

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Wednesday, 31st January, 2018

Place: Committee Room 1 - Civic Suite

Present: Councillor B Ayling (Chair)
Councillors D Kenyon (Vice-Chair), B Arscott, S Buckley*,
D Burzotta, M Davidson, N Folkard, J Garston*, I Gilbert, R Hadley,
D McGlone, J McMahon, D Norman MBE, F Waterworth*,
P Wexham, C Willis and R Woodley*
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors M Flewitt, J Lamb, A Holland and A Moring (Executive Councillors)
Councillors L Davies and M Terry
J K Williams, F Abbott, J Chesterton, J Ruffle, S Houlden, T Edwards, M Gatrell and I Ambrose

Start/End Time: 6.30 - 8.40 pm

697 Apologies for Absence

Apologies for absence were received from Councillor D Garston (substitute Cllr F Waterworth), Councillor C Walker (substitute Cllr J Garston), Councillor M Stafford (substitute Cllr R Woodley) and Councillor G Phillips (substitute Cllr S Buckley).

698 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Lamb, Holland, Moring, Flewitt (Executive Councillors) - 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 Flewitt – agenda items relating to - Council Tax Base and National Non Domestic Rating Base 2018/19; Draft Housing Revenue Account Budget 2018/19 and Rent Setting; Draft Capital Programme 2018/19 to 2021/22); Draft Fees and Charges 2018/19; Draft General Fund Revenue Budget 2018/19 – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;
- (c) Councillor Holland – agenda items relating to - Draft Housing Revenue Account Budget 2018/19 and Rent Setting; Draft Capital Programme 2018/19 to 2021/22 – Non-pecuniary interest: Son might be involved with housing projects;
- (d) Councillor Flewitt – agenda item relating to Housing Strategy – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;
- (e) Councillor Holland – agenda item relating to Passenger Transport Operating Model and procurement Process - Non-pecuniary interest: President of Southend Stroke Club which uses the Council's Passenger Transport Service;

- (f) Councillor Davidson – agenda item relating to Draft Housing Revenue Account Budget 2018/19 and Rent Setting – non-pecuniary – non-Executive Director South Essex Homes;
- (g) Councillor McGlone - Draft Housing Revenue Account Budget 2018/19 and Rent Setting – non-pecuniary - non-Executive Director South Essex Homes;
- (h) Councillor D Norman MBE - Draft Housing Revenue Account Budget 2018/19 and Rent Setting – non-pecuniary – Council elected Representative on South Essex Homes;
- (i) Councillor McMahan – agenda items relating to - Draft Housing Revenue Account Budget 2018/19 and Rent Setting; Draft General Fund Revenue Budget; MPR; Housing Strategy – non-pecuniary – co-founder of homeless provisions in Southend;
- (j) Councillor J Garston – agenda items relating to - MPR; Housing Strategy – HARP mentioned during discussions - Council appointed representative to the Board of HARP and member of Rotary Club which raises funds for the Charity;
- (k) Councillor D Norman MBE – agenda item relating to Standing Order 46 (item 2.1) – non-pecuniary – sat on Licensing Committee hearing in relation to La petite Petanque at Alexandra Bowling Green Café, SS1 2EY;
- (l) Councillor McGlone – agenda item relating to Standing Order 46 (item 2.1) – non-pecuniary – sat on Licensing Committee hearing in relation to La petite Petanque at Alexandra Bowling Green Café, SS1 2EY;
- (m) Councillor Buckley - agenda item relating to Standing Order 46 (item 2.1) – non-pecuniary – sat on Licensing Committee hearing in relation to La petite Petanque at Alexandra Bowling Green Café, SS1 2EY;
- (n) Councillor J Garston – agenda item relating to Grants Strategy Working Party Minutes – disqualifying non-pecuniary - Council appointed representative to the Board of HARP and member of Rotary Club which raises funds for the Charity (withdrew).

699 Questions from Members of the Public

Councillor Holland, the Executive Councillor for Culture, Tourism & the Economy responded to a written question from Mr Webb. Councillor Moring, the Executive Councillor for Corporate & Community Support Services, responded to a written question from Mr Webb, 2 written questions from Mr Thompson and a written question from Mr Thwaites. The Executive Councillor read out an additional paragraph to his answer to Mr Thwaites.

The responses to the questions received from Mr Miller, Mr Lovett and Ms Dulieu will be forwarded to them as they were not present at the meeting.

700 Minutes of the Meeting held on Thursday, 30th November 2017

Resolved:-

That the Minutes of the meeting held on Thursday, 30th November 2017 be confirmed and signed as a correct record.

701 Council Tax Base and Non Domestic Rating Base 2018/19

The Committee considered Minute 645 of Cabinet held on 18th January 2018, which had been referred direct to the Scrutiny Committee together with a report of the Chief Executive concerning the calculation of the Council Tax Base for 2017/18 and the submission of the National Non Domestic Rates (NNDR1) form to the Department of Communities and Local Government (DCLG) by 31st January 2018.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by the Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003) and Local Government Finance Act 2012 (Calculation of billing authority’s council tax base Section 15):

(i) The Local Council Tax Support Scheme for 2018/19 approved by Council on 14 December 2017, be incorporated into the Council Tax base setting as outlined in Appendices A and B to the submitted report.

(ii) That the following changes to Council Tax discounts and exemptions approved by Cabinet on 5 January 2016 will remain unchanged from 1st April 2018 and these are incorporated into the Council Tax Base:-

- Properties requiring or undergoing structural alteration or major repairs (Class D) as allowed by Section 11A of the Local Government Finance Act 2012 is set at 0%; and

- Vacant and substantially unfurnished properties (Class C) as allowed by Section 11A of the Local Government Finance Act 2012 to be entitled to receive a discount of 100% for up to 1 month.

(iii) That it be noted that the further discounts and exemptions that were approved by Council on 13 December 2012 will remain unchanged from 1st April 2018 and these are incorporated into the Council Tax Base;

- Second homes (Classes A and B) as allowed by Section 1A of the Local Government Finance Act 2012 is set at 0%.

- Long-term empty homes (Class C) as allowed by Section 11A of the Local Government Finance Act 2012, a surcharge of 50% is set allowing a full charge of 150% where they have been unoccupied for more than 2 years; and

- That a continuous 6 week period of occupancy is required between empty periods before a further discount can be awarded.

2. That the amount calculated by Southend-on-Sea Council as its Council Tax Base for the year 2018/19 shall be 57,611.55.

3. That the amount calculated by Southend-on-Sea Council as the Council Tax Base in respect of Leigh-on-Sea Town Council for the year 2018/19 shall be 8,779.95.

4. That the NNDR1 form attached at Appendix C to the submitted report be approved for submission to DCLG.”

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

702 Housing Revenue Account Budget 2018/19 and Rent Setting

The Committee considered Minute 646 of Cabinet held on 18th January 2018, which had been referred direct to the Scrutiny Committee together with a joint report of the Deputy Chief Executive (People) and the Director of Finance and Resources setting out the Housing Revenue Account (HRA) budget for 2018/19 together with the information necessary to set a balanced budget as required by legislation.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Act 2016, be endorsed.

2. That an average rent increase of 6.04% on shared ownership properties, be endorsed.

3. That the proposed rent changes in 1 and 2 above to be effective from 2 April 2018, be endorsed.

4. That the increases in other charges as set out in section 5 of the submitted report, be endorsed.

5. That the management fee and increases in service charges and heating charges proposed by South Essex Homes, as set out in section 6 of the report, be endorsed.

6. That the appropriations to the Repairs Contract Pensions earmarked reserve and the HRA Capital Investment earmarked reserve, as set out in section 8 of the report, be endorsed.

7. That subject to 1 - 6 above, the HRA budget as set out in Appendix 1 to the submitted report, be endorsed.

8. That the value of the Council’s capital allowance for 2018/19 be declared as £23.197M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.”

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.
Executive Councillor:- Flewitt

703 Draft Capital Programme 2018/19 to 2021/22

The Committee considered Minute 647 of Cabinet held on 18th January 2018, which had been referred direct by Cabinet to all three Scrutiny Committees together with a report of the Corporate Management Team setting out the draft programme of capital projects for the period 2018/19 to 2021/22.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the current approved Programme for 2018/19 to 2020/21 of £166.5m, as set out in Appendix 1 to the submitted report, be noted.

2. That the changes to the approved Programme, as set out in Appendix 2 to the submitted report, be noted.

3. That the proposed new schemes and additions to the Capital Programme for the period 2018/19 to 2021/22 totalling £20.1m for the General Fund as set out in Appendices 6 and 7 to the submitted report, be endorsed.

4. That the proposed scheme subject to external funding approval for the period 2018/19 to 2021/22 totalling £19m as set out in Appendices 2 and 7 to the submitted report, be endorsed.

5. That it be noted that the proposed new schemes and additions, as set out in Appendices 6 and 7 to the submitted report, and other adjustments as set out in Appendix 2 to the report, will result in a proposed capital programme (excluding schemes subject to external funding approval) of £184.9m for 2018/19 to 2021/22.

6. That it be noted that of the total programme of £184.9m for the period 2018/19 to 2021/22, the level of external funding supporting this programme is £71.7.2m as set out in paragraph 7.1 of the submitted report.

7. That it be noted that a final review is being undertaken on the 2017/18 projected outturn and that the results will be included in the report to Cabinet on 13th February 2018.”

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Executive Councillor:- Lamb

704 Fees & Charges 2018/19

The Committee considered Minute 648 of Cabinet held on 18th January 2018, which had been referred direct by Cabinet to all three Scrutiny Committees together with a report of the Corporate Management Team detailing the fees and charges for services in 2018/19 included in the budget proposals for 2018/19.

Resolved:-

That the following decisions of Cabinet be noted:-

“That, subject to the annual commuters car park charge (East Beach) being amended to £100, the proposed fees and charges for each Department as set out in the submitted report and appendices, be endorsed.”

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Executive Councillor:- Lamb

705 Draft General Fund Revenue Budget 2018/19

The Committee considered Minute 649 of Cabinet held on 18th January 2018, which had been referred direct by Cabinet to all three Scrutiny Committees, together with a report of the Corporate Management Team presenting the draft revenue budget for 2018/19.

In response to a question from Councillor Gilbert regarding the various investments in homelessness funding, the Executive Councillor for Housing, Planning & Sustainability said that he would provide a written response which would be circulated to all Members of the Scrutiny Committee.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the 2018/19 draft revenue budget and any required commencement of consultation, statutory or otherwise, be approved.

2. That it be noted that the 2018/19 draft revenue budget has been prepared on the basis of a Council Tax increase of 4.49%, being 2.99% for general use and 1.5% for Adult Social Care.

3. That it be noted that the 2018/19 draft revenue budget has been prepared using the provisional local government finance settlement and that the outcome from the final settlement will need to be factored into the final budget proposals for Budget Cabinet and Budget Council.

4. That the 2018/19 draft revenue budget, as endorsed, be referred to all three Scrutiny Committees, Business sector and Voluntary sector to inform Cabinet, which will then recommend the Budget and Council Tax to Council.

5. That the schools budget position and the recommendations to the Education Board on 16th January 2018, as set out in Appendix 14 and 14(i) to the submitted report, be noted and referred to People Scrutiny Committee and then to Cabinet and Council.

6. That the direction of travel for 2019/20 and beyond, as set out in section 15 of the submitted report, be endorsed.”

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Executive Councillor:- Lamb

706 Monthly Performance Report

The Committee considered Minute 615 of Cabinet held on 9th January 2018 together with the Monthly Performance Report (MPR) covering the period to end November 2017, which had been circulated recently.

In response to questions about including information on convictions for drug offences in the MPR, the Executive Councillor for Corporate & Community Support Services said that he would raise the matter with the relevant Executive Councillor.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

707 Housing Strategy

The Committee considered Minute 616 of Cabinet held on 9th January 2018, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People). This set out the work underway to develop a 'vision for housing in Southend', incorporating the preparation of a progressive Housing Strategy and clear work plans and strategies relating to the key areas of homelessness prevention, rough sleeping, South Essex Homes, sheltered housing, allocations, and work with the private rented sector.

During consideration of this item, the Executive Councillor for Housing, Planning & Sustainability advised that a petition had been presented to him regarding use of vacant retail spaces for the homeless and the next report to Cabinet will consider the petition. He also stated that he was minded to take steps to change the name of the Housing Working Party to include 'homelessness' in its title.

In response to a question from Councillor Wexham regarding the redevelopment of Seaway car park and residential development on this site, the Executive Councillor for Housing, Planning & Sustainability said that he would provide a written response which would be circulated to all Members of the Scrutiny Committee.

Resolved:-

That the following decisions of Cabinet be noted:

"1. That the proposed approach and timescales for the development of the Housing Vision and the Housing Strategy and the approaches and timescales for the development and delivery of other workstreams be endorsed.

2. That the Director of Adult Services and Housing and the Director for Planning and Transport, in consultation with the relevant Executive Councillors and Council staff as appropriate, prepare the draft vision and strategy documents to be submitted to a future meeting of the Cabinet for approval.”

Note: This is an Executive Function
Executive Councillors: Flewitt

708 Passenger Transport - Operating Model and Procurement Process

The Committee considered Minute 620 of Cabinet held on 9th January 2018, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) setting out the series of processes that need to be undertaken in order to meet the proposed procurement timetable.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the key elements (set out in Appendices A and C to the submitted report) be approved for inclusion in the procurement documentation to set out the Council’s ambitions, parameters and expectations for its Passenger Transport Service and to enable the procurement process.

2. That Competitive Dialogue be approved as the procurement approach to securing a preferred partner.

3. That commencement of the competitive dialogue process, based on the timetable set out in paragraph 4.4 of the report, be approved.

4. That the term “Partnership Approach” via a Corporate Structure be used in defining the approach to be developed by tenderers in response to the Council’s objectives and that this be used throughout the procurement documentation.

5. That the proposed Passenger Transport objectives/requirements be approved as an appropriate and comprehensive set of underpinning statements to be included in procurement documentation and to form the basis for evaluation questions.

6. That the Director of Strategy Commissioning and Procurement (in consultation with the Directors of Transformation, Learning, Adults Services, Finance and Resources) be authorised to take decisions during the procurement process, to ensure agile and timely decision making, keeping the procurement to timetable and protecting the Council’s position.”

Note: This is an Executive Function.
Executive Councillor: Moring

709 Council Procedure Rule 46

The Committee considered Minuet 622 of Cabinet held 9th January 2018 which had been called in the scrutiny, relating to item 2.1 (Request for Landlord’s

Consent and Variation of Existing Lease to Enable Sale and Consumption of Alcohol and Amended Opening Hours) and item 2.2 (Disposal of 7a Ceylon Road, Westcliff-on-Sea).

Resolved:-

That the submitted report be noted.

Note: This is an Executive Function
Executive Councillor: as appropriate for the item.

710 Minutes of the Grants Strategy Working Party held on 25th January 2018

The Committee considered Minute 665 of the special Cabinet held on 29th January 2018, which had been referred direct by Cabinet, regarding the recommendations of the Grants Strategy Working Party held on 25th January 2018.

Resolved:-

That the following decision of Cabinet be noted:

“That the Minutes of the meeting of the Grants Strategy Working Party held on Thursday 25th January 2018 be received and the recommendations as set in the confidential sheet appended to the Minutes be approved.”

Note: This is an Executive Function
Executive Councillor: Moring

711 Compulsory Licensing Scheme

Deferred to next meeting.

712 Summary Reports to Scrutiny Committee

Further to Minute 383 of the meeting held on 12th October 2017, the Committee considered the following reports:-

- (i) Southend University Hospital
- (ii) Essex Police, Fire & Crime Panel
- (iii) Kent & Essex Inshore Fisheries & Conservation Authority

Resolved:-

That the Summary Reports be noted

713 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 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.

714 Confidential Appendix to the Minutes of the Grants Strategy Working Party held 25th January, 2018

Resolved:-

That the confidential sheet be received and noted.

Note: This is an Executive Function
Executive Councillor: Moring

Chairman: _____