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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Cabinet**

**Date: Tuesday, 19th June, 2018**  
**Place: Committee Room 1 - Civic Suite**

**Present:** Councillor J Lamb (Chair)  
Councillors H Boyd, M Flewitt, A Moring and L Salter

**In Attendance:** Councillors B Ayling, D Garne, A Jones and C Mulroney  
A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle,  
C Gamble, A Butteriss, E Cooney, Mr G Halksworth, S Houlden,  
A Keating, T MacGregor, B Martin, J O'Loughlin, C Robinson and  
Mr M Sheppard

**Start/End Time:** 2.00 - 3.15 pm.

**40 Apologies for Absence**

Apologies for absence were received from Councillors Courtenay and Cox.

**41 Declarations of Interest**

The following Members declared an interest as indicated:

(a) Councillor Mulroney – Agenda Item 13 (Wheeled Sports Facility) – Non-pecuniary interest – member of Development Control Committee;

(b) Councillor Jones – Agenda Item 5 (Development Plan Review) in relation to all transport matters – Non-pecuniary interest – son works for C2C;

(c) Councillor Flewitt – Agenda Item 15 (Provision of Syrian Vulnerable Person Resettlement Programme) – Non-pecuniary interest – has been lobbied on this matter by residents;

(d) Councillor Lamb – Agenda Item 6 (Social Value Policy) – Non-pecuniary interest - Trustee of SAVS;

**42 Minutes of the Meeting held on Tuesday 13th March 2018**

Resolved:

That the Minutes of the meeting held on Tuesday 13th March 2018 be confirmed and signed as a correct record.

**43 Community Safety Resources**

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the recommendations of the 2017/18 Scrutiny Review of the Council's

enforcement services and structures and sought approval to fund the proposal for additional resources to support the Community Safety Team.

Resolved:

1. That the findings and conclusions from the Scrutiny review, be noted.
2. That the additional resources and funding of £250,000 p.a. as detailed in sections 4 and 7.2 of the submitted report, be approved.
3. That the new staff be positioned in the Council's Community Safety Unit.

Reasons for Decision:

To enhance the Community Safety Team's capacity through additional funding to enable it to respond to the local partnership tasking requirements and to support delivery of the community safety partnership's strategic priorities particularly around violence and vulnerability.

Other Options:

Not to invest additional resources within the financial year and wait for the proposal to be considered as part of the annual budget cycle. However, doing this would not enable the Council to respond to some immediate and pressing safety concerns.

Note: This is an Executive Function  
Eligible for call-in to: Place Scrutiny Committee  
Cabinet Member: Cllr Flewitt

#### **44 Southend Development Plan Review: Comprising South Essex Joint Strategic Plan and Southend New Local Plan**

The Cabinet considered a report of the Deputy Chief Executive (Place) outlining the proposed changes to national planning policy. The report set out a new approach to reviewing the Development Plan for Southend-on-Sea, including the preparation of a South Essex Joint Strategic Plan (JSP) in partnership with other South Essex local authorities and Essex County Council to provide a statutory framework to guide the preparation of South Essex local plans including a new local plan for Southend (the Southend New Local Plan (SNLP)).

Recommended:

1. That the preparation of a South Essex Joint Strategic Plan and the Southend New Local Plan (SNLP) to provide a positive planning framework to manage and guide regeneration and development in the sub-region and Southend over a twenty year period, be approved.
2. That as part of the preparation of a South Essex Joint Strategic Plan the following documents be approved:
  - A JSP Memorandum of Understanding (set out in Appendix 1 to the submitted report);

- The JSP Preparation timetable (set out in Appendix 3 to the report);
- A Statement of Common Ground (set out in Appendix 2 to the report);
- A Joint Statement of Community Involvement (set out in Appendix 4 to the report) for a six week consultation period, subject to agreement of the Association of South Essex Local Authorities.

3. That as part of the preparation of a Southend New Local Plan the following documents be approved:

- The Local Plan preparation timetable (set out in Appendix 3);
- The Southend Statement of Community Involvement for a six week consultation period, as appropriate (set out in Appendix 5); and
- The production of a number of key evidence base documents to support the preparation of the local plan.

4. That it be noted that the JSP and Southend New Local Plan will replace, once adopted, existing Southend Development Plan documents and other associated documents.

5. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth (and any other relevant Cabinet Member) to agree and make amendments to the items described in recommendations 2 and 3 above.

6. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth, in conjunction with the Local Development Framework Working Party, to agree and consult on preparatory drafts of the JSP and Southend New Local Plan and associated documentation under Regulation 18 of the Town and Country Planning (Local Planning) (England) 2012.

7. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth to amend the Local Development Scheme as set out in Appendix 3, to ensure the described key milestones of the JSP and Southend New Local Plan preparation remain up-to-date.

8. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth to agree updates to the South Essex Statement of Common Ground as set out in Appendix 2.

9. That it be noted that the total funding required for this project is £1.466 million, as set out in Appendix 7, and that the funding of £341,000 in 2018/19 be approved, such funding to be met from the Business Transformation Reserve.

10. That it be noted that the remaining funding required of £1.125 million will be considered as part of the 2019/20 budget setting process.

Reasons for Decision:

To ensure the expeditious production of a Joint Strategic Plan for South Essex and a New Local Plan for Southend and associated evidence base to manage and guide future growth and development in the South Essex sub-region and

Southend in a positive and timely manner, where the Council has control of decision making in the public interest as representatives of the local community.

Other Options:

None

Note: This is a Council Function

**Called-in to: Place Scrutiny Committee**

Cabinet Member: Cllr Courtenay

#### **45 Social Value Policy**

The Cabinet considered a report of the Chief Executive setting out the proposed Social Value Policy to be applied across all Council procurement activities from June 2018.

Resolved:

1. That the Council's Social Value Policy from June 2018, as set out in Appendix 1 to the submitted report, be adopted.
2. That the aims, objectives and principles stated in the Policy, be approved.

Reasons for Decision:

To respond to the Public Services (Social Value) Act 2012.

Other Options:

Not to adopt the Policy.

Note: This is an Executive Function

**Called-in to: Policy & Resources Scrutiny Committee**

Cabinet Member: Cllr Lamb

#### **46 Annual Report and 2017/18 Year End Performance Report**

The Cabinet considered a report of the Chief Executive setting out the approach to the Council's Annual Report and the end of year position of the Council's corporate performance for 2017/18 and 2018/19 targets.

Resolved:

1. That the suggested approach to the Council's Annual Report, set out in Appendix 2 to the submitted report and draft design set out in Appendix 3 to the report, be approved.
2. That the 2017/18 end of year performance report and targets for 2018/19, be noted.

Reasons for Decision:

To ensure the Annual Report reflects key achievements of the Council over the last year and signals the direction of travel for the forthcoming year.

Other Options:

There is no requirement to have an Annual Report but it enables the Council to set out its key achievements in one document.

Note: This is an Executive Function

**Called-in to: All three Scrutiny Committee**

Cabinet Member: as appropriate for the item.

#### **47 Corporate Risk Register 2018/19**

The Cabinet considered a report of the Chief Executive presenting the revised 2018/19 Corporate Risk Register.

Resolved:

That the risks identified by the Corporate Management Team (CMT) be included in the 2018/19 Corporate Risk Register (these will be presented to the Audit Committee on 25<sup>th</sup> July 2018).

Reasons for Decision:

The Corporate Risk Register has been refreshed to reflect the challenges for 2018/19.

Other Options:

None

Note: This is an Executive Function

**Called-in to: People and Policy & Resources Scrutiny Committees**

Cabinet Member: Cllr Lamb

#### **48 Modern Slavery Statement 2018/19**

The Cabinet considered a report of the Chief Executive setting out the proposed Modern Slavery Statement and the further action being undertaken to support work in this area.

Resolved:

That the Council's 2018/19 Modern Slavery Statement (MSS), as set out in Appendix 1 to the submitted report, be approved.

Reasons for Decision:

To respond to the rapidly increasing crime of modern slavery.

Other Options:

Not to publish a MSS. This would result in an unclear and uncoordinated approach to MSHT.

Note: This is an Executive Function

Eligible for call-in to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Lamb

#### **49 Air Quality**

The Cabinet considered a report of the Deputy Chief Executive (Place) proposing the adoption of the Air Quality Action Plan (AQAP) which details the measures to try to improve air quality within Southend-on-Sea and meet the Council's statutory duty to develop an AQAP.

Resolved:

That the statutory duty of the Borough Council as described in the Environment Act 1995 be discharged by accepting and adopting the Air Quality Action Plan for the Air Quality Management Area (Southend-on-Sea Borough Council) (No 1) Order 2016.

Reasons for Decision:

To comply with the statutory duty to try and improve air quality in the Borough through the development of an AQAP

Other Options:

None.

Note: This is an Executive Function

**Called-in to: Place Scrutiny Committee**

Cabinet Member: Cllr Flewitt

#### **50 Ambition Southend: Skills and Labour Market Strategy**

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the development of a Skills and Labour Market Strategy for Southend-on-Sea 2018-2022.

Resolved:

That the Ambition Southend: Skills and Labour Market Strategy for Southend-on-Sea, be adopted.

Reasons for Decision:

To improve the Southend skills support landscape, raise ambition and skills levels, increase employment opportunities in local jobs and enable economic growth.

Other options:

Not to pursue the development of a Strategy and allow the market to continue as it is.

Note: This is an Executive Function

**Called-in to: Place Scrutiny Committee**

Cabinet Member: Cllr Courtenay

## **51 Gambling Policy Review**

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the legal obligations on the Council, acting as the Licensing Authority, and the timetable for the review in respect of the Gambling Licensing Policy.

Recommended:

That the draft revised Gambling Licensing Policy, be approved to enable formal consultation to commence.

Reasons for Decision:

To enable the Council to comply with its statutory duty under Section 349 of The Gambling Act 2005.

Other Options:

None.

Note: This is a Council Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Flewitt

## **52 Wheeled Sports Facility**

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the results of the consultation on the sites for a wheeled sports facility in the central area of the town. The report sought approval to allocate a minimum of 500m<sup>2</sup> of the former Warrior Square Swim Centre site for the installation of a wheeled sports facility and to progress the project.

Resolved:

1. That the results of the consultation as set out in Appendix 1 to the submitted report be noted and the use of the most popular location, an area of the former Warrior Square Swim Centre site, for a wheeled sports facility, be approved.
2. That a minimum of 500m<sup>2</sup> of the former Warrior Square Swim Centre site be allocated for the installation of a wheeled sports facility.
3. That it be acknowledged that the creation of a wheeled sports facility in this location will reduce the amount of space available for future development.

4. That the project be progressed by way of the submission of a planning application, the works being put out to tender and the appointment of a contractor to construct a wheeled sports facility.

5. That it be noted that the full £250,000 capital budget may need to be re-profiled in 2018/19 if the delivery programme is ahead of schedule.

Reasons for Decision:

To develop the wheeled sports facility on the former Warrior Square Swim Centre site.

Other Options:

Not to install a wheeled sports facility in a town centre location or install the facility at the second choice location or a location outside of the central area.

Note: This is an Executive Function

**Called-in to: Place Scrutiny Committee**

Cabinet Member: Cllr Courtenay

### **53 Joint Targeted Area Inspection**

The Cabinet considered a report of the Deputy Chief Executive (People) summarising the Joint Targeted Area Inspection findings and set out the action being taken in relation to the findings.

Resolved:

1. That the report be noted.

2. That the progress against the action plan be reported to Cabinet for assurance in the journey of the Child Annual Report.

Reasons for Decision:

Safeguarding children is a statutory duty of the Council and Members need to be assured that progress is being made against the action plan in order to discharge this duty. The progress against the action plan will be brought back to Cabinet in February 2019.

Other Options:

None.

Note: This is an Executive Function

**Called-in to: People Scrutiny Committee**

Cabinet Member: Cllr Boyd

**54 Research, findings and recommendations on current and future provision of the Syrian Vulnerable Person Resettlement Programme**

The Cabinet considered a report of the Deputy Chief Executive (People) proposing the extension of the Syrian Vulnerable Person Resettlement (SVPR) Programme to enable more families to settle in Southend-on-Sea.

Resolved:

1. That the progress on the current SVPR Programme in Southend-on-Sea, as set out in Section 3 of the submitted report, be noted.
2. That the Programme be extended, in order that more families can settle in Southend-on-Sea, comprising an additional 30 individuals by 2020.
3. That the Director of Adult Services and Housing, be authorised to:
  - Reach agreement with the EELGA, Home Office and other relevant bodies in order to bring 30 additional individuals to Southend, reporting on progress at the Corporate Management Team and Cabinet at regular intervals;
  - Reach agreement with local partners in order to identify the local resource to welcome future families;
  - Research and commission effective ways of delivering support services in order to achieve economies of scale.

Reason for Decision:

This is a key national issue that needs to be addressed by the Council

Other Options:

That no commitment is given to settle further families within the Borough.

Note: This is an Executive Function

**Called-in to: People Scrutiny Committee**

Cabinet Member: Cllr Salter

**55 Consultation on St Mary's Prittlewell CofE Primary School Permanent Expansion following a period of Temporary Expansion**

The Cabinet considered a report of the Deputy Chief Executive (People) seeking agreement to go out to formal consultation to change the current temporary expansion of pupil admission numbers at St Mary's Prittlewell CofE Primary School to a permanent arrangement.

Resolved:

That a formal consultation process to gauge stakeholder and public opinion on making the current temporary expansion at St Mary's Prittlewell CofE Primary School permanent by setting their admission number at 90 per year group, be approved.

Reasons for Decision:

To consult with stakeholders and obtain public opinion on making the temporary expansion permanent at St Mary's Prittlewell CofE Primary School.

Other Options:

The school could return to an admission number of 60 or increase to a higher admission number of 120. The latter option would require capital investment to increase the school's accommodation.

Note: This is an Executive Function  
Eligible for call-in to: People Scrutiny Committee  
Cabinet Member: Cllr Boyd

## **56 Annual Public Health Report**

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the 2017 Annual Report of the Director of Public Health.

Resolved:

That the content and recommendations of the 2017 Annual Report of the Director of Public Health, be noted.

Reasons for Decision:

The Health and Social Care Act 2012 requires Directors of Public Health to prepare an annual report on the health of the local population.

Other Options:

None.

Note: This is an Executive Function  
**Called-in to: People Scrutiny Committee**  
Cabinet Member: Cllr Salter

## **57 Annual Treasury Management Report 2017/18**

The Cabinet considered a report of the Chief Executive detailing the treasury activity for the period from April 2017 to March 2018 and reviewed performance against the Prudential Indicators for 2017/18.

Recommended:

1. That the Annual Treasury Management Report for 2017/18 and the outturn Prudential Indicators for 2017/18, be approved.
2. That it be noted that the financing of 2017/18 capital expenditure of £60.996m has been funded in accordance with the schedule set out in Table 1 of section 4 of the submitted report.

3. That it be noted that the Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2017/18.

4. That, in respect of the return on investment and borrowing, the following be noted:

- The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk;
- £2.05m of interest was earned during the whole of 2017/18 at an average rate of 2.49%. This is 2.27% over the benchmark of the average 7 day LIBID (London Interbank Bid Rate) and 2.14% over the average bank base rate;
- The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, General Fund (GF): £150.8m) throughout 2017/18.
- The level of financing for 'invest to save' schemes increased from £7.90m to 8.74m by the end of 2017/18.

Reasons for Decision:

To comply with the CIPFA Code of Practice for Treasury Management in the public sector and the CIPFA Prudential Code.

Other options:

None.

Note: This is a Council Function

Eligible for call-in to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Lamb

## **58 Provisional Capital Outturn Report 2017/18**

The Cabinet considered a report of the Chief Executive outlining the capital programme outturn for 2017/18 and sought approval for the relevant budget carry forwards and accelerated delivery requests and in-year amendments for the current approved programme.

Recommended:

1. That it be noted that the expenditure on the capital programme for 2017/18 totalled £60.996m against a budget of £64.324m, a delivery of 94.8%.

2. That the relevant budget carry forwards and accelerated delivery requests totalling a net £4.206m moving into 2018/19, as set out in Appendices 1 and 2 to the submitted report, be approved.

3. That the virements, reprofiles and amendments and new external funding for schemes, as detailed in Appendices 3, 4 and 5 of the report, be noted.

4. That the relevant changes to the budget identified since the approved capital programme was set at Council on 22<sup>nd</sup> February 2018, as detailed in Appendix 6 to the report, be approved.

5. That it be noted that the above changes will result in an amended Capital Programme of £214.971m for the period 2018/19 to 2021/22, as detailed in Appendix 7 to the report.

6. That the content of the Community Infrastructure Levy (CIL) Annual Financial Report 2017/18 (included in Appendix 8 to the report), be noted and that the CIL Main Fund receipts from 2017/18 and previous financial years be carried forward until spending plans are reviewed in early 2019/20.

7. That authority be delegated to the Deputy Chief Executive (People) in consultation with Ward Members and the Cabinet Member for Growth to agree how the Ward Neighbourhood Allocations received up until 31<sup>st</sup> March 2018 (excluding allocation to Leigh Town Council) are to be spent.

Reasons for Decision:

To inform Members of the activity in 2017/18.

Other options:

None.

Note: This is a Council Function

Eligible for call-in to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Lamb

## **59 Revenue Outturn Report 2017/18**

The Cabinet considered a report of the Chief Executive on the revenue outturn for 2017/18.

Recommended:

1. That the revenue outturn for the General Fund and HRA for 2017/18, be noted.

2. That the appropriation of revenue funds to and from earmarked reserves, as set out in paragraph 4.6 (General Fund) and paragraph 5.4 (HRA) of the submitted report, be approved.

Reason for Decision:

To advise Members of the financial position of the Council and to approve the appropriation of funds to and from earmarked reserves.

Other options:

None.

Note: This is a Council Function

Eligible for call-in to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Lamb

## 60 Council Debt Position

The Cabinet considered a report of the Chief Executive informing Members of the current outstanding debt to the Council as of 31<sup>st</sup> March 2018 and debts that had been or are recommended for write-off in the current financial year.

Resolved:

1. That the current outstanding debt position as at 31<sup>st</sup> March 2018 and the position of debts written off to 31<sup>st</sup> March 2018, as set out in Appendices A and B to the submitted report, be noted.
2. That the write-offs greater than £25,000, as detailed in Appendix B to the report, be approved.

Reasons for Decision:

All reasonable steps to recover the debt have been taken and therefore where write off is recommended it is the only course of action available.

Other Options:

None.

Note: This is an Executive Function

Eligible for call-in to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Lamb

## 61 Notice of Motion - Jewish Manifesto for Local Government

At the meeting of Council held on 19<sup>th</sup> April 2018, Members received a Notice of Motion proposing that the Council supports the launch of the Jewish Manifesto for Local Government published by the Board of Deputies, the Security Council for British Jews.

Resolved:

That the Notice of Motion proposing the launch of the Jewish Manifesto for Local Government, be adopted.

Reasons for Decision:

To respond to the Notice of Motion.

Other options:

None.

Note: This is an Executive Function

**Called-in to: Policy & Resources Scrutiny Committee**

Cabinet Member: Cllr Salter

**62 Council Procedure Rule 46**

Resolved:

That the submitted report be noted.

Note: This is an Executive Function

**Called-in to: Policy & Resources Scrutiny Committee**

Cabinet Member: as appropriate for the item

**Chairman:** \_\_\_\_\_