
**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 7TH OCTOBER, 2022 AT 10.30 AM
COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15
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Present:

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| Councillor G V Guglielmi | Deputy Leader of the Council & Portfolio Holder for Corporate Finance and Governance (in the Chair) |
| Councillor J D Bray | Portfolio Holder for Planning |
| Councillor L A McWilliams | Portfolio Holder for Partnerships |
| Councillor M C Newton | Portfolio Holder for Business & Economic Growth (except items 56 (part) – 59) |
| Councillors A O J Porter | Portfolio Holder for Leisure & Tourism |
| Councillor M J Talbot | Portfolio Holder for Environment & Public Space |

Group Leaders Present by Invitation: Councillors E T Allen (Leader of the Tendring First Group), J B Chapman BEM (Leader of the Independents Group), I J Henderson (Leader of the Labour Group), G G I Scott (the Leader of the Liberal Democrats Group), C P Winfield (Leader of the Holland-on-Sea Group) and A P H Baker (Deputy Leader of the Tendring Independents Group)

Also Present: Councillor G R Placey (Deputy Leader of the Tendring First Group)

In Attendance: Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Lee Heley (Corporate Director (Place & Economy)), Gary Guiver (Acting Director (Planning)), Anastasia Simpson (Assistant Director (Partnerships)), Tim Clarke (Assistant Director (Housing and Environment)), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Debianna Messenger (Work Based Learning Manager) and Matt Cattermole (Communications Assistant)

Also in Attendance: Richard Barrett (Assistant Director (Finance & IT) & Section 151 Officer) [who was available to participate via MS Teams]

46. SILENT TRIBUTE TO HER LATE MAJESTY QUEEN ELIZABETH II

This being the first formal meeting of the Cabinet since the death of Her Late Majesty Queen Elizabeth the Second, the Deputy Leader of the Council led all persons present in a silent tribute to the memory of her reign.

47. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors P B Honeywood (Portfolio Holder for Housing), M E Stephenson (Leader of the Tendring Independents Group) and N R Stock OBE (Leader of the Council).

48. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the meeting of the Cabinet, held on Friday 15 July 2022, be approved as a correct record and be signed by the Chairman.

49. DECLARATIONS OF INTEREST

There were no Declarations of Interest made by Councillors on this occasion.

50. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

The Deputy Leader of the Council (Councillor G V Guglielmi) made the following announcements:

Gold Award for Council as Positive Employer of Armed Forces Community

The Deputy Leader of the Council was delighted and proud to announce that Tendring District Council (TDC) had received a gold award for its work to support employment of people from the Armed Forces family.

The Council had been recognised for its work in the Ministry of Defence Employer Recognition Scheme, with TDC officials collecting the award at an event in London on 29 September 2022.

Tendring4Growth

The Deputy Leader of the Council informed Members that he had attended the first day of the Tendring4Growth Business Fortnight on Monday 3 October 2022. Around 25-30 local businesses had participated in a breakfast event, Tendring Means Business, with keynote speakers Paul Milsom from Milsom Hotels, Allistair Hunter from DS Group, and Tom West from RentMy.

51. ANNOUNCEMENTS BY CABINET MEMBERS

The Business and Economic Growth Portfolio Holder (Councillor Newton) informed Cabinet that she had attended the ever-popular Skills Fair at the Princes Theatre, in the Town Hall, Clacton on Thursday, 6 October 2022, with residents invited to have a go at various jobs and careers within key sectors across the Tendring District. Having spoken to many residents participating she was optimistic that some, at least, of the attendees would be successful in gaining employment.

52. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

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

53. MATTERS REFERRED TO THE CABINET BY A COMMITTEE

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

54. LEADER OF THE COUNCIL'S ITEMS - A.1 - HIGHLIGHT PRIORITY ACTIONS 2022/23 TOWARDS CORPORATE PLAN THEMES - MONITORING REPORT AT THE HALF YEAR POINT

Cabinet considered a report of the Leader of the Council (A.1) which provided it with an update on the positive progress with the Highlight Priority Actions adopted for 2022/23 towards the Council's Corporate Plan Themes for 2020/24.

The Cabinet was aware that the Corporate Plan 2020/24, adopted by Council, set out the strategic direction and policy objectives for the Council over that period. Taking into account the Corporate Plan Themes, Cabinet at its meeting held on 25 February 2022 had adopted a series of highlight priority actions for 2022/23 with individual milestones for each of those actions. This meeting of Cabinet provided an opportunity to report on the six month position on each of those highlight priority actions and the specified milestones.

Members were reminded that circumstances generally, and with progressing individual highlight priority actions could impact on the individual milestones associated with those actions. The Leader's report invited Cabinet to realign certain milestones and approve new ones as set out in the Appendix to that report.

Moving forward the Quarter 3 position on the highlight priority actions for 2022/23 would be reported to Cabinet on 27 January 2023 when it was intended it would finalise its proposals for highlight priority actions for 2023/24. That meeting would also recommend the Council's budget for 2023/24. The final position at the end of 2022/23 in respect of the highlight priority actions for that year would be reported to Cabinet in Summer 2023/24 and it was hoped to align that report with the budget outturn position.

In considering this report, Cabinet also reflected on the range of significant matters that the Council had delivered in the previous six months. It had been a busy six months and a range of the bids, and deliverables in that period were set out in the background section of the Leader's report and covered matters including:-

- (1) Fifteen additional homes added into the Housing Revenue Account;
- (2) Poetry and History combine at the Jaywick Sands Workspace construction site;
- (3) Bids submitted for £40million of Government "Levelling Up" funding for Clacton-on-Sea and Harwich;
- (4) Construction work begun on the starlings site in Dovercourt;
- (5) Six TDC car parks received the Safer Parking Award Scheme Park Mark;
- (6) Round 5 of the Sportsbreak.com professional cycling Tour Series held in Clacton-on-Sea in May 2022;
- (7) Office Transformation Project completed;
- (8) 29th Clacton Air Show held in August 2022;
- (9) New gym equipment installed in Leisure Centres;
- (10) Careline growth proposals initiated;
- (11) Landlord successfully prosecuted for HMO maintenance offences;
- (12) Four Green Flags and two Blue Flags awarded; and
- (13) Gold award to TDC for its support for Armed Forces personnel.

In order that certain milestones associated with particular highlight priorities referenced in the report could be adjusted:-

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

RESOLVED that the contents of the report together with the proposed realignment of particular milestones and adoption of new milestones, for particular highlight priority actions set out in the report be noted and endorsed.

55. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.2 - FINANCIAL PERFORMANCE REPORT - GENERAL UPDATE 2022/23 AND 2023/24

Cabinet considered a detailed report of the Corporate Finance & Governance Portfolio Holder (A.2), which provided a general update and overview of the Council's financial position against the 2022/23 budget and looking ahead to 2023/24 and beyond.

Cabinet was aware that this year had seen a number of emerging issues both nationally and globally that would have a significant impact on the Council's own financial position e.g. inflation, supply chain disruption, energy cost increases, commodity price increases along with associated secondary impacts. This was in addition to more local pressures on net costs such as the Crematorium remaining non-operational for the first half of 2022/23.

It was reported that rather than present a detailed quarterly update as would ordinarily be the case at this time each year, the Portfolio Holder's report instead set out a high level review of the Council's financial position and challenges ahead along with a proposed short term response. Officers continued to work on updating the forecast and exploring options to support the Council in meeting the financial challenge in 2022/23 along with setting a balanced budget in 2023/24.

Cabinet was informed that, given the scale of the financial challenges that the Council faced, it was proposed to engage all Members as early as possible in this process to add resilience to the Council's financial position heading into 2023. As had been said before, the financial stewardship of the Council was a responsibility borne by all Members and it was more important than ever to work together to ensure that the Council not only balance the books but protected as many front line services as it possibly could going into 2023/24 and beyond.

Members were made aware that, given the speed with which national / global events had introduced significant financial pressures, and along with the scale of the impact, it was proposed to look to reserves, capital receipts and unspent balances to deliver a balanced budget and outturn position this year and next (2022/23 and 2023/24). This would provide a platform to develop sustainable proposals to manage the financial position in the medium to longer term.

Notwithstanding the comments above, a number of items would be funded in the immediate term given their relative urgency.

Cabinet was aware that the Corporate Investment Plan would continue to play a key role in supporting the Council's decision-making processes going forward. However, given the scale of the financial challenges faced by the Council, this would be reviewed alongside the development of the budget / forecast over the coming weeks and months.

There was also an intention to remain within the Essex Business Rates Pool and continue with the Council Tax Sharing Agreement in partnership with Essex County Council, whilst it remained advantageous to do so.

In order to:-

- (a) engage all Members as early as possible in the process in order to add resilience to the Council's financial position heading into 2023 and to ensure that the Council not only balanced the books but protected as many front line services as it possibly could going into 2023/24 and beyond; and
- (b) also enable a number of items to be funded in the immediate term given their relative urgency:-

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

RESOLVED that Cabinet –

- a) notes the contents of the Portfolio Holder's report and requests Officers to explore opportunities to maximise Member engagement in the budget setting process as early as possible in the financial forecast 'cycle' for 2023/24;
- b) requests Officers to present an updated financial forecast and funding options to the November 2022 meeting of Cabinet;
- c) approves the funding allocations set out within Table 2 within the Portfolio Holder's report, with the associated total cost of £859,200 met from the Corporate Investment "Reserve";
- d) approves a delegation to Officers, in consultation with the relevant portfolio holders, to agree the necessary arrangements to implement / take forward the items set out within the aforementioned Table 2;
- e) approves the acceptance of external funding made available by the Council's Local Health Partners totalling £408,000, and authorises the relevant Portfolio Holder to approve the associated schemes / projects in consultation with the Alliance Board; and
- f) approves that the Council continues to be a member of the Essex Business Rates Pool and Council Tax Sharing Agreement with Essex County Council in 2023/24 if it remains financially advantageous to do so.

56. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.3 - UPDATE ON CAREER TRACK AND ITS APPRENTICESHIP PROVISION

Cabinet considered a report of the Corporate Finance & Governance Portfolio Holder (A.3), which updated it on the activities and progress since the Ofsted Inspection visit in November 2021, and sought its agreement for the continuation of the Career Track function and its agreement of the new governance structure/format.

Cabinet recalled that Career Track had had its first full inspection by Ofsted between 3 and 5 November 2021 following the Education Inspection Framework. Career Track had previously had a successful Ofsted Monitoring Visit (a more 'light touch' inspection) in June 2019. The full report following the November Inspection had been published on 24 December 2021. The findings of that report had graded Career Track as 'Requiring Improvement'. Following this grading, Tendring District Council had implemented a comprehensive Development Plan in order to address the improvement areas identified by Ofsted.

An internal Development Group had been established to monitor the progress against the actions identified within the Development Plan. The Development Group was chaired by Councillor G V Guglielmi in his role as the Portfolio Holder for Career Track. Membership of the group also included the Chief Executive; Assistant Director (Partnerships); the Internal Audit Manager and the Executive Projects Manager (Governance). The Work Based Learning Manager and the Organisational Development Manager reported to this group. The Internal Audit Manager and Executive Projects Manager had been part of the Development Group to represent the Section 151 Officer and Monitoring Officer in their overarching governance roles due to the findings of the Ofsted Report.

It was reported that to date the Development Group had met five times and following significant progress had been able to sign off the Development Plan at its last meeting in June 2022. Initial activity following the inspection had focussed on setting the foundations and getting them in place. This had involved adjusting Career Track resources to address the additional demands to meet inspection requirements.

Members were informed that the services of a specialist company known as Strategic Development Network (SDN) had been commissioned for their professional help and advice for policy and curriculum development, which had enabled a new curriculum to be written, which met fully the requirements and expectations of Ofsted. The curriculum covered the knowledge, skills and behaviours of the standards, including personal development and behaviours and attitudes, which covered safeguarding, British values, Prevent, career development and health and well-being.

Cabinet was advised that SDN had supported Career Track with consultants/professionals who also worked alongside and trained Ofsted Inspectors. In addition, their services had been used to support the completion of the RoATP (Register of Apprenticeship Training Providers) application in 2019 and in 2022, as an apprenticeship training provider had to be an approved provider on the register in order to be able to deliver apprenticeships. SDN had recently completed a review of the Development Group to assist in shaping a governance approach suitable for the ongoing provision of Career Track Apprenticeship.

It was reported that Career Track had formally launched OneFile, a training software package for the administration and management of apprenticeships. OneFile was used by at least 50% of all apprenticeship providers as it supported learners more effectively and enabled the provider to better monitor and ensure effective delivery of the curriculum. Career Track was now able to fully personalise learning, improve quality and increase engagement with its apprentices and employers, using the OneFile eportfolio software. This had been funded by the Back to Business Agenda.

In addition, a recent stakeholders briefing had enabled Career Track to share a revised and updated mission statement, the success of OneFile and the new curriculum – this had resulted in positive feedback from those who had attended. All apprentices (and their supervisors and mentors) were using OneFile (dependent on where they were in their apprenticeship programme) and the benefits were already evident.

Cabinet was made aware that the agreement for TDC (under the name of Career Track) to provide apprenticeship training rested with the ESFA (Education and Skills Funding Agency). That organisation had an allocated account manager for career Track and the Work Based Learning Manager had held monthly meetings with him to discuss actions and progress towards meeting the improvements required by Ofsted. The ESFA account manager had approved the Development Plan and fully supported the progress being made. At their last meeting on 23 June 2022 the account manager had agreed that the plan had been completed and consequently Career Track had returned to quarterly meetings until the next inspection.

Members were informed that a Career Track self-assessment report and its accompanying quality improvement plan was being finalised and would replace the Development Plan as the monitoring tool for quality, progress, development and achievement. This was an expectation of Ofsted and when complete would be shared with them and the ESFA.

Cabinet noted that, with the recovery phase / improvement changes now completed, Career Track was returning to 'Business as Usual' and the Development Group had recommended that its membership be revised to align with a governance required by Ofsted for the ongoing provision of all apprenticeships.

It was reported that Career Track would seek to follow the AELP (Association of Employment and Learning Providers) Governance Code. It was based on the following expectations of good governance:

- *Putting the learner, apprentice, and employer first;*
- *promoting high expectations and ambitions for learners, apprentices, and staff;*
- *listening to learners, employers, and staff;*
- *promoting inspirational training, teaching, and learning and assessment;*
- *creating a safe environment for learners and apprentices to train, learn and develop;*
- *providing strong strategic leadership and challenge to the senior team;*
- *demonstrating accountability to all stakeholders, including publishing accurate and timely information on performance;*
- *ensuring the achievement of equality of opportunity, diversity, and inclusion throughout the organisation.*

Cabinet was informed that, under the Ofsted Education Inspection Framework it was a requirement that an apprenticeship training provider followed the Further Education and Skills handbook criteria for Governance, as identified in the AELP Governance Code.

The aim of the Tendring District Council (Career Track) Apprenticeship Governance Board was to achieve effective governance, that:

- *sets the tone from the top and ensures that delivery matches up with an organisation's values and ethos;*

- *provides strategic direction and control to Career Track by creating robust accountability, oversight and assurance for educational outcomes and financial performance;*
- *requires confidence and ability to challenge conventional wisdom, ask tough questions and nurture strong relationships.*

The Terms of Reference of the Apprenticeship Board, as set out in Appendix C to the Portfolio Holder's report, had been agreed, in principle, at the final meeting of the Development Group. The first meeting of the Apprenticeship Governance Board was due to take place in October 2022 with three meetings being held per year, termly, and with an annual report to Cabinet following the final summer term meeting.

To enable Career Track to work towards achieving a 'Good' Ofsted inspection result and to continue to contribute to the economic, health and social well-being of the District:-

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

RESOLVED that Cabinet –

- a) notes the implemented progress of the Career Track Apprenticeship Scheme since the Ofsted Report in December 2021 requiring improvement;
- b) approves the Terms of Reference of the Career Track Apprenticeship Governance Board, which will be chaired by the Cabinet Member for Corporate Finance and Governance, who also has the Portfolio Holder responsibility for Career Track; and
- c) continues its support for Career Track and their priorities and the longer term commitment to continue to explore opportunities to deliver the Service at no net cost to the Council.

57. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING PORTFOLIO HOLDER - A.4 - AGREEMENT WITH ESSEX COUNTY COUNCIL TO USE SHELTERED HOUSING FLATS FOR THE PROVISION OF SHORT TERM ACCOMMODATION FOR THOSE LEAVING HOSPITAL CARE

Cabinet considered a report of the Housing Portfolio Holder (A.4), which sought its approval for an agreement with Essex County Council regarding the use of Sheltered Housing long-term void flats, to be used for qualifying individuals for up to a 12-week stay.

Members were reminded that a 12 month pilot scheme had seen four otherwise vacant sheltered flats owned by Tendring District Council used as temporary accommodation for persons leaving hospital care and unable to return home, in a partnership with Essex County Council. That pilot had been funded by the North East Essex Health and Well-being Alliance and had facilitated a 12 week stay for those in need of interim accommodation. The scheme had reduced the length of hospital stays and had provided a cheaper option to care home placements.

It was now proposed to extend the pilot for a further three years using two sheltered flats at Kate Daniels House in Weeley but with the option to extend beyond three years or to use additional flats if required. Approval was therefore sought for the principal of using otherwise vacant Tendring District Council sheltered flats for temporary accommodation

and alternative housing purposes and to enter into an agreement with Essex County Council for the joint arrangements.

In the belief that the two properties in question were likely to remain void for the foreseeable future due to historic low demand for that site and that entering into the agreement would generate an income to the Housing Revenue Account and help alleviate problems caused by an individual not being able to return to their home:-

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

RESOLVED that Cabinet -

- (a) approves the principle of using vacant sheltered housing flats for the provision of short term accommodation for those leaving hospital care and whose principal home is unavailable;
- (b) approves entering into an agreement with Essex County Council to formalise the arrangement to use two flats at Kate Daniels House, Weeley for a period of three years for such temporary accommodation;
- (c) authorises the Corporate Director (Operations and Delivery), in consultation with the Housing Portfolio Holder, to agree the terms of the agreement with Essex County Council; and
- (d) authorises the extension of that agreement to further flats and other schemes or beyond the three year period should there be a demonstrated need and mutual agreement to do so.

58. CABINET MEMBERS' ITEMS - REPORT OF THE PARTNERSHIPS PORTFOLIO HOLDER - A.5 - DRAFT EQUALITY AND INCLUSION STRATEGY 2023 TO 2027

Cabinet considered a report of the Partnerships Portfolio Holder (A.5), which presented it with a draft four year Equality and Inclusion Strategy and which sought its approval to commence wider consultation prior to formal approval from Cabinet in Quarter 3 and its implementation in Quarter 4.

Cabinet was reminded that, in accordance with the requirements of the Equality Act 2010, all public bodies, including local authorities, were subject to what was referred to as the 'Public Sector Equality Duty (PSED)'. This duty required public bodies to pay due regard to the following:

- *Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;*
- *Advance equality of opportunity between people who share a protected characteristic and those who do not; and*
- *Foster good relations between people who share a protected characteristic and those who do not.*

As part of this PSED local authorities were required to have and publish their equality and diversity objectives, showing how they would meet those requirements. The draft Equality and Inclusion Strategy set out how Tendring District Council (the Council) would seek to meet its obligations under the PSED over the period of 2023 to 2027.

Cabinet was therefore requested to endorse the draft strategy for consultation with key partners. Following the consultation process, a revised final strategy would be submitted to Cabinet for its final approval, publication and implementation.

Members were informed that the draft Equality and Inclusion Strategy set out five objectives underneath each of which were listed the ways in which the organisation would seek to achieve them over the lifetime of the strategy. The contents were aligned to existing Council Plan and priorities and other documents such as the forthcoming Community Engagement Strategy, Local Plan, Housing Strategy, Economic Growth priorities and by working in close partnership with other providers.

The five objectives were:

1. *Engage and communicate in appropriate and accessible ways*
2. *Ensure we deliver inclusive and responsive services*
3. *Foster good relations with and within the community*
4. *Break the cycle of inequality and improve life chances*
5. *Develop and support a diverse workforce*

In accordance with the agreed and published Corporate Priorities for 2022/23, section C3 Effective and Positive Governance for Quarter 2:-

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

RESOLVED that Cabinet approves the draft Equality and Inclusion Strategy, as set out in the Appendix to item A.5 of the Report of the Partnerships Portfolio Holder, for public consultation purposes.

59. CABINET MEMBERS' ITEMS - REPORT OF THE PARTNERSHIPS PORTFOLIO HOLDER - A.6 - COMMUNITY ENGAGEMENT STRATEGY

Cabinet's approval was sought for the introduction of a Community Engagement Strategy, which was attached as an Appendix to item A.6 of the Report of the Partnerships Portfolio Holder.

Members recalled that community engagement was the process by which Tendring District Council aimed to build strong, connected, involved and empowered communities with voices that would be heard and responded to, as part of local decision-making.

It was reported that the Community Engagement Strategy set out the Council's aims in relation to community engagement and outlined how it would engage with its communities.

Cabinet was informed that the aims of the strategy were to support strong, active and inclusive communities who:-

- *are informed and involved in decision making;*
- *can influence and shape the area in which they live and work; and*
- *have the capacity to develop and deliver their own projects.*

To ensure that the Council delivered its Corporate Plan vision '*to put community leadership at the heart of everything we do through the delivery of high quality, affordable services and working positively with others*' and delivering against identified governance requirements:-

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

RESOLVED that the draft Community Engagement Strategy, as set out in the Appendix to item A.6 of the Report of the Partnerships Portfolio Holder, be adopted.

60. MANAGEMENT TEAM ITEMS

There were no such items to consider on this occasion.

The Meeting was declared closed at 12.24 pm

Chairman