only supported businesses to survive but prepared to help them flourish;*
- *An Economic Growth Strategy focusing on recovery for the future;*
- *Allocation of monies from the Tendring Community Fund to Ward Councillors to provide grants to local organisations to enable them to respond to the pandemic locally;*
- *Business continuity arrangements immediately being invoked to ensure Council services remained in place where they were able to do so and for those services impacted by the various lockdowns, staff had been redeployed to work with different teams in response to the pandemic, such as the Community Hub;*
- *Adoption of a Climate Change Action Plan to meet the Council's aspirations towards the Climate Emergency;*
- *Section 1 of the Local Plan had been found sound by the Planning Inspectorate thereby establishing the 5 year housing supply of 550 dwellings per annum, a North Essex vision and the Garden Community at Tendring Colchester Borders;*
- *A balanced budget and revised governance arrangements to ensure democratic decision making continued throughout;*
- *Getting ready to build or acquire new council homes. A Corporate Housing Strategy had been adopted to deliver homes to meet the needs of local people, making the best use of and improving existing housing and supporting people in their homes and communities. Separate strategies and policies had been introduced to assist in reducing homeless and rough sleeping in the District, providing financial assistance policies for private sector housing and acquiring land and buildings to increase council housing stock.*

All of the above would provide a great foundation on which the Council would continue to deliver its priorities in the remaining years of the Corporate Plan. The 2021/22 actions would, of themselves, underpin further actions in 2022/23. As such, it was considered appropriate to invest time and energy to delivering them.

It was reported that a provisional list had been prepared by Officers following consultation with individual Portfolio Holders and the Leader of the Council and this was set out at Appendix A to the Leader's report.

Having considered the contents of the report and its appendix:

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

**RESOLVED** that –

- 
- (a) the provisional key priority actions for 2021/22, as set out at Appendix A to item A.6 of the Report of the Leader of the Council, be adopted;
  - (b) the means by which performance against the priorities will be monitored and reported on in 2021/22 be determined on the basis set out in Appendix B to the aforementioned report.
  - (c) consultation on the adopted provisional key priority actions referred to in (a) above and the performance monitoring proposals referred to in (b) above be undertaken with the Council's two Overview and Scrutiny Committees during February 2020;
  - (d) the outcome of the consultation with the Overview and Scrutiny Committees referred to in (c) above be reported to Cabinet at its meeting due to be held on 19 March 2021 in order that Cabinet can formally adopt its finalised key priority actions for 2021/22.

**122. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.7 - PROTOCOL FOR CABINET AND OVERVIEW & SCRUTINY ROLES**

The Cabinet gave consideration to a detailed report of the Corporate Finance & Governance Portfolio Holder (A.7) which sought its approval for the draft Protocol for Cabinet and Overview and Scrutiny roles, which had been produced following consultation undertaken with the Chairmen of the relevant Committees and Portfolio Holders for recommendation onto the Overview and Scrutiny Committees and full Council for adoption and incorporation into the Council's Constitution.

It was reported that in May 2019, Statutory Guidance had been published by the Ministry of Housing, Communities & Local Government on Overview and Scrutiny in Local and Combined Authorities. This Council, in operating a Leader and Executive Governance Model must have regard to it when exercising their functions and it should be followed unless there was a good reason not to in a particular case.

Section 2 of the Government's Statutory Guidance referred to Culture and expressly stated:-

*"The prevailing organisational culture, behaviours and attitudes of an authority will largely determine whether its scrutiny function succeeds or fails.*

*While everyone in an authority can play a role in creating an environment conducive to effective scrutiny, it is important that this is led and owned by members, given their role in setting and maintaining the culture of an authority.*

*Creating a strong organisational culture supports scrutiny work that can add real value by, for example, improving policy-making and the efficient delivery of public services. In contrast, low levels of support for and engagement with the scrutiny function often lead to poor quality and ill-focused work that serves to reinforce the perception that it is of little worth or relevance.*

*Members and senior officers should note that the performance of the scrutiny function is not just of interest to the authority itself. Its effectiveness, or lack thereof, is often*

*considered by external bodies such as regulators and inspectors, and highlighted in public reports. Failures in scrutiny can therefore help to create a negative public image of the work of an authority as a whole.”*

Cabinet was informed that the Guidance recommended an ‘executive-scrutiny protocol’ in order to help define the relationship between the two arms of the organisation, dealing with the practical expectations of scrutiny committee members and the Executive, as well as the cultural dynamics. Councils should consider adopting a protocol with its formal integration into the Council’s constitution.

Members were aware that the Council already had strong measures in place to demonstrate the openness of Cabinet being held to account and had introduced some years ago that Group Leaders of all political groups would have the right to attend Cabinet meetings, and to speak on agenda items whilst not being able to vote. The Terms of Reference of the Resources and Services Overview and Scrutiny Committee stated that the positions of its Chairman and Vice-Chairman would normally be taken by a Member of a political group not represented on the Cabinet. Informal Group Leaders’ meetings were also held at which the Leader or Deputy Leader could share information in advance of going to Cabinet or other topics, which had proved particularly useful during the Council’s response to the COVID-19 pandemic. The Chief Executive also held regular All Member Briefings, at which Portfolio Holders had presented ideas on early strategies and policies for discussion. Furthermore the Deputy Leader chaired a Constitution Review Working Party, whose membership was made up by almost all other political Groups of the Council

As previously requested by Cabinet, Senior Officers had produced a draft Protocol for Cabinet and Overview and Scrutiny roles for consultation with the Chairmen of the Overview and Scrutiny Committees and the Audit Committee and the Deputy Leader and the Portfolio Holder for Partnerships. The Statutory Guidance had been considered in the production of the draft Protocol together with taking into account comments received through the consultation.

Cabinet was advised that the draft Protocol introduced a number of principles and how it applied between the roles of Cabinet and Overview and Scrutiny building upon a relationship of trust whilst both bodies were performing their statutory functions, acknowledging the inter-relationship with Audit too. It was designed to sit alongside the range of other commitments to openness and inclusiveness as described above.

The draft Protocol set out how Policy Development Overview and Pre-Decision Scrutiny could work in addition to the traditional duty of holding the Cabinet to account.

It was reported that Performance Measurement and reporting provided insight into whether value was being achieved and whether improvements were necessary, feasible and affordable. The purpose of reporting general performance data to an Overview & Scrutiny Committee enabled scrutiny as to capturing the right level of data to support the delivery of services or priorities – and to make recommendations, if necessary. In some instances further enquiry of an activity could be warranted and the Committee would decide how that work could be accommodated in its work programme.

In addition, through their respective work programmes the Overview and Scrutiny Committees would consider the Cabinet’s adopted priorities in support of the Council’s Corporate Plan, and areas of planned policy development over the relevant Municipal

Year (and the next). They would also be requested to highlight any areas where overview & scrutiny might be specifically invited. The draft Protocol also referred to how Overview & Scrutiny recommendations to the Cabinet would be dealt with including seeking further clarity if needed.

Cabinet was informed that some additional operational matters had been included for completeness in determining the relationship covering the responding to urgent items of Cabinet Business, Scrutiny Consideration of Confidential Decisions, Call-in and Councillor Call to Action which built upon the existing requirements within the Constitution.

Members were made aware that, with due regard to the Council's Statement on Council development, training would be made available for Overview & Scrutiny Committee members, Cabinet Members and support Officers on the Protocol and elements referenced in it including work planning, budget scrutiny, using performance data and key lines of enquiry.

It was reported that, in the Overview & Scrutiny Annual Report submitted to Full Council each year there would be included a section demonstrating the impact of Overview & Scrutiny and the effectiveness of the Protocol.

Cabinet noted that all Members would be expected to adhere to the Protocol in their respective roles. Once it was formally adopted by Council, the Protocol would be incorporated within Part 6 of the Constitution.

Having considered the contents of the draft Protocol:-

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

**RESOLVED** that Cabinet –

- (1) approves the draft Protocol for Cabinet and Overview and Scrutiny roles, as set out in Appendix B to item A.7 of the Report of the Corporate Finance & Governance Portfolio Holder;
- (2) recommends the Protocol to both Overview and Scrutiny Committees for their agreement; and
- (3) recommends to Council that the Protocol be adopted for inclusion within Part 6 of the Council's Constitution.

**123. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER - A.8 - LATEST FINANCIAL FORECAST / FINAL GENERAL FUND BUDGET PROPOSALS 2021/22**

The Cabinet gave consideration to a report of the Corporate Finance & Governance Portfolio Holder (A.8) which sought its approval of the latest financial forecast and final General Fund budget proposals for 2021/22 (including council tax proposals) for onward recommendation to Council.

Cabinet recalled that, at its meeting held on 18 December 2020, it had considered the Updated Financial Forecast / Budget 2021/22. The forecast at that time had provided for

a deficit of £1.647m that was to be met by drawing down money from the Forecast Risk Fund.

Subsequently, the Updated Financial Forecast had been subject to consultation with the Resources and Services Overview and Scrutiny Committee which had met on 14 January 2021 to consider it and the Committee's comments had been considered earlier in the meeting.

It was reported that since the Cabinet's meeting on 18 December 2020, additional changes had been required, primarily as a result of new or revised information becoming available which had included the Government's Financial Settlement announcements. Those changes had result in a reduced deficit for 2021/22 of £1.227m, a change of £0.420m compared to the £1.647m deficit presented to Cabinet in December. Appendix A to the Portfolio Holder's report provided further details across the various lines of the forecast, with the most significant change being the receipt of the revenue support grant from the Government.

Members were aware that in previous years, this report had set out the full detailed estimates along with the various resolutions / 'technical' appendices required for Full Council in February. However, given the increased and on-going COVID 19 workload of a number of officers who played a key role in developing the budget, it had not been possible to finalise this more detailed information at this stage. However, the most up to date forecast, savings schedule and cost pressure summary were set out in the Portfolio Holder's report, with a recommendation included that would delegate approval of the more detailed budget information and associated 'technical' appendices and resolutions to the Portfolio Holder for Corporate Finance and Governance.

Cabinet was advised that this budget position could change as further adjustments might be required as part of finalising the budget for presenting to Council on 16 February 2021, with a further delegation included in the Portfolio Holder's recommendations to reflect this.

It was reported that based on the final proposed budget for 2021/22, the Council Tax requirement was £8.604m, which was based on a £5 increase for this Council's services, with a Band D council tax of £177.64. These figures would remain unchanged and therefore would be reflected in the various budget resolutions / 'technical' appendices proposed to be delegated to the Portfolio Holder for Corporate Finance and Governance.

Cabinet was aware that the Council's annual budget and the district and parish elements of the council tax would be considered by Full Council at its meeting due to be held on 16 February 2021 with approval of the 'full' council tax levy for the year to be considered by the Human Resources and Council Tax Committee later on during February 2021.

Members were informed that, similarly to last year, the approval of the associated Treasury Strategy for 2021/22 for consultation with the Resources and Services Overview and Scrutiny Committee was recommended to be delegated to the Portfolio Holder for Corporate Finance and Governance.



Cabinet was reminded that, as agreed by Full Council at its meeting held in November 2020, a council tax discount policy for young people leaving care had now been finalised, which was set out in Appendix D to the Portfolio Holder's report.

Having considered all of the information and advice contained in the Portfolio Holder's report:-

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

**RESOLVED** that –

- a) the latest financial forecast set out in Appendix A to item A.8 of the Report of the Corporate Finance & Governance Portfolio Holder, along with the savings and cost pressures set out in Appendices B and C respectively to that report that form the firm proposals for the 2021/22 budget be agreed and that therefore it is recommended to Full Council that a Band D Council Tax for district services of £177.64 for 2021/22 (a £5 increase), along with the associated council tax requirement of £8.604m be approved.
- b) the Portfolio Holder for Corporate Finance and Governance be authorised to agree the 'technical' appendices and resolutions for the budget proposals for recommending to Full Council on 16 February 2021;
- c) in consultation with the Leader of the Council and the Corporate Finance and Governance Portfolio Holder, the Chief Executive reports directly to Full Council in respect of the formal resolutions necessary to implement the Executive's budget proposals along with any late information or notifications received from the Government;
- d) in respect of the Treasury Strategy 2021/22, the Portfolio Holder for Corporate Finance and Governance be authorised to approve the draft Strategy for consultation with the Resources and Services Overview and Scrutiny Committee; and
- e) the council tax discount policy for young people leaving care, as set out in Appendix D to the aforementioned report, be endorsed and recommended to Full Council for formal adoption.

**124. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - HOUSING REVENUE ACCOUNT BUDGET PROPOSALS 2021/2022**

The Cabinet gave consideration to a joint report of the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder (A.9) which sought its approval of the final proposals for following for onward recommendation to Full Council at its meeting due to be held on 16 February 2021:

- a Housing Revenue Account (HRA) Budget for 2021/22 (including the movement in HRA Balances);
- the level of fees and charges for 2021/22; and
- the HRA Capital Programme.

Cabinet recalled that, at its meeting held on 18 December 2020, it had considered the initial Housing Revenue Account Budget Proposals 2021/22. The budget proposals at that time had provided for a small deficit of £0.012m that was to be met by drawing down money from general balances. Those initial budget proposals had then been subject to consultation with the Resources and Services Overview and Scrutiny Committee, which had met on 14 January 2021 to consider them and the Committee's comments thereon had been considered earlier in the meeting.

It was reported that since the Cabinet's meeting on 18 December 2020, only one change had been made that related to an adjustment to the cost of a new IT system where the previous forecast had included a one-off amount on top of the on-going annual maintenance cost. As the one-off cost was to be met from the current year's budget, this had been removed from the latest 2021/22 forecast. Consequently, that change had resulted in a small surplus for 2021/22 of £0.012m, a change of £0.024m compared to the £0.012m deficit presented to Cabinet in December 2020. Appendix A to the Portfolio Holders' joint report set out the revised position that reflected that change.

Members were advised that this position remained subject to further adjustments that might be required as part of finalising the budget for presenting to Council on 16 February 2021, with a delegation included in the Portfolio Holders' recommendations to respond to that possibility.

Cabinet was made aware that the revised forecast surplus of £0.012m in 2021/22 had been contributed to general balances.

Members were informed that the proposed HRA Capital Programme for 2021/22 was set out in Appendix C to the Portfolio Holders' joint report, which continued to provide for a range of projects, including new build and initiative schemes.

It was reported that the average weekly rent remained unchanged to the figure reported in December 2020 at £84.10, an increase of 1.5% over the comparable figure of £82.42 for 2020/21.

Cabinet was advised that the HRA general balance was forecast to total £5.282m at the end of 2021/22, which retained a strong financial position against which the Housing Strategy and associated HRA 30 year Business Plan could be delivered and developed.

Members were made aware that HRA debt continued to reduce year-on-year as the principal was repaid with a total debt position at the end of 2021/22 forecast to be £36.777m (a reduction of £1.664m compared with the figure at the end of 2020/21).

Having considered all of the information and advice contained in the Portfolio Holders' joint report:-

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

**RESOLVED** that –

- (a) if the financial position changes prior to Council considering the HRA budget on 16 February 2021, the Chief Executive, in consultation with the Housing Portfolio

Holder, be authorised to adjust the forecast / budget, including the use of reserves; and

- (b) subject to (a) above, a 1.5% increase in dwelling rents in 2021/22 along with the detailed HRA Budget proposals for 2021/22, as set out in Appendices A to D to item A.9 of the Joint Report of the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder, be agreed and recommended to Full Council on 16 February 2021 for its approval.

**125. MANAGEMENT TEAM ITEMS**

There were none on this occasion.

**126. EXCLUSION OF PRESS AND PUBLIC**

It was moved by Councillor Stock OBE, seconded by Councillor Talbot 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 Item 18 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act.

**127. EXEMPT MINUTE OF THE MEETING HELD ON FRIDAY 18 DECEMBER 2020**

It was moved by Councillor Stock OBE, seconded by Councillor Talbot and:-

**RESOLVED** that the exempt minute of the meeting of the Cabinet, held on Friday 18 December 2020, be approved as a correct record and be signed by the Chairman.

The Meeting was declared closed at 11.23 am

**Chairman**