

**MINUTES OF THE MEETING OF THE COUNCIL,
HELD ON TUESDAY, 6TH AUGUST, 2024 AT 7.30 PM
PRINCES THEATRE - TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15
1SE**

Present:	Councillors Casey (Chairman), Davidson (Vice-Chairman), Alexander, Amos, Baker, Barrett, Barry, Bensilum, Bray, Calver, Chapman BEM, Codling, Doyle, Everett, Fairley, Ferguson, Fowler, Goldman, Griffiths, Guglielmi, Harris, P Honeywood, S Honeywood, Kotz, Land, Morrison, Newton, Oxley, Placey, Platt, Scott, Skeels, Smith, Steady, G Stephenson, M Stephenson, Sudra, Talbot, White and Wiggins
In Attendance:	Ian Davidson (Chief Executive), Lee Heley (Corporate Director (Place & Economy)), Keith Simmons (Head of Democratic Services and Elections & Deputy Monitoring Officer), Maddie Adger (Leadership Support Manager), James Dwan (Communications Officer), Keith Durran (Committee Services Officer), Bethany Jones (Committee Services Officer) and Simon Kedge (Casual Technician (Princes Theatre))

16. SILENT TRIBUTE

The Chairman of the Council (Councillor Dan Casey) led the Council in a silent tribute to the memory of former Councillors Delyth Miles and Ian Dimmock who had both recently deceased.

17. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bush, A Cossens, M Cossens, I Henderson, J Henderson, McWilliams, Thompson and Turner.

18. MINUTES

It was moved by Councillor M E Stephenson and:-

RESOLVED that the minutes of:-

- (a) the ordinary meeting of the Council held on 19 March 2024; and
- (b) the annual meeting of the Council held on 30 April 2024

be approved as a correct record and be signed by the Chairman.

19. DECLARATIONS OF INTEREST

In respect of Item 16 on the Agenda (Reference from the Planning Policy and Local Plan Committee – A.5 – TDC Response to National Grid Statutory Consultation on Norwich to Tilbury Electricity Powerline Connection Project), Councillor Fairley declared a Disclosable Pecuniary Interest and a Non-Registerable Interest as follows:-

“The land area to be impacted by proposed cable routes, pylons and substations with the District of Tendring as vast, but my immediate family do own land and farm land along these routes, same for wider family members and friends.

I have been granted a dispensation under Section 33(2)(c) of the Localism Act 2011, allowing me to participate and to vote. The reason for the decision is on grounds that it is in the interests of persons living in the authority’s area for this dispensation to be granted. I am the sole Ward Councillor for Arleigh and Little Bromley and have an opportunity to voice its residents and businesses to concerns and act in the best interests of the District and the Council will not be the decision maker regarding these proposals.”

20. ANNOUNCEMENTS BY THE CHAIRMAN OF THE COUNCIL

The Chairman informed Members that, since the annual meeting of Full Council on 30 April 2024, he had attended the following civic events:-

4th May – 5th May – International Market of the Twin Cities
8th May – VE Day Service
19th May – Tour de Tendring
9th June – Blessing of the Waters
12th June – King’s Award for Voluntary Service
14th June – Falklands War Memorial Service
14th June – Royal Anglian Regimental Representative Event
18th June – Grassroots Charity AGM
26th June – Summer Fate
27th June – Annual meeting & Summer reception
3rd July – Oakstones Club Strawberry Tea Afternoon
8th July – Jack Petchey Foundation Achievement Awards
9th July – RNLi 200th Anniversary
13th July – Tendring Show
26th July and other dates – Save a Life, Ditch a Knife
4th August – Veterans’ and Services’ Day.

21. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

The Chief Executive made me following announcement:-

“Thank you, Chairman. The recently passed District Councillor, Councillor Ian Dimmock of Alresford and Elmstead, who served for 8 years on the Council during 1999 – 2007. He was appointed as the Chairman of the Development Control Committee between 2001 and 2003 and then the Regulatory Committee between 2003 and 2007.

Councillor Delyth Miles of Walton served on the Council for 12 years between 2011 and 2023. Delyth held several Vice Chairman and Chairman roles of Committees including Community Leadership and Partnerships, Corporate Management, Education Skills and Council. Until recently, Councillor Miles was also a Member of the Frinton and Walton Town Council before resigning from there a few weeks before her passing. I know many of us knew her very well, I would just like to say she served very closely with me on the Naze Management Board from the inception of the Naze building. She worked tirelessly with her local community as to what was going to be best for getting out of the Naze centre. She was then in support of the Naze centre once it was in place. I will always

remember Delyth and many many of you around this room will remember Delyth and her time with this Council.”

Councillor M E Stephenson had some words to say about Councillor Delyth Miles:-

“Thank you, Chairman. I just wanted to say a couple of words around Councillor Delyth Miles. Some of it has already been taken by the Chief Executive and they were fine words, but for me, Delyth was a passionate Ward Councillor who worked tirelessly with her Ward and her community. She was a bit of a mentor for me and like some of you, I was very fond of her. The one thing I will always remember and that we can all probably agree on, that Delyth loved to chat. She will be missed, and my thoughts go to her family and friends.”

Councillor Scott had some words to say about Councillor Ian Dimmock:-

“When I got elected in 2002, Ian Dimmock was the Councillor for Alresford, Thorrington and Frating as it was back then, and I became eventually his Ward partner and we worked together for 13 months onwards as Ward Councillors and then boundaries changed again. I knew Ian Dimmock as a Alresfordian, as well as Councillor Ann Wiggins. He was a hardworking Ward Councillor; he served his residents well in the 3 communities. He was involved in many things in Alresford, the village hall and other interested groups there. He always put things first, he always went to assist people and he’ll be sadly, sadly missed. His memorial service was a couple of weeks ago and the church was packed out with fellow Alresfordians and political people from the conservative party, obviously not my party but we did work together really well and Sir Bernard Jenkins there and had some really good comments and memorial moment of Council.”

The Chief Executive also announced:-

“Thank you, Chairman. Also, in announcements as is customer practice, I wish to confirm the outcome of two sets of Elections that have been held since the last meeting of the Council. They were the Election of Police, Fire and Crime Commissioner for Essex, held on the 2nd of May 2024, Roger Hurst was re-elected as the Police, Fire and Crime Commissioner and the United Kingdom Parliamentary General Election, which was held on the 4th of July 2024 for the Clacton Constituency, Nigel Farage was elected and for the Harwich and North Essex, Sir Bernard Jenkins was re-elected. They will serve as the two MPs for our district. Thank you.”

22. STATEMENTS BY THE LEADER OF THE COUNCIL

The Leader of the Council stated that Councillor Scott was the new Cabinet Member, who was responsible for Arts, Culture and Heritage and that Councillor Scott was also the Rural Champion.

23. STATEMENTS BY MEMBERS OF THE CABINET

Portfolio Holder for Partnerships

The Portfolio Holder for Partnerships (Councillor Placey) updated the Council that Councillor Barry and her were lucky enough to attend the Jack Petchey Awards in July with the Chairman of the Council and that she was inspired.

She went on to state that there were 18 organisations that were presented with awards and that young people receive awards who make wholehearted, unselfish and dedicated contributions to their club, school or community. Some of the Tendring organisations that received awards were:-

- Brightlingsea Cricket Club;
- Shorefields School;
- Mistley Kids Club;
- Tendring Technology College;
- Frinton and Walton Youth Football Club;
- The Scouts Seven Clacton; and,
- Harwich and Dovercourt High School.

24. PETITIONS TO COUNCIL - REPORT OF THE CHIEF EXECUTIVE - A.1 - PETITION TO COUNCIL: REQUEST FOR PROVISION OF PUBLIC CONVENIENCES IN JAYWICK SANDS BEACH AREA

In accordance with the Council's approved scheme for dealing with petitions, the Chief Executive formally reported the receipt of a petition submitted by Danny Sloggett, as lead petitioner on behalf of the Jaywick Sands Happy Club. That petition had contained 86 names and addresses that were legible and those persons were on the electoral register. The petition had requested that public conveniences be provided in the Jaywick Sands beach area. The explanatory text for the petition had stated:-

"We have been approached by holiday makers and locals concerning the lack of toilets by the beach to the point of locals finding people defecating in their gardens.

It's only going to get worse now the summer is here and the holiday makers are flooding in. We have a beautiful beach to enjoy but nowhere for people to go to the toilet."

Council was reminded that Public Conveniences were an executive function (Assets Portfolio) and therefore the Cabinet had been the appropriate body to consider this matter. Accordingly, this matter had been investigated and a report prepared and presented to the first practicable meeting of the Cabinet which had been the meeting held on 26 July 2024.

It was reported that, at that meeting, and in accordance with the Council's approved scheme, Mr Sloggett, as the lead petitioner, had been invited to address the Cabinet and to outline the action that the petitioners wanted the Council to take. However, Mr. Sloggett had not attended the meeting of the Cabinet. The Cabinet had then discussed and deliberated on the petition and the report and made its decision. The Cabinet's decision had been to endorse the comments of the Portfolio Holder for Assets as this Council's formal response to the Petition. Those comments were as follows:-

"Whilst I note and welcome the substantial visitor usage of the excellent beaches at Jaywick Sands we must recognise that the Council is in a restrained financial position. Although I support the idea of increasing facilities and services it is hard to recommend among the current economic climate.

Reconsidering public convenience provision throughout the towns and coast of Tendring District can only fairly be achieved within the context of an overall review of the strategy. Such a strategy review can take account of the developing financial issues that we face

and should follow consideration and resolution of those issues. I have asked officers to complete a review of the strategy in the current year accordingly.

I would like to thank the petitioners for their views and consideration. I acknowledge the visitor numbers in the area but believe that we cannot, at present, commit the organisation to the construction of new facilities. I believe that a review of this and other strategies should be carried out at a future juncture once the approach to the Council's financial position can be brought into clear focus.

I refer Members to my comments at page 894 of the agenda and further say that Tendring District Council currently has 27 public conveniences across the District with 17 open throughout the year. The service is non-statutory but we realise public conveniences are an important service in any seaside area.

Toilets to the rear of Sweet Tina's shop were replaced recently with new toilets at the Sunspot development. The closed facilities are situated in a secluded area and were frequently closed due to vandalism and anti-social behaviour and created unsustainable costs to maintain and repair. The new facilities are modern, easier to keep clean and maintain and, because of the nature of the site, deter anti-social behaviour.

Jaywick beach is not owned by Tendring District Council and due to its potential to flood is not the ideal position for a facility of this type.

We are currently in the process of producing a new public convenience strategy which will review the current trends and needs of residents and visitors to the District as well as assessing the current provision in all areas."

Mr. Sloggett has been subsequently informed of the Cabinet's decision and the decision has been published on the Council's website by way of the Minutes of that meeting.

As the sole purpose of this report under the Petitions Scheme was to inform Council of the receipt of Mr. Sloggett's petition and the Cabinet's decision thereon, it was therefore:-

It was moved by Councillor Kotz and:-

RESOLVED that the contents of this report be received and noted.

25. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10.1

Subject to the required notice being given, members of the public could ask questions of the Leader of the Council, Portfolio Holders or Chairmen of Committees.

On this occasion no such questions on notice had been submitted by members of the public.

26. REPORT OF THE LEADER OF THE COUNCIL - A.2 - URGENT CABINET OR PORTFOLIO HOLDER DECISIONS

Council considered a report of the Leader of the Council which notified it of recent Executive Decision(s) taken in the circumstances set out in the Council's Constitution in:-

- (a) Rule 15 of the Access to Information Procedure Rules (Special Urgency); and/or
- (b) Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency); and/or
- (c) Rule 6(b) of the Budget and Policy Framework Procedure Rules.

It was duly reported that during July 2024, the Housing and Planning Portfolio Holder, in view of the urgency of the issue concerned, and in accordance with Rule 18(i) of the Overview & Scrutiny Procedure Rules, had sought and subsequently obtained the Chairman of the Community Leadership Overview and Scrutiny Committee's consent, that his decision relating to the submission of this Council's formal response to the third statutory public and stakeholder consultation being carried out by National Grid on its proposed Norwich to Tilbury electricity power line connection project, be exempted from the call-in procedure.

The Portfolio Holder for Housing and Planning's decision had been as follows:-

"To approve Tendring District Council's formal response to the third statutory public and stakeholder consultation being carried out by National Grid on its proposed Norwich to Tilbury electricity power line connection project."

It had been felt that any delay likely to be caused by the call-in process would have seriously prejudiced the Council's and the public's interest for the following reason:-

"The deadline for the submission of consultation responses is Friday 26th July 2024. Failure to meet that deadline could lead to this Council's core objections and proposed mitigations to this project not being properly taken into account."

The Planning Policy and Local Plan Committee debated and agreed the proposed response at its meeting held on 23rd July 2024 and so this matter has therefore been considered by Members from all political groups represented on the Council.

In addition, this formal response will be reported to the meeting of the full Council to be held on 6th August 2024 when Members will have the opportunity to discuss the response and decide whether this Council should submit any further representations to National Grid."

Ian Davidson informed Members that at the Essex Leaders and Chief Executives' meeting, the issue was raised. As a result a submission was also to be submitted on behalf of all 15 Councils in Essex; Essex County Council, the two unitaries and the 12 District Councils and a copy of that letter would be sent to Members.

It was moved by Councillor M E Stephenson and:-

RESOLVED that the contents of the report be noted.

27. MINUTES OF COMMITTEES

It was moved by Councillor M E Stephenson and:-

RESOLVED that the minutes of the following Committees, as circulated, be received and noted:-

- (a) Audit of Thursday 25 January 2024;
- (b) Resources and Services Overview & Scrutiny of Tuesday 5 March 2024;
- (c) Standards of Wednesday 20 March 2024;
- (d) Planning Policy & Local Plan of Tuesday 2 April 2024;
- (e) Community Leadership Overview & Scrutiny of Tuesday 23 April 2024;
- (f) Standards of Wednesday 24 April 2024;
- (g) Audit of Thursday 25 April 2024;
- (h) Standards of Thursday 16 May 2024;
- (i) Planning Policy & Local Plan of Tuesday 28 May 2024;
- (j) Community Leadership Overview & Scrutiny of Wednesday 17 July 2024;
- (k) Resources and Services Overview & Scrutiny of Monday 22 July 2024; and
- (l) Planning Policy & Local Plan of Tuesday 23 July 2024.

28. MOTION TO COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE 12 - CONCERN REGARDING ELECTRICITY NETWORK PROPOSALS

Earlier on in the meeting, as recorded under Minute 19 above, Councillor Fairley had declared a DPI and a Non-Registerable Interest in this matter but also she had been granted a dispensation.

Council had before it the following motion, notice of which had been given by Councillor Zoe Fairley pursuant to Council Procedure Rule 12:-

"This Council notes that the National Grid Electricity Transmission's (NGET) third and final statutory consultation has now closed and that the consultation response from this Council was submitted prior to the extended closing date of 26 July 2024.

This Council is fully aware that National Grid's proposals could also create and cause the need for the Five Estuaries, North Falls and Tarchon Energy Ltd projects to land on the District's coast, with their own proposed cable routes running across our District to their own sub-stations and for Tarchon Energy Ltd, a future interconnector will be required. The cumulative impacts of these projects threaten a potentially devastating effect for our District.

This Council therefore remains dissatisfied that alternative options have not been given due and proper consideration in the planning process to date to remove or otherwise mitigate these effects, including impact on our highways, our local economy, the

environment, our landscapes and heritage, farm businesses and the health and wellbeing of our communities, to highlight but a few.

This Council recognises that the country has had a change of Government and a new Secretary of State for Energy Security and Net Zero appointed, in Ed Milliband MP.

Therefore, this Council continues to express its deep concerns for these electricity network proposals, and calls upon the Leader of the Council to write to the Secretary of State for Energy Security and Net Zero, Ed Milliband MP to:-

- a. *Congratulate him on his appointment.*
- b. *Request him to consider, as a long-term strategic solution, an integrated off shore grid, as elsewhere in Europe, asking for the overall cost comparison to be assessed and reported.*
- c. *Request that he re-examines the Norwich to Tilbury proposals, given that North Falls and Five Estuaries have expressed themselves more than happy to connect off shore and National Grid's Electricity System Operator (ESO) has identified affordable, deliverable alternatives to manage the case.*

<https://www.nationalgrideso.com/document/304496/download>
[ES0 CF W3 Report - Final \(ofgem.gov.uk\)](https://www.ofgem.gov.uk)

- d. *Request also, that the Tarchon interconnector should not be allowed to proceed at all, given the work by ESO and Arup, demonstrating that it is against the National Interest and raises costs for UK bill payers by some £5billion.*

[Multi-Criteria Assessment framework report for Cap and Floor W3 and Offshore Hybrid assets Pilot Projects \(ofgem.gov.uk\)](https://www.ofgem.gov.uk)

[Market Modelling Analysis for Cap and Floor W3 and Offshore Hybrid Assets Pilot Projects \(ofgem.gov.uk\)](https://www.ofgem.gov.uk)

[Tarchon consultation draft 2 \(bernardjenkin.com\)](https://www.bernardjenkin.com)

- e. *Point out that HVDC undergrounding, which is also being done in Germany, has been assessed by National Grid Electricity Transmission (NGET), as being better and cheaper than pylons, within its Eastern Green Link Consultation (see para 5.0.2 in below link) and request the same should be investigated for Norwich to Tilbury.*

<https://www.nationalgrid.com/document/151426/download>

- f. *Request, that further to ESO modelling, to make best use of power available in the East of England, he considers upgrades to reinforce the existing grid, to include options such as TS Conductors' technology, which is being prioritised in policy in the USA; enable use of existing brown field sites as landing points; and considers North Falls and Five Estuaries connecting to an offshore cable, such as Sealink.*

In addition, this Council calls upon the Leader of the Council to write to Sir Bernard Jenkin MP for Harwich and North Essex and Nigel Farage MP for Clacton, including a copy of the letter sent to Secretary of State for Energy Security and Net Zero, Ed Milliband MP, requesting them each to consider and take all possible actions open to them, as our Members of Parliament, to support this Council's position."

Councillor Fairley formally moved the motion and Councillor Guglielmi formally seconded the motion.

In accordance with the provisions of Council Procedure Rule 12.6 Councillor Fairley then explained the purpose of the Motion and Council proceeded to debate it.

Councillors Guglielmi, Baker, M E Stephenson, Scott and Fairley spoke during the debate on this matter.

Councillor Fairley's motion on being put to the vote was declared unanimously **CARRIED**.

29. MOTION TO COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE 12 - THE IMPLICATIONS OF THE SPENDELLS PROJECT'S UNAUTHORISED EXPENDITURE

Council had before it the following motion, notice of which had been given by Councillor Paul Honeywood pursuant to Council Procedure Rule 12:-

- (a) *"This Council expresses its concern with the failure to maintain control of the Council's expenditure during the delivery of the "Spendells Project", which has had a detrimental effect, not only on the Council's finances but also on its reputation, locally and nationally.*
- (b) *This Council notes the swift and exceptional actions taken by the Statutory Officers, as reported to Cabinet in May 2024, and subsequently considered by the Resources and Services Committee on Monday 22nd July 2024.*
- (c) *This Council expresses its disappointment to the Leader of the Council's response that, when asked whether he would like to apologise for the error happening as the Chief Executive had done, he declined.*
- (d) *This Council believes that this issue brings into question the effectiveness of, and culture towards, governance, risk management and communication this Cabinet has adopted. To restore confidence in the Cabinet, this Council looks forward to receiving the findings of the Portfolio Holders' review of the performance and project management of all existing projects within their respective portfolios, as recommended by the Resources and Services Overview and Scrutiny Committee on Monday 22nd July 2024."*

Councillor P B Honeywood formally moved the motion and Councillor Griffiths formally seconded the motion.

In accordance with the provisions of Council Procedure Rule 12.6 Councillor Honeywood then explained the purpose of the Motion and Council proceeded to debate it.

Councillor Griffiths spoke during the debate on this matter.

Councillor M E Stephenson moved and Councillor Baker seconded that Councillor P B Honeywood's motion be amended to read (in its entirety) as follows:-

“(a) This Council expresses its concern with the failure to maintain control of the Council’s expenditure during the delivery of the “Spendells Project”, which has had a detrimental effect, not only on the Council’s finances but also on its reputation, locally and nationally.

(b) This Council notes the swift and exceptional actions taken by the Statutory Officers, as reported to Cabinet in May 2024, and subsequently considered by the Resources and Services Committee on Monday 22nd July 2024.

(c) This Council notes the statements given by the Leader of the Council to the Resources and Services Overview and Scrutiny Committee on 22 July 2024 about the monitoring of budgets, performance and risk through Cabinet (and by Portfolio Holders) and that the appropriate time to make a further statement on the previously unauthorised expenditure on the Spendells Project will be when Cabinet has all the information that will come out of the investigation by the Chief Executive that is currently ongoing.”

Councillors M E Stephenson, Bray, P B Honeywood, Calver, Harris and Baker each addressed the Council during the debate on Councillor M E Stephenson’s amendment. Pursuant to the provisions of Council Procedure Rule 19.5, Councillor P B Honeywood, supported by other Members rising in their places, requisitioned a record of the voting on Councillor M E Stephenson’s amendment as set out above. That vote resulted as follows:-

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Baker	Alexander		Bush
Barrett	Amos		A I Cossens
Barry	Fairley		M A Cossens
Bensilum	Ferguson		I J Henderson
Bray	Griffiths		J Henderson
Calver	Guglielmi		McWilliams
Casey	P B Honeywood		Thompson
Chapman BEM	S A Honeywood		Turner
Codling	Land		
Davidson	Platt		
Doyle	Skeels		
Everett			
Fowler			
Goldman			
Harris			
Kotz			
Morrison			
Newton			
Oxley			
Placey			
Scott			
Smith			
Steady			
G L Stephenson			
M E Stephenson			

Sudra
Talbot
White
Wiggins

Councillor M E Stephenson's amendment, was thereupon declared **CARRIED** and it then became the substantive motion.

Pursuant to provisions of the Council Procedure Rule, Councillor M E Stephenson, supported by other Members present rising in their places, demanded a recorded vote on the substantive motion.

The vote resulted as follows:

<u>Councillors For</u>	<u>Councillors Against</u>	<u>Councillors Abstaining</u>	<u>Councillors Not Present</u>
Baker	Amos	Alexander	Bush
Barrett	Fairley	Ferguson	A I Cossens
Barry	Guglielmi	Griffiths	M A Cossens
Bensilum	P B Honeywood		I J Henderson
Bray	S A Honeywood		J Henderson
Calver	Land		McWilliams
Casey	Platt		Thompson
Chapman BEM	Skeels		Turner
Codling			
Davidson			
Doyle			
Everett			
Fowler			
Goldman			
Harris			
Kotz			
Morrison			
Newton			
Oxley			
Placey			
Scott			
Smith			
Steady			
G L Stephenson			
M E Stephenson			
Sudra			
Talbot			
White			
Wiggins			

The substantive motion on being put to the vote was declared **CARRIED**.

30. **RECOMMENDATIONS FROM THE CABINET - A.3 - TENDRING DISTRICT COUNCIL TO BECOME THE ACCOUNTABLE BODY FOR THE LEVELLING UP PARTNERSHIP**

Council considered a reference report from Cabinet that set out the recommendation of the Cabinet that Tendring District Council became the Accountable Body for the Levelling Up Partnership.

It was reported that, on 26 July 2024 (Minute 32 referred), the Cabinet had considered a detailed report of the Portfolio Holder for Economic Growth, Regeneration and Tourism that, inter alia, had updated Cabinet on progress with one of the Council's most significant new work-streams, the Levelling Up Partnership, and which had recommended that Cabinet approved the principle of the Council entering into the Partnership with Government. The current partnership approach was to deliver projects through the Council being the Accountable Body, working with partners to achieve place-based regeneration in Clacton and Jaywick.

At that meeting Cabinet had resolved, amongst other things, that Cabinet:-

"(g) recommends to Full Council to approve that Tendring District Council act as the Accountable Body for the Partnership (or alternative relationship determined by Government in revised policy), which forms part of the Council's Corporate Plan 2024-28, 'Our Vision' and therefore, within the Policy Framework;"

Having duly considered the recommendation submitted to it by the Cabinet:-

It was moved by Councillor M E Stephenson and:-

RESOLVED that Tendring District Council act as the Accountable Body for the Levelling Up Partnership (or alternative relationship determined by Government in revised policy), which forms part of the Council's Corporate Plan 2024-28, 'Our Vision' and therefore, within the Policy Framework.

31. **REPORTS SUBMITTED TO THE COUNCIL BY AN OVERVIEW AND SCRUTINY COMMITTEE - REFERENCE FROM THE COUNCIL'S TWO OVERVIEW AND SCRUTINY COMMITTEES - A.4 - OVERVIEW AND SCRUTINY COMMITTEES: PROPOSED WORK PROGRAMMES FOR 2024/2025 AND A REVIEW OF THE WORK CARRIED OUT DURING 2023/2024**

Council considered the respective proposed work programmes for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the remainder of the 2024/25 Municipal Year. Council also received the proposed 'Annual Report 2023/24' for overview and scrutiny work undertaken through those Committees.

Members were aware that, under the Council's Overview and Scrutiny Procedure Rules (O&SPR), the Constitution stated, in relation to the Work Programme (O&SPR 7), that:

"Each Overview and Scrutiny Committee will submit a work programme for the year ahead and a review of the previous year's activities to the Council for approval. In addition, it will be responsible for coordinating and prioritising its work programme on an ongoing basis."

In submitting their proposed work programmes for 2024/25, the Overview and Scrutiny Committees had taken into account:-

- *the General Role and Principles of undertaking its functions, as set out in Part 2, Article 6;*
- *the planned work on the preparation of elements of the Budget and Policy Framework;*
- *provision for budget scrutiny and scrutiny of the Treasury Management Strategy, as appropriate;*
- *the need for statutory timetables to be met;*
- *the expressed wishes of members of the committee;*
- *requests from the Cabinet to carry out reviews and/or suggestions from the liaison meetings held under the Cabinet & Overview and Scrutiny Protocol; and*
- *requests from Members and/or Group Leaders in accordance with O&SPR 8.*

In addition, under Article 6.02 of the Constitution the separate Overview & Scrutiny Committees (OSCs) performed the role of overview and scrutiny in relation to:-

Community Leadership Overview and Scrutiny Committee

“To perform the role of Overview and Scrutiny and its functions in relation to:-

- *Community Leadership developing the external focus of overview and scrutiny on “district-wide” issues’ (and where appropriate sub regional, regional and national issues), in particular through collaborative work with local partner authorities, providers, stakeholders and members of the public.*
- *Approval of discrete researched and evidenced reviews on the effectiveness of partnership operating in the area with particular focus on:*
 - *Community Safety*
 - *Health and Well-being*
 - *Economy, Skills and Educational Attainment*
- *Community engagement, development and empowerment*
- *Economic Development, Regeneration and Freeport East*
- *Leisure and Tourism (except matters relating to budgets)*
- *Planning & Building Control and Strategic Planning (including the Local Plan)*
- *Emergency Planning*
- *To scrutinise/review the outcomes and implications for the Council of its financial support to community organisations and also from its receipt and use of funds received from local partner organisations*

The Community Leadership Overview & Scrutiny Committee will also act as the Council’s designated “crime and disorder committee” for the purposes of Section 19 of the Police and Justice Act 2006 and will have the power –

- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities[*] of their crime and disorder function;*
- (b) to make reports or recommendations to the local authority with respect to the discharge of those functions.*

- * *“The responsible authorities” means the bodies and persons who are responsible authorities within the meaning given by section 5 of the Crime and Disorder Act 1998 (c.37) (authorities responsible for crime and disorder strategies) in relation to the local authority’s area.*

In fulfilling that function the Community Leadership Overview & Scrutiny Committee will have the power (whether by virtue of section 9F(2) or 21(2) of the Local Government Act 2000 or regulations made under section 9JA(2) or 32(3) of that Act or otherwise) to make a report or recommendation to the local authority with respect to any matter which is a local crime and disorder matter in relation to a member of the authority.

The crime and disorder committee shall meet to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder function as the committee considers appropriate but no less than once in every twelve month period.”

Resources and Services Overview and Scrutiny Committee

“To perform the role of Overview and Scrutiny and its functions in relation to the effective use of the Council’s resources including approval of discrete researched and evidenced reviews on the effectiveness of:

Financial Forecast Budget setting and monitoring (including General Fund & Housing Revenue Account but excluding those budgetary matters delegated to the Community Leadership Overview and Scrutiny Committee)

*Colchester/Tendring Borders Garden Community
Housing strategy and Homeless service
Service Delivery and Performance (where not delegated to the Community Leadership Overview and Scrutiny Committee)
Procurement and Contract Management
Transformation and Digital Strategies
Customer Service and Standards”*

In considering the Work Programme of enquiries to submit for approval to Council, the separate Overview and Scrutiny Committees had had regard to the Corporate Plan 2024-28 and the themes of that Corporate Plan. Those themes were:

- Pride in our Area and Services to Residents;
- Raising Aspirations and Creating Opportunities;
- Championing our Local Environment;
- Working with Partners to Improve Quality of Life;
- Promoting our Heritage Offer, Attracting Visitors and Encouraging them to Stay Longer, and;
- Financial Sustainability and Openness

The Overview and Scrutiny Committees had each formally reviewed the work carried out in 2023/24 and had considered items for inclusion in their respective proposed Work Programmes for 2024/25 as follows:

Community Leadership Overview and Scrutiny Committee – 4 June 2024 (Informal) and 17 July 2024; and

Resources and Services Overview and Scrutiny Committee – 20 June 2024 (Informal) and 22 July 2024.

Those formal approvals had followed informal development of concepts by Members of the two Committees. All Councillors on Tendring District Council had been provided with the opportunity to contribute proposals for Work Programme items for 2024/25.

Both Committees had received the results of a public consultation that had run from 15 April 2024 to 10 May 2024. Details to access the consultation had been sent directly to all Town and Parish Councils in the District with electronic copies of posters that they had been invited to display. It had also published on this Council's website in conjunction with a social media engagement campaign by the Council's Communications Team

Having considered all of the above, the two Overview and Scrutiny Committees had then determined their proposed Work Programmes for 2024/25 and those were now submitted for approval by Council along with a review of the scrutiny function at the Council in 2023/24 as performed through the two Committees. This had been developed in dialogue with the Chairmen of the two Committees and a draft had been submitted at the Committee meetings already referenced above.

Appendix Ai to report A.4 set out the proposed work programme for the Community Leadership Overview and Scrutiny Committee, Appendix Aii set out the proposed work programme for the Resources and Services Overview & Scrutiny Committee and Appendix B set out the review of the scrutiny function in 2023/24. All were submitted for consideration by Council.

It was reported that both of the Overview and Scrutiny Committees had approved arrangements to enable appointments of relevant Task and Finish Groups to take forward enquiries from the approved work programmes. Those arrangements would enable those appointments to be made prior to the next respective Committee meetings.

It was moved by Councillor Steady, seconded by Councillor P B Honeywood and:-

RESOLVED that Council –

- (a) approves the proposed work programmes for the Community Leadership and the Resources & Services Overview and Scrutiny Committees for the 2024/25 Municipal Year, as set out in Appendices Ai and Aii respectively; and
- (b) notes the work carried out by those Committees in the year 2023/24, as set out in Appendix B.

32. REFERENCE FROM THE PLANNING POLICY AND LOCAL PLAN COMMITTEE - A.5 - TDC RESPONSE TO NATIONAL GRID STATUTORY CONSULTATION ON NORWICH TO TILBURY ELECTRICITY POWERLINE CONNECTION PROJECT

Earlier on in the meeting, as recorded under Minute 19 above, Councillor Fairley had declared a DPI and a Non-Registerable Interest in this matter but also she had been granted a dispensation.

Council considered a reference report (A.5) from the Planning Policy & Local Plan Committee which enabled Council to:-

- (1) discuss Tendring District Council's formal response to the statutory consultation carried out by National Grid on its proposed Norwich to Tilbury electricity power line connection project; and
- (2) decide whether to submit any further comments to National Grid.

It was reported that, on 23 July 2024 (Minute 52 referred), the Planning Policy & Local Plan Committee had considered a report of the Director (Planning), which had invited discussion and sought that Committee's agreement to Tendring District Council's formal response to the statutory consultation being carried out by National Grid on its proposed Norwich to Tilbury electricity power line connection project. At that meeting it had been:-

"RESOLVED that the Planning Policy and Local Plan Committee:-

- a) notes the content of this report;*
- b) supports the contents of the draft response to the Norwich to Tilbury Statutory Consultation, as attached at Appendix 1 to the Director (Planning)'s report (A.1), subject to references to the location of the proposed EACN being amended to Ardleigh instead of Lawford and the inclusion of a sentence that guides National Grid to the extensive mitigation measures that have been put forward by Ardleigh Parish Council in its consultation response;*
- c) agrees that, with the approval of the Portfolio Holder for Housing and Planning, the response with the above agreed changes be submitted to National Grid before the close of the Statutory Consultation on 26th July 2024; and*
- d) agrees that the approved response, as submitted to National Grid, be reported to Full Council to allow further discussion, if necessary and for the outcome of that discussion to be fed back to National Grid."*

Subsequent to that meeting, the Housing and Planning Portfolio Holder (Councillor Baker), acting under his delegated powers, had made an Executive Decision to formally approve the Council's consultation response and that it be submitted to National Grid by the consultation response deadline of 26 July 2024. The Chairman of the Community Leadership Overview and Scrutiny Committee (Councillor Steady) had agreed to exempt Councillor Baker's decision from the call-in process.

A copy of the Council's formal consultation response, as approved by the Housing and Planning Portfolio Holder and submitted to National Grid was attached as Appendix A to the reference report (A.5).

A copy of the published Director of Planning's report to the Planning Policy and Local Plan Committee meeting held on 23 July 2024, minus its appendix was attached as Appendix B to the reference report (A.5).

It was moved by Councillor Guglielmi, seconded by Councillor Fairley and:-

RESOLVED that any further comments be submitted to the National Grid.

33. REPORT OF THE CHIEF EXECUTIVE - A.6 - MEMBERSHIP OF COMMITTEES

The Chief Executive formally reported that, in accordance with the wishes of the Leader of the Conservative Group and the authority delegated to him, the following appointment had been duly made since the annual meeting of the Council, namely:-

Community Leadership Overview and Scrutiny Committee

Councillor Mark Platt had been appointed to serve in place of Councillor Lynda McWilliams.

Council noted the foregoing.

34. REPORT OF THE CHIEF EXECUTIVE - A.7 - RESIGNATION FROM THE CONSERVATIVE GROUP AND THE CHANGE OF NAME OF A POLITICAL GROUP ON TENDRING DISTRICT COUNCIL

The Chief Executive (Ian Davidson) formally reported that, pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990, Councillor James Codling on 10 June 2024, had served formal notice on the Council that he no longer wished to be treated as a member of the Conservative political group.

Mr. Davidson further informed Members that Councillor Codling had also served formal notice on the Council that he wished to be treated as a member of the Tendring Residents' Alliance political group. That notice had been duly counter-signed by the Leader of the Tendring Residents' Alliance Group (Councillor Jeff Bray). Councillors Codling and Bray, via that notice, had informed Officers that they wished to exercise their right under Section 15(1)(e) of the Local Government and Housing Act 1989 and Regulation 17(c) of the Local Government (Committees and Political Groups) Regulations 1990 to have a review of the allocation of seats to political groups carried out. The results of that review were reported to Council elsewhere on the Agenda for this meeting.

Mr. Davidson additionally reported that, on 18 June 2024, Councillors Bray, Codling, Everett and Harris, pursuant to Regulation 8(5)(a) of the Local Government (Committees and Political Groups) Regulations 1990, had served formal notice on the Council that they wished to change the name of their political group. That is, the name of the Tendring Residents' Alliance political group was to change to be the Reform UK political group. For the avoidance of any doubt, the Leader of the Reform UK Group was Councillor Bray and Councillor Harris was the deputy Group Leader.

Council noted the foregoing.

35. REPORT OF THE MONITORING OFFICER - A.8 - OUTCOME OF THE HEARING CONDUCTED BY THE STANDARDS COMMITTEE IN REGARDS TO ALLEGED BREACHES OF THE MEMBERS' CODE OF CONDUCT BY COUNCILLOR N W TURNER

Council formally received a report of the Monitoring Officer (A.8), which inform Council of the outcome of the Hearing conducted by the Standards Committee in regards to alleged breaches of the Members' Code of Conduct by Councillor N W Turner.

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

RESOLVED that the contents of this report (A.8) and its appendix be formally noted.

36. REPORT OF THE CHIEF EXECUTIVE - A.9 - ALLOCATION OF SEATS ON COMMITTEES ET CETERA TO POLITICAL GROUPS FORMED ON TENDRING DISTRICT COUNCIL AND APPOINTMENT OF THE MEMBERSHIPS OF COMMITTEES ET CETERA

Council was aware that, following Councillor Codling's decision on 10 June 2024 to leave the Conservative political group, and to join the Tendring Residents' Alliance political group*, a review of the allocation of seats to political groups on relevant Committees and Sub-Committees had needed to be carried out, in accordance with Section 15(1) (e) of the Local Government and Housing Act 1989, and Regulation 17(c) of the Local Government (Committees and Political Groups) Regulations 1990.

* The Tendring Residents' Alliance political group had subsequently changed its name to the Reform UK political group with effect from 19 June 2024.

Council, with the assistance of the contents of the Chief Executive's report (A.9), formally conducted the review referred to above.

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

RESOLVED that –

- (a) Council confirms that the political balance rules shall not be applied to the Tendring/Colchester Borders Garden Community Joint Committee and the Town & Parish Councils Standards Sub-Committee;
- (b) Council approves the review of the allocation of places on relevant Committees, as set out in Table 2 above in so far as it sets out the total number of seats on all those Committees to be allocated to political groups represented on the Council, (principle (c) of the "Principles");
- (c) Council approves, subject to the subsequent consideration of (d) below, the number of seats on each relevant Committee to be allocated to political groups such that, for each group, their proportion of seats on individual Committees is proportionate to their overall membership on the Council (principles (c) and (d) of the "Principles");

Table 8

Committee /Sub-Committee	Total Seats on Body	Conservative	Independents	Labour	Liberal Democrats	Tendring Independents	Reform UK
Audit Committee	5	2	1	1	0	1	0
Community Leadership O & S Committee	9	3	1	1	1	2	0
Human Resources & Council Tax Committee	7	2	1	2	0	2	0

Licensing & Registration Committee	10	3*	0	1*	1	3*	1*
Miscellaneous Licensing Sub-Committee	5	2*	0	1	0	1	0*
Planning Policy & Local Plan Committee	9	3	1	1	1	2	1
Planning Committee	9	2	1	1	1	3	1
Resources and Services Overview & Scrutiny Committee	9	3	1	1*	1	2*	1
Standards Committee	7	2	1	1	1	2	0

(d) That the following changes to the allocations set out in Table 8 above be approved (the relevant allocations are shown '*' in Table 8):

- (1) the Labour Group to have two seat on the Licensing and Registration Committee (instead of one) and no seat on the Resources and Services Overview & Scrutiny Committee (instead of one);
- (2) the Tendring Independents Group to have two seats on the Licensing & Registration Committee (instead of three) and three seats on the Resources and Services Overview & Scrutiny Committee (instead of two);
- (3) the Conservative Group to have two seats on the Licensing & Registration Committee (instead of three) and one seat on the Miscellaneous Licensing Sub-Committee (instead of two); and
- (4) the Reform UK Group to have two seats on the Licensing and Registration Committee (instead of one) and one seat on the Miscellaneous Licensing Sub-Committee (instead of none).

(e) Council endorses and approves, in so far as it reflects the earlier decisions on this matter, the appointment of Members to serve on the relevant Committees et cetera, as set out in Appendix 1 to this report (A.9).

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

RESOLVED - (f) that Councillor Casey be appointed to the unallocated seats on the Community Leadership Overview and Scrutiny Committee, the Licensing and Registration Committee and the Miscellaneous Licensing Sub-Committee.

37. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Subject to the required notice being given, Members of the Council could ask questions of the Chairman of the Council, the Leader of the Council, Portfolio Holders or Chairmen of Committees.

One question on notice had been submitted by a Member on this occasion as set out below:-

Question

Councillor Chris Amos had asked Councillor Ivan Henderson, the Portfolio Holder for Economic Growth, Regeneration and Tourism:-

“After a recent tidy up of Dovercourt Town Centre, when do you anticipate other town centres in Tendring will receive funding and help to do the same?”

In the absence of Councillor Henderson, the Leader of the Council (Councillor Mark Stephenson) replied as follows:-

“Thank you, Councillor Amos, for your question, and for your comments on Dovercourt. I would like to commend the recent improvements in Dovercourt Town Centre, where newly wrapped shop fronts and hanging baskets have revitalised the area, and the derelict Starlings site has been transformed into the Orwell Street Carpark and events space.

We also have plans to refurbish the eyesore sites at the end of Victoria Street, revamp the Milton Road carpark, and with ECC to integrate adult community learning into the Library, and revitalise the street from Dovercourt Station to the Victoria Statue.

The Council is committed to improving our town centres across the district. We have introduced a district wide Public Space Protection Order for dog fouling, and with the summer season underway, we have more bins across the district too.

We have improved the cleanliness of Clacton with pavement washing and Frinton has had 156 hours of additional time from the Council to support the Anglia in Bloom Bid. Talking of blooms, the gardens in Clacton and Holland have been refreshed. And anyone who comes to Clacton Seafront is always stunned by our gardens, which are looking particularly beautiful at the moment.

We want to go further. We will announce the successful UK Share Prosperity Fund bids to put on events and promotions across our town centres shortly. Right now businesses and community groups can apply for a grant of £1000 from the Council to help fund events in towns and villages which could help bring people into shopping districts. And further funding for any shop across the district to apply for £5,000 to improve their shopfront to brighten up our high streets went live last Friday. Looking to the future now, the new waste contract from 2026 will further improve the cleanliness of town centres as the service will be measured by the cleanliness of the streets, not how often they are swept.

We have further Government funding we are targeting to our town centres. There is a substantial grant of £250,000 from the Government’s Long Term Plan for Towns. Part of this funding will enable us to tidy up Clacton starting in the early Autumn, in collaboration with our partners in the Town Board and Tourism Group.

This funding will complement the planned comprehensive development of the Clacton Library and the Carnarvon Terrace carpark, which will start on site next year. There will be improvements in parking, the introduction of EV charging points, and a better public

realm. Additionally, there is potential for substantial further funding for Clacton and Jaywick which we wait to hear from the new Government on that.

As an Administration we are getting things done, so that our town centres not only survive but thrive in the coming years.”

Councillor Amos then asked a question of clarification to which Councillor Stephenson then responded.

38. SEATING PLAN FOR MEETINGS OF THE FULL COUNCIL IN THE 2024/2025 MUNICIPAL YEAR

Council’s approval was sought for the seating plan for its meetings to be held during the remainder of 2024/2025 Municipal Year.

It was reported that the seating plan had been amended to reflect the election of the new Chairman of the Council, the appointment of the new Vice-Chairman of the Council, the appointment of Councillor Scott to serve as a member of the Council’s Executive and the move of Councillor Codling from the Conservative Group to the Reform UK Group.

It was clarified that a correction on the seating plan should read ‘Reform UK’ in place of ‘Tendring Residents’ Alliance.’

It was **RESOLVED** that the seating plan for full Council meetings to be held in the Princes Theatre during the remainder of the 2024/2025 Municipal Year be approved.

39. URGENT MATTERS FOR DEBATE

No urgent matters had been submitted in accordance with Council Procedure Rules 3(xv), 11.3(b) and/or 13(p) for this meeting.

The Meeting was declared closed at 9.00 pm

Chairman