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Community Leadership Overview and  
Scrutiny Committee

11 January 2024

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**MINUTES OF THE MEETING OF THE COMMUNITY LEADERSHIP OVERVIEW AND  
SCRUTINY COMMITTEE,  
HELD ON THURSDAY, 11TH JANUARY, 2024 AT 7.30 PM  
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,  
CO15 1SE**

<b>Present:</b>	Councillors Steady (Chairman), Barrett (Vice-Chairman), Davidson, Doyle, Ferguson, Griffiths, McWilliams and Oxley
<b>Also Present:</b>	Councillor M Stephenson (Leader of the Council) and Councillor Placey (Portfolio Holder, Partnerships)
<b>In Attendance:</b>	Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), John Fox (Head of Health & Community), Ian Ford (Committee Services Manager), Keith Durran (Committee Services Officer) and Bethany Jones (Committee Services Officer)

**15. INTRODUCTION FROM THE CHIEF EXECUTIVE**

*“Thank you very much for granting me the privilege of speaking before your agenda. As many of you know, we're currently in the midst of a by-election tonight. I'll be heading straight off to handle postal votes before participating in the count. I appreciate your indulgence in allowing me to speak first.*

*Tonight, I'd like to discuss the broader concept of partnership in anticipation of your later discussion. For many councils, partnership is important, but for us, dealing with challenges like poor health, low education achievement, and economic drivers makes it even more crucial.*

*Our work as a district council becomes vital, and our investments must align with addressing these challenges. Whether we are the deliverer, facilitator, or influencer, our efforts make a significant difference in the lives of our residents.*

*I want to set the stage for a discussion on the importance of our investments, whether they are our own or from external sources. Ensuring these investments deliver positive outcomes is a key aspect of our work.*

*One example of our impact is the 4.7% improvement in the health index for our district, compared to the England average of 0.8%. This demonstrates that our efforts, far from being mere 'fluffy stuff,' genuinely achieve positive results.*

*Reducing ambulance journey times and supporting diagnostic hospitals are among our collaborative efforts, benefiting both residents and regional services. Our partnership with the ICB, the new health structure, has been recognized as one of the best in the country through an LGA peer review.*

*In conclusion, our unique challenges make partnership work even more crucial. The recent visit from the director and their team highlighted that our focus on partnership*

*delivery is equally, if not more, important than physical asset projects. Let's continue working collaboratively and focus on the outcomes we can achieve collectively".*

The Chief Executive excused himself from the remainder of the meeting as he had to attend the Count centre for a by-election in the District, the Chairman thanked him for speaking and said that any questions to him would be submitted to him in writing.  
him in writing.

**16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

An apology for absence was received from Councillor Codling (with no substitution).

**17. DECLARATIONS OF INTEREST**

There were no declarations of interest by Councillors in relation to any item on the agenda for this meeting.

**18. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38**

On this occasion no Councillor submitted notice of a question.

**19. GRANT FUNDING**

At Cabinet's meeting on 10 November 2023, (minute 48 referred) the Leader of the Council had confirmed that external funding matters within the Cabinet's initial Budget proposals for 2024/25 would be scrutinised by the Community Leadership Overview & Scrutiny Committee.

The Committee had before it in attendance the Leader of the Council, supported by the Assistant Director of Finance and IT, plus the Portfolio Holder for Partnerships, supported by the Assistant Director of Partnerships and the Head of Health and Community.

Members were provided with a report (agenda item 5, appendix A) that was to be submitted to Cabinet on 16 February 2024. This report was to meet the recommendation within the Cabinet report in respect of the creation of a subsidy scheme for the purposes of direct grant funding for Citizens Advice Tendring which had been submitted to Cabinet on 21 July 2023. One of the recommendations arising from that July meeting was that a review of grant funding across the Council be carried out and a report following that review considering the options available during 2023/24 then be presented to Cabinet in readiness for 2024/25.

Members heard that the Council allocated a significant amount of funding across the voluntary and community sector, either from external provision such as from Government, for example, the Shared Prosperity Fund, and from internal resources such as for the Tendring Community Fund. At the time of the meeting funding was allocated individually by services within the criteria of any funding received but could potentially be subject to a more joined up approach. The existing governance across services included, in many cases, the criteria for applying, an application form and approval routes, which included Member sign off. Consideration could be given to developing governance criteria to help ensure funding allocation was based on a sound

process, was transparent and allowed for decision making at an appropriate level. Although specific aims could be set for allocating funding, for example, in line with the Corporate Plan, care needed to be taken to ensure sufficient flexibility that allowed for funding to be allocated in relation to need. A general policy could also be considered which set the giving of grants in context, for example, by highlighting the underpinning principles, eligibility etc. Within the allocation of funding reference needed to be made to the Subsidy Control Act 2022 to ensure all allocations were legally compliant.

A series of written questions had been previously compiled by the Committee and put to the Portfolio Holders. The Portfolio Holders' responses had been provided in writing and circulated to the Committee prior to the commencement of the meeting. The Minutes of this meeting record those questions and responses below. Further supplementary questions were asked of Cabinet Members and responses provided and they are also recorded below.

Councillor Doyle, with the aim of transparency, informed the meeting that she worked with a local hospice and also worked with the Compassionate Communities organisation.

<b>GRANTS REPORT</b>			
<b>Portfolio Holder/Officer</b>	<b>Member of Committee</b>	<b>Questions</b>	<b>Answers</b>
Cllr G Placey	Cllr Doyle	Do we monitor the spending of grants we give out, to make sure they are used correctly?	<p>The monitoring of grant allocation is undertaken. For example, the health inequalities funding provided by the Integrated Care Board includes ongoing liaison with the organisations to ensure utilisation of the funding along with the provision of reports highlighting the work being undertaken. Specific evaluation of projects will also be undertaken</p> <p>Officers undertake monitoring of Tendring Community Fund grants by keeping in regular communication with grant recipients to understand how their funded work is progressing and by requiring impact reports to be completed and returned. These reports ask for details on how the funding has been spent, any issues or delays that have arisen, resident feedback and photographs of</p>

		<p>Do we carry out financial risk assessments on organisations that are successful in being awarded a grant?</p> <p>The draft policy at Appendix A2 doesn't appear to reference guidance to aid people in applying for grants, can this be included?</p>	<p>the projects where appropriate. Officers also collect information about any underspend of funding.</p> <p>Steps are taken to determine the financial position of organisations that are successful; for example with the Tendring Community Fund application, particularly with larger grant amounts, the application form asks the applicant to confirm that they have the appropriate governing documents, that they have a bank account with two unrelated signatories and that they could provide a copy of their annual accounts or a budget forecast for the coming year if requested. The cross party working group that allocated this fund also adds the local knowledge element</p> <p>Guidance could be provided to assist those applying for grants and can be included in the final grants policy.</p>
Head of Health and Community	Cllr Doyle	<p><u>Supplementary Question</u></p> <p>When would the Grants Policy be in place?</p>	<p>No timescale in place.</p>
Cllr G Placey	Cllr Griffiths	<p>Would it be possible to building into the structure of TDC that Portfolio</p>	<p>We will take the suggestion back and look at appropriate mechanisms for ensuring</p>

		<p>Holders are responsible for the grants that come out under their remit, that a sub committee is formed, that meets once every six months or so, that then goes through the grants, somewhat similar to the licencing committee.</p> <p>Can we have someone in to explain the Subsidy Control Act 2022? Ref page 25.</p>	<p>that, in so far as is possible, there are common good practices and procedures applied to grant giving by the Council.</p> <p>The Subsidy Control Act 2022 seeks to regulate the provision of subsidies. Provision of grant funding may constitute a subsidy if it is provided to an enterprise which provides them with an economic advantage so that other similar enterprises could not access the funding.</p> <p>Four criteria are used to determine if allocation of funding is a subsidy and these are a) is funding from a public authority, b) does it provide an economic advantage to an enterprise (an organisation offering goods and services on the market) c) is the funding provided to specific beneficiaries and d) does it have an effect on competition or investment.</p> <p>Allocation of funding must be in accordance with the Act although there is the opportunity to develop a Subsidy Control Scheme which will permit the allocation of funding to a specific beneficiary if it is in line with the scheme which would amongst other things include reference to the policies and aims of the funder.</p>
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			If there is an open call for funding allocations so different organisations can bid or if a procurement process is used then funding is unlikely to be regarded as a subsidy.
Head of Health and Community	Cllr Griffiths	<u>Supplementary Question</u>  Can you further explain the Subsidiary Control Act and its relationship with the Jaywick Sunspots development?	The Subsidiary Control outlines 4 criteria for compliance:  A local Authority provides the funding.  That the funding is not conferring financial advantage to an entity.  That the funding is given to specific requests.  Will the funding have adverse effect on competition?  In terms of the Sunspots there was an open call for potential tenants. Government Guidance stipulated that an “open call” was considered “not conferring an advantage”.
Deputy Chief Executive		If Government changes grant criteria, would it change current grants?	Not really, once money is granted and or allocated that is the end of it, i.e. it is a one off.
Head of Health and Community.			
Cllr G Placey	Cllr Steady	When applicants make their submission, do we scrutinise their financial situation? Do we check if they have applied for/received other grants from us or partner organisations under the same or similar schemes?	The Tendring Community Fund application form asks the applicant to confirm that they have the appropriate governing documents, that they have a bank account with two unrelated signatories and that they could provide a copy of their annual accounts or a budget forecast for the

			<p>coming year if requested. Evidence of these being in place may be required before an application is approved and this will depend on the level of funding applied for. Applicants are asked in the TCF application form to provide details of any other grants they have been successful with as well as any they have applied for and are waiting to hear about. Officers will determine the levels of funding an organisation has recently received for other projects by consulting with grant givers internally at TDC, such as for the Shared Prosperity Fund, as well as externally with CVS Tendring and the Health Alliance's domain funding for example. These steps ensure officers would be aware of any risks of funding duplication for the same project before a grant is awarded.</p>
<p>Head of Health and Community</p> <p>Portfolio Holder</p>	<p>Cllr Steady</p>	<p><u>Supplementary Question</u></p> <p>Is there any alternative to a Grants Policy?</p> <p>What is the purpose of the Policy?</p> <p>Will there be a review of external funding?</p>	<p>Continue informally with no Grant Policy.</p> <p>Consolidation of different approaches across the Council, it will strengthen governance and transparency.</p> <p>This is difficult, Grant Policy will channel external funding through its criteria.</p> <p>Policy will need to link into TDC Corporate Strategy but also need to be flexible to</p>

Partnerships			react to emergencies.  We can't say if TDC will get any more external funding. Subsidiary Control has made TDC focus on the way it gives out grants and review to who and why and for how long. Maybe the Committee (CLOSC) could take ownership of the production of the Grants Policy? e.g. via a Task and Finish Group.
Cllr M Stephenson		Will there be any change to the level of funding?	
	Cllr Oxley	<u>Supplementary Question</u>  I have concerns about the complexity of the forms, will they be reviewed?	
Head of Health and Community			They do need to be accessible to all and reactive to the criteria that comes forward.

After an in-depth discussion it was moved by Councillor Steady, seconded by Councillor Ferguson and unanimously **RESOLVED** that:

- (a) a Grants Task & Finish Working party be set up; and
- (b) the Head of Democratic Services & Elections, in consultation with the Chairman of the Committee, be authorised to decide the Working Party's terms of reference (including its size and composition).

In relation to resolution (a), it was decided that the terms of reference of the Task and Finish Group should be:-

Terms of Reference

- the production of a Grants Funding Policy;
- examination of 'funding overlaps' within the Council;
- exploring mechanisms for providing Member overview to keep track of external funding within TDC's systems; any issues around those funds; and how TDC can get in more external funding and particularly to ensure that TDC does not 'miss out' through ignorance of the existence of external 'funding pots'.

**20. DELIVERING AGAINST THE COUNCIL'S CORPORATE PLAN 2022-28 - INITIAL PROPOSALS FOR HIGHLIGHT PRIORITIES FOR 2024/25**

The Committee heard that, at Cabinet's meeting held on 15 December 2023 (Minute 62 referred), Cabinet had considered a report of the Leader of the Council & Portfolio Holder for Corporate Finance and Governance, which had reminded Members that the Council's strategic direction was set out in its Corporate Plan which was a fundamental



element of the Council’s Policy Framework. The Corporate Plan (‘Our Vision’) had been adopted unanimously by Council on 28 November 2023 (Minute 76 referred) and covered the period 2024-28. Key elements of delivering against the adopted Corporate Plan would be through annual highlight priority actions approved by the Cabinet. The 2024/25 initial proposals for highlight priorities had been set out at Appendix B to the Portfolio Holder’s report. Through that report, Cabinet had been invited to adopt those initial proposals for consultation purposes before finalising its highlight priorities for 2024/25; which would involve consideration of the outcome of the consultation undertaken.

It was reported to Members that recognising the rationale for the Portfolio Holder’s recommendations was to set out openly for all concerned the initial proposals for highlight priorities for 2024/25 and that this supported the openness agenda of the Council and provided an opportunity for engagement with the public, businesses and partners on those initial proposals. Through consultation it was hoped that the views received could help shape the priorities that would finally be adopted (within the reality of the Council’s budgetary position). Cabinet had therefore -

**“RESOLVED** that Cabinet resolves that -

- (a) the initial highlight priorities for 2024/25, as set out at Appendix B to report A.2, be approved for consultation;
- (b) all Councillors, other partners and the public be invited to consider the initial priorities referred to in (a) above; and
- (c) the outcome of the consultation referred to in (b) above be reported to Cabinet on 15 March 2024 in order that Cabinet can formally adopt its finalised highlight priority actions for 2024/25.”

A copy of the published Leader of the Council’s report (and its appendices) to the Cabinet meeting held on 15 December 2023 were attached to Officer’s covering report.

A series of written questions had been previously compiled by the Committee and put to the Portfolio Holders. The Portfolio Holders’ responses had been provided in writing and circulated to the Committee prior to the commencement of the meeting. The Minutes of this meeting record those questions and responses below. Further supplementary questions were asked of Cabinet Members and responses provided and they are also recorded below.

Portfolio Holder/Officer	Member	Question to be asked.	Answer
<b>HIGHLIGHT PRIORITIES</b>			
Cllr M Stephenson	Cllr Griffiths	I note on page 9 that it is anticipated by 2026/27 that there are likely to be initial development work on the Garden Community Site. I also note that on page 12 (reference B5)	The need for robust stewardship arrangements for both the governance and management of assets within the Garden Community are a requirement of the adopted Local Plan and the

		<p>that a highlight priority for 2024/25 is intended to be the development of the DPD for the Garden Community. So my question is where is the imperative around stewardship of public facilities as part of the Garden Community. If that is not correct at the beginning it will have negative implications for decades. Surely that should be a highlight priority.</p>	<p>emerging Development Plan Document. These arrangements will need to be in place and tied into a s106 legal agreement before the first planning permissions are granted. The Lead Developers Latimer are considering necessary stewardship arrangements alongside their work in preparing the planning application and the Members of the Tendring Colchester Borders Garden Community have been giving consideration to a variety of stewardship models and examples of best practice from across the country, with guidance from Officers and expert consultants. Whilst the highlight priority refers to the DPD and the development of the Garden Community thereafter, the requirements of the Local Plan and the DPD themselves make it implicit that stewardship arrangements will be confirmed, as stated above, through the s106 legal agreement on the first planning permission.</p>
<p>Cllr M Stephenson</p>	<p>Cllr Griffiths</p>	<p><u>Supplementary Questions</u></p> <p>When will scrutiny of these Stewardship arrangements come in? As I believe that TDC Councillors should have some input into the Stewardship arrangements before they are approved by the Tendring Colchester Borders Garden</p>	<p>Stewardship has to be in place before planning applications can be approved and this will be tied to the section 106 legal agreements.</p> <p>The TCBGC Joint Committee is made up of 3 TDC members, 3 from Colchester City Council</p>

<p>Deputy Chief Executive</p>		<p>Community Joint Committee.</p> <p>What is a Town Board?</p>	<p>and 2 from Essex County Council who will decide the Stewardship arrangements, TDC's members on the Joint Committee are our input in these arrangements.</p> <p>As part of the Towns Grant Government Funding TDC is required to set up a Town Board to come up with a vision for spending the funding.</p>
<p>Cllr M Stephenson</p>	<p>Cllr Griffiths</p>	<p>I note at reference F4 on page 14 that there is intended to be a new communications strategy – will that specifically address the problems we have at TDC of differentiating ourselves from services provided by others. In this regard I specifically note that in the corporate plan consultation many residents thought that TDC was responsible for road and pavement repairs (e.g. potholes) and clearly we are not. In my mind there should be an effort to tell the public just who is responsible for which services.</p>	<p>The Communications Strategy hasn't been drafted completely as of yet as it is necessary to take on board the feedback from consultees on the initial proposed highlight priorities. As such, this feedback around the relative responsibilities of partners, including Essex County Council (ECC), will be reflected on as the draft new Communications Strategy is developed. Having said that, the Strategy is intended to be a guiding principle on the delivery of Communications by the Council and the distinction between TDC and ECC is only one element to consider.</p>
<p>Cllr M Stephenson</p>	<p>Cllr Griffiths</p>	<p><u>Supplementary Questions</u></p> <p>In the new Communications Strategy can we make it clear what TDC is responsible for, what falls under our remit as opposed to partner agencies and can this also be applied to future consultations?</p>	<p>While I agree with the sentiment of your idea, the practicality of it could be resource intensive for something that is comparatively easy to deal with.</p>

Cllr G Placey	Cllr Steady	On page 12 at reference D1 it mentions measures to reduce Health Inequalities; what will those measures include please? I ask as to whether it includes signing up to compassionate communities.	<p>Firstly, may I point out that we are going in the right direction with our health indices improving as reported recently. But as Chris Whitty said when he visited us, there is no silver bullet, no one size fits all and there is still a lot of work to do.</p> <p>There are a broad range of ongoing health inequality initiatives. This includes a Fuel Poverty Officer to help support residents to access the correct type of fuels and tariffs and also to maximise benefits. Funding from the Integrated Care Board (ICB) has enabled us to provide specialist support to Children's Social Care to help families most in need as part of a multidisciplinary team.</p> <p>Family Solutions has been funded with a specific post in Harwich to support struggling families and to develop community resilience. The ICB funding has also been used to enable the voluntary sector to directly address cost of living issues via food and fuel vouchers and support and is also being provided to help support with hospital discharge. Further funding has been provided by the Department of Work and Pensions (DWP) to support those furthest from employment; two staff are now employed to deliver this.</p>
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			<p>The work with Active Essex around the Local Delivery Pilot Sport England funding has also provided multiple examples of supporting communities as the funding was focussed on the most deprived areas and has included initiatives such as Essex Pedal Power, Beat the Streets and Parkplay which encourage people to get active and has been proved to enable easier access to work and Education .</p> <p>Following a meeting with the Hospice a report has now been produced to consider signing up to the Compassionate Communities charter taking into account the resource implications but also the benefits of doing this.</p>
Head of Health and Community	Cllr Steady	<p><u>Supplementary Questions</u></p> <p>Are there any plans for any outreach of Family Solutions into rural areas of the District?</p>	<p>There are 2 ECC staff, hosted by TDC – 1 covers the whole of the District while the other focuses primarily on Harwich.</p>
Head of Health and Community	Cllr Ferguson	<p><u>Supplementary Questions</u></p> <p>Is the Officer for Harwich based in Harwich?</p>	<p>Yes</p>

After a detailed discussion it was moved by Councillor Steady seconded by Councillor Griffiths and unanimously **RESOLVED** that:

- (a) the following recommendation be submitted to the Cabinet namely that when, each quarter, a summary report on delivery against all of the Cabinet's Annual Highlight Priority Areas for the year is sent to Portfolio Holders a copy of such

summary report should also be sent to the members of the Council's overview and scrutiny committees.

- (b) Cabinet be also informed that this Committee is pleased to note that it has covered most, if not all, of the new Corporate Plan Themes in its work undertaken to date in 2023/24.

The meeting was declared closed at 8.59 pm

**Chairman**