MINUTES OF THE MEETING OF THE CABINET, HELD ON FRIDAY, 24TH APRIL, 2026 AT 10.30 AM IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

PRESENT:	PORTFOLIO:
Councillor M E Stephenson	Leader of the Council & Portfolio Holder for Corporate Finance and Governance (Chairman)
Councillor A P H Baker	Portfolio Holder for Housing & Planning
Councillor P Kotz	Portfolio Holder for Assets & Community Safety
Councillor G R Placey	Portfolio Holder for Partnerships
Councillor G G I Scott	Portfolio Holder for Arts, Culture & Heritage
Councillor A Smith	Portfolio Holder for the Environment & ICT

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

Also Present: None

In Attendance: Corporate Director (Economy and Wellbeing) & Deputy Chief Executive (Lee Heley), Corporate Director (Law and Governance) & Monitoring Officer (Lisa Hastings), Corporate Director (Finance and IT) & Section 151 Officer (Richard Barrett), Corporate Director (Planning and Community) (Gary Guiver), Director (People) (Katie Wilkins), Assistant Director (Housing and Environment) (Tim R Clarke), Democratic Services Manager (Ian Ford), Corporate Governance, Performance and Procurement Manager (Karen Hayes), Democratic Services Officer (Bethany Jones) and Communications Officer (James Dwan)

132. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors M Barry (the Portfolio Holder for Leisure & Public Realm) and I J Henderson (the Deputy Leader of the Council and the Portfolio Holder for Economic Growth, Regeneration & Tourism).

133. MINUTES OF THE LAST MEETING

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

RESOLVED that the minutes of the meeting of the Cabinet, held on Friday 20 March 2026, be approved as a correct record and be signed by the Chairman.

134. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members on this occasion.

135. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

There were no announcements made by the Leader of the Council on this occasion.

136. ANNOUNCEMENTS BY CABINET MEMBERS

Princes Theatre – 95th Anniversary

The Arts, Culture & Heritage Portfolio Holder (Councillor Scott) read out the following statement:-

"I'd like to acknowledge the 95th anniversary of the Princes Theatre in Clacton, an important milestone for one of the District's best loved cultural venues. Since opening in 1931 the Theatre has played a significant role in public life. Generations have attended performances, community events and civic occasions and it remains a place people can feel a strong connection to.

Recent refurbishments work uncovered items from the past, discarded by the original builders and a message from the 1990s. Theatre staff have created a small, time capsule of their own. It is a simple gesture, but it reflects its continuity over the decades. It still hosts over 150 events per year despite the changes in audience expectations and the industry more widely. It continues to adapt and serve the community well.

I would also like to highlight the recent "Chitty Chitty, Bang Bang" performance by the Princes Theatre Youth group. When I attended on 10 April 2026 the children performed so professionally it had a West End style to it and what remarkable performers we have in our District.

This anniversary is a reminder of the importance of maintaining and supporting local cultural assets not just for entertainment but for the sense of place they create. I hope Members will join me in recognising the work of the staff, volunteers and performers who keep the Princes Theatre open and marking its milestone as we look ahead to its centenary."

The Leader of the Council (Councillor M Stephenson) endorsed those sentiments.

137. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

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

138. MATTERS REFERRED TO THE CABINET BY A COMMITTEE

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

139. LEADER OF THE COUNCIL'S ITEMS

There were no items submitted to the Cabinet by the Leader of the Council on this occasion.

140. CABINET MEMBERS' ITEMS - REPORT OF THE ASSETS AND COMMUNITY SAFETY PORTFOLIO HOLDER - A.1 - PROPOSED NEW PROCUREMENT PROCEDURE RULES DEVELOPED THROUGH THE ESSEX PROCUREMENT PARTNERSHIP

In accordance with the Council's adopted Procurement Strategy, Cabinet considered a report of the Assets & Community Safety Portfolio Holder (A.1) which sought Cabinet's approval for the Procurement Procedure Rules developed through Essex Procurement Partnership to be recommended onto Full Council for adoption, thereby replacing the Council's current Procurement Procedure Rules, contained with the Rules of Procedure set out in Part 5 of the Council's Constitution. The report also provided a high-level update of the Local Government Reorganisation for Greater Essex, Procurement and Contracts System Working Group.

Members were aware that Tendring District Council (TDC) formed part of the Essex Procurement Partnership (EPP) (Cabinet 21 February 2025 minute no. 128 referred) through its agreement to enter into a Collaboration Agreement for the delivery of joint procurement services for a three-year period together with:

- Braintree District Council
- Castle Point Borough Council
- Epping Forest District Council
- Essex County Council

Those Parties had agreed through the Collaboration Agreement to create common procurement documentation including common tender documents, a shared set of procurement rules and a procurement strategy. Following Cabinet's recommendation, Full Council had adopted the Procurement Strategy on 25 March 2025 (minute no. 132 referred).

The Parties had also agreed, at the time as an interim measure, to adopt the EPP Procurement Rules where they were not in conflict with the Constitution of each Party. The Parties had agreed with the objective of moving to formal joint procurement procedure rules to be embedded within their organisations over the period of the Agreement.

Cabinet was informed that reducing duplication was included within the rationale for collaboration both within the Collaboration Agreement and Procurement Strategy, as:

"Both in terms of procurement activities but also in documentation and adherence to procurement rules, allowing the Parties to focus on additional cost saving activity. This will also provide benefit to the entire supplier community, particularly Small to Medium Enterprises and Voluntary sector organisations, reducing the time to understand bid documents."

Through its decision making in 2025, Cabinet and Council had been informed that following adoption of the Procurement Strategy, a review of the Procurement Procedure Rules which had commenced and was in progress, would follow for approval, to meet the partnership's collaborative objectives.

Cabinet recalled that the Portfolio Holder for Assets and Community Safety, being the Executive member responsible for procurement, represented this Council at the Member Advisory Group (MAG) with elected members from each local authority. The MAG had been established in September 2023 and provided executive member oversight of the EPP by reviewing the performance of EPP in delivering against its objectives and acting as both critical friends and champions of the partnership.

It was reported that the MAG had met in January 2026, when Officers had informed Members that the draft Procurement Procedure Rules had been designed to provide a framework of best practice for all procurement activities to deliver against the Procurement Rules and support the Councils in achieving value for money and delivering the Councils' corporate objectives. The draft documentation, at that time, were being refined further for EPP purposes, following a review undertaken by TDC's Corporate Director (Law and Governance) and the Corporate Governance, Performance and Procurement Manager.

Members were made aware that in February 2026, the Leader of the Council & Portfolio Holder for Finance and Governance had received a report detailing the impact of the levels for tender exercises on the Council's resources and capacity and being potentially disproportionate to increased costs for purchasing costs and services. Following consideration of the report, the Leader of the Council had granted for an interim period, an exemption applying to all procurements with the value of £50,000 - £100,000 to follow the Council's Request for Quotation Rules, as set out in the Council's Procurement Procedure Rules. That exemption remained in place until the Council formally considered the revised Procurement Procedure Rules, which at the time were being drafted by the Essex Procurement Partnership, in accordance with the Council's adopted Procurement Strategy and Collaboration Agreement.

<u>High level Introduction to the new draft Procurement Procedure Rules ("the Rules"):</u>

Cabinet was advised that the draft Procurement Procedure Rules, as set out at Appendix A, were new and if approved would replace the Council's existing Rules. However, through development of the Rules, elements of the existing rules had been included where considered necessary to do so.

The new Rules were designed to provide a framework of best practice for all procurement activities which supported the Council in achieving value for money and delivering the Council's corporate vision and priorities.

All Councils within EPP remained the Contracting Authority in all cases and the decision makers with regards to procurement activity and contract management. The Rules would apply to each member of the Partnership, following approval and adoption by the Councils, with the exception of Essex County Council whose Procurement Policy closely mirrored these.

Part 1 of the Rules, as set out in Appendix A, detailed the Roles and Responsibilities applicable to all Members and Officers, Part 2 set out the Rules for all Tenders and Request for Quotations when conducting procurement activity and Part 3 was specifically for the EPP.

The Rules would form part of the Council's Constitution and so would apply to all Council Officers who would need to familiarise themselves with their contents prior to commencing any procurement-based activity. Following adoption of the Rules, training would be provided across the Council, which would include, at a high level, to Members.

It was important to note that these Rules related to procurement activity and that the Council's other Procedure Rules, such as Financial and decision making/governance requirements remain unaffected and still applied.

It was reported that the EPP had a suite of process documents known as the "Procedures" which supported delivery of the Procurement Procedure Rules and the Council's adopted Procurement Strategy.

In producing new Rules, they had had to reflect the National Procurement Policy Statement (NPPS) which set out the UK Government's strategic priorities for public procurement and explained how contracting authorities must support their delivery. The NPPS was a statutory requirement under section 13 of the Procurement Act 2023, the latest version of which had come into effect on 24 February 2025.

It was pointed out that the Rules mirrored the NPPS in their focus on the following key strategic priorities:

- *Delivering Value for Money*
- *Driving Economic Growth*
- *Enhancing Social Value*
- *Supporting Net Zero and Environmental Goals*
- *Improving Supplier Access and Market Diversity*
- *Commercial Capability and Innovation*

Cabinet was advised that Authorities must consider the NPPS in all procurement decisions and document how NPPS objectives had influenced their choices, and align processes with growth, social value, and capability goals. This was a new statutory requirement and would be necessary for all procurement activity irrespective of value (i.e. both below the Procurement Act 2023 threshold and above).

Members were reminded that one of the main objectives of the Rules was to 'build' on existing procedure rules as part of ensuring that the Council's procurement activities and tenders continued to be carried out in accordance with the legislation, and in particular applying the principles of value for money, best value, public benefit, transparency, integrity, protection from fraud, fair treatment, consideration of SME, equal treatment and non-discrimination. Those principles also applied to both procurements above the UK public procurement thresholds and those below.

It was highlighted that the new Rules included a section on Spend Thresholds providing a classification of the sourcing activity (procurement route) based on contract value. This determined the correct process and established who led the procurement process. The spend threshold was the first factor considered but Officers would need to consider the complexity of the requirement. If the requirement involved significant resources to implement, deliver, or manage for example, then spend alone might not be the determining factor.

The Rules provided different values to the existing rules and increased the Request for Quote process from £49,999 to £100,000 reflecting on inflation, resources and capacity. However, good governance and value for money was still provided through a number of controls.

It was recommended that, upon adoption by the Council and training to Contracting Services across the Council, the Council's Internal Audit Team and the Audit Committee review the Rules and operational requirements to ensure the Council's corporate governance requirements were being maintained. Any suggested revisions would be reported to Cabinet by the end of 2026/27, ready for the next financial year.

Cabinet was informed that through Local Government Reorganisation, the Procurement and Contracts workstream across Greater Essex had been active and updates had been provided within the Portfolio Holder's report, with recommendations on next steps.

To reduce duplication and to ensure that the Council had up to date, appropriate and proportionate controls, systems and standards to manage procurement risk and to comply with legal requirements:-

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

RESOLVED that Cabinet -

(a) approves in principle, the draft Procurement Procedure Rules, as set out in Appendix A to report A.1, as developed by the Essex Procurement Partnership, of which Tendring District Council is an active Member Authority, for recommendation onto Full Council for adoption;

(b) authorises the Corporate Director (Law & Governance), being the responsible Officer for the Council's corporate procurement function and the Council's statutory Monitoring Officer, to make any necessary minor amendments and to produce a final draft of the Procurement Procedure Rules, in consultation with the Portfolio Holder for Assets and Community Safety, for Full Council to consider;

(c) recommends to Council that the final draft Procurement Procedures Rules be adopted, replacing the Council's current Procurement Procedure Rules, as contained with the Rules of Procedure set out in Part 5 of the Council's Constitution;

(d) endorses the review to be undertaken by both Internal Audit and the Audit Committee to ensure the Council's corporate governance requirements continue to be maintained through the new Rules and lessons learnt have been captured;

(e) notes the update of the activity within the Essex Procurement Partnership and the Local Government Reorganisation for Greater Essex, Procurement and Contracts System Working Group; and

(f) notes Officers will present the outcome of the detailed analysis of the Council's Contracts Register in due course in readiness for the transition phases of LGR.

141. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.2 - FINANCIAL PERFORMANCE REPORT 2025/26 - GENERAL UPDATE AT THE END OF DECEMBER 2025

Cabinet considered a report of the Corporate Finance & Governance Portfolio Holder (A.2) which provide a general update and overview of the Council's financial position against the 2025/26 budget as at the end of December 2025 and looking ahead across the two-year financial plan period (2026/27 and 2027/28).

SECTION 1 - In-year financial position at the end of December 2025:

It was highlighted that several adjustments had been made to the 2025/26 budget as part of developing the detailed estimates that had been agreed by Full Council in February 2026. With that in mind, and along with a few adjustments included in the earlier Financial Performance Reports, the in-year position at the end of December 2025 continued to broadly perform to the underlying budgetary position, with no new major issues emerging relating to 2025/26.

However, it remained timely to address a limited number of cost pressures that had been identified at the end of Quarter 3, which were set out in *Appendix 1H*. Given the two-year approach to the forecast, the items set out covered the period 2026/27 and 2027/28 as necessary, rather than just in-year changes. They were supported by the Corporate Investment Funds / Reserves as necessary which continued the approach set out and adopted as part of the budget setting process for 2026/27 that had been agreed by Full Council in February 2026.

The position to the end of December 2025, as set out in more detail within the appendices, showed that, overall, the General Fund Revenue Account was underspent against the profiled budget by *£1.128m* (£3.661m at the end of September 2025). However, it was noted that this position continued to primarily reflect the timing of expenditure and income such as the Government's reimbursement of the cost of meeting housing benefit claims.

In terms of proposed adjustments to the budget, *Appendix 1H* set out a limited number of largely 'business as usual' type activities where there had been an identified increase in costs or to reflect the on-going outcome from stock condition surveys / reviews. It was expected that further items along with those relating to the investment in priorities etc. would be considered later in the year as necessary.

In-line with the two-year financial plan framework adopted, the overall net impact of the proposed budget adjustments as set out in *Appendix 1H* would be adjusted against the Corporate Investment Funds and/or reserves as necessary.

In addition to the adjustments set out in *Appendix 1H*, any further issues that had emerged or developed during the second half of the year along with updates to previously reported matters were discussed in more detail within this report (A.2).

In respect of other areas of the budget such as the Housing Revenue Account, capital programme, collection performance and treasury activity, additional details were set out later on in this report (A.2).

<u>SECTION 2 - Two-year Financial Plan Update:</u>

Members recalled that a summary of the most up to date position had been considered by Full Council on 17 February 2026 as part of agreeing the detailed budgets for 2026/27.

Apart from the proposed changes set out in *Appendix 1H*, there had been no changes made to the forecast position mentioned above at this stage, but for completeness key issues were highlighted in this report (A.2).

Cabinet was reminded that an initial in-principle approach had been set out within the report to Full Council in February 2026 with the intention of it forming the basis of the Council's reasonable and balanced financial response to meet its potential obligations to an incoming Unitary Council. The proposed way forward had been 'built' on a multiplier approach based on the level of funding remaining within the Forecast Risk Fund at 31

March 2028 expressed as a percentage of the estimated notional budget ‘gap’ in 2028/29 (being the first year of the new Unitary Council).

The above had been based on an initial notional approach and would be subject to further development over the next two years and balanced against the use of the Forecast Risk Fund and Corporate Investment Funds. It did however establish a key principle on how the Council was aiming to meet its obligations to the new Unitary Council that in turn supported their own financial position and stability, leaving them the opportunity to determine their own decisions against the financial foundations left by this Council.

The two-year forecast would therefore be subject to further development against the key principles / ‘framework’ highlighted above during the first half of 2026/27.

In terms of the HRA Business Plan, a summary of the most up to date position had been also considered by Full Council on 17 February 2026 as part of agreeing the detailed budgets for 2026/27. The challenges faced by the Housing Revenue Account also remained significant and included increased expectations and requirements that continued to emerge from the Social Housing Regulation Act and associated enhanced powers of the Housing Regulator.

Similarly to the General Fund and as highlighted within the earlier budget reports, the development of the HRA Business Plan would enable the continuation of a relatively strong financial position and provide flexibility to respond to statutory obligations that were expected to emerge in respect of the new Unitary Council from as early as April 2028.

Earlier reports had also highlighted the importance for the Council to maximise the benefits from the increased flexibilities relating to the Right to Buy regime that had been announced by the Government during 2025. An important first step was to capture all capital receipts and relevant Section 106 money within the HRA Capital Programme, rather than the alternative of it remaining within the balance sheet and only transferred as separate associated decisions were made during the year.

The Council remained alert to any changes that might be required in managing its housing stock with the HRA Business Plan subject to updates during 2026/27.

To set out the financial position for the Council and to respond to emerging issues in 2025/26 and across the two-year financial plan period:-

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

RESOLVED that -

(a) the Council’s in-year financial position as at the end of December 2025 along with the latest financial forecast update be noted;

(b) the proposed adjustments to the budget as set out in Appendix 1H be approved;

(c) the most up to date CRP budgets as set out within Appendix 1D(i) be agreed;

(d) the views of the Resources and Service Overview and Scrutiny Committee be invited on the information set out in this report along with the Council's wider financial position as part of its work programme for the year;

(e) in respect of the cost pressure of £0.427m in 2026/27 relating to the Investment in Assets (General R&R Priority Items), as set out within Appendix 1H, the Chief Executive, in consultation with the Portfolio Holder for Corporate Finance and Governance, be authorised to allocate this funding across the various associated schemes;

(f) subject to an associated agreement with Essex Police, the transfer to them of the previously agreed annual contributions for the Harwich PCSO for the period covering 2025/26 to 2027/28 be approved; and

(g) Pride In Place external grant funding of £0.360m (capital) and £0.232m (revenue), along with associated additional capacity funding of £0.150m to support the delivery of the programme, be accepted ahead of a future separate report that will include further details / associated governance arrangements as necessary.

142. MANAGEMENT TEAM ITEMS

There were no items submitted to the Cabinet by the Management Team on this occasion.

The Meeting was declared closed at 10.46 am

Chairman