

**MINUTES OF THE MEETING OF THE COUNCIL,  
HELD ON TUESDAY, 16TH FEBRUARY, 2021 AT 7.30 PM  
MEETING WAS HELD PURSUANT TO STATUTORY INSTRUMENT 2020/392.**

<b>Present:</b>	Councillors Land (Chairman), Bray (Vice-Chairman), Alexander, Allen, Amos, Barry, Bush, Calver, Casey, Chapman, Chittock, Clifton, Codling, Coley, Davidson, Davis, Fairley, Fowler, Griffiths, C Guglielmi, V Guglielmi, Harris, I Henderson, J Henderson, P Honeywood, S Honeywood, King, Knowles, McWilliams, Miles, Morrison, Newton, Placey, Porter, Scott, Skeels, Steady, G Stephenson, M Stephenson, Stock OBE, Talbot, Turner, White, Wiggins and Winfield
<b>In Attendance:</b>	Ian Davidson (Chief Executive), Lisa Hastings (Assistant Director (Governance) & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Elizabeth Ridout (Leadership Support Manager), Keith Durran (Democratic Services Officer), Emma Haward (Leadership Support Assistant), Matt Cattermole (Communications Assistant) and Hattie Dawson-Dragisic (Apprentice (Democratic Services & Elections))

**76. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Cawthron.

**77. MINUTES OF THE LAST MEETING OF THE COUNCIL**

It was **RESOLVED** that the Minutes of the ordinary meeting of the Council held on 26 January 2021 be approved as a correct record and be signed by the Chairman.

**78. DECLARATIONS OF INTEREST**

With regard to the Council's consideration of the budget and Council Tax proposals and the statutory provisions in respect of Members' declarations of interest thereon, the Monitoring Officer reminded Members of the salient points contained in her joint advice with the Council's Section 151 Officer that had been recently circulated to them by email on 9 February 2020.

There were no declarations of interest made by Members on this occasion.

**79. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL**

The Chairman of the Council (Councillor Land) reminded Members that The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 required local authorities to hold a named vote on the Budget motion and any and all amendments thereto.

**80. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE**

There were none on this occasion.

**81. STATEMENTS BY THE LEADER OF THE COUNCIL**Decision of the Supreme Court – Designation of Mistley Quay as a Village Green

The Leader of the Council (Councillor Stock OBE) referred to the recent decision of the Supreme Court to designate Mistley Quay as a Village Green. He extended his congratulations to the legal services team at Essex County Council and all those involved on their success after many years of unstinting effort.

Councillor Stock informed Council that Officers from both Essex County Council and Tendring District Council were examining the full implications of this landmark decision.

Councillor Stock then responded to questions raised by Councillors Turner and G V Guglielmi.

**82. STATEMENTS BY MEMBERS OF THE CABINET**Action on Climate Change

The Environment & Public Space Portfolio Holder (Councillor Talbot) made the following statement:-

*“Colleagues,*

*At our 26th January meeting I reported to Council the fact that Climate change was being included in my Portfolio and that the subject and the Council’s agreed aim to be ‘Net Zero Carbon’ by 2030 in respect of those emissions from our business operations that we have control of, should be on everybody’s lips and part of the Council’s consideration of all future reports written and received by all departments of the Council. I further said I would be raising the whole issue with my Cabinet colleagues.*

*This I did on the 29<sup>th</sup> of January and received support from the Council Leader and fellow members, for my intention to keep the Climate Change issue and our Net Zero Carbon aim for TDC, referred to regularly on our reports when prepared, and to disseminate further to our Towns and Parishes, inviting them to do the same.*

*In line with this intention, Senior Council Officers are being requested to ensure that all reports contain a section on the environmental impacts of the decision in light of the Council’s Policy of its operations becoming carbon neutral by 2030”.*

*After the support I received from our Cabinet members, you will have noticed a large Logo on the Home Page of your TDC computer equipment. This obviously as a reminder of our agreed policies and to keep the matter alive in Members’ minds.*

*Next, last Friday with the support of the Cabinet, I had a letter sent to all Town and Parish Councils in Tendring, inviting them to regularly consider any business they deal with in the light of our declared Net Zero Carbon Policy, by perhaps including an item on their Council’s Meeting Agenda, or by any other suitable means. I cannot say how pleased I was to discover beforehand, that some Councils in the District are already considering this on a regular basis, the very thing my letter was inviting them to undertake.*

*All the above is about communication, but we must begin to actually make some real changes.*

*We must now act on some of the matters dealt with by Alan Coley's Working Party over the last few months.*

*We must examine with our planners and Councillor Turner's Local Plan Committee, as to whether we can influence or encourage future development applications to include things like Solar Panels on roofs and provision of vehicle car charging points on new properties, where the cost of such changes must be so much cheaper that installing such items at a later date.*

*We must examine if our Parks and Open Spaces officers can use electric vehicles, either by purchase or by hiring them on contract and when we as a Council hire a bus, should we request an electric bus?*

*These are matters I shall seek Cabinet's support to undertake.*

*There is a lot to be done and I will be treading on some people's toes, but as the saying goes:*

*'You can't make an omelette without breaking eggs' and I fear we will be breaking eggs!'*

**83. REPORT OF THE CABINET - A.1 - EXECUTIVE'S PROPOSALS - GENERAL FUND BUDGET AND COUNCIL TAX 2021/2022**

The Council gave consideration to the Cabinet's General Fund budget proposals for 2021/22 and the amount of Council Tax for District and Town and Parish Council services for the financial year 2021/22, for each category of dwellings within the District of Tendring, to support the proposed level of expenditure.

Members were aware from Minute 123 (A.8) of the meeting of the Cabinet held on 29 January 2021, that the Chief Executive, in consultation with the Leader of the Council and the Corporate Finance and Governance Portfolio Holder, had been authorised to submit a report to this meeting in respect of the formal draft resolutions necessary to implement the Cabinet's budget proposals, together with any late information, or notifications received from the Government, as might necessarily affect the budget.

The Council was advised of all the resolutions and recommendations made by the Cabinet on 29 January 2020, together with the additional recommendations necessary to set the Council Tax levy. Those resolutions and recommendations were before the Council, as contained within item A.1 of the Report of the Cabinet.

Members were aware that the Cabinet's proposed budget had been subject to the Council's Budget and Policy Framework Procedure Rules, which had included scrutiny by the Council's Resources and Services Overview and Scrutiny Committee.

Members were also aware that the Town and Parish Councils within the District had met to set their precepts and those precepts were contained within Appendix G to the Report of the Cabinet, which detailed the Precepts on the Collection Fund.

The Council was also aware from Appendix H that the average District and Parish Council Tax for a Band D property would increase to £221.01, an increase of 2.84%.

The Leader of the Council (Councillor Stock OBE) made the following budget statement:

*“When thinking about my introduction to the budget report in front of us tonight, I was faced with reflecting on our new virtual working environment – with that in mind my opening words will be briefer than in previous years, but hopefully they will still touch on the positivity and enthusiasm that all of us so passionately demonstrate in our role as members of Tendring District Council.*

*Last year I spoke about making sure that our commitments and ‘cash backed’ promises started to be seen on the ground. Unfortunately we were then hit by COVID 19.*

*There are two important points I would like to make about what happened next, in what has been a remarkable year for a number of reasons.*

*The first is the way this Council responded to the pandemic and how almost instinctively we all came together to ensure we were there for our residents and businesses. This included the provision of direct support via the various business grant schemes, setting up essential shielding activities for the most vulnerable within our District, the implementation of two phases of the Members’ small grants scheme, working together politically along with supporting our public sector partners in a host of other ways. The list could go on and on but I will not forget my initial promise to keep this introduction relatively brief.*

*Let us also not forget that whilst we were responding to COVID19 we were also seamlessly making sure that the important services we provide to our residents and businesses carried on as normally as possible. Everyone played a massive part in enabling us to do this not least our IT department who I must thank for their patience in looking after the 48 of us as we tried to adapt to completely new ways of working!*

*Please forgive the use of a ‘hub and spoke’ analogy to help me explain my equally as important second point, which is the tireless work that has gone over the last 12 months to build the ‘hub’ at the heart of everything we are trying to achieve.*

*However, before I go on further, I am going to use a quote from an eminent Bank of England economist. During the year we have talked about the shape of the economic recovery and whether it is going to be “u” shaped or “v” shaped. Forgetting its shape for a second, this economist stated that now is not the time for the economics of “Chicken Licken”, which got me thinking.*

*For the benefit of clarity, I should perhaps explain that Chicken Licken feared that the sky was going to fall on his head. Andy Haldane, the Bank of England economist, used the analogy to make the point that negative thinking will have a negative impact on an economy.*

*I mentioned last year that with constant and relentless positivity we can make a difference especially in making the case for Tendring and attracting external funding into our area. As a Council our attitude for a long time now has been that we can always make a difference locally regardless of how things pan out nationally, with a focus on what we can control rather than what we cannot. If other Councils are not as positive as*

*we are, then they can easily succumb to the lure of a fatalistic outlook – you can never see this happening here at Tendring, as I hope no one can describe us as having a pessimistic outlook that can bring about self-fulfilling prophecies!*

*After your indulgence for this short interlude, albeit a very important one about our culture here at Tendring, I will return to my ‘hub and spoke’ analogy.*

*We made a commitment to deliver on the ground and yes, we have seen a significant amount of our time diverted to our successful response to the COVID 19 crisis. However, when you sit down and think about what we have been up to over the last 12 months, we have used the time wisely with things looking very positive going forward.*

*Because we roll our sleeves up and just get on with things, sometimes it is easy to forget what we have achieved over the course of a year. Interestingly enough this was a criticism that emerged from the peer review a little while ago where we were told that we should think about patting ourselves on the back a bit more.*

*In terms of what we have achieved against the background of the COVID 19 pandemic, a quick summary is as follows:*

- Developed a Housing Strategy for 2020 to 2025: Delivering the Homes to meet the needs of Local People*
- On the back of this we have adopted a Housing Acquisition and development policy*
- We have developed an Economic Growth Strategy*
- Agreed a Tourism Strategy*
- Adopted a climate change action plan*
- Adoption of Section 1 of our local plan*
- Set out our Back to Business Plan backed with an initial contribution of £860k*

*The above are the key stepping-stones required to deliver on the ground, part of our ‘hub’.*

*These are also built on the financial and governance foundations we have put in place. This work never stays still, with various activities undertaken such as ensuring strong finances, a “cash backed” approach to delivering our commitments, a modern and fit-for-purpose constitution and governance arrangements and in the words out our External Auditor, the Council is making the appropriate arrangements to manage its finances in a way that ensures it continues to remain financially sustainable. This is also in addition to the great relationships we have built between Members, which is a key foundation for an effective and successful local authority.*

*In terms of patting ourselves on the back – this does not all happen by accident – it is delivered via a methodical and considered approach backed with tenacity.*

*Turning to the details of the general fund budget we are considering tonight, unlike last year where we presented an overall surplus position because of the late notification of revenue support grant funding, this year we are presenting an overall deficit position of just over £1million. This would be a position that would likely frighten many Councils and lead to short-term decisions that may be to the detriment of their local areas. For us it is all part of the considered approach we have taken and the long-term plan has given us the flexibility to accommodate such a position without us having to look to make knee*

*jerk cuts to services. That's not to say we don't need to find savings going into 2022/23 and beyond, but we can do this in a considered and well thought out way. There is an action in our recently proposed key priorities that looks to do just that.*

*Another point worth mentioning is about financial resilience – yes we can cope with annual shocks to the budget, but the cliff remedial works required along the Holland-on-sea front has presented a sizeable challenge for us financially. However, because of the well managed approach we have taken to the Council's finances, we are in the flexible position to look at other options apart from just borrowing to fund this scheme. It would be a very uncomfortable position to find ourselves in if we always had to turn to the default option of borrowing the money when faced with a financial challenge - somewhat of a vicious circle.*

*It is also important for me to talk about the necessary £5 increases to council tax that has been built into the long-term forecast. I can only repeat what I said last year and that is we must continue to make up the shortfall introduced by the significant cuts to our funding from government over recent years. The £5 increase is only one ingredient to the overall budget and is a compromise we have to make to help deliver on our promise to protect front line services. We also have to remind ourselves that we continue to have one of the lowest levels of council tax in the country and we are effectively building the tax base in very modest increments that will stand us in good stead in future years – a prudent and sensible approach given the telescopic effect of freezing council tax, for example.*

*As set out in the various reports we have considered as part developing the 2021/22 budget, the upcoming year can be seen as a transitional year as we start the recovery process from COVID 19. We are prudently underwriting many of the risks via specific reserves set aside for this purpose or where necessary we have repurposed existing money. Having the comfort that they provide in the short term is essential to the continued management of our strong financial position, but when we are free from the associated risks there is no reason why we can't look to invest any unspent money where appropriate.*

*Although we have achieved much over the last twelve months, it would be fair to say that in terms of our priorities and commitments, we have lost a lot of delivery time on the ground due to COVID 19. In repeating what I stated earlier, if we focus on what we can control, we have two choices going forward. The first is to let things slip a year and carry on where we left off or we can look to recover back this 'lost' year by aiming to accelerate delivery as we head into 2021/22. I can't imagine anyone is going to argue with me if I say that I favour the latter.*

*With this in mind we are aiming to bring together a dedicated 'delivery team', the important 'spokes' to our 'hub'. We will do this not by taking people away from their day jobs but by generating additional capacity. This work is on-going and I hope to see this start to take shape over the next few weeks with some further decisions planned to be included in the quarter 3 financial performance report that Cabinet will be considering in March. This accelerated approach also forms a key part of our Back to Business initiative, as we will be looking to spend as much money as we can locally, so our investment will have the knock-on benefit of putting money directly into the local economy.*

*Our Back to Business plan is a really innovative approach to helping our district recover, not just economic recovery but all aspects of the lives of our residents and businesses. I certainly do not pretend that I have all the answers, but we have some great actions included within the Back to Business plan that will be presented to Cabinet later this week. But let's see it as an evolving plan and we can keep reflecting on existing actions along with considering additional ones over the coming weeks and months.*

*As I remember saying last year, our budgets always reflect an honest and considered approach to ensuring the financial sustainability of this Council – let us not forget we are just the custodians of the Council's assets, and that includes its money. Regardless of what happens in the future, such as local government reorganisation, we have to make sure that we always seek out that balance between investment and value for money; not reckless, short sighted and populist spending that has seen other Councils end up in trouble. When you are digging yourself out of such trouble you are effectively losing years of delivering on your commitments and promises, a position I can thankfully say we should never have to face given our strong custodial and financial instincts.*

*Tendring has so much to offer and we have an exciting future – I hope I have clearly set out the speed and scale of our intentions, which are underpinned by the proposed budget proposals.*

*Everything we do is aimed at making a difference for our residents and businesses as well as enhancing our wonderful surroundings and natural environment. This all has to be built on strong financial foundations, which the budget we are considering tonight forms an important element of.*

*Democracy puts trust in us and trust is also placed on us by our partners and the Government. As always, we will be judged on our deeds not just our words, but between us all and our excellent officers, the budget proposed enables us to keep delivering on our priorities and commitments.*

*I think I have delivered on my promise to keep things briefer than last year – but perhaps only just – I set myself a bit of a challenge given how much it is worth celebrating what we keep achieving along with my enthusiasm, which I am sure is just an echo of how you all feel about working on behalf of Tendring District Council.*

*Chairman, I commend this budget to Council, and I hope everyone supports it.”*

It was moved by Councillor Stock OBE and seconded by Councillor G V Guglielmi that the recommendations, as set out on page 18 of the Council Book, be approved.

Councillors Barry, I J Henderson, Steady, Allen, M E Stephenson, G V Guglielmi and Miles addressed the Council on the subject matter of Councillor Stock's motion.

In respect of Councillor Stock's motion, the vote resulted as follows:

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Alexander Allen Amos Barry	None	None	Cawthron

Bray  
Bush  
Calver  
Casey  
Chapman  
Chittock  
Clifton  
Codling  
Coley  
Davidson  
Davis  
Fairley  
Fowler  
Griffiths  
G V Guglielmi  
V E Guglielmi  
Harris  
I J Henderson  
J Henderson  
P B Honeywood  
S A Honeywood  
King  
Knowles  
Land  
McWilliams  
Miles  
Morrison  
Newton  
Placey  
Porter  
Scott  
Skeels  
Steady  
G L Stephenson  
M E Stephenson  
Stock  
Talbot  
Turner  
White  
Wiggins  
Winfield

Councillor Stock's motion was declared unanimously **CARRIED** and it was therefore:-

**RESOLVED** that -

- a) having had regard to the Chief Finance Officer's (Section 151 Officer) report on the Robustness of Estimates and Adequacy of Reserves in accordance with the requirements under Section 25 of the Local Government Act 2003, and having taken account of any responses to the budget consultation process the Council



approves the budget proposals (based on a £5 Band D council tax increase for district services) and agrees:

- i) that the total General Fund net revenue budget for 2021/22 be set at £7.617m (a council tax requirement of £8.604m excluding parish precepts);
  - ii) that the General Fund capital programme be approved totalling £0.816m in 2021/22;
  - iii) the detailed General Fund budget for 2021/22, as set out in Appendix D to item A.1 of the Report of the Cabinet;
  - iv) the calculation of the Council's Council Tax requirement, Special Expenses and Parish/Town Council precepts, as set out at Appendix F to item A.1 of the Report of the Cabinet;
  - v) the Council Tax for District and Parish/Town Councils' services, as at Appendix I to item A.1 of the Report of the Cabinet and that these are the amounts to be taken into account for the year in respect of the categories of dwellings listed in different valuation bands; and
  - vi) that if budget adjustments are required following the late notification of external / grant funding then, in consultation with the Corporate Finance and Governance Portfolio Holder, budgets are adjusted accordingly with no net impact on the overall budget or capital programme set out above.
- b) the council tax discount policy for young people leaving care, as set out in Appendix L to item A.1 of the Report of the Cabinet, be approved.

**84. REPORT OF THE CABINET - A.2 - EXECUTIVE'S PROPOSALS - HOUSING REVENUE ACCOUNT BUDGET 2021/2022**

The Council gave consideration to the Cabinet's Housing Revenue Account (HRA) budget proposals for 2021/22, including the proposed increase in dwelling rents for 2021/22.

Members were aware from Minute 124 (A.9) of the meeting of the Cabinet held on 29 January 2021 that the Chief Executive, in consultation with the Housing Portfolio Holder, had been authorised to adjust the forecast / budget, including the use of reserves, if the financial position had changed prior to this Council meeting.

The Council was advised of all the resolutions and the recommendation made by the Cabinet on 24 January 2020, together with the additional recommendations necessary to set the HRA budget, fees and charges and dwelling rents for 2020/21. Those resolutions and recommendations were before the Council, as contained within item A.2 of the Report of the Cabinet.

The Portfolio Holders' report submitted to Cabinet on 29 January 2021 had highlighted that further changes to the budget were expected that related to salary costs and recharges. Those two areas of the budget had now been finalised with the following changes made:

- i) Increase in salary costs - £0.025m
- ii) Increase in recharges from the General Fund - £0.009m

The above changes had resulted in a small deficit for the year of £0.022m, a change of £0.034m compared with the small surplus of £0.012m that had been reported to Cabinet on 29 January 2021. That deficit was to be met by calling money from the HRA general balances.

Members were aware that the Cabinet's proposed HRA budget had been subject to the Council's Budget and Policy Framework Procedure Rules, which had included scrutiny by the Council's Resources and Services Overview and Scrutiny Committee.

The Leader of the Council (Councillor Stock OBE) made the following budget statement:-

*"All of the positive things I talked about earlier when introducing the General Fund budget equally apply when discussing the HRA.*

*Being recognised as one of the best landlords in the country is built on the back of a robust and strong financial position and business plan.*

*This springboard allows us to keep maintaining our tenants' homes to an excellent standard, and it also allows us to embark on our house building plans.*

*This is in spite of the 1% reduction in rents that we saw over recent years. As I talked about earlier, we can only focus on what we can control rather than what we can't, and we managed to 'weather' this rent reduction period without adversely affecting the services we provide to our tenants. Quite a tall order, as it is estimated that the combined effect of the 4-year period of rent reductions removed at least £30m from our HRA budget over the long term, given its telescopic effect.*

*Similarly to the argument about council tax increases, increasing rents is always a compromise and balance we need to strike with providing good quality homes in a sustainable and long term way.*

*We are recommending a 1.5% increase in rents in 2021/22, which I think helps us strike this balance. This enables us to not only meet our housebuilding commitments, which in the long run will make the HRA financially stronger, but we can still invest over £6m a year in our existing tenants' homes.*

*As discussed earlier in the year, we have not seen a significant impact on the HRA from COVID 19. However, we are making improvements to a number of strands of work to reduce void periods, which have seen an indirect impact from the pandemic.*

*Taking a quick look back, hopefully you have now all had the chance to see the stunning new homes we have built in Jaywick Sands – they shatter the stereotypical view of what a Council house looks like. I have always said that council housing should never be seen as inferior to other forms of housing – well not here in Tendring any way and this applies to all our 3,000 plus homes not just these new ones.*

*I can never miss an opportunity to talk about right to buy. I am not going to go into its history but we need to keep pushing the Government to consider modernising the*

*scheme. As I mentioned last year, we need to remove the associated risk from decisions about building or acquiring new homes. If we do not then we will need to accept the risk that we may lose money on every new property we build or acquire, which may have the unwanted impact of slowing us down in our ambition to provide new homes for local people. Having said that, this does not deter us from this important priority and we will find ways to achieve our goals and aspirations within the boundaries of our 30 year plan.*

*Looking a very short time ahead, it was welcome news to hear Councillor Honeywood introduce the scheme that looks to encourage small developers to build affordable homes in the District. We are just one of three authorities chosen as part of this pilot scheme and I am sure it is one we are all looking forward to seeing the outcome of in the not too distant future.*

*Looking further ahead, we will need to revisit the 30-year business plan in light of various strands of work either completed, on-going or planned, but we can do this in the knowledge that we continue to be able to operate from a really strong base both financially and reputationally.*

*In terms of our reputation, we will continue to make sure that our tenants live in safe, comfortable and quality housing, which will always be at the centre of how we manage the HRA.*

*The budget we are presenting tonight enables us to keep on the right tracks that I have just described, and therefore a budget I am proud to recommend to you all tonight.”*

Councillors I J Henderson, Allen, Casey, P B Honeywood, G V Guglielmi and Miles addressed the Council on the subject matter of this item.

It was moved by Councillor Stock OBE, seconded by Councillor P B Honeywood and unanimously:-

**RESOLVED** that Council approves:-

- (a) a 1.5% increase in dwelling rents in 2021/22;
- (b) the 2021/22 Scale of Charges, as shown in Appendix B to item A.2 of the Report of the Cabinet; and
- (c) the Housing Revenue Account Budget for 2021/22 as set out in Appendix A to the above report, along with the HRA Capital Programme and the movement in HRA Balances / Reserves, as set out in Appendix C and Appendix D respectively, to the aforementioned report.

**85. URGENT MATTERS FOR DEBATE**

There were no urgent matters for debate on this occasion.

The Meeting was declared closed at 8.55 pm

**Chairman**