

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 11th July, 2017

Place: Council Chamber - Civic Suite

Present: Councillor C Nevin (Chair)
Councillors L Davies (Vice-Chair), B Arscott, M Borton,
H Boyd, A Bright, S Buckley, M Butler, Cllr M A Chalk,
C Endersby, D Garston, S Habermel, A Jones, D McGlone*,
C Walker and P Wexham*
E Lusty and L Crabb (co-opted members)
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Courtenay, L Salter and J Lamb (Executive
Councillors)
F Abbott, J K Williams, S Leftley, A Atherton, B Martin,
J O'Loughlin, C Braun and A Keating

Start/End Time: 6.30 - 10.25 pm

154 Apologies for Absence

Apologies for absence were received from Councillor Phillips (substitute Cllr McGlone), Councillor Mulroney (substitute Cllr Wexham), Councillor Stafford (no substitute), E Feddon and N Ahmed (Youth Council observers).

155 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors Salter, Courtenay and Lamb - interest in the called in / referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor Salter – agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
- (c) Councillor Nevin - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
- (d) Councillor Nevin - agenda item relating to Scrutiny Committee – updates – non-pecuniary - Previous employee at Southend Hospital; NHS Employee at Barts; 2 children work at MEHT and sister works for the Department of Health;
- (e) Councillor Boyd - agenda items relating to – Grammar School Strategy; Provision of Secondary Places; School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, South East Essex Teaching School Alliance;
- (f) Councillor Boyd - agenda item relating to School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas

- referred to in Model A - withdrew from meeting during consideration of the item;
- (g) Councillor Jones - agenda items relating to – Secondary School Places; Council Procedure Rule 46 – non-pecuniary – child attends St Bernards School;
 - (h) Councillor Endersby – agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (i) Councillor Wexham - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (j) Councillor D Garston - agenda item relating to School Admission Arrangements – non-pecuniary - lives in area affected by proposals and also son has property in Leigh;
 - (k) Councillor Butler - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (l) Councillor Arscott - agenda item relating to Schools Progress report – non pecuniary – Governor at Our lady of Lourdes Catholic Primary School;
 - (m) Councillor Arscott - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (n) Councillor Walker - agenda item relating to School Admission Arrangements – non-pecuniary – wife is teacher at West Leigh School;
 - (o) Councillor Bright - agenda item relating to School Admission Arrangements – non-pecuniary – uncle is on Board of Governors at West Leigh School;
 - (p) Councillor Chalk - agenda item relating to School Admission Arrangements – non-pecuniary – Governor at school in Borough;
 - (q) Councillor Lamb - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals; Governor at West Leigh School;
 - (r) Ms E Lusty - agenda item relating to School Admission Arrangements – non-pecuniary – 2 younger children attend West Leigh schools; owns house in Chalkwell; child attends Southend High School for Boys.

156 Questions from Members of the Public

Councillor Courtenay, the Executive Councillor for Children & Learning responded to a written question from Mr Webb and Councillor Salter, the Executive Councillor for Health and Adult Social Care responded to a written question from Mr Webb.

157 Minutes of the Meeting held on Tuesday, 11th April, 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday, 11th April, 2017 be confirmed as a correct record and signed.

158 Minutes of Special Meeting held on Thursday, 6th April, 2017

Resolved:-

That the Minutes of the Special Meeting held on Thursday, 6th April 2017 be confirmed as a correct record and signed.

159 Southend University Hospital NHS Foundation Trust

Item DEFERRED.

160 Monthly Performance Report

The Committee considered Minute 66 of Cabinet held on 20th June 2017 which had been referred direct by Cabinet and also called in to Scrutiny, together with the Monthly Performance Report covering the period to end May 2017, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

161 In-depth Scrutiny Final Report - Alternative Provision: off site education provision for children & young people

The Committee considered Minute 64 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Legal & Democratic Services. This presented the final report of the in depth scrutiny project 'Alternative provision – off site education provision for children and young people.'

The Committee said that it would be useful to attach the 'Managed Move Policy' Document to the final report and also expressed appreciation to the Members and officers on the project team for their respective contributions to the review.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the report and recommendations from the in depth scrutiny project attached at Appendix 1 to the submitted report, be approved.

2. That it be noted that the approval of any recommendations with budget implications will require consideration as part of future years' budget processes prior to implementation.

3. That, as a number of the recommendations require a multi-agency oversight/response, the Health and Wellbeing Board be asked to

consider the report and ensure the actions are identified and monitored.”

Note:- This is an Executive Function
Executive Councillor:- Courtenay

162 School Admission Arrangements for Community Schools and coordinated admission scheme for academic year 2018/19

The Committee considered Minute 77 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) which sought views on the proposed pre-consultation and engagement of the relevant people in respect of the admission arrangements (including catchment areas) for community schools for the academic year 2019/20.

The Scrutiny Officer clarified that the report related to the admission scheme for academic year 2019/20 and not 2018/19 as stated in the heading of the report.

The following points of clarification were made by the Executive Councillor and officers during the discussion:-

- No change is not an option as firstly predications going forwards indicate oversubscription for catchment applications for West Leigh, Leigh North Street and Chalkwell schools, and secondly the current arrangements could be deemed to be unreasonable as a result;
- The Cabinet report outlines some draft proposals to provide a starting point but the purpose of pre consultation is to seek a wide range of views;
- Up to date data projections and accessible maps will be included as part of the pre consultation materials;
- Concerns of displacing siblings has been raised in comments received already and the pre consultation document will address these comments;
- The pre consultation and engagement (July – September 2017) will inform the proposals for the formal consultation, which will take place at some stage during the period between October 2017 – January 2018.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That a two level consultation with relevant people on the proposals for Admission Arrangements for community schools for the academic year 2019/20, be approved.

2. That the pre-consultation and engagement phase, from July 2017 through to September 2017, be approved.

3. That formal consultation in line with the Admissions Code 2014, from October to January 2018, be approved.

4. That consultation takes place with governing bodies of community schools on the published admission numbers for community infant, junior and primary schools for September 2018 (this might be earlier than usual in order to support the full consultation process - October to 31st January 2018), be approved.”

Note:- This is an Executive Function
Executive Councillor: Courtenay

163 Grammar School (Strategy)

The Committee considered Minute 78 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) which detailed the proposals for a strategy to fulfil an ambition to enable more Southend residents to attend one of the four Grammar Schools in the borough.

Resolved:-

That the following decisions of Cabinet be noted:-

- “1. That the outline proposals for the Strategy, be noted.
2. That the types of actions set out in Appendix 1 to the submitted report which will form the basis of the Strategy, be approved.”

Note:- This is an Executive Function.
Executive Councillor: Courtenay

164 Provision of Secondary School Places

The Committee considered Minute 79 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) which detailed progress on the strategy for the provision of secondary places, as overseen by the School Places Working Party and sought consideration of the proposal for a Free School.

Resolved:-

That the following decisions of Cabinet be noted:-

- “1. That current progress be noted and that the progression of expansion projects to procurement stage at good and outstanding secondary schools for September 2018, namely Shoeburyness High School and St Thomas More High School, be approved.
2. That the continuation of expansion discussions with remaining Good and Outstanding Schools, namely Belfairs Academy, The Eastwood Academy and St Bernard’s High School to secure the remaining 60 places still required for September 2018, be approved.
3. That it be agreed that a free school is required for September 2019 for the required additional 180 places (this requires the identification of

council owned land to support any application to the Department of Education).“

Note: This is an Executive Function
Executive Councillor: Courtenay

165 Standing Order 46

The Committee considered Minute 86 of Cabinet held on 20th June 2017, which had been called in to Scrutiny, concerning actions taken under Council Procedure Rule 46.

Resolved:-

That the following decision of Cabinet be noted:-

“That the submitted report be noted.”

Note:- This is an Executive Function.
Executive Councillor: As appropriate to the item.

166 Parental Contributions for Children's Services

(This is a pre-Cabinet scrutiny item).

The Committee considered a report by the Deputy Chief Executive (People) by way of pre-Cabinet scrutiny. This informed the Committee of the option available to local authorities under the Children Act 1989 to charge for social care services provided to children and sought views on the concept of introducing a Local Authority Parental Charging Policy for Southend Children’s Services, in line with S29 of the Children Act 1989.

Resolved:-

That the following views of the Committee should be included / addressed in any report to Cabinet on this matter:-

- Need more information / case studies on other local authorities which have considered / introduced this type of scheme and the uptake;
- Details of likely costs of introducing the scheme;
- Information on anticipated numbers who would be affected by the scheme;
- Information on charging criteria and threshold;
- The scheme should ensure there are no detrimental unintentional consequences on families.

Note:- This is an Executive Function.
Executive Councillor:- Courtenay

167 Schools Progress Report

The Committee received a report of the Deputy Chief Executive (People) which informed Members of the current position with regard to the performance of all schools, including those causing concern and updated on known Academy developments.

The Committee asked that their congratulations be forwarded to the schools which have recently received Ofsted inspection results, including Barons Court Primary School which has improved its judgement from Good to Outstanding and St Christopher's Academy which has been judged again as Outstanding. The Committee also asked that their congratulations be forwarded to primary schools in the borough for the improved KS2 data, above the national average.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.
Executive Councillor:- Courtenay

168 Scrutiny Committee - updates

The Committee received a report of the Chief Executive which updated Members on a number of scrutiny matters.

In response to a question, the Scrutiny Officer said that she would ask the CCG for an update position on the St Lukes primary care developments.

Resolved:-

That the report and actions taken be noted.

Note:- This is a Scrutiny Function

169 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June 2017

Resolved:

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June 2017 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

170 In depth Scrutiny projects - 2017/ 18

The Committee considered a report of the Chief Executive concerning the possible in depth scrutiny project to be undertaken by the Scrutiny Committee in 2017/18. The report also attached some information about

the work carried out by the Scrutiny Committee in the 2016/17 Municipal Year.

Resolved:-

1. That the in depth scrutiny project for 2017/18 will be – ‘Connecting communities to avoid isolation, including considering intergenerational issues’.
2. To note that the following Members have been appointed to the Panel, which will manage the in depth project – Councillor Nevin (Chairman), Councillors Boyd, Buckley, Butler, D Garston, Walker, Borton, Endersby and Davies.
3. To note the information attached at Appendix 3 to the Report, the summary of work of the 3 Scrutiny Committees during 2016 / 2017.

Note:- This is a Scrutiny Function.

171 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

172 Provision of Secondary School Places in Southend September 2019: Proposed Free School Site

The Committee considered Minute 89 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) on the above.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the preferred site for a free school to support and strengthen an application made by a proven academy trust to the Department for Education (DfE), be approved.

2. That further legal advice be sought on the Council’s rights to terminate any tenancy agreement, to better understand the potential costs involved, and to assess the likelihood of entering into negotiations with the tenant and obtaining planning permission regarding change of use of the land.”

Note:- This is an Executive Function
Executive Councillor:- Courtenay

173 Standing Order 44.2

During consideration of agenda item 14 and upon the hour of 10 pm having been reached, the Committee agreed that the remaining items of business on the agenda should be dealt with at the meeting.

Chairman: _____