
**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 26TH JANUARY, 2024 AT 10.30 AM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

Present: Councillors M E Stephenson (Leader of the Council & Portfolio Holder for Corporate Finance and Governance) (Chairman), A P H Baker (Portfolio Holder for Housing & Planning), M Barry (Portfolio Holder for Leisure & Public Realm), M Bush (Portfolio Holder for Environment), P Kotz (Portfolio Holder for Assets) and G R Placey (Portfolio Holder for Partnerships)

Group Leaders Present by Standing Invitation: Councillors J B Chapman BEM (Leader of the Independents Group) and P B Honeywood (Deputy Leader of the Conservative Group)

Also Present: None

In Attendance: Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Damian Williams (Corporate Director (Operations and Delivery)), Lee Heley (Corporate Director (Place & Economy)), Gary Guiver (Director (Planning)), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), Tim Clarke (Assistant Director (Housing and Environment)), Andy White (Assistant Director (Building and Public Realm)), Keith Simmons (Head of Democratic Services and Elections & Deputy Monitoring Officer), Ian Ford (Committee Services Manager), William Lodge (Communications Manager) and Bethany Jones (Committee Services Officer)

68. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors I J Henderson (Deputy Leader of the Council & Portfolio Holder for Economic Growth, Regeneration & Tourism), J D Bray (Leader of the Tendring Residents' Alliance Group), G V Guglielmi (Leader of the Conservative Group), G G I Scott (Leader of the Liberal Democrats Group) and P J Harris (Deputy Leader of the Tendring Residents' Alliance Group).

69. MINUTES OF THE LAST MEETING

It was moved by Councillor M E Stephenson, seconded by Councillor Barry and:-

RESOLVED that the minutes of the meeting of the Cabinet, held on Friday 15 December 2023, be approved as a correct record and be signed by the Chairman.

70. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members at this time.

71. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

The Leader reported that it had been a busy month since the last Cabinet meeting taken up mostly with budget setting and budget scrutiny at two meetings of the overview and scrutiny committees. In addition, Government officials had visited the District last week to start work with the Council on the Levelling Up Fund projects and that this was likely to take up to three months to complete.

The Leader also referred to the Secretary of State's announcement the previous day on the Local Government Finance Settlement which had promised an extra, large amount of money for local government but not necessarily for District Councils such as TDC.

72. ANNOUNCEMENTS BY CABINET MEMBERS

The Partnerships Portfolio Holder (Councillor Placey) was pleased to announce that the OfSTED report had rated the Career Track service as 'Good'. It was a reflection of all the hard work that the Officers in that Team had put in over the last year together with the dedication of the Apprentices on that scheme. On behalf of the Cabinet she congratulated everyone concerned.

Councillor Placey informed Cabinet that the Council had hosted a very successful STEAM event for nine primary schools on Tuesday that week. It had been supported by the NHS, Essex County Council and the University of Essex as well as by TDC.

Finally, Councillor Placey reported that she had been privileged to attend a meeting of the health and well-being school hubs held at Great Bentley Primary School. Going into their third year the Hubs had worked with 1,526 and their families and, as a result, at least 80% of those children had not subsequently been referred to statutory services. She paid tribute to the initial work carried out on this project by her predecessor, as Portfolio Holder, Councillor Lynda McWilliams and she was happy that the Hubs now covered 33 schools.

73. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

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

74. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.1 - SCRUTINY OF THE INITIAL BUDGET PROPOSALS FOR 2024/25

Cabinet was informed that, in accordance with the requirements of the Budget & Policy Framework Procedure Rules the Resources and Services Overview and Scrutiny Committee ("the Committee") had undertaken its scrutiny of the budget for the Council. Prior to its meeting on 10 January 2024, the members of the Committee, had met informally on 3 January 2024 with the Section 151 Officer and the Head of Democratic Services & Elections. That informal meeting had aided the members of the Committee in developing key lines of inquiry for its formal scrutiny meeting that was duly held on 10 January 2024.

At the Committee's formal meeting on 10 January, it had been reminded that the initial General Fund and the Housing Revenue Account (HRA) Budget proposals for 2024/25 had been considered by Cabinet on 15 December 2023.

The Committee had been provided, as part of the material for it to consider, the following:

- 1) Updated General Fund Financial Forecast / Budget 2024/25 – the report considered by Cabinet on 15 December 2023.
- 2) Updated Housing Revenue Account Business Plan and Budget Proposals 2024/25 – the report considered by Cabinet on 15 December 2023.

Following the aforementioned informal meeting of the Committee held on 3 January 2024 a series of written questions had been circulated to Portfolio Holders and their responses had been circulated to the Committee prior to its formal meeting on 10 January 2024. The Minutes of that meeting record those questions and responses in an Appendix.

At the 10 January meeting further supplementary questions had been asked of Cabinet Members and responses provided including, in some cases, a commitment to provide a written response. The following such commitments to written responses being provided were given to the Committee:-

- Cllr. Andy Baker, Portfolio Holder for Housing & Planning - regarding whether the Council would pursue 'joint ventures' (such as 'lease back') as a way of increasing the housing stock.
- Cllr. Andy Baker, Portfolio Holder for Housing & Planning – in relation to how often the 30 year HRA Business Plan will be reviewed.

Those written responses had been duly circulated to the members of the Committee by email on 19 January 2024.

The Resources and Services Overview and Scrutiny Committee had resolved to submit the following recommendations to Cabinet:-

“That:-

- (a) Portfolio Holders review the individual cost pressures and cost savings across their respective service areas and explain how they are managing that process;*
- (b) this Committee must be consulted on both the review of the Housing Strategy and on any revised Strategy proposals that come forward before the Cabinet makes any decisions on this matter;*
- (c) a longer term Savings Plan be produced to ensure longer term financial sustainability and that it be submitted to this Committee for scrutiny in the first quarter of 2024/2025;*
- (d) a review be carried out of the Council's preferred service providers/contractors to ensure compliance with the Council's Procurement Procedure Rules; and*
- (e) a review be carried out on whether to introduce a “traffic light” risk management system to manage cost pressures.”*

The Leader of the Council (Councillor M E Stephenson) recorded his thanks to the Resources and Services Overview & Scrutiny Committee for all of their hard work and stated that he was happy to support that Committee's recommendations.

Having duly considered the recommendations submitted to Cabinet by the Resources and Services Overview & Scrutiny Committee:-

It was moved by Councillor M E Stephenson, seconded by Councillor Kotz and:-

RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be welcomed and noted and that it be further noted that the responses of Portfolio Holders thereto will be considered as part of items 11 and 14 of the agenda.

75. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.2 - REVIEW OF THE COUNCIL'S CURRENT PLANNING ENFORCEMENT ARRANGEMENTS

It was reported that the Resources and Services Overview and Scrutiny Committee ("the Committee") at its meeting held on 10 January 2024, had considered an interim report from its Council Enforcement Arrangements Task and Finish Group which had been submitted following that Group's conclusion of the element of its enquiry concerning Planning Enforcement.

The Committee had been provided, as part of the material for them to consider, the following:

- 1) the Head of Democratic Services & Elections' covering report; and
- 2) the Interim Report of the Council Enforcement Arrangements Task & Finish Group following the element of its enquiry concerning Planning Enforcement dated 31 October 2023.

Those reports were before Cabinet attached as Appendices 1 and 2 respectively to item A.2 of the Reference Report from the Resources and Services Overview and Scrutiny Committee.

At that meeting on 10 January 2024 the Committee had resolved to submit the following recommendations to Cabinet:-

"That:-

- (1) the pilot monthly update list on planning enforcement cases (showing Ward, location, alleged planning breach and reference number) be rolled out to all Councillors from the start of January 2024 and that, in the list, those cases relating to the same premises be cross referenced or be shown sequentially and allegations of breaches around the creation of Houses in Multiple Occupation be clearly identified;*
- (2) moves be made to utilise the functionality built into the Planning computer software system, Uniform/Public Access, in order to provide up to date details on planning enforcement cases through the website. This use should be timed to commence from 1 April 2024 for new cases, that existing live cases be added as updates are made to those cases during 2024/25 and that in March 2025 a report be provided to*

Councillors of those cases not available at that point on the website through the stated software packages;

- (3) the following be instigated in relation to arrangements across the Council to support joined up and effective enforcement:*
- a. The pilot arrangements for action logs being created for meetings of the Operational Enforcement Group (that are associated with matters discussed at meetings of that Group (and are then monitored away from meetings of the Operational Enforcement Group)) be implemented fully going forward. These action logs would also include relevant responses concerning information held by other service areas of the Council about premises that are referenced to the Group by any one of the service areas who are represented on the Group (including 'NIL' responses if appropriate).*
 - b. A mechanism of alerting service areas who are represented on the Operational Enforcement Group of live enforcement cases in each of the other service areas on that Group, an ongoing basis, be developed and implemented so as to improve the knowledge flow in the Council of allegations and provide for appropriate enforcement and timely interventions to be made to secure the best interests of the Council, its residents and businesses with a view to raising public confidence in the Council's competence to secure those best interests and deliver 'smarter' working across service areas.*
 - c. A protocol be developed setting out the corporate expectations on individual service areas to identify the types of information that service areas hold, and examples of where that information could reasonably be expected to be utilised to support enforcement action or service delivery in that service area or another service area. By way of example, Council Tax Collection could usefully benefit from information around properties being empty for a year as the Council Tax payer may then be subjected to an empty property premium being applied to the Council Tax bill for the property. Another example would be around information that the Licensing Team were to revoke a Licence held by a Business and the potential need for swift action to recover unpaid Business Rates.*
- (4) a mechanism for reviewing activity in respect of planning enforcement cases which have been live for over a year be developed and maintained with a view to avoiding the status quo continuing and resulting in an ever reducing harm assessment in respect of those cases to the point that the infringement/non-compliance becomes permitted by default/legal action is not an option as it is then out of time. The intention of the review is to ensure that issues are not missed and appropriate action is taken by the Council; and*
- (5) as part of good and reasoned decision making, a policy statement be developed or reviewed on the use of 'public interest' within Planning Enforcement as the reason for either taking or not taking particular enforcement action. The policy statement is to set out the considerations officers must take account of. In each case where 'public interest' is to be utilised to support a planning enforcement decision, an assessment of the competing elements of the public interest in taking or not taking that particular enforcement action are to be set out in writing with an indication as to why taking or not taking action outweighs the other public interest and that assessment is to be endorsed by a more senior officer."*

Cabinet had before it the following comments submitted by the Portfolio Holder for Housing and Planning:-

- (1) *“Response: A weekly list of enforcement cases developed by Officers has been piloted with Members of the Task & Finish Group and this has been well received. I am happy to instruct the Director of Planning to have this list circulated to all Ward Councillors from now on. I hope it will be a valuable tool for Members in understanding some of the issues being investigated in their areas.*
- (2) *Response: Whilst, due to the sensitive nature of some planning enforcement issues, it might not be possible to put all information in the public domain; having a basic level of information on the website is a good idea – enabling interested residents to see for themselves the latest position with regards to local cases. I question the specific purpose of the suggested March 2025 report, given the amount of data that will be provided as matter of course through the regular list to Ward Members, but am happy to explore with Officers the best way of reporting back to Members any cases not, for whatever reason, listed for public view by that point.*
- (3) *Response: I completely support looking at measures to improve joined up and effective enforcement across the Council’s services – so long as we comply with necessary data protection rules. I am conscious that our Officers already work well together across the services both through operational enforcement group and on a day-to-day basis on cases where there could be multiple issues, but there is always room for improvement – particularly when it comes to raising public confidence in the joined-up approach. The specific suggestions put forward by the Committee are noted and will require further liaison with Officers and fellow Cabinet Members to explore the mechanics around introducing any specific measures.*
- (4) *Response: With a properly staffed Planning Enforcement Team now in place and the efforts that have gone into cutting in half the number of live enforcement cases on our files, the Council is now in a good position to take appropriate action in regard to both new cases and older cases with a longer history. I will explore with Officers the need for any additional mechanisms or safeguards in respect of cases that have been live for an extended period and will action accordingly having taken their advice.*
- (5) *Response: The Council already has its Planning Enforcement Policy and associated Harm Risk Assessment which does provide an explanation, in line with government guidance, how action is considered with regard to the wider public interest. As a living document that can be updated by the Planning Committee as and when required, I will explore with Officers whether any further improvements or explanation can be incorporated at a logical time for review. Officers already take a variety of factors into account in exploring the right course of action for different cases and these factors will differ from case to case, so having a list of considerations that Officers ‘must’ take account of will need careful consideration. The Planning Enforcement Team is however already developing a means by which a short report is completed on the closure of any case, which will comment on public interest considerations and referral to other services as appropriate; I hope to be able to give an update on that in due course.”*

Having duly considered the recommendations submitted to Cabinet by the Resources and Services Overview & Scrutiny Committee, together with the response of the Housing and Planning Portfolio Holder thereto:-

It was moved by Councillor Baker, seconded by Councillor Bush and:-

RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be welcomed and noted and that the response of the Portfolio Holder for Housing and Planning thereto be endorsed.

76. LEADER OF THE COUNCIL'S ITEMS

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

77. CABINET MEMBERS' ITEMS - REPORT OF THE ECONOMIC GROWTH, REGENERATION & TOURISM PORTFOLIO HOLDER - A.3 - CLACTON AIR SHOW 2023

Cabinet considered a report of the Economic Growth, Regeneration & Tourism Portfolio Holder (A.3), which set out options for the future of the Clacton Air Show based on a review requested as part of the Council's Budget Setting Process for 2023/24. As such, this Clacton Air Show Review set out the key purpose, impact and benefits to running the Air Show in future years based on the outcomes experienced during the 2023 event.

Members were aware that the Clacton Air Show had national recognition and was one of the largest events in Essex; it was well supported by local and national media and all of the emergency services. Attracting thousands of visitors to the District, the Clacton Air Show was a local event that residents felt proud of; with the recent Corporate Plan Consultation (2023) highlighting that the: *'air show is greatly loved by residents in the area'* and that a further 15.9% of people responding positively had stated that they would consider volunteering at the Clacton Air Show. In addition, feedback from visitors on social media and throughout the event, highlighted the positive excitement and energy that the event brought to the District.

The Clacton Air Show generated a significant amount of income to businesses within the local area. The Economic Impact report contained within Appendix B to the Portfolio Holder's report highlighted that an estimated 250,000 attendees came to the event over the two-day period and contributed a net value of approximately £12,155,000 to the area with 166 jobs sustained for the duration of the show.

Cabinet was informed that the Clacton Air Show Review outlined why Tendring District Council hosted the Air Show and evidenced its impact on local tourism and to the wider economy. It aimed to enable a balanced decision to be taken on the future of the event in respect of the significant financial challenges faced by the Council. The review also included a comprehensive strengths, weaknesses, opportunities and threats analysis and provided an opportunity to review areas of development and potential for growth.

It was reported that the total cost to run the Clacton Air Show in 2023 had been £192,272, this included a budgeted subsidy of £130,330 and income generation of £65,718. A full financial breakdown had been included within the review, this incorporated the total costs of running the Clacton Air Show, impacts to the Council, and

income generated. Alongside the budgeted financial subsidy for the Clacton Air Show, there were additional 'in-kind' costs incurred by the Council including staffing during the event and costs associated with Engineering and back office support.

Cabinet was made aware that the following options for the future of the Clacton Air Show had been considered:-

Option 1 – Air Show to be reviewed and agreed annually. Historically the decision to run the Air Show had been made annually following a review of the previous year's event. There was the option to continue making this decision on a yearly basis, which would enable current factors to be taken into consideration. The 2024 Clacton Airshow had been announced in the press, though a formal decision would need to be published to accompany this. This option would require an additional amount of up to £60,000 to be identified on an annual basis.

Option 2 – commitment to Clacton Air Show for 2024 – 2027. A four year commitment to Clacton Air Show with a full flight schedule for 2024-2027 would enable the Operational Tourism Team to explore economies of scale including multi-year core service procurement (including First Aid and Security), attracting external funding, exploring sponsorship opportunities including the potential to attract a headline sponsor and engage with specialist organisations to procure additional sponsors, digital enhancement, and explore Clacton Air Show official merchandise. An Annual Review would be carried out to provide a report on the Air Show and highlight any key decisions required for future events. This option would require an additional amount of up to £60,000 to be identified for each of the four years set out in this option.

Option 3 – to cease running the Clacton Air Show. There was the option to cease running the Clacton Air Show, however as the 2024 Clacton Air Show had been publicly announced this would be a reputational risk to the Council. Due to the significant economic and social impact that the event had on tourism in Tendring, Officers would need adequate time to consider what events could replace an event of this scale and impact.

Having duly considered and weighed the advantages and disadvantages of the three potential courses of action:-

It was moved by Councillor M E Stephenson, seconded by Councillor Barry and:-

RESOLVED that Cabinet –

- (a) formally agrees, subject to funding being allocated, to support the continuation of delivering the Clacton Air Show for the years 2024-2027, with annual reviews to be undertaken; and
- (b) requests Officers to explore sponsorship opportunities including engaging specialist resource support.

78. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.4 - UPDATED GENERAL FUND FINANCIAL FORECAST / BUDGET 2024/25

Cabinet considered a report of the Corporate Finance & Governance Portfolio Holder (A.4), which sought its approval of:

- the latest financial forecast / budget proposals and council tax amount for 2024/25 for recommending to Full Council; and
- a delegation to the Portfolio Holder for Corporate Finance and Governance to agree the detailed budget proposals and formal draft resolutions / 'technical' appendices required for Full Council on 13 February 2024.

It was reported that, since the Cabinet's last meeting on 15 December 2023, additional changes had been required, primarily as a result of new or revised information becoming available which included the Government's Financial Settlement announcements. The changes required had resulted in a reduced deficit for 2024/25 of £1.715m, a change of £0.960m compared to the £2.674m deficit presented to Cabinet in December. Appendix A to the Portfolio Holder's report, along with comments set out later on in that report, provided further details across the various lines of the forecast, with the most significant change being the receipt of the revenue support grant and other associated funding from the Government.

The most up to date savings schedule and cost pressure summary were set out in Appendices B and C respectively to the Portfolio Holder's report.

Cabinet was advised that in order to enable the detailed estimates along with the various resolutions / 'technical' appendices required for Full Council's meeting in February 2024 to be finalised, a delegation to the Portfolio Holder for Corporate Finance and Governance had been included within the Portfolio Holder's recommendations. A further delegation had also been included in order to enable a business rate relief policy, associated with the continuation of a mandatory Government relief scheme in 2024/25, to be finalised in advance of bills being printed and sent out before the start of the 2024/25 financial year.

Members were reminded that the budget position set out in the report would change as further adjustments were required as part of finalising the budget for presenting to Council on 13 February 2024, with a further delegation included in the Portfolio Holder's recommendations to reflect this.

Cabinet was informed that, based on the final proposed budget for 2024/25, the Council Tax requirement was £10.048m, which was based on a 2.99% (£5.62) increase for this Council's services, with an annual Band D council tax of £193.73. Those 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.

The Council's annual budget and the district and parish elements of the council tax would be considered by Full Council on 13 February 2024 with approval of the 'full' council tax levy for the year being considered by the Human Resources and Council Tax Committee later on in February 2024.

Members were reminded that, as set out in earlier reports, despite the challenging financial and economic environment, confidence in the long term approach to the forecast remained, which was supported by the Forecast Risk Fund. The Council had

maintained a prudent and sustainable approach to its long term plan, which provided the 'platform' against which it could continue to consider its financial position in response to the very challenging economic outlook it faced.

As highlighted in the Cabinet's December 2023 report, both Appendix B and Appendix C included related in-year adjustments for 2023/24. Those would be subject to further review before being finalised for inclusion in the Quarter 3 Financial Performance Report that would be presented to Cabinet later on in the 2023/24 financial year.

The Leader of the Council (Councillor M E Stephenson) read out the following statement:-

"The forecast has been subject to further updates since Cabinet in December, which are set out in the report. Just before Christmas we received the provisional draft Local Government Finance Settlement, which included over £1m of additional funding for us. A note of caution is that we cannot take this for granted and it is unlikely that will continue for any meaningful length of time. In following on from previous commitments, the budget now also reflects a percentage increase in the LCTS grant paid to Town and Parish Councils – the increase reflects our own revenue support grant increase.

As we set out in the report in December, work remained on-going in terms of potential further cost pressures. An additional £229k of cost pressures have been included in the budget following this review. This includes making money available to support the Clacton Air Show, which hopefully everyone is pleased to see us continue. There are a few budget adjustments that remain outstanding that will be finalised in readiness for reporting to Full Council on 13 February.

In terms of the Full Council meeting in February, we will be recommending a Band D Council Tax amount of £193.73 in 2024/25, a 2.99% increase or just over 50p a day, which I am sure we all agree continues to represent excellent value for money for our residents.

As set out in the report, we face many more cost pressures which I will be looking at with my Portfolio Holders and Officers over the coming weeks and separate decisions will be made as necessary.

Some of you will have heard me say that we have delivered a balanced budget but not a fully funded budget. This will be the case until we identify the necessary savings to enable us to move away from reliance on the Forecast Risk Fund. In terms of savings, I know that Members are keen to see what we are planning. As you know, we are committed to openness and transparency and we will share options and plans as soon as we can.

The additional Government funding in 2024/25 has provided additional flexibility as it has reduced the call on the Forecast Risk Fund in 2024/25, but we acknowledge that we need to use the time and this flexibility wisely and make sure we get ahead of the savings targets as soon as we can. We can't shy away from the challenge ahead and the support and input from all Members will be important to deliver a financial sustainable future for the Council.

The Chief Executive and I did provide a response to the Provisional Local Government Finance Settlement. We asked the Government for extra cash and increased flexibilities,

with the latter point also picking up a discussion we had at the recent RSO&S Committee about lobbying Government whenever we can – for example when it comes to setting our fees and charges.

We will also provide a copy of our response to our local MPs. I note recent headlines in the press about a number of Conservative MPs demanding extra funding for Councils. Hopefully, together we can extract some additional cash out of the Government, but I somehow doubt we will get any more than they have already announced.”

The Chief Executive also updated the Cabinet in that it now appeared that the Government would potentially require some of the additional funding to be performance related. Therefore, Tendring District Council would have to make a judgement as to whether the income from the additional funding outweighed the cost of administration et cetera. He also confirmed that both of the District's MPs had been briefed on the Council's budget position and on the finance submission to the Government by the District Councils' Network.

In order to allow the Cabinet's General Fund budget and Council Tax proposals for 2024/25 to be submitted to the budget and council tax setting meeting of the Full Council on 13 February 2024:-

It was moved by Councillor M E Stephenson, seconded by Councillor Placey and:-

RESOLVED that Cabinet –

- (a) approves the updated financial forecast, as set out in Appendix A to item A.4 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 that form the firm proposals for the 2024/25 budget and recommends to Full Council a Band D Council Tax for district services of £193.73 for 2024/25 (a £2.99% increase), along with the associated council tax requirement of £10.048m.
- (b) authorises the Portfolio Holder for Corporate Finance and Governance, to agree the 'technical' appendices and resolutions for the budget proposals for recommending to Full Council on 13 February 2024;
- (c) authorises the Chief Executive, in consultation with the Corporate Finance & Governance Portfolio Holder, to report directly to Council in respect of the formal resolutions necessary to implement the Executive's budget proposals including any further amendments emerging from additional information becoming available and/or notifications received from the Government; and
- (d) authorises the Portfolio Holder for Corporate Finance and Governance, to agree / adopt a Retail, Hospitality and Leisure mandatory business rate relief scheme for 2024/25.

79. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING & PLANNING PORTFOLIO HOLDER - A.5 - CONSIDERATION AND ADOPTION OF HOUSING POLICES ON TEMPORARY ACCOMMODATION, DEPOSIT GUARANTEE AND HOMELESSNESS PREVENTION

Cabinet considered a report of the Housing & Planning Portfolio Holder (A.5), which sought its approval and adoption of three new/revised housing policies.

It was reported that the policies formalised some of the extensive work that was already undertaken by the Housing Solutions service in assisting those who were homeless or threatened with homelessness. The adoption of those policies would ensure that the Council had a clear framework in place in respect of activities associated with the prevention and relief of homelessness. The Council, along with other local housing authorities had experienced a year on year increase in homelessness presentations for several years. The current cost of living crisis meant that trend was unlikely to be reversed in the immediate future. The increase in homelessness presentations placed increasing pressure on the Housing Solutions Team as they sought to provide support to residents at what was likely to be one of the most difficult periods in their life. Sourcing further, suitable temporary accommodation for those that needed it was becoming more challenging, especially as the Council aimed not to place individuals outside of the District unless there were no other options.

Members were informed that the Temporary Accommodation Policy set out how temporary accommodation would be offered, the terms under which it was offered and the nature of the accommodation that would be made available. This policy was especially relevant as the Council drew closer to bringing Spendells House, Walton back into use as a dedicated temporary accommodation scheme.

Cabinet was made aware that the Deposit Guarantee Policy ensured that the Council had control over the provision of rent deposits for those persons who it assisted into privately rented accommodation. Spending on rent deposits had grown significantly over recent years and a focus on offering a deposit guarantee did not incur the same level of expenditure and would contribute to the operation of a more efficient homelessness service, making better use of the Homelessness Prevention Grant.

Cabinet was advised that Homelessness Prevention was the approach that should become the Council's priority and that this dedicated policy set out the options available and how the Council would use them to the best effect to support residents of the District when they were threatened with homelessness.

In order to ensure that the policies were appropriately adopted, in accordance with the Council's Constitution:-

It was moved by Councillor Baker, seconded by Councillor Placey and:-

RESOLVED that Cabinet –

(a) formally adopts the following policies:

- (i) Temporary Accommodation Policy;
- (ii) Deposit Guarantee Policy; and
- (iii) Homelessness Prevention Policy.

(b) authorises their direct implementation; and

- (c) authorises the Corporate Director (Operations and Delivery) to make future updates or amendments to each policy in consultation with the Portfolio Holder with responsibility for Housing.

80. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE PORTFOLIO HOLDERS FOR LEISURE & PUBLIC REALM; ASSETS; ECONOMIC GROWTH, REGENERATION & TOURISM; AND PARTNERSHIPS - A.6 - ADOPTION OF POLICY FOR EVENTS ON COUNCIL LAND

Cabinet considered a joint report of the Portfolio Holders for Leisure & Public Realm; Assets; Economic Growth, Regeneration & Tourism; and Partnerships (A.6), which sought its adoption of a policy in respect of applications for events to be held on Tendring District Council owned land.

It was felt that the policy, if adopted, would provide effective regulation and enforcement for events that would improve services to the community, promoting businesses and tourism. The policy provided guidance to support the Council to manage the difficult balance needed to maximise event benefits whilst minimising the challenges faced in holding them. Effective planning and management of events using an agreed policy framework would:-

- maximise safety for those working and attending events;
- ensure the promotion of the Licensing Objectives;
- ensure that events protect and enhance the environment, meet community needs and promote economic growth;
- provide a framework for the application process to seek approval for outdoor events;
- ensure that pre-event consultation takes place;
- maximise the opportunity for increased spending that would make a positive contribution to the local economy;
- minimises any negative impact of events to the residents and businesses of the District;
- set out a scale of charges for events; and
- support the existing and future events programme(s) with events throughout the year to maximise the positive impact of events to Tendring's economy.

Fully recognising that the adoption of a policy for events on council land would improve administration and efficiency associated with applications for events, provide a basis for setting fees and charges, reduce complaints concerning inconsistency of decisions made and increase clarity around the roles and responsibilities of both applicant and administrator:-

It was moved by Councillor Barry, seconded by Councillor Kotz and:-

RESOLVED that Cabinet –

- (a) notes the contents of the joint report;
- (b) formally adopts the Tendring District Council Open Space Event Policy for Council owned land, as set out in the Appendix to the joint report, and authorises it to take immediate effect (subject to the call-in process); and

- (c) authorises the Assistant Director (Building and Public Realm) to update the policy with any future legislative or best practice changes, in consultation with the relevant Portfolio Holders.

81. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING AND PLANNING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.7 - UPDATED HOUSING REVENUE ACCOUNT BUSINESS PLAN AND BUDGET PROPOSALS 2024/25

Cabinet considered a joint report of the Housing & Planning Portfolio Holder and the Corporate Finance & Governance Portfolio Holder (A.7), which sought its approval of an updated Housing Revenue Account (HRA) Business Plan for 2023/24 and 2024/25, along with final HRA budget proposals for 2024/25 (including fees and charges, capital programme and movement in HRA balances) for recommending to the Full Council meeting on 13 February 2024.

It was reported that, since the Cabinet's last meeting on 15 December 2023, only two amendments to the proposed budget for 2024/25 had been required with 2023/24 remaining unchanged. The changes required in 2024/25 had resulted in the overall surplus increasing to £0.300m a change of £0.120m compared to the position reported to Cabinet in December 2023. Appendix A to the joint report set out the updated Business Plan, in terms of 2023/24 and 2024/25, with Appendix B thereto setting out the proposed detailed budgets that reflected that latest position.

Cabinet was informed that it was proposed to fund the estimated deficit for 2023/24 by calling money from HRA balances as an alternative to reducing expenditure, which was partly offset by the proposal to transfer the estimated surplus in 2024/25 to the same reserve. This position remained subject to further adjustments that were likely to be required as part of finalising the budget for presenting to Council on 13 February 2024, with a delegation included in the Portfolio Holders' recommendations to respond to that possibility.

Members were advised that Appendix C set out the proposed fees and charges for 2024/25, which broadly reflected inflationary uplifts of 7.7% where relevant or other inflationary changes to better reflect the cost of providing the associated service. The proposed HRA Capital Programme for 2024/25 was set out in Appendix D, which reflected the Council's commitment to maintain the necessary investment in the existing homes of tenants.

Cabinet was made aware that the average weekly rent remained unchanged to the figure reported in December at £100.89, an increase of 7.7% over the comparable figure of £93.68 for 2023/24. The HRA general balance was forecast to total £3.651m at the end of 2024/25, which retained a strong financial position against which the associated HRA 30 year Business Plan could continue to be delivered / developed. The HRA balances, together with the proposed rent increase for 2024/25 were important elements of delivering a sustainable HRA in the longer term.

It was also reported that HRA debt continued to reduce year on year as principal was repaid with a total debt position at the end of 2024/25 forecast to be £32.535m (A reduction of £1.414m compared with the figure at the end of 2023/24).

Cabinet was reminded that the Tenant's Panel played an important role in developing the HRA Business Plan and budget proposals and that it was proposed to consult with them shortly, with any comments planned to be reported to Members either ahead of, or directly at, the Full Council meeting on 13 February 2024.

The Leader of the Council (Councillor M E Stephenson) read out the following statement:-

"Only a couple of changes have been made to the budget since our meeting in December, which are set out in the report. The proposed rent increase remains the same at 7.7%, which helps us balance cost increases etc. within the HRA. Similarly to the General Fund position, there are a few budget adjustments that remain outstanding that will be finalised in readiness for reporting to Full Council on 13 February. Along with updated Business Plan figures, the report also sets out the detailed budget, capital programme and reserves. Based on the latest position, it is proposed to contribute £300k to HRA balances which offsets the planned use of the same reserve in 2023/24.

I understand that the Tenants' Panel is meeting in early February and I look forward to their comments which we will make available to Members ahead of the Full council meeting on 13 February."

Having duly considered the most up to date HRA Business Plan which set out a revised position for 2023/24 along with the proposed HRA budget for 2024/25, and in order to enable the associated recommendations to be presented to Full Council on 13 February 2024:-

It was moved by Councillor M E Stephenson, seconded by Councillor Baker and:-

RESOLVED that Cabinet -

- (a) approves the updated HRA Business Plan, which includes the proposed position for 2023/24 and 2024/25, as set out in Appendix A to the joint report;
- (b) authorises the Assistant Director (Finance & IT) to adjust the forecast / budget, including the use of reserves, in consultation with the Portfolio for Housing and Planning and the Portfolio Holder for Corporate Finance and Governance if the financial position changes prior to Council considering the HRA budget on 13 February 2024; and
- (c) recommends to Full Council a 7.7% increase in dwelling rents in 2024/25, along with the detailed HRA Budget proposals for 2024/25, as set out in Appendices B to E to the joint Portfolio Holder report (A.7).

82. **MANAGEMENT TEAM ITEMS**

There were no items submitted by the Council's Management Team on this occasion.

The Meeting was declared closed at 11.08 am

Chairman