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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 30th January, 2018
Place: Committee Room 1 - Civic Suite

Present: Councillor C Nevin (Chair)
Councillors L Davies (Vice-Chair), B Arscott, M Borton, H Boyd, A Bright, S Buckley, A Chalk, C Endersby, N Folkard*, A Jones, D McGlone*, C Mulroney, G Phillips and M Stafford
*Substitute in accordance with Council Procedure Rule 31.
E Lusty, A Semmence and T Watts – co-opted members

In Attendance: Councillors J Lamb, J Courtenay and L Salter (Executive Councillors)
Councillor R Woodley
F Abbott, S Leftley, J Chesterton, A Atherton, M Smith, B Martin, S Houlden, J Lansley, D Keens, C Braun, N Faint, L Chidgey and J Astle
Y Bey – Deputy Youth Mayor - observer

Start/End Time: 6.30 - 10.10 pm

681 Apologies for Absence

Apologies for absence were received from Councillor D Garston (substitute Cllr D McGlone), Councillor S Habermel (substitute Cllr N Folkard), Councillor C Walker (no substitute), Councillor M Butler (no substitute), M Riley (Youth Mayor - observer) and J Symmonds (Healthwatch Southend).

The Chairman advised that since the last meeting Leanne Crabb, the Healthwatch Southend representative on the Scrutiny Committee had moved to a new role at Healthwatch England and a new replacement representative will be advised in due course.

682 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Lamb, Salter and Courtenay (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 Salter – agenda items relating to Draft General Fund Revenue Budget; STP report – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;
- (c) Councillor Nevin - agenda item relating to STP report - non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

- (d) Councillor Mulroney – agenda item relating to Draft General Fund Revenue Budget - non-pecuniary – member of Leigh Town Council;
- (e) Councillor Borton – agenda item relating to STP – non-pecuniary – daughter is nurse at Rochford Hospital;
- (f) Councillor Folkard - agenda item relating to STP – non-pecuniary – relation works at Broomfield Hospital; Ambassador for fund raising team at Southend Hospital;
- (g) Councillor Nevin – agenda item relating to School Admission Arrangements for Community Schools – disclosable pecuniary interest - withdrew from meeting during consideration of this item (Councillor Davies took Chair for this agenda item).
- (h) Councillor Phillips – agenda item relating to School Admission Arrangements for Community Schools – disclosable pecuniary interest – withdrew from meeting during consideration of this item;
- (i) Councillor Chalk – agenda item relating to School Admission Arrangements for Community Schools – non pecuniary – Governor at Bournes Green School;
- (j) Councillor Boyd – agenda item relating to School Admission Arrangements for Community Schools – non pecuniary – owns a property in Leigh-on-Sea;
- (k) Councillor Salter - agenda item relating to School Admission Arrangements for Community Schools – non pecuniary - Lives in Chalkwell Hall School Catchment area;
- (l) Councillor Lamb - agenda item relating to School Admission Arrangements for Community Schools – non pecuniary - Lives in West Leigh Catchment Area and Governor of West Leigh Junior School;
- (m) Councillor Mulroney - agenda item relating to School Admission Arrangements for Community Schools – non-pecuniary – lives in North Street Junior School catchment area;
- (n) Councillor Arscott - agenda item relating to School Admissions for Community Schools – non-pecuniary – lives within Darlington School catchment area;
- (o) Councillor Arscott - agenda item relating to Schools Progress report – non pecuniary – Governor at Our Lady of Lourdes Catholic Primary School;
- (p) Councillor Boyd - agenda item relating to School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, south east Essex Teaching School Alliance;
- (q) Councillor Borton - agenda item relating to Schools Progress report – non-pecuniary – Governor at Milton Hall School;
- (r) Councillor Jones – agenda item relating to Schools Progress report – non-pecuniary – parent of child attending school and governor;
- (s) Councillor Chalk - agenda item relating to Schools Progress report – non-pecuniary – Governor at Bournes Green Infants School;
- (t) Councillor Jones - agenda item relating to Schools Progress report – non-pecuniary – known to Diocesan Education Director;
- (u) E Lusty – agenda item relating to STP – non-pecuniary – husband is consultant at Southend Hospital;
- (v) E Lusty – agenda item relating to School Admission Arrangements for Community Schools – non-pecuniary – lives in Chalkwell Hall Schools Catchment; children attend West Leigh Schools.

683 Questions from Members of the Public

Councillor Courtenay, the Executive Councillor for Children & Learning responded to 2 written questions from Mr Webb and Councillor Salter, the Executive Councillor for Health and Adult Social Care responded to 2 written questions from Mr Fieldhouse.

684 Minutes of the Meeting held on Tuesday, 28th November, 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday, 28th November, 2017 be confirmed as a correct record and signed.

685 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

686 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 decision 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

687 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.

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

688 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.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

689 Annual Report on Safeguarding Children and Adults 2016-17

The LSCB and SAB Independent Chair was in attendance for the item.

The Committee considered Minute 617 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 annual assurance assessment for the Chief Executive and elected Members in respect of their responsibilities for safeguarding children and adults in Southend. This contributed to the requirements of statutory guidance in Working Together to Safeguard Children 2015 and the Care Act 2014.

In response to a question from Councillor Jones about the future role of the Southend LSCB / SAB Scrutiny Panel, the Independent Chair confirmed that discussions were on going with regard to this matter.

Resolved:-

That the following decisions of Cabinet be noted:

“That the report be noted and the actions detailed in Section 6 of the Annual Safeguarding Reports set out in Appendices 1 and 3 to the submitted report, be approved.”

Note:- This is an Executive Function

Executive Councillors:- Courtenay and Salter

690 Passenger Transport - Policy Changes

The Committee considered Minute 619 of Cabinet held on 9th January 2018 which had been referred direct to Scrutiny by Cabinet and called in to Scrutiny, together with a revised report of the Deputy Chief Executive (People) setting out proposed changes to policies which were recommended as part of the transport review.

Resolved:-

That the following decisions of Cabinet be noted:

“That the following proposed policies, as per the approach identified in paragraph 3.1 of the submitted report, be adopted:

(a) Home to School Transport for Pre and Post-16 Students with Special Educational Needs and Disabilities (SEND) (effective from 1st September 2018) as follows:

- The Special Educational Needs Travel Assistance Policy (Appendix A) to be implemented as set out in paragraphs 3.1.2 (a) and 3.1.2 (b) of the report. The provision of ‘travel assistance’ is to be focussed on the promotion of independence and personalisation. As pupils adopt more independent alternative modes of transport then routes will be optimised.

(b) Adults with Learning Disabilities and Older Adults attending Day Centres and Activities (effective from 1st April 2018) as follows:

- The Adult Social Care travel assistance policy (Appendix B) to be implemented as proposed in paragraph 3.1.2 (c) of the report. The focus on maximising independence will mean that travel assistance will only be provided by the Council once all alternative transport options have been considered.

- Where transport is provided by the Council, the contribution from the user is increased to the new charge of £4 per day for a return trip and £5 per day where multiple trips are applicable.

(c) Looked After Children (effective from 1st April 2018) as follows:

- The looked after children and young people travel assistance policy (Appendix C) to be implemented as proposed in paragraph 3.1.2 (d) of the report.

(d) Dial-a-Ride (effective from 1st April 2018) as follows:

- The Dial-a-Ride policy (Appendix D) to be implemented as proposed in 3.1.2 e) of the report.”

Note: This is an Executive Function

Executive Councillors: Courtenay, Moring and Salter.

691 Mid and South Essex Sustainability and Transformation Partnership

The Committee considered Minute 662 of the special Cabinet held on 29th January 2018 which had been referred direct to Scrutiny by Cabinet, together with a report of the Deputy Chief Executive (People). This updated Cabinet about the formal consultation on the Mid and South Essex Sustainability and Transformation Partnership (STP). This consultation runs from 20th November 2017 – 9th March 2018.

In response to questions, the Executive Councillor confirmed that the following additional comment would be included in the suggested response set out in Option B – “recognise the challenge for workforce in recruitment, retention and long-term sustainability of the health and social care workforce”.

Resolved:-

1. That the following decisions of Cabinet be noted:

“1. That Option B as set out in section 4 of the submitted report be endorsed as the proposed response to the STP.

2. That the final response be determined by the Deputy Chief Executive (People), in consultation with the Executive Councillor for Health and Adult Social Care.

3. That the response be submitted during the first week of March 2018, prior to the 9th March consultation deadline.

4. That Southend Council reserve its right to withdraw support for the STP following the completion of the formal public consultation process.”

2. That in accordance with Council Procedure Rule 39, the matter be referred to Council for consideration.

Note: That this is an Executive Function.
Executive Councillor: Salter

COUNCILLOR DAVIES IN THE CHAIR

692 School Admission Arrangements

The Committee considered Minute 663 of the special Cabinet held on 29th January 2018 which had been referred direct to Scrutiny by Cabinet, together with a report of the Deputy Chief Executive (People). This presented an evaluation of the response to the Council’s public consultation on Admission Arrangements for Community Schools for the academic year 2019/20.

The report also sought approval of the catchment areas within the Admission Arrangements for Community Schools for the academic year 2019/20; the oversubscription criteria (including explanatory notes) and the PAN (Published Admission Numbers) within the Admission Arrangements for Community Schools for the academic year 2019/20.

The Committee thanked officers for their sterling work in this area.

The Director for Learning advised that some minor changes needed to be made to the report at Appendix 2 (Admission Arrangements for Community Schools September 2019 round of admissions), as follows:-

Oversubscription criteria for community schools

Chalkwell Hall Infant School (page 4)- reword point 5 as:-

5. Pupils who live outside the catchment area who have a sibling attending the school or Chalkwell Hall Junior School

Chalkwell Hall Junior School (page 4) – reword point 6 as:-

6. Pupils who live outside the catchment area who have a sibling attending the school or Chalkwell Hall Infant School

Heycroft Primary School (page 5) reword point 2 as:-

2. Pupils who live in the catchment area ~~and~~ who have a sibling attending the school

Resolved:-

1. That the following decisions of Cabinet be noted:

“1. That no changes be made to the current 2018 catchment areas (with the exception of small changes to the catchment area of Fairways Primary School as set out in paragraphs 3.78-85 of the submitted report) and that the Council determines (i.e. formally agrees) the Catchment Areas within the Admission Arrangements for Community Schools for the Academic Year 2019/20 as set out in Appendix 2 of the submitted report.

2. That changes be made to the oversubscription criteria (including explanatory notes) and PAN (Published Admission Numbers) as set out in paragraphs 3.86 to 3.94 of the submitted report and that the Council determines (i.e. formally agrees) these same matters within the Admission Arrangements for Community Schools for the Academic Year 2019/20 as set out in Appendix 2 of the submitted report.

3. That it be noted that the Determined Coordinated Admission Scheme for the academic year 2019/20 was published on 31st December 2017.”

2. To note the minor changes to Appendix 2 to the report (Admission Arrangements for Community Schools September 2019 round of admissions), as set out in the preamble above.

Note: This is an Executive Function
Executive Councillor: Courtenay

COUNCILLOR NEVIN IN THE CHAIR

693 0 - 5 Service - Contract Extension

The Chairman agreed to the addition of this tem to the agenda. The item had been referred direct to Scrutiny by Cabinet at the special meeting on 29th

January 2018 to enable a decision on the extension of the contract to be determined at the earliest opportunity (Minute 664 refers).

The Committee considered a report of the Deputy Chief Executive (People) that provided an update on the commissioning of children's services for Southend Borough Council (SBC), including the value for money and outcomes delivered by the 0-5 Service. The report also sought approval of an exception to tender for the contract with Essex Partnership University NHS Foundation Trust (EPUT) for the provision of the 0-5 Service by a period of 12 months to 31 March 2019.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the current commissioning arrangements for children's services for Southend, including the value for money and outcomes delivered by 0-5 Service be noted.

2. That the exception to tender for the 0-5s service which will facilitate the extension of the contract with EPUT for the 0-5 Service by a period of 12 months to 31 March 2019, be approved."

Note: This is an Executive Function
Executive Councillor Salter

694 Schools Progress Report

The Committee received and considered a report of the Deputy Chief Executive (People) which informed the Committee on the current position with regard to the performance of all schools, including those schools causing concern and updated on known Academy developments. The Director of Learning also provided a verbal update on recent Ofsted Inspections.

Resolved:-

1. That the report be noted.
2. That congratulations be forwarded to Shoeburyness High School and also to Our Lady of Lourdes on the outcomes of their recent Ofsted Inspections.

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

695 Standing Order 44.2

During consideration of the Schools Progress Report (Minute 694) the hour of 10 pm was reached and the Committee agreed to continue with the remaining items of business on the agenda.

696 Connecting communities to avoid isolation - update

The Committee received and considered a report of the Chief Executive which updated the Committee on the in depth Scrutiny project – 'Connecting communities to avoid isolation'.

Resolved:-

That the report be noted.

Note:- This is a Scrutiny Function

Chairman: _____