



**MINUTES of
STRATEGY AND RESOURCES COMMITTEE
9 NOVEMBER 2023**

PRESENT

Chairperson	Councillor M F L Durham, CC
Vice-Chairperson	Councillor A Fittock
Councillors	D O Bown, J Driver, A S Fluker, A M Lay, R H Siddall, W Stamp, CC, M E Thompson, S White and N D Spenceley (Substitute for K Jennings)
In attendance	Councillor(s) K M H Lagan and P L Spenceley

1. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

An apology for absence was received from Councillor K Jennings and in accordance with notice duly received Councillor N D Spenceley was attending as a substitute for Councillor Jennings.

3. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 21 September 2023 be received.

Minute No. 269 – Delivery of Section 106 Capital Projects 2024 / 25

Councillor A S Fluker referred to the last paragraph on page 6 of the agenda pack and clarified he was not speaking in respect of all projects, just skateparks and had outlined his reasons for this at the meeting. He asked that this be recorded. The Chairperson advised he recalled that and the Minutes would be amended accordingly.

Councillor Fluker advised that at the time he had responded to the apology given by Councillor R H Siddall, saying it was not sincere and had requested this be recorded in the Minutes, but it was not. He also commented that whilst Councillor Siddall had referred to Members of the Conservative Party, he had also been disingenuous to some individual Members. In response, the Chairperson advised that Minutes were not verbatim, and the Council had the benefit of the recording and video for the meeting, Councillor Fluker's comments had been recorded for prosperity.

Councillor Fluker referred to the resolution of the Committee detailed in the Minutes (which he felt was correct) and differing information which an Officer had referred to outside of the meeting. In response, the Chairperson requested that this point be reviewed on the recording to make sure the resolution was Minuted as agreed by the Committee on the night.

The Chairperson then moved acceptance of the Minutes, subject to the above amendments. This was duly seconded and agreed.

RESOLVED

- (ii) that subject to the above amendments the Minutes of the meeting of the Committee held on 21 September 2023 be confirmed.

4. DISCLOSURE OF INTEREST

There were none.

5. PUBLIC PARTICIPATION

No requests had been received.

6. HALF YEARLY TREASURY MANAGEMENT UPDATE

The Committee considered the report of the Interim Chief Finance Officer setting out the Council's investment activity for the first half of 2023 / 24 in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management (TM) Code.

The report provided an update on the following areas and further details were set out in the related Appendices:

- An overview of the external economic environment - Appendix 1 to the report had been prepared by the Link Group who provide treasury management consultancy and advice services to the Council.
- Investment Activity (April – September 2023).
- Performance – Budgeted income and outturn.
- Outlook for the remainder of 2023 / 24 provided by the Link Group (attached at Appendix 2 to the report).
- Compliance with Prudential Indicators (Appendix 3) and Treasury Management Strategy.

It was noted that only one of the Prudential Indicators had been breached and a mindful approach had been taken in relation to investment activity with priority being given to security and liquidity over yield.

In response to a number of questions raised by Members, the Interim Chief Finance Officer advised:

- No investment was 100% secure as they all had an element of risk, however as Section 151 Officer she was satisfied that the Council 's approach to investment was in line with the Strategy agreed by the Council as part of its Treasury

Management Strategy. Overall she felt the Council had taken a reasonably risk averse approach to its investments, with the majority being very low risk.

- The Interim Chief Finance Officer advised she would provide Members outside of the meeting with further details regarding the trend and performance of investment in the CCLA (Churches, Charities and Local Authorities) – Lamit Property Fund. She explained the purpose of this fund being for longer term investment, the fund was linked to property values which could fluctuate over time with and in line with the Investment Strategy. It was noted that only a small proportion of Council monies were invested in these types of funds.
- The Council's Investment Strategy would be considered by this Committee in January 2024 and that report would provide details of what the Council invests in. Property funds were in line with the current Strategy.
- It was important to ensure that the Council had adequate liquidity throughout the year and the amount of monies held varied throughout the year due to the receipt of council tax and business rates.
- Members' attention was drawn to table 1 in the report which detailed the categories of investment and gave an indication of the liquidity. The Interim Chief Finance Officer provided Members with detail regarding the investment length of each of the categories set out in the table.

In response to a question regarding recycling bins, the Chairperson advised that this matter had been discussed by the Finance Working Group and its recommendations would be coming forward to the Committee at its meeting on 23 November 2023.

The Leader of the Council, in response to a question regarding whether he was involved in any of the investment delegations, advised that he had no statutory powers and directed Members to raise any questions regarding management of investments when the Investment Strategy was brought forward to the Committee for approval.

The Chairman moved the recommendation as set out in the report and this was duly agreed.

RESOLVED that the Treasury Management report be received for compliance purposes.

7. RURAL SETTLEMENT LIST 2024 / 25

The Committee considered the report of the Interim Chief Finance Officer seeking Member's approval of the Rural Settlement List (the List) for the financial year 2024 / 25 (attached at Appendix A to the report) to determine and award Rural Rate Relief to eligible businesses.

In response to questions, the Interim Chief Finance Officer advised that the List was reviewed by the Planning Policy Team every year in terms of settlement areas to make sure that they were policy compliant. Although the List was separate from, and would not influence planning decisions, it was noted that the outcome of any planning decision could potentially impact the List in terms of the settlements eligible for rural relief.

Members were advised that if a business was eligible for relief the Council would notify them, although there was an application process that had to be followed. In response to a query over a business not having been notified that they were eligible for 100% relief, the Assistant Director – Service Delivery apologised regarding this individual

case. Councillor A S Fluker referred to Southminster Ward and the number of rural businesses within it. He asked Officers to explore if there was any way the Council could give support to businesses on the marshes that had specific needs.

A number of comments were raised regarding the split of Wards, with particular reference made to Mayland, and some Members questioned if the information presented was correct. In response, the Chairperson advised that the information was correct, in terms of the policy being applied but agreed that further explanation of how the information was determined was required. The Assistant Director – Service Delivery advised that the List had to be agreed by 31 December 2023 but gave Members reassurance that due process and consideration had taken place when reviewing it. She agreed to circulate some general guidance on the areas considered by Planning Policy officers when carrying out the annual review of the List.

Councillor Fluker proposed that the recommendation as set out in the report be agreed and suggested that Members refer to Section 42 of the Local Government Act 1988 or the Assistant Director – Service Delivery for further information. This proposal was duly seconded and agreed.

RESOLVED that the Rural Settlement List attached as Appendix A to the report be approved.

8. WHISTLEBLOWING POLICY

The Committee considered the report of the Director of Strategy and Resources seeking Members' review of the Council's Whistleblowing Policy (the Policy), attached as Appendix 1 to the report.

It was noted that the Policy, once approved, would be due for review every three years, unless legislation changed significantly. The Policy worked alongside the Anti-Fraud and Corruption, Anti-Money Laundering and Bribery Act Policies.

In response to a number of questions, the Director of Strategy and Resources provided the Committee with the following information:

- in the last three years there had been no whistleblowing incidents reported.
- the Annual Governance Statement included a section where any use of the Whistleblowing Policy would be reported.
- through the new Service planning process that had been brought in all Service Heads / Assistant Directors would be identifying policies within their areas, ensuring these were up to date and that the renewal period was clearly outlined.
- the Policy would be promoted to staff through the OneTeam newsletter to remind and highlight it to all Officers for use, should the need arise.
- the Policy did apply to Members and this would be highlighted through the Members' Bulletin and other routes to ensure all were aware of it.

The Chairperson moved the recommendation as set out in the report and this was duly agreed.

RESOLVED that the draft Whistleblowing Policy attached as Appendix 1 to the report be agreed.

9. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRPERSON OF THE COMMITTEE DECIDES ARE URGENT

There were none.

10. EXCLUSION OF THE PUBLIC AND PRESS

Councillor A S Fluker drew Members' attention to Agenda Item 11 – Leisure Contract Update and referred to the huge amount of public interest in the Splash Park. He queried why this report was considered to be of a confidential nature or commercially sensitive and highlighted that reports of this nature normally detailed a reason for this which was not apparent for this report. In response, the Interim Chief Finance Officer advised that the report had been excluded due to the commercial sensitivity of the cost information that was linked to one specific provider and the level of detail in the report was not in public domain.

In response to a question regarding whether the information would be available if requested via the Freedom of Information Act, the Interim Chief Finance Officer explained she would have to consider this outside of the meeting as the information was not owned by the Council.

The Chairperson clarified that the Committee had agreed for Agenda Item 12 – Lease Extension to be considered in private session. Councillor R H Siddall then proposed that the public and press be excluded from the meeting in relation to Agenda Item 11 – Leisure Contract Update. This was duly seconded and agreed.

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

11. LEISURE CONTRACT UPDATE

The Committee considered the report of the Director of Service Delivery updating Members on the Leisure Contract and seeking Members' consideration of matters relating to Splash Park operations.

The report provided background information regarding the operation of the Splash Park and the recent Council decision for Places Leisure to continue to run the Splash Park for the 2023 and 2024 summer seasons.

It was noted that this matter had been raised at a recent meeting of the Performance, Governance and Audit Committee where it was agreed a report would be brought back to this Committee.

In response to questions raised by Members during a lengthy debate, Officers provided further information which included clarification regarding staffing and operation of the Splash Park. The importance of this asset to the Council and the District was reiterated by Members. It was noted that the Leisure Contract Working Group received regular updates in relation to operation of the Splash Park.

Following further discussion, Councillor M E Thompson proposed that the Splash Park be open for the May Bank Holiday, with time allowed for installation of the new pumps and then close as planned. This was duly seconded.

Further debate ensued and Members raised additional queries including details regarding the commissioning / decommissioning of the Splash Park. It was suggested in light of the discussions and comments raised by Members that Officers needed to have further discussions with Places Leisure.

Councillor Thompson then amended her earlier proposal, proposing that the Splash Park be commissioned to run from May Bank Holiday and decommissioned at the end of September. The Chairperson advised that in light of debate, the Commercial Manager would also enter into discussions with Places Leisure, the results of which would be brought back to the January 2024 meeting of this Committee for consideration. This was duly agreed by the Committee.

RESOLVED

- (i) That the Splash Park be commissioned to run from May Bank Holiday and decommissioned at the end of September;
- (ii) That following discussions with Places Leisure a further report will be brought back to the January 2024 meeting of this Committee for consideration.

12. LEASE EXTENSION

The Committee considered the report of the Director of Service Delivery seeking approval for the Council to enter into a 20-year lease for the area outlined in Appendix A to the report.

The report provided detailed background information regarding the requested 20-year lease.

Councillor Mrs M E Thompson proposed that the recommendation as set out in the report be agreed. This was duly seconded.

During the discussion that followed Members raised a number of questions regarding the terms of the proposed Lease, including insurance, sub-letting, break clauses and the annual percentage increase. In response, the Commercial Manager advised that he would review Members' comments, investigate and where appropriate amend the lease.

Councillor A S Fluker proposed that the matter be deferred to the meeting of this Committee on 23 November 2023. This was not seconded.

At this point Councillor Thompson amended her earlier proposition, proposing that approval of the lease extension be deferred to the January 2024 meeting of this Committee to allow Officers to review the matters raised by Members. This was duly agreed.

RESOLVED that the lease extension be **DEFERRED** to the January 2024 meeting of this Committee.

There being no other items of business the Chairperson closed the meeting at 9.54 pm.

M F L DURHAM, CC
CHAIRPERSON