

**MINUTES OF THE MEETING OF THE RESOURCES AND SERVICES OVERVIEW  
AND SCRUTINY COMMITTEE,  
HELD ON MONDAY, 23RD SEPTEMBER, 2024 AT 7.30 PM  
IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE**

<b>Present:</b>	Councillors P Honeywood (Chairman), M Cossens (Vice-Chairman), Bensilum, Harris, S Honeywood, Newton and Goldman
<b>Also Present:</b>	Councillor Kotz (Portfolio Holder for Assets)
<b>In Attendance:</b>	Lisa Hastings (Assistant Director Governance & Monitoring Officer), Richard Barrett (Assistant Director Finance and IT & Section 151 Officer), Damian Williams (Corporate Director Operations and Delivery), Andy White (Assistant Director Building and Public Realm), Keith Simmons (Head of Democratic Services and Elections & Deputy Monitoring Officer), Bethany Jones (Committee Services Officer) and Hattie Dawson-Dragisic (Performance and Leadership Support Officer)

**52. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Doyle and Steady with no substitutions.

An apology was also received from Councillor Mark Stephenson, Leader of the Council who had been due to attend the meeting for item 7, Report of the Assistant Director of Finance & IT – A.2 – Financial Outturn Update Report, on the agenda. Due to family commitments, he was unable to attend on this occasion.

**53. MINUTES OF THE LAST MEETING**

It was **RESOLVED** that the minutes of the meeting of the Committee, held on 22 July 2024, be approved as a correct record and be signed by the Chairman following an amendment to show that Councillor M Cossens had been absent from the meeting.

**54. DECLARATIONS OF INTEREST**

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

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

The Committee was reminded that, subject to the required notice being given, a Member of the Committee could ask the Chairman of the Committee a question on any matter in relation to which the Council had powers or duties which affected the Tendring District, and which fell within the terms of reference of the Committee. On this occasion, one question on notice had been submitted by a Member of the Committee as set out below: -

Question

Councillor Matthew Bensilum asked Councillor Paul Honeywood, the Chairman of the Resources and Services Overview & Scrutiny Committee: -

*“Can we seek reassurance that all departments regularly review their “preferred” providers / suppliers and that any contracts awarded follow a set policy of due-diligence and if this is the case, please confirm how suppliers are vetted, when they were last reviewed and when they will be next reviewed. This is of course especially important for larger / regular contract.”*

Councillor Paul Honeywood, the Chairman of the Resources and Services Overview & Scrutiny Committee read the following which had been prepared for him: -

*“Assurance can be provided from the Procurement Team, including support from Essex County Council under the Council’s Service Level Agreement for the provision of Procurement services, that tenders processed by them do not have a preferred contractor’s list and that the correct governance is followed throughout the procedure.*

*Depending on the amount that the contract is worth will depend on the route to tender, whether they be Request for Quotation (RFQ between £10-50k) or invitation to Tender (ITT over £50k). Invitation To Tender are handled by Essex County Council and will generally be on contracts finder or from a framework. If open tender (not via a framework) any company may submit a tender.*

*RFQ locked tender boxes are controlled by Procurement but the information and specification to submit quotes is completed by the relevant service and is the responsibility of the service, by e mailing the RFQ details directly to suppliers. However, the Council does not hold a preferred contractors list as this would not be in line with the Council’s Procurement Procedure.*

*There is provision for the contractor to provide a performance bond, or parent company guarantee where appropriate and this is contained within the Council’s Procurement Procedure, which can be found at Part 5 of the Constitution, providing the appropriate procedures in full and all associated information.”*

By virtue of the Rule 38, no further question, statement or debate was provided for following the Chairman’s reply.

## **56. PORTFOLIO HOLDER INTRODUCTION - PORTFOLIO HOLDER FOR ASSETS**

The Chairman of the Committee welcomed to the meeting the Portfolio Holder for Assets, Councillor Peter Kotz. The invitation had been made as part of a process of inviting to each of the Committee’s meetings, a different Portfolio Holder to address it on the focus for their Portfolio (Minute 21 of 21 June 2023 refers). The purpose of their invitation was to enable the Portfolio Holder to provide a broad introduction to their portfolio, including their current issues and challenges (as well as priorities for 2024/25).

Councillor Kotz introduced the various services within his portfolio and raised the current issues/challenges that they were dealing with, and projects that were being worked on or work that was envisaged to begin.

*The challenges and projects within the Corporate Asset Management area highlighted included:*

- *Halting progression of potential disposal or development action for 69 areas of land owned by the Council, to propose a more focussed progression of a small number of sites.*
- *Conclude the disposal of the redundant office site at Weeley.*
- *Review of the Property Strategy.*
- *Team resources challenged by significant caseload, work will be done to get these issues regularised.*
- *Drafting a new Public Conveniences Strategy.*
- *Completion of the transfer of bus shelter responsibilities to Essex County Council. They proposed to use the revenue generation to facilitate service improvements.*

*The challenges and projects within the Building Services and Facilities Management area highlighted included:*

- *Establish the Dangerous Structures service within the two areas it is shared between, the Council's Building Control and surveying function.*
- *Recognising that the Councils offices and other facilities are a significant cost and substantial part of the Councils carbon footprint and so ensuring that the most is being made of what the Council has and having consideration to beneficial ways to share with our delivery partners.*

*The challenges and projects within the Bereavement Service area highlighted included:*

- *A priority with Colleague Cllr Barry is to resolve the issues that have led to difficulties of achieving the standard of grounds maintenance that is aspired to.*
- *Work toward extension project of the Clacton Cemetery if burials are to be continued there.*
- *Ensure that there is a financial provision for the lifecycle of the machinery at the Crematorium and establish working methods that reduce gas consumption for now and for the next renewal of the plant.*

Councillor Kotz also highlighted the services, work and projects undertaken by the IT team and highlighted their day to day work providing professional, knowledgeable, high quality support and services for the Council's 726 IT users, and residents and customers.

He also provided an update around the Council's new website and the My Tendring customer self-service portal. He raised that further work was being undertaken to enhance the usability of both and plans to further adapt them.

Councillor Kotz provided the Committee with figures around Information Governance such as the average amount of data requests the Council responded to and how this had increased in recent years. He also highlighted the importance of Councillors being

vigilant in relation to information security as the Council information they held could be subject to SAR and FOI disclosure.

Another issue Councillor Kotz warned the Committee of was the global cyber security threat to the UK. He made the Committee aware of the work to ensure that the Council's information stayed secure from those threats.

He advised the Committee of the new in house Developer team within the IT service that had established itself as the 'go-to' team for creating new Council Applications. In addition to this he raised that utilising the in-house services had created major savings such as the digitisation of the Planning Services' microfiche records.

Finally Councillor Kotz informed the Committee of the Procurement Partnership between the Council and Essex County Council. He highlighted that the shared resource provided advice and support to colleagues across the Council on how to source goods and services, in accordance with the Council's procurement procedure rules. He also advised that the service had adapted to feedback through its operation and was currently creating a questionnaire for users to provide their opinion of the process and where improvements could be made.

The Committee then asked questions of Councillor Kotz in relation to the challenges, projects and ongoing work he had advised them of. The Committee asked questions in relation to: the cost and progress of the disposal of the Weeley Council Offices; assurances that the new equipment at the Weeley Crematorium was sufficient and would last its natural lifecycle; and there were also questions in relation to the Shared Procurement Services.

It was **AGREED** that following the meeting a written reply on the questions around the disposal of the Weeley Council offices would be circulated to all Members of the Committee.

## **57. A.1 REVIEW OF THE WORK PROGRAMME**

The Head of Democratic Services and Elections firstly advised the Committee that circulated around the room that evening was the reference report that had been considered and approved by Cabinet at its meeting on Friday 20 September (Minute 46 refers) in relation to the Committee's recommendations in respect of the Spendells Project. The reference report included the Portfolio Holder for Planning and Housing's response to the Committee's recommendations and Cabinet had approved the Portfolio Holder's proposals in respect of the recommendations. The Committee enquired whether the outcome of the investigation by the Chief Executive into unauthorised expenditure and the matters in the contract specification for the Spendells project and it was advised that the investigation was still ongoing. In respect of the recommended review of progress with projects, the Committee discussed its concerns that Cabinet had not placed a timescale for when the findings of project management reviews would be reported. Whilst no timescale was set it was possible money would still be being spent and potentially be unauthorised. The Committee was advised that it could make a further reference to Cabinet for a timescale to be applied to reporting on those reviews. Comments made confirmed that Members of the Committee would like to receive an update on the reviews at its next meeting on 17th December 2024 and to invite the Leader of the Council to discuss those review reports. The Monitoring Officer also provided an assurance that, as promised at the Committee's meeting in July 2024, the

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Statutory Officers, Ian Davidson, Richard Barrett and herself had delivered the strong instructions around expenditure on projects to senior managers across the Council.

The Head of Democratic Services and Elections highlighted to the Committee that, as part of its annual budget review, the Committee would require a briefing on the use of resources section on the External Auditor's report that was expected to be received in November/December.

Within the Report it set out the names of those nominated to form the various Task and Finish Groups. The Groups the Committee were asked to consider were Asset Management Arrangements of the Council, Housing Strategy, Development and Infrastructure and Council Enforcement Arrangements. Councillor Harris also indicated that he would like to serve as a part of the Asset Management Task and Finish Group.

The Committee **RESOLVED TO NOTE:**

- (a) That the forum session to senior managers had been delivered.
- (b) Invite the Leader of the Council to its next meeting and receive a report outlining the progress with the Cabinet's decision as follows; "Portfolio Holders should review, with their Corporate Directors, the performance and project management of all existing projects within their respective portfolios and report their findings to the Leader of the Council and the Resources and Services Overview and Scrutiny Committee together with such additional actions as the Leader wishes to undertake.
- (c) Include consideration of the use of resources section of the External Auditors report at the December meeting of the Committee.
- (d) The following Councillors be appointed to the Task and Finish Groups identified to undertake the enquiries referred to in the decision of Council on 6 August 2024 (Minute 31 refers):
  - Asset Management arrangements of the Council Task and Finish Group – Appointed Members: Councillors Bensilum, Newton, Steady, M Cossens, Sudra and Harris
  - Housing Strategy, Development and Infrastructure Task and Finish Group – Appointed Members: Councillors Harris, Bensilum, Doyle, Casey, Goldman and Fairley
  - Council Enforcement Arrangements Task and Finish Group – Appointed Members: Councillors Harris, Newton, P Honeywood, S Honeywood and Wiggins

**58. REPORT OF THE ASSISTANT DIRECTOR OF FINANCE & IT. - A.2 - FINANCIAL OUTTURN UPDATE REPORT**

The Committee was presented with a report from the Director of Finance & IT, Richard Barrett to look at the current position of the Council's financial position in relation to the Financial Outturn report that had been submitted to Cabinet on 26 July 2024.

Within his presentation to the Committee, he highlighted that there was a favourable variance at the end of 2023/24 of just over £1.8 million. He advised that there was a mix of variances that had contributed to this but one of the main reasons was a favourable outcome in terms of business rates income. The Assistant Director informed the Committee that the Portfolio Holder for Governance and Finance had made a

recommended allocation to reinvest the additional income generated through Parking Services back into Parking Services. He also informed them of a number of the recommended allocations that were within the report.

The Committee was advised that, once significant reinvestment into challenges the Council would naturally face, there was an opportunity to bring together money along with funding from the Corporate Investment Fund to make allocations in the following areas: to conduct a review of the Careline Service; to develop/establish a Project Delivery team; and, to support the Capital Regeneration in Dovercourt. This meant that there was just over £2.4 million left in the Corporate Investment Fund.

The Assistant Director also informed the Committee that a report was to be submitted to Cabinet in October 2024 with the Quarter 1 position of the Council's Finances. He advised that this report would touch on issues such as any new items emerging, anything the Council had already allocated extra funding to, developing the forecast, the cost pressure review and, the first iterations of the savings plan.

The Committee thanked The Assistant Director for attending the meeting and presenting the report and expressed the view that the report was informative and detailed.

The Committee discussed and compared the consequences other Local Authorities such as Thurrock had experienced in relation to poor Financial Management and it wanted an assurance that this Council was doing what was necessary to avoid such a situation. The Assistant Director informed the Committee that an External Auditor report would be received in due course that would provide feedback on the Council's financial resilience, financial forecasting and the ability to manage risks.

Some consideration took place in relation to Citizens Advice Tending and more generally around external funding. They were advised that an External Funding report, that provided a High Level Framework was to be submitted to Cabinet and that there would also be development of a further detailed external funding policy as requested by Cabinet. The Head of Democratic Services and Elections informed the Committee also that, as a part of the Community Leadership Overview and Scrutiny Committee work programme, it would be looking at reviewing the progress the Cabinet had made in relation to implementing improved arrangements in respect of grant giving by the Council.

**59. A.3 REFERENCE REPORT FROM THE COUNCIL'S ENFORCEMENT ARRANGEMENTS TASK AND FINISH GROUP.**

The Head of Democratic Services advised the Committee that this was the second report the Committee had received from the Enforcement Task and Finish Group. He reminded the Committee that the first report had been on Planning Enforcement and that the recommendations from that first report had been approved by Cabinet and that the Committee would (in time) be expecting to receive an update on those recommendations.

The Committee **AGREED** the Recommendations to Cabinet from the report that were as follows:

- (1) That, in order to develop a more holistic picture of the issues involved and the development of strategies to address them, in addition to highway fly-tipping incidents, records be kept and analysed for fly-tipping on other public land such as open spaces, public realm, Council assets, Beachfronts etc;
- (2) That further steps be undertaken to engage with volunteer litter picking groups to ensure there is greater awareness of the issues around taking waste from private property and of the steps taken by officers to identify perpetrators of fly-tipping (and the need to preserve that evidence to ensure it can be used in action against perpetrators);
- (3) To develop a similar approach to that of the London Borough of Redbridge with its online 'Wall of Shame' showing footage of fly-tipping with a view to encouraging understanding of the issue, the Council's efforts to address fly tipping and to receive information on perpetrators;
- (4) To encourage residents to supply their own footage, possibly through 'RING' (or other manufacturers) camera-door bells of fly-tipping captured by them;
- (5) To inform Councillors that if they notice dog fouling, unretrieved dog waste, they should inform the Council's Community Safety Team who can look at deployment of Ambassadors with a view to detecting the perpetrators and, if the issues persist, to evidence a decision to deploy mobile CCTV cameras to address the problem;
- (6) That consideration be given to the deployment of a mobile 'phone application for reporting incidents of fly-tipping and other crimes such as dog fouling and graffiti similar to that in place in Cheshire West and Chester Council;
- (7) To consider how best to support members of the public to find details of licensed waste carriers (after the UK Government has concluded its review of the online access to that data);
- (8) That details of fly-tipping hot spots on the highway/public land in the District be circulated to Councillors together with the stepped approach to enforcement relevant to that hot spot site and that this should be alongside summary details of the deployment of mobile CCTV cameras as part of addressing environmental crimes such as fly-tipping;
- (9) That the reasons for the non-deployment of a mains powered or a battery powered CCTV camera in the High Street, Clacton-on-Sea with a view to deterring and/or detecting fly-tipping at the junction with Beach Road be set out and addressed with the relevant decision makers.
- (10) That, on the basis that the Council's policies, procedures and codes in respect of CCTV are reviewed in this current calendar year, they be amended to provide that as and when CCTV cameras are to be purchased, or grant applications made to fund CCTV cameras, consideration be given to the relative

benefit of those cameras having AI functionality that can be deployed and that for mobile CCTV cameras consideration should also be given to alternative acquisition options such as rental rather than purchase.

The meeting was declared closed at 9.30 pm

**Chairman**