
**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 20TH DECEMBER, 2024 AT 10.31 AM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

PRESENT:

Councillor M E Stephenson

Councillor I J Henderson

Councillor A P H Baker

Councillor M Barry

Councillor P Kotz

Councillor G R Placey

Councillor G G I Scott

Councillor A Smith

PORTFOLIO:

Leader of the Council & Portfolio Holder for Corporate Finance and Governance (Chairman)

Deputy Leader of the Council & Portfolio Holder for Economic Growth, Regeneration & Tourism

Portfolio Holder for Housing & Planning

Portfolio Holder for Leisure & Public Realm

Portfolio Holder for Assets

Portfolio Holder for Partnerships (except item 99)

Portfolio Holder for Arts, Culture & Heritage

Portfolio Holder for the Environment

Group Leaders Present by Standing Invitation: Councillors J D Bray (Leader of the Reform UK Group) (except items 101 – 105), J B Chapman BEM (Leader of the Independent Group) and P B Honeywood (Leader of the Conservative Group)

In Attendance: Chief Executive (Ian Davidson), Corporate Director (Economy & Place) & Deputy Chief Executive (Lee Heley), Corporate Director (Operations & Delivery) (Damian Williams), Director (Governance) & Monitoring Officer (Lisa Hastings), Director (Finance & IT) & Section 151 Officer (Richard Barrett), Director (Planning & Communities) (Gary Guiver), Committee Services Manager (Ian Ford), Communications Manager (Will Lodge), Committee Services Officer (Bethany Jones) and Communications Officer (James Dwan)

88. APOLOGIES FOR ABSENCE

There were no apologies for absence submitted on this occasion.

89. MINUTES OF THE LAST MEETING

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that the minutes of the meeting of the Cabinet, held on Friday 15 November 2024, be approved as a correct record and be signed by the Chairman.

90. DECLARATIONS OF INTEREST

Councillor Placey declared an Other Registerable Interest in relation to Agenda Item 12 (report A.7) insofar as she was a Trustee of Tendring Community Transport.

Councillor Bray declared an Interest in Agenda Items 14 (report A.8), 15 (report A.9) and 17 (report A.11) insofar as he was a Housing Tenant of the Council.

91. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

Devolution and Local Government Re-organisation Government White Paper

At the invitation of the Leader of the Council, the Chief Executive (Ian Davidson) outlined to Cabinet the aims and objectives of the Government's recently published White Paper on Devolution and Local Government Re-organisation and their potential implications for this Council.

Christmas Pantomime

The Leader of the Council reminded Cabinet that local school children were attending the Christmas Pantomime in the Princes Theatre that morning and that consequently there would be a considerable amount of 'noises off'.

92. ANNOUNCEMENTS BY CABINET MEMBERSSpendells Project

The Housing & Planning Portfolio Holder made the following announcement:-

"I am delighted to announce that the Spendells project has been completed, with a Certificate of completion being issued on Tuesday 3rd December and by Friday of the same week, 8 families had moved in.

As of today over 12 families are now in residence, which is a testament to the dedication of our Housing staff in dealing quickly with those families' needs.

While this project has been delayed, and had other issues, which I am not prepared to comment further on today, it still remains a very worthwhile one. It will provide temporary accommodation for up to 30 families with children, a better place for them to be accommodated, than a hotel room, thereby reducing the impact on both the children's education and the family's overall health.

At this site, there are two members of staff available, during the week, to assist those residing there in moving on from this Council owned Temporary Accommodation, either into the private rented sector, or where available, our own Housing stock.

Having visited the site, on more than one occasion, I have seen the project progress, from a building site, into a modern usable site. The design has been one with future residents in mind, and the flat adapted for those unfortunately physically disabled, has features that I had not seen before, including a moveable sink and cooker area, to make access that much easier.

Also, I should mention how grateful I am to Officers, for arranging a site visit, on Monday 18th November, for local residents, and the Ward Councillor, Councillor Oxley, to show them the rooms and facilities available, and to 'put to bed' the rumours as to who would be occupying the site."

Tenancy Checks and Reviews

The Housing & Planning Portfolio Holder made the following announcement:-

“This Council will be undertaking a tenancy audit of its Housing Stock. These checks, performed regularly by a dedicated fraud team, aim to identify properties that have been abandoned, sub-let, or falsely claimed.

The checks are also carried out to ensure that tenants are in receipt of the correct discount or benefit, for example Single Person Discount, Local Government Support Grant or Housing Benefit, where applicable.

In recent years, more than 60 properties were reclaimed from individuals who falsely claimed entitlement and these homes were then reassigned to families on the waiting list who genuinely need them.

For instance, one case involved a tenant who had not lived in his property for over two years, he was found to be living elsewhere and using the Council property for storage and to access benefits fraudulently. As a result of this investigation, legal action was taken and the property was taken back by the council and provided to a family in need.

Tenancy reviews are important for protecting taxpayers and legitimate council tenants.

We are proud of our area and the services we provide to our thousands of council tenants, most of whom are model residents legitimately housed by us. Unfortunately, a small minority try to exploit the system, depriving families in need of a home and costing TDC – and taxpayers – having to provide temporary accommodation. If you have nothing to hide, you have nothing to fear, but we do not tolerate fraud. If someone is acting illegally, we will find out and take action.

We also want to ensure homes have not been abandoned, something which could be depriving local people of a much-needed home.”

Family Fun Day

The Leisure & Public Realm Portfolio Holder informed Cabinet that he had been delighted to attend the recent free Family Fun Day which had been held to celebrate the 40th anniversary of the Dovercourt Lifestyles centre.

93. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

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

94. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.1 - SCRUTINY OF THE SPORT AND ACTIVITY STRATEGY FOR TENDRING

Cabinet was aware that the Community Leadership Services Overview and Scrutiny Committee, at its meeting held on 15 October 2024, had scrutinised the Sport and Activity Strategy for Tendring.

Invited to that meeting had been Councillor Mick Barry (Portfolio Holder for Leisure and Public Realm), Lee Heley (Corporate Director for Place and Economy), Kieran Charles (Sport & Leisure Operations Manager), Sylvia Gentleman (Delivery Oversight in Essex for the Active Wellbeing Society), Hayley Chapman (North Essex Relationship Manager for Active Essex), Jason Fergus (Board Member for Sport England, Senior Leader in

public health at Essex County Council and Director for Active Essex) and Sharon Alexander (Chief Executive Officer for CVS Tendring).

The Committee had resolved to RECOMMEND to Cabinet that –

- (a) that the following actions that had been included within the Sport England submission be pursued:-
- (i) to support an expanding population in the west of Tendring (Garden Community Project) the scope should be broadened from identifying new sports facilities to identifying new opportunities for creating active environments;
 - (ii) to ensure that appropriate contributions towards sport are consistently secured. Furthermore, the scope of contributions should be extended to cover capital projects that would support the delivery of physical activity priorities;
 - (iii) encourage the application of Active Design principles into new developments to help ensure that opportunities for encouraging physical activity are maximised in practice; and
 - (iv) that new/refurbished buildings that the Council funds have fully considered environmental sustainability.
- (b) that the following actions should also be undertaken:-
- (i) showcase activities fairs being held at centres across the District in 2025 to allow clubs and organisations to offer to the public opportunities to be involved in sport/be active;
 - (ii) an Activities Council/Committee to be created and meet to help encourage further dialogue between sports activities providers;
 - (iii) creation of sports/activities promotion videos that the public can access to encourage involvement in those activities/access information on activities locally; and
 - (iv) develop proposals for more play zones including on sites in the west of the District to then be implemented as and when funding becomes available.

Cabinet had before it the following written response of the Portfolio Holder for Leisure and Public Realm:-

“Thank you to the committee for your consideration of the Sport and Activity Strategy and the comprehensive list of recommendations. The action plan included with the strategy was developed following evaluation of the evidence base and a comprehensive consultation process. Together with Officers, I am now in the process of prioritising those actions to deliver the best outcomes for local people, within the resources we have at our disposal. The strategy has a strong consideration of population expansion in the west of the district and how the Council can work with developers to improve activity levels across the district together with quality of life for local people. The Council will continue to work with partners to drive forward improvements and we will reflect on the positive contribution and comments from Sport England.”

The Council is already working with local leaders in the district, to consider future Playzone projects in additional locations, if and when external funding becomes available. In addition to this, through the agreed action plan, the development of an evidence based pipeline of capital projects will be compiled for future consideration. It

should be noted however that projects will need to be demand led and importantly, align with Council priorities. Once the pipeline is adopted, suitable projects can subsequently be considered for external funding opportunities, as and when they become available and obviously subject to our own internal resources. I am also pleased that the delivery plan aligns with the Committee's recommendation to consider environmental sustainability within our facilities.

Following the wide ranging consultation process which took place prior to the strategy adoption, it is clear that a platform which can be used by local people to identify the range of sport and activity services on offer around the district was a key priority. This is likely to be a key focus for delivering the strategy and the committee's various recommendations for wider marketing and promotional activities align closely with the adopted action plan and the points suggested, will be considered together with a range of further measures, through the development of an annually reviewed marketing plan.

Following recruitment of the Community Sport and Activity Manager, the action plan will form the basis of their project task list and together with Officers and partners I will constantly review the effectiveness of our delivery plan and the outcomes achieved. The recommendations from the committee are consistent with the adopted plan and will be considered for effectiveness and availability of resources, following the recruitment of the Community Sport and Activity Manager."

At the meeting the Leisure & Public Realm Portfolio Holder made the additional oral response:-

"I welcome this report and the opportunity that I was given to discuss the Sport and Activity Strategy at the scrutiny committee on the 15th October.

The strategy has effectively been 'live' for three months and I would like to give some updates on its impact, some related developments and future aspirations for our residents across the District.

The specification for the post of Community Sport and Activity Manager has been agreed and this post will be a priority for recruitment in the New Year.

I have always said that the Strategy was an organic working document that would be part of an overall approach to engaging with residents around sport, activity, health and wellbeing. It is a statement of intent to outside bodies and national organisations that has already been used to successfully influence bids for funding.

News from Active Essex management only this week:-

'I am delighted to share exciting news that Sport England have approved our 'deepening' funding submission to extend our successful LDP work (retitled Place Partnerships) for another three years. The total amount of funding approved is £4,998,842.

The grant allocates approximately £1million to each place: Basildon, Colchester and Tendring, as well as £2million to fund Active Essex to support the work and undertake further system change across the County. The funding will commence in April 2025 and be completed in March 2028.'

This will fund work with Active Essex to deliver elements of the Strategy's action plan across the District.

We have also submitted a bid for £1.3million to replace old oil boilers at Clacton Leisure Centre and take further action in line with our Climate Action Plan.

The proposal for a free to use cycle zone and a number of play zones across the District are well advanced with results expected by the end of March 2025. Officers have had discussions with English Athletics and British Cycling and Sport England have been very complimentary about the Strategy, and its influence with national organisations.

There is no doubt that the Strategy played a key role in convincing funders that we have ambition and capacity to deliver our action plan.

There will be a District Sports and Activity Conference in May 2025 which will bring together all bodies, groups and organisations in one place to share good practice and take forward the Strategy through an events programme over the summer months.

On a wider scale the feasibility work with consultants and partners regarding an Active Wellbeing Centre for the District is also progressing positively and only yesterday we conducted a fact-finding visit to a newly opened Sports Centre and HUB at Mildenhall.

Overall, we have shown that our Strategy has laid really solid foundations for improving opportunity for residents of all ages to engage in healthier lifestyles and improve their quality of life.

I welcome the endorsement of the scrutiny committee and thank them for their positive comments."

Having duly considered the recommendations made by the Community Leadership Overview & Scrutiny Committee together with the response of the Portfolio Holder for Leisure & Public Realm thereto:-

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

RESOLVED that the recommendations made by the Community Leadership Overview & Scrutiny Committee be noted and that the responses, both written and oral, of the Portfolio Holder responsible for Leisure & Public Realm thereto be endorsed.

95. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE STANDARDS COMMITTEE - A.2 - PROPOSED AMENDMENT TO ARTICLE 9 OF THE COUNCIL'S CONSTITUTION

Cabinet was informed that the Standards Committee ("the Committee"), at its meeting held on 24 October 2024 (Minute 27 referred), had considered the appointment of this Council's members to serve on the Town & Parish Councils' Standards Sub-Committee for the remainder of the 2024/2025 Municipal Year.

The Committee had been reminded at that meeting that Article 9 (Standards Committee and Town & Parish Councils' Standards Sub-Committee) of the Council's Constitution stated that the Council would have, in place, a Town & Parish Councils' Standards Sub-Committee with the following terms of reference:-

“To advise and assist Town and Parish Councils and Councillors to maintain high standards of conduct and to make recommendations to Parish and Town Councils on improving standards or actions following a finding of a failure by a Parish Councillor to comply with its Code of Conduct.” [Article 9.05]

Article 9.05 also required that Sub-Committee to consist of three members of the Standards Committee and three non-voting co-opted Town & Parish Council members nominated by Tendring District Association of Local Councils (TDALC). In addition, the nominated Town & Parish Council members would be of an independent standing and they would not have served as a District Councillor or as a County Councillor for a period of four years prior to their nomination.

The Committee had been informed that Frank Belgrove, Alresford Parish Councillor and the Chairman of TDALC, had emailed the Committee Services Manager on 23 September 2024 and had confirmed that TDALC’s three appointments to the Town & Parish Councils’ Standards Sub-Committee remained as listed below:-

1. Cllr Frank Belgrove (Chairman TDALC) Alresford PC;
2. Cllr Danny Botterell (Vice Chairman TDALC) Little Clacton PC; and
3. Cllr Linda Belgrove (Member TDALC) - Alresford PC.

During the consideration of this matter members of the Standards Committee had expressed their concern that two of the three non-voting co-opted Town & Parish Council members nominated by TDALC represented the same parish council.

Following the discussion of this matter, the Committee had:-

“RESOLVED that –

- (a) Councillors Oxley, Talbot and Wiggins plus Councillor Newton as the designated substitute Member be appointed to serve on the Town & Parish Councils’ Standards Sub-Committee for the remainder of the 2024/2025 Municipal Year;*
- (b) notes that the Tendring District Association of Local Councils (TDALC) has previously appointed Parish Councillors Frank Belgrove, Linda Belgrove and Danny Botterell as their three non-voting, co-opted members of that Sub-Committee; and*
- (c) the Committee recommends to full Council that Article 9.05(2) of the Council’s Constitution be amended to state that Tendring District Council would prefer that TDALC’s three nominated members on the Town & Parish Councils’ Standards Sub-Committee represent different parish/town councils.”*

Since that meeting the Council’s Monitoring Officer had considered the matter, and particularly the resolution (c) of the Standards Committee and had suggested the following amendment to Article 9.05(2) for Cabinet’s consideration. The text of the amendment was shown in bold.

“(2) Composition:

- Three Members of the Standards Committee and three non-voting co-opted Town and Parish Council members to be nominated by the Tendring District Association of Local Councils;*

- *The nominated Town and Parish Council members will be of independent standing and will not have served as District or County Councillors for a period of four years prior to their nomination; **and***
- ***Tendring District Council would also prefer that the nominated Town and Parish Council members represented different parish/town councils; and***
- *A member (or non-voting co-opted member) of the Town and Parish Councils' Standards Sub-Committee will not be permitted to sit in that capacity for a hearing if that Member is the subject of the complaint or the complainant. A substitute will be permitted, if they have undertaken specific Standards Committee training."*

Having duly considered the recommendation made by the Standards Committee together with the suggestion put forward by the Monitoring Officer:-

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

RESOLVED that Cabinet recommends to Full Council that Article 9.05(2) of the Council's Constitution be amended to read as follows:-

"(2) Composition:

- Three Members of the Standards Committee and three non-voting co-opted Town and Parish Council members to be nominated by the Tendring District Association of Local Councils;
- The nominated Town and Parish Council members will be of independent standing and will not have served as District or County Councillors for a period of four years prior to their nomination;
- Tendring District Council would also prefer that the nominated Town and Parish Council members represented different parish/town councils; and
- A member (or non-voting co-opted member) of the Town and Parish Councils' Standards Sub-Committee will not be permitted to sit in that capacity for a hearing if that Member is the subject of the complaint or the complainant. A substitute will be permitted, if they have undertaken specific Standards Committee training."

96. LEADER OF THE COUNCIL'S ITEMS - A.3 - DELIVERING AGAINST THE COUNCIL'S CORPORATE PLAN 2024-28 - INITIAL PROPOSALS FOR HIGHLIGHT PRIORITIES FOR 2025/26

Cabinet considered a detailed report of the Leader of the Council (A.3) which reminded it that the Council's Corporate Plan 2024-28 ('Our Vision') set out the Council's strategic direction. That strategic direction itself sought to reflect the issues that mattered most to local people, the national requirements from Government and the challenges that faced the District over the time period of the Plan. The national requirements from Government were themselves changing following the UK Parliamentary General Election held earlier in the year.

The themes of the 2024-28 Corporate Plan ('Our Vision') 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
- Financial Sustainability and Openness

The infographic for the Corporate Plan ('Our Vision') itself was set out at Appendix A to the Leader's report (A.3). It identified that across all its Corporate Plan Themes the Council would look to listen to the residents and businesses in the District and undertake Community Leadership to deliver and enable improvements for those residents and businesses.

Cabinet was aware that it established each year its highlight priority actions to deliver against the Corporate Plan and thereby ensure that the ambition of that Plan was central to its work. The highlight priority actions did not cover every separate element of the ambition of the four-year Corporate Plan; nor were they intended to indicate that other projects, schemes or activities were not being pursued. They were though intended to reflect imperatives across the Council and for the District and actions that it was right to focus on in 2025/26.

At Appendix B to the Leader's report (A.3) were the initial thoughts for the highlight priorities for 2025/26 and through this report it was hoped that they could be adopted to support an engagement with residents, businesses and partners on those priorities. The outcome of that consultation would be reported to a future meeting of Cabinet when finalised proposals would be considered having regard for the outcome of the consultation.

In developing highlight proposals, reviewing the outcome of consultation and finally approving the highlight priorities for 2025/26, there would need to be a robust challenge to all proposals to ensure that the capacity to deliver the priority was in place or would be in place and that the highlight priorities did not undermine the key commitment of the Council to deliver sustainable budgets.

In order to set out openly for all concerned the initial proposals for highlight priorities for 2025/26 and in order to support the openness agenda of the Council and provide an opportunity for engagement with the public, businesses and partners on those initial proposals:-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

RESOLVED that –

- (a) the initial highlight priorities for 2025/26, as set out at Appendix B to the report (A.3), be approved for consultation;
- (b) all Councillors, other partners and the public be invited to consider the initial priorities referred to in (a) above; and

- (c) the outcome of the consultation referred to in (b) above be reported to Cabinet on 21 February 2025 in order that Cabinet can formally adopt its finalised highlight priority actions for 2025/26 with relevant milestones during that year.

97. LEADER OF THE COUNCIL'S ITEMS - A.4 - ADOPTION OF AN ARTIFICIAL INTELLIGENCE BEST PRACTICE APPROACH AT TENDRING DISTRICT COUNCIL

Cabinet considered a report of the Leader of the Council (A.4) which sought its endorsement and formal adoption of an ethical approach for the use of Artificial Intelligence (AI) at Tendring District Council (TDC).

Cabinet was aware that Artificial Intelligence (AI) was a rapidly growing field with significant potential to enhance the efficiency and quality of work at TDC. However, its use carried risks, particularly around data governance and ethical considerations. The Leader's report (A.4) therefore proposed the adoption of an AI Best Practice Approach to ensure safe and effective use of AI within the Council. The document consolidated existing policies and provided guidance on the benefits, ethical use, and best practices for AI.

It was felt that the proposed approach would help mitigate risks associated with AI use; ensure compliance with data governance and ethical standards; and promote the benefits of AI within the Council and:-

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

RESOLVED that –

- (a) the proposed Artificial Intelligence Best Practice Approach, as set out at Appendix A to item A.4 of the Report of the Leader of the Council, be approved and adopted for use at Tendring District Council; and
- (b) the Portfolio Holders responsible for Communications and IT be authorised to make any future changes required to the guidance in order to ensure it is updated and continues to reflect best practice as this area develops in the future.

98. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.5 - UPDATED GENERAL FUND FINANCIAL FORECAST / BUDGET 2025/26

Cabinet considered a detailed report of the Corporate Finance & Governance Portfolio Holder (A.5) which enabled it to consider the updated financial forecast and budget proposals for 2025/26 for consultation with the Resources and Services Overview and Scrutiny Committee.

Members were informed that, as part of maintaining a 'live' forecast, this report 'built' on the last position that had been presented to Cabinet on 15 November 2024.

It was reported that, despite the on-going challenging financial and economic environment, confidence in the long-term approach to the forecast continued, 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 consider its financial position in response to the challenging economic outlook it continued to face.

Cabinet was advised that a limited number of changes to the forecast had been made since 15 November 2024, with a revised position set out in Appendix A to the Portfolio Holder's report. Those changes required broadly reflected updates to cost pressures and savings but also now reflected the most up to date position in respect of the council tax 'base' for 2025/26.

In terms of the cost pressures included in the forecast, they broadly reflected unavoidable items, many of which related to issues already identified during the year, with one-off adjustments made in 2024/25 pending the development of the forecast. Many of the cost pressures proposed to be included therefore reflected the on-going impact from those known issues in 2025/26 and beyond.

Work remained on-going in consultation with Services and it was likely that additional cost pressures would need to be included in later iterations of the forecast before final budget proposals were recommended for presenting to Council in February 2025.

Members were told that in terms of the savings identified to date, two new items had been included since the 15 November 2024 report mentioned above and that they had also now been split into those expected to be included in the 2025/26 budget and those that remained subject to further review over the coming year in readiness for confirming as part of agreeing the budget for 2026/27. The necessary work to reflect the identified items within the 2025/26 budget remained on-going and the position would be finalised for consideration by Cabinet in January 2025.

Taking the above into account and in comparison, with the position reported to Cabinet on 15 November 2024, the net overall position reflected a forecasted annual deficit of £1.508m (a decrease from £2.476m). This was broadly due to the expected deliverability of savings earlier in the forecast period i.e. from 2025/26. In line with the long-term plan, it was currently proposed to meet this from the Forecast Risk Fund, which, based on the current forecast, would leave a balance within the fund of £5.157m at the end of 2025/26.

An annual review of reserves had also been undertaken, which had highlighted the need to continue to maintain a number of reserves to support key actions / activities as part of the Council's overall prudent and sustainable approach to managing its finances.

It was reported that the Local Government Finance Settlement for 2025/26 had been announced on 18 December 2024. The forecast would therefore be updated accordingly for consideration by Cabinet at its January 2025 meeting when it considered its final budget proposals for recommending to Full Council in February.

Cabinet recognised that the forecast now included a Council Tax increase of 2.99%. This was the maximum permitted amount without having to hold a referendum as confirmed by the Government in its recent Local Government Finance Settlement Policy Statement. This remained an important element of the forecast, that in turn supported the long-term financial sustainability of the Council.

Once the final position for 2025/26 was determined, the remaining years of the forecast would also be revised, which would be reported to Members later in the budget setting process.

In order to set out the latest financial forecast as part of the process of developing the budget proposals for 2025/26 and in order to comply with the process for Developing the Budget as set out within the Budget and Policy Framework Procedure Rules of the Constitution, which included the consultation process of the draft Financial Strategy / Forecast setting out the basis on which the budget proposals are intended to be formulated, with the Council's Overview and Scrutiny Committees:-

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

RESOLVED that –

- a) the updated Financial Forecast and proposed budget position for 2025/26, as set out in item A.5 of the Report of the Corporate Finance & Governance Portfolio Holder and its appendices, be approved; and
- b) the Resources and Services Overview and Scrutiny Committee's comments be requested on this latest financial forecast and proposed position for 2025/26.

99. CABINET MEMBERS' ITEMS - REPORT OF THE ECONOMIC GROWTH, REGENERATION AND TOURISM PORTFOLIO HOLDER - A.6 - COMMUNITY REGENERATION PARTNERSHIP (FORMERLY LEVELLING UP PARTNERSHIP) - PROGRAMME DELIVERY

Earlier on in the meeting, as detailed under Minute 90 above, Councillor Placey had declared an Other Registerable Interest in relation to this item. Councillor Placey therefore withdrew from the meeting and left the room whilst this item was deliberated and decided upon.

Cabinet considered a detailed report of the Economic Growth, Regeneration & Tourism Portfolio Holder (A.6), which informed it about progress with the Community Regeneration Partnership (formerly the Levelling Up Partnership) initiative and recommended that Cabinet approved the proposed projects aimed at place-based regeneration in Clacton and Jaywick, including progressing a first wave of projects under the delegations set out within that report and establishing appropriate funding agreements with delivery partners for a further wave of projects.

The report detailed the progress since the July 2024 meeting of the Cabinet on the following matters:-

- 1) The Council as Accountable Body and the Policy Framework;
- 2) Memorandum of Understanding with MHCLG;
- 3) The Projects;
- 4) Capacity; and
- 5) Programme delivery – The Four 'Waves'.

In order to capitalise on the Government's funding opportunity to address key socio-economic challenges in Clacton-on-Sea and Jaywick Sands, improve local

infrastructure, enhance community services, and contribute to the long-term regeneration of the area and recognising that this was a once in a decade opportunity for Tendring to deploy investment on this scale, in addition to other Government funding, to be benefit of Clacton-on-Sea and Jaywick Sands:-

It was moved by Councillor I J Henderson, seconded by Councillor Kotz and:-

RESOLVED that Cabinet formally -

- a) accepts the £19.79M CDEL and £100k RDEL funding offered by the Ministry for Housing, Communities and Local Government for the Community Regeneration Partnership (formerly the Levelling Up Partnership) programme;
- b) allocates capital expenditure of £19.79M to the Capital Programme against the projects, as set out in Table 1 of item A.6 of the report of the Economic Growth, Regeneration & Tourism Portfolio Holder, and allocates £100,000 revenue to the delivery of a cultural masterplan for Clacton, to deliver the Partnership; and in respect of the projects identified:-
 - c) approves the scope and details of the 'first wave' projects set out in Table 2 of this report and delegates authority as follows:
 - i. approves an allocation of £0.5m from the above capital expenditure to the Seafront Micro Venue project (Ten_10) and authorises the Portfolio Holder for Economic Growth, Regeneration and Tourism, in consultation with the Portfolio Holder for Arts, Culture and Heritage to: Agree the final design brief, approve submission of the subsequent planning application and procure a main contractor for the detail design and delivery of the project on the basis of a planning consent;
 - ii. requests the Portfolio Holder for Economic Growth, Regeneration and Tourism to bring a future report to Cabinet in order to enter a main building contract for the Seafront Micro Venue project subject to the outcome of a formal procurement process;
 - iii. approves an allocation of £0.5m from the above capital expenditure to the Shopfront Improvements project (Ten_08) and authorises the Portfolio Holder for Economic Growth, Regeneration & Tourism to: Sign off an evaluation criteria and deliver an open call grant process administered in line with the adopted External Grant Funding Checklist;
 - iv. approves an allocation of £0.21m from the above capital expenditure to the Community Transport Buses project (Ten_02) and authorises the Portfolio Holder for Economic Growth, Regeneration & Tourism to: Sign off an evaluation criteria and deliver an open call grant process administered in line with the adopted External Grant Funding Checklist;
 - v. approves an allocation of £0.2m from the above capital expenditure to the Extending the Healthy Homes Initiative project (Ten_06) and authorises the Portfolio Holder for Economic Growth, Regeneration and Tourism, in consultation with the Portfolio Holder for Assets, to: Appraise the sites and execute powers as delegated under the Property Dealing Procedure;

- d) in respect of the 'second' and 'third' wave of projects, approves these projects in principle and request Officers to progress outlining the scope and details of these projects, and further requests the Portfolio Holder for Economic Growth, Regeneration & Tourism to bring a future report to Cabinet to seek its approval to progress these projects to implementation; and
- e) in respect of the 'fourth wave' of projects, as set out in Table 3 of the Portfolio Holder's report (A.5), authorises the Portfolio Holder for Economic Growth, Regeneration & Tourism, in consultation with the Corporate Director (Place and Economy), the Director (Finance and IT) & Section 151 Officer and the Director (Governance) & Monitoring Officer, to approve the funding agreements and associated governance arrangements with Essex County Council and the NHS.

100. CABINET MEMBERS' ITEMS - REPORT OF THE ECONOMIC GROWTH, REGENERATION AND TOURISM PORTFOLIO HOLDER - A.7 - LEVELLING UP FUND AND CAPITAL REGENERATION PROJECTS - PROGRESSING THE PROJECTS TO PRODUCTION OF TENDER INFORMATION

Cabinet considered a detailed report of the Economic Growth, Regeneration & Tourism Portfolio Holder (A.7), which enabled it:-

- (i) to consider the next steps for the Civic Quarter in Clacton-on-Sea (Levelling Up Fund, LUF) and Homes for Dovercourt scheme (Capital Regeneration Project, CRP) and to approve that funding remaining from the £2,148,421 allocated by Cabinet to those two projects, could be used to progress them to the pre-tender stage. The total sum was made up of £250,000 allocated by Cabinet in May 2023 and £1,898,421 in October 2023;
- (ii) to consider signing up to the Essex County Council managed service solution for temporary worker services; and
- (iii) to note and endorse continued support for the Essex County Council led LUF and CRP projects: the Clacton Hub (LUF); the Kingsway Improvement Corridor (CRP); and Learning and Library schemes in Dovercourt (CRP), as Tendring District Council continued to operate as the Accountable Body and overall programme manager for those projects funded by MHCLG.

The Portfolio Holder's report covered the following matters:-

- (a) The programme and projects;
- (b) Progress to date;
- (c) Projects Delivered by ECC;
- (d) Next steps; and
- (e) Programme management.

In order to ensure the momentum was maintained with the professional team to deliver the LUF and CRP projects to the next technical design development stages, to be able to go out to tender for construction and furthermore, to ensure the Council was able to adequately oversee the projects and manage the subsequent risk effectively, by having the Capital Delivery capacity in place for capital projects within the Council:-

It was moved by Councillor I J Henderson, seconded by Councillor M E Stephenson and:-

RESOLVED that Cabinet formally -

1. acknowledges and supports the progress made to date against the original project scope, and the positive outcome of consultation undertaken so far enabling the submission of planning applications for the schemes;
2. approves extending the scope of the £2,148,421 allocated by Cabinet to develop the Carnarvon Terrace (LUF) and Homes for Dovercourt (CRP) projects from planning lodgement through to completion of the main build contract tender process, with expenditure from this allocation to include professional services and capital delivery capacity within the Council;
3. authorises the Corporate Director (Place and Economy), in consultation with the Council's Section 151 Officer, to continue to determine the mix of funding (from the Council's own approved contribution and the money made available by the Government) to support both the LUF Scheme in Clacton and the CRP Scheme in Dovercourt, within financial parameters previously agreed and until the next significant project milestones are reported to Cabinet;
4. approves, subject to due diligence being undertaken on the terms and conditions, the Council entering into an agreement with Essex County Council for use of the Managed Service Solution framework for the appointment of temporary and permanent workers;
5. authorises the Chief Executive to undertake the aforementioned due diligence, in consultation with the Monitoring Officer and the Section 151 Officer and to sign the agreement;
6. authorises the Corporate Director (Place and Economy) to procure and enter into a Pre-Contract Services Agreement with a suitable main contractor, to increase buildability, reduce risk and deliver value for money on the schemes;
7. authorises the Portfolio Holder for Economic Growth, Regeneration and Tourism to agree the final procurement route for the main build contracts and to agree the documentation required to commence procurement for the main build contracts for both Carnarvon Terrace (LUF) and Homes for Dovercourt (CRP); and
8. notes progress on the Essex County Council led LUF and CRP projects: the Clacton Hub (LUF); The Kingsway Improvement Corridor (CRP) and the Learning and Library schemes in Dovercourt (CRP) and reiterates the Council's continued support for the programme management of these schemes, as set out in previous Cabinet reports and in the Agreements with Essex County Council.

101. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING & PLANNING PORTFOLIO HOLDER - A.8 - CONSIDERATION OF REVISIONS TO THE HOUSING ALLOCATIONS POLICY AND AGREEMENT TO UNDERTAKE CONSULTATION IN CONNECTION WITH THESE REVISIONS

Earlier on in the meeting, as detailed under Minute 90 above, Councillor Bray had declared an Interest in this and several other items later on in the Agenda. Councillor Bray thereupon left the meeting at this juncture and did not return.

Cabinet considered a report of the Housing & Planning Portfolio Holder (A.8), which presented to it proposed revisions to the Council's Housing Allocations Policy for approval prior to consultation being carried out as required by the statutory 'Allocation of accommodation: guidance for local housing authorities in England 2012' (as updated in June 2024).

Members were aware that Tendring was an area of acute housing shortage in the affordable rented sector and that the demand for housing far outstripped the supply of accommodation becoming available for letting. In each given year, it was normally only possible to assist approximately 10% of all applicants on the Housing Register with accommodation.

It was reported that the Allocations Policy was intended to reflect the Council's vision to put the needs of established Tendring residents first and to provide local housing for local people. The Council was also determined to ensure the creation of mixed and sustainable communities in the affordable rented housing sector and to provide realistic advice on housing options for those seeking accommodation.

Cabinet was informed that the current Housing Allocations Policy had been adopted in June 2013 to take into account amendments brought in by the Localism Act 2011. The Localism Act gave housing providers greater freedom to set their own rules on who could join the Housing Register and what priority could be awarded for housing, including a residency qualification. The Policy had been subsequently revised in December 2019 to take into account the Homelessness Reduction Act 2017 as well as its associated statutory guidance and regulations.

Cabinet was advised that this revision of the Allocation Policy complied with the Regulator of Social Housing's revised Consumer Standards that came into effect from 1 April 2024 and took into account revisions to statutory guidance as well as recent case law.

The objectives of the Allocations Policy were to:-

- meet the legal requirements for the allocation of social housing as set out in Part VI Housing Act 1996 as amended by the Homelessness Act (2002) and the Localism Act 2011;
- provide a single system of allocating housing across the whole District;
- increase the sustainability of local communities;
- provide housing for local people;
- assist in minimising homelessness and assist applicants in the highest assessed need;
- ensure that the scheme allows the Council to make best use of homes and in particular adapted properties;
- provide accommodation for homeless households;
- work with other providers and other agencies to make best use of affordable housing from all sources to meet housing need.

In order to ensure that the Allocations Policy was appropriately adopted, in accordance with the Council's Constitution and scheme of delegation and to evidence compliance with regulatory standards:-

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

RESOLVED that -

- (a) the proposed revisions to the Council's Housing Allocations Policy, as set out in Appendix A to item A.8 of the Report of the Housing & Planning Portfolio Holder, be approved for consultation with current and prospective tenants, residents and other key stakeholders;
- (b) the approval of the format and design of the consultation be delegated to the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for Housing;
- (c) subject to there being no significant changes required to be made to the draft Policy because of the consultation, the approval of the revised Housing Allocations Policy be delegated to the Portfolio Holder with responsibility for Housing for its adoption and implementation; and
- (d) the Corporate Director (Operations and Delivery) be authorised, in consultation with the Portfolio Holder responsible for Housing, to make future updates or amendments to this Policy.

102. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING & PLANNING PORTFOLIO HOLDER - A.9 - CONSIDERATION AND ADOPTION OF HOUSING POLICES ON GAS SAFETY, ELECTRICAL SAFETY, FENCING & PAVING AND EMPTY COUNCIL HOMES MANAGEMENT

Cabinet considered a report of the Housing & Planning Portfolio Holder (A.9), which enabled it to consider the following draft policies prepared in relation to the maintenance and operation of the Council's retained housing stock:

- Gas Safety Policy;
- Electrical Safety Policy;
- Fencing and Paving Policy; and
- Empty Council Homes Management Policy.

It was reported that, in response to the Regulator for Social Housing having its powers enhanced under the Social Housing (Regulation) Act 2023, new Consumer Standards and Tenant Satisfaction Measures had been introduced and which took effect on 1 April 2024.

Although the adoption of those policies was not of itself mandatory, there were legal and regulatory standards for performance which those policies aspired to formalise compliance with.

Members were informed that the Gas Safety Policy set out Tendring District Council's (TDC) aim to ensure that all gas systems within the housing stock were properly managed and operated safely. All new installations, maintenance and safety checks were carried out in accordance with TDC's duties as a landlord as required by the Gas Safety (Installation and Use) Regulations 1998 and the Gas Safety (Installation and Use) (Amendment) Regulations 2018.

It was recognised that the Electrical Safety Policy set out Tendring District Council's approach to its responsibilities to comply with relevant legislative and associated guidance on the installation, inspection, repairs, testing and certification of electrical systems in dwellings and associated communal areas which it owned and managed.

Cabinet was made aware that the Fencing and Paving Policy outlined Tendring District Council's aim to ensure that its properties benefited from an appropriate standard of security and appearance through the provision and effective maintenance and replacement of fencing and paving.

It was noted that the Empty Council Homes Management Policy would not only ensure that procedures were in place that reduced the length of time that a property was empty but also ensured that a forward looking and strategic approach was in place.

In order to set in place clear policies to inform future maintenance and management activities and also a policy framework to evidence compliance with regulatory standards:-

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

RESOLVED that -

- a) the Gas Safety Policy, Electrical Safety Policy, Fencing & Paving Policy and Empty Council Homes Management Policy be adopted;
- b) their direct and immediate implementation be authorised, subject to the call in procedures under the Council's Constitution; and
- c) authorises the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder responsible for Housing, to make future updates or amendments to the Policies.

103. CABINET MEMBERS' ITEMS - REPORT OF THE PARTNERSHIPS PORTFOLIO HOLDER - A.10 - COMMUNITY PROJECTS UPDATE

Cabinet considered a report of the Partnerships Portfolio Holder (A.10), with a supporting e-brochure, which provided it with an update and which also sought its endorsement for an extensive range of community projects which supported the Council's key priorities.

Members were aware that the Council's Corporate Plan 2024-2028 placed a strong emphasis on working positively with partners to improve quality of life, as well as raising aspirations and creating opportunities for adults, children and young people across the District.

To deliver this aspiration, a variety of community projects were currently, or had been undertaken under the following themes:

- Health and Wellbeing
- Education
- Community Safety
- Economic Growth, Culture & Leisure

In many of those projects, Officers had been instrumental in sourcing external funding, and the delivery of projects, whilst others had collaborated with a range of partners.

The Portfolio Holder's report (A.10) provided an overview of the projects which had been identified in accordance with the role of the Council, as a Community Leader.

The Council was not the statutory provider for Education, Health and Wellbeing. However, through influence, bringing stakeholders and partners together to share and improve practices, there were a number of areas where the Council could offer support to Education and Health providers, and ultimately children, learners, patients and residents across the District.

Having considered the overview of the range of projects being undertaken across the Council to support the Council's Community Leadership role in the period 2024/25:-

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

RESOLVED that Cabinet -

- a) notes and commends the 'Community Projects e-brochure' and the work within it, delivered by the Council or working in partnership, demonstrating community leadership across the District; and
- b) endorses the 'further aspirations' work within the 'Community Projects e-brochure', noting that any financial commitment to progress these projects and programmes will be subject to future decisions.

104. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING & PLANNING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.11 - UPDATED HOUSING REVENUE ACCOUNT BUSINESS PLAN AND BUDGET PROPOSALS 2025/26

Cabinet considered a detailed joint report of the Housing and Planning Portfolio Holder and the Corporate Finance and Governance Portfolio Holder (A.11), which set out and sought its approval of an updated HRA Business Plan, which included proposed changes in 2024/25 along with budget proposals for 2025/26.

Members were reminded that, similarly, to the General Fund's long-term forecast, a 'live' HRA Business Plan was maintained on an on-going basis, with the most up to date position in December each year being 'translated' into the detailed budget for the following year for consultation with the Resources and Services Overview and Scrutiny Committee.

It was reported that a few changes had been made to the business plan for 2025/26 onwards that largely reflected increased costs / inflationary pressures. Some of those pressures were also being experienced in 2024/25, with corresponding adjustments set out accordingly.

Cabinet was informed that, based on associated guidance from the Regulator for Social Housing, it was proposed to increase rents by CPI+1% in 2025/26. Based on the relevant reference CPI rate of 1.7%, the proposed increase in 2025/26 was 2.7%.

As was the case in previous years, it was acknowledged that, although Councils could set lower increases, this would be a very difficult approach to adopt in terms of the future sustainability of the HRA business plan, given the 'telescopic' impact this would have and greater imbalance it would create, as expenditure would be increasing significantly more than the level of rental income increases. Such an impact had been experienced when the Government had required Councils to reduce rents by 1% over the 4-year period from 2016/17 to 2019/20 and that continued to have an impact over the long-term life of the business plan.

Members were advised that, based on the above, the average weekly rent proposed for 2025/26 was £103.49 (£100.89 in 2024/25).

After taking into account the various adjustments set out in Appendix A to the Portfolio Holders' joint report, there continued to be an estimated budget surplus of £0.418m in 2024/25, albeit this was slightly behind the original estimated position of £0.493m. In terms of 2025/26, there was currently an estimated deficit of £1.170m.

It was reported that the estimated deficit in 2025/26 was broadly due to the increase in costs associated with the repair and maintenance of the Council's stock of social housing.

It was proposed to fund the estimated deficit for 2025/26 by calling on money from HRA balances as an alternative to reducing expenditure. This was partly offset by the transfer of the estimated surplus in 2024/25 to the same reserve.

Cabinet was reminded that, as has been the case in previous years, the use of reserves formed part of a wider managed approach that struck the necessary balance of 'protecting' the investment in tenants' homes whilst recognising the need to use reserves to respond to the on-going financial challenges that the Council continued to face. It was however recognised that this was not a sustainable long-term solution, but it enabled the Council to meet its key priorities in the immediate term, which could be revisited as part of the HRA Business Plan in future years. It would be important that the Council explored opportunities to balance the various competing issues during 2025/26, to inform the business plan and budget from 2026/27.

Members were advised that the HRA General Balances were currently estimated to total £2.556m at the end of 2025/26 (after taking account of the use of balances highlighted above) that remained available to support the 30-year Business Plan and associated risks to the forecast.

It was recognised that the proposed HRA Capital Programme for 2025/26 reflected the commitment to maintain the necessary investment in the existing homes of tenants.

It was noted that HRA debt continued to reduce year on year as principal was repaid with a total debt position at the end of 2025/26 forecast to be £31.120m, which also took into account the refinancing of an historic loan via an internal borrowing approach.

Cabinet was cognisant that there would undoubtedly be further changes required to the forecast before the detailed estimates were finalised for reporting to Cabinet in January 2025, which would provide the opportunity to revisit the above proposals accordingly.

In addition to requesting comments from the Resources and Services Overview and Scrutiny Committee, it was also proposed to consult with the Tenants' Panel during January, with the outcome reported to Cabinet later that month, when the final HRA budget proposals would be considered for recommending onto Full Council in February 2025.

In order to enable Cabinet to agree the most up to date HRA Business Plan which set out a revised position for 2024/25 along with the proposed HRA budget for 2025/26 for consultation with the Resources and Services Overview and Scrutiny Committee:-

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

RESOLVED that -

- (a) the updated HRA 30-year Business Plan, which includes the proposed revised position for 2024/25 along with budget proposals for 2025/26, be approved; and
- (b) the Resources and Services Overview and Scrutiny Committee's comments be requested on this latest HRA financial forecast.

105. MANAGEMENT TEAM ITEMS

There were no matters referred to the Cabinet by the Council's Management Team on this occasion.

The Meeting was declared closed at 12.13 pm

Chairman