

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 10th January, 2017
Place: Committee Room 1 - Civic Suite

Present: Councillor J Lamb (Chair)
Councillors A Holland (Vice-Chair), T Byford, J Courtenay, T Cox,
M Flewitt, A Moring and L Salter

In Attendance: Councillors M Assenheim and C Mulroney
R Tinlin, J Williams, J Chesterton, J Ruffle, A Lewis, S Leftley, A
Atherton, C Gamble, E Cooney, S Dolling and A Keating

Start/End Time: 2.00 - 2.45 pm

590 Apologies for Absence

There were no apologies for absence.

591 Minutes of the Meeting held on 8th November 2016

Resolved:-

That the Minutes of the Meeting held on 8th November 2016 be confirmed as a correct record and signed.

592 Declarations of Interest

Cllr Cox – Development & Expansion of National Jazz Archive – Beecroft – Person named in report is a work colleague – disclosable non-pecuniary interest – withdrew

593 Notice of Motion - York Road

At the meeting of Council held on 15th December 2016, Members received the following Notice of Motion in relation to the possible compulsory purchase of properties in York Road as a means of addressing anti-social activities in the area. The Motion was proposed by Councillor Assenheim and seconded by Councillor Terry (this had been referred to Cabinet in accordance with standing order 8.4).

Resolved:-

1. That it be noted that compulsory purchase order action is not an appropriate procedure to address the problems in York Road.
2. That it also be noted that any criminal and anti-social issues in York road should be addressed under the criminal law and the remedies available under the Anti-social Behaviour Crime and Policing Act 2014.
3. That the situation in relation to York Road be kept under review

Reason for Decision

To respond to the Notice of Motion

Other Options

None

Note:- This is an Executive Function.

Referred direct to Policy and Resources Scrutiny Committee.

Executive Councillor :- Flewitt

594 Notice of Motion - State Pension Arrangements for 1950s Women

At the meeting of Council held on 15th December 2016, Members received a Notice of Motion proposing that “the Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.” The Motion was proposed by Councillor Ware-Lane and seconded by Councillor McDonald (this had been referred to Cabinet in accordance with standing order 8.4).

Resolved:-

That the motion be adopted.

Reason for Decision

To respond to the Notice of Motion

Other Options

None

Note:- This is an Executive Function.

Referred direct to Policy and Resources Scrutiny Committee.

Executive Councillor :- Moring

595 Notice of Motion - Affordable Housing & Viability Issues

At the last meeting of the Council held on 15th December 2016, Members received a Notice of Motion in relation to the provision of affordable housing through section 106 agreements. This was proposed by Councillor Mulroney and seconded by Councillor Gilbert (this had been referred to Cabinet in accordance with standing order 8.4).

Resolved:-

1. That it be noted that, considering the Government’s approach to encouraging significant levels of new house building, it is highly unlikely that it will remove the relevant sections of National Planning Policy Framework and the National Planning Practice Guidance.

2. That it further be noted that, since the adoption of the Interim Affordable Housing Policy, (by Council 20th October 2016), the Council is better placed to ensure equitable off-site contributions are made. However, the effectiveness of the Policy would be monitored.

Note:- This is an Executive Function.
Referred direct to Place Scrutiny Committee.
Executive Councillor :- Flewitt

596 Monthly Performance Report

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function.
Referred direct to all three Scrutiny Committees.
Executive Councillor:- As appropriate to the item.

597 Council Debt Position - 30th November 2016

The Cabinet considered a report of the Chief Executive informing Members of the current outstanding debt to the Council as at 30th November 2016 and debts that had been, or are recommended for write-off.

Resolved:-

1. That the current outstanding debt position as at 30th November 2016 and the position of debts written off to 30th November 2016, as set out in Appendices A and B to the submitted report, be noted.
2. That the write-offs as set out in Appendix B to the report, be approved.

Reason 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. If the Council wishes to pursue debts for bankruptcy proceedings, it will follow the agreed and published recovery policy that covers this.

Other Options

None

Note:- This is an Executive Function
Referred direct to Policy & Resources Scrutiny Committee
Executive Councillor:- Moring

598 Annual Report on Safeguarding Children & Adults

The Cabinet considered a report of the Deputy Chief Executive (People) on the annual assurance assessment in respect of the Council's responsibilities for safeguarding children and vulnerable adults in Southend.

Resolved:-

That the report be noted and that the actions detailed in paragraph 3.9 of the submitted report, be approved.

Reason for Decision

To keep the Council informed of the position in respect of safeguarding children and adults in Southend.

Other Options

None

Note:- This is an Executive Function
Referred direct to People Scrutiny Committee
Executive Councillors:- Courtenay and Salter

599 Adoption Service Annual Report

The Cabinet considered a report of the Deputy Chief Executive (People) on the activities of the Adoption Service for the period January – December 2016 and, set out for approval, the updated Statement of Purpose.

On behalf of the Cabinet, the Leader of the Council asked that the appreciation of Members be conveyed to the relevant officers in recognition of the achievements of the Team and their sterling work.

Resolved:-

1. That the Annual Report, as set out in Appendix 1 to the submitted report, be noted.
2. That the updated Statement of Purpose, as set out in Appendix 2 to the report, be approved.

Reason for Decision

To comply with the statutory requirements.

Other Options

None

Note:- This is an Executive Function
Referred direct to People Scrutiny Committee
Executive Councillor:- Courtenay

600 Fostering Service Annual Report

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the Fostering Service Annual report and the updated Statement of Purpose.

On consideration of the report, the Leader of the Council referred to the excellent work undertaken by the Team and thanked the relevant officers for their efforts.

Resolved:-

That the Annual Report, as set out in Appendix 1 to the submitted report, and Statement of Purpose at Appendix 2 to the report, be approved.

Reason for Decision

The Fostering Statement of Purpose outlines the Fostering Service core services. The annual report outlines the activities undertaken by the Southend Fostering Service during 2016 and the outcomes and impact of the service.

Other Options

None

Note:- This is an Executive Function
Referred direct to People Scrutiny Committee
Executive Councillor:- Courtenay

601 General Market Provision

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the Thursday General Market in the High Street following three years of trading and set out the options for the future management of the market.

Resolved:-

That the management of the market be outsourced to an experienced market operator, external to the Council, on a three year contract with an option for a further two years.

Reason for Decision

The preferred option to outsource the market (option 1) would result in the general market having the benefit of industry expertise and contacts as well as the ability to grow. It would also have the benefit of releasing up officer time to focus on other activity.

Other Options

As set out in the submitted report

Note:- This is an Executive Function
Referred direct to Place Scrutiny Committee
Executive Councillor:- Holland

602 Development & Expansion of National Jazz Archive - Beecroft

The Cabinet considered a report of the Deputy Chief Executive (Place) informing Members of the proposal for Jazz Centre (UK) to develop and expand its programme to take over areas of the lower ground floor of the Beecroft Centre, Victoria Avenue.

Resolved:-

1. That, in principle, the Jazz Centre (UK) proposal to extend its presence beyond the current single room on the Lower Ground Floor of the Beecroft Centre, be approved.
2. That the Deputy Chief Executive (Place), in consultation with the Portfolio Holder for Culture, Tourism and the Economy, be authorised to approve the terms of a lease, based on the terms negotiated and recommended by Asset Management.

3. That the future aspirations of Jazz Centre UK to further develop a Jazz Club for Southend into a regular performance space subject to future self-funding and planning considerations, be noted.

Reason for Decision

1. To support, in principle, the Jazz Centre UK's aspirations so it can progress fundraising and business planning.
2. To provide a new cultural facility and asset to the town for the express purpose of developing jazz in the Borough, without any capital investment required by the local authority.
3. To encourage cultural tourism to the town, with the associated social and economic benefits this could bring to the Borough.
4. To enable increased community use of an existing civic building.
5. The former Central Library has proved to be a successful site for the Beecroft Gallery, and additional investment in these facilities is important to improve the cultural offer in central Southend.

Other Options

To continue with the current arrangement and lose the opportunity of improving the cultural offer in Southend.

Note:- This is an Executive Function
Referred direct to Place Scrutiny Committee
Executive Councillor:- Holland

603 Ballot for Business Improvement District (BID) Renewal

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the success of the Southend Business Improvement District (BID) since its launch in April 2013, and the requirements in relation to the undertaking of a renewal ballot of Southend town centre and central seafront businesses to extend the Southend BID for another five year term.

In noting the positive impact the BID had made in the town centre and seafront areas, Members acknowledged the benefits that could be derived from the establishment of BIDs in other areas of the Borough.

Resolved:-

1. That the progress and impact of the BID in Southend's town centre and central seafront area, be noted.
2. That the Deputy Chief Executive (Place), in consultation with the Executive Councillor for Culture, Tourism and the Economy, be authorised to:-
 - Consider on behalf of the Council as billing authority, whether the proposal conflicts with any formally adopted policy of the Council, and, if it does, give notice of this in accordance with the BID regulations
 - Determine whether the Council should support the BID proposal and if so, to vote yes on its behalf in the BID ballot. If a 'no' vote is proposed, this will be referred to Cabinet for further consideration

- Formally manage the ballot process in accordance with BID regulations
- That subject to a 'yes' vote at ballot by the relevant BID business community, the Council as relevant local billing authority will manage the billing and collection of the additional levy, and its transfer to the BID company. In the event of a 'no' vote, the costs of the ballot be recovered from the BID Company as per the BID regulations.
- Review and update the Operating Agreement, as required, that details the billing, collection and enforcement provisions as well as the arrangements for transmitting the BID receipts to the BID in consultation with the Director of Finance and Resources.
- Enter into a revised service level agreement with the BID company regarding the operation of the BID and delivery of Council requirements and baselines.

Reason for Decision

1. The Southend BID company has leveraged funding from businesses in the BID area which wouldn't otherwise have been available to invest in the town. Paragraph 3.4 to the submitted report provides an overview of the impact the BID has made in the town centre and central seafront area funded through the levy and additional contributions. These interventions and value adding activities have been to the benefit of the town and could not have been delivered under the previous Town Centre Partnership/Management arrangement.
2. A second term is subject to a positive outcome from the business ballot and therefore the decision to progress is one that is led by the business community to meet their needs and is recognised as good practice by Government.

Other Options

None

Note:- This is an Executive Function
 Referred direct to Place Scrutiny Committee
 Executive Councillor:- Holland

604 Minutes of the Performance Related Pay Panel held 13th December 2016

The Cabinet considered the recommendations of the Performance Related Pay Panel on Senior Managers pay.

Resolved:-

1. That Senior Manager pay ranges move to a 'spot' salary as detailed in appendix 1 to the submitted report to the Pay Panel.
2. That the principles of the Council's PRP Scheme be maintained and that the scheme be amended in line with 1 above. The revised scheme will continue to ensure that the performance of Senior Managers against agreed objectives will be monitored and assessed through an annual appraisal cycle.

3. That the changes be incorporated in the Council's Pay Policy Statement for 2017/18 and are therefore effective from 1st April 2017.

Note:- This is an Executive Function
Referred direct to Policy and Resources Scrutiny Committee
Executive Councillor:- Lamb

605 Standing Order 46

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function
Referred direct to the relevant Scrutiny Committees as appropriate to the item
Executive Councillor:- As appropriate to the item

606 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.

607 Standing Order 46 - Confidential Sheet

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function
Referred direct to the relevant Scrutiny Committee
Executive Councillor:- As appropriate to the item

608 Establishing a Special Purpose Vehicle with South Essex College

The Cabinet considered a report of the Deputy Chief Executive (Place) on the above.

Recommended:-

That the recommendations in the submitted report, be approved.

Reason for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note:- This is a Council Function
Referred direct to Policy and Resources Scrutiny Committee
Executive Councillor:- Lamb

Chairman: _____