

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Cabinet

Date: Tuesday, 11th November, 2014

Place: Civic Suite, Civic Centre, Southend-on-Sea

Present: Councillor R A Woodley (Chairman)
Councillors M Assenheim, I D Gilbert, A P Jones, G E Longley, D A Norman MBE, M W Terry

In Attendance: R Tinlin, J K Williams, S Holland, S Leftley, A Lewis, J Chesterton, J Ruffle, J Williams, J Lansley, I Ambrose, M Singleton, A Keating and C Gamble

Also present: Councillors Burling, Butler, Folkard, Habermel, Moyies and Salter

Start/End Time: 14:00/15:00

**** **Part I**

365 Apologies for absence.

There were no apologies for absence.

366 Declarations of interest.

(a) Councillor Woodley - Outcome of Consultation on the Permanent Expansion of Primary Places in Southend (agenda item 13) - Governor of Federation of Greenways Schools - non-pecuniary interest

(b) Councillor Norman - Southend Museums' Collection Policy (agenda item 20) - Trustee - Leigh Maritime Trust - non-pecuniary interest

(c) Councillor Terry - Flood Incident Report (agenda item 21) - Resident of Victoria Road, Southend-on-Sea - non-pecuniary interest

367 Minutes of the Meeting held on Tuesday, 23rd September, 2014

Resolved:-

That the Minutes of the Meeting held on Tuesday 23rd September 2014 be confirmed as a correct record and signed.

368 Pre-Cabinet Scrutiny Items

The following items had previously been subject to pre-Cabinet scrutiny:

- Local Account of Adult Social Care Services in Southend 2013/14
- Outcome of Consultation on the Permanent Expansion of Primary Places in Southend
- Low Carbon Energy and Sustainability Strategy 2015-2020
- Permanent Vehicular Crossing Policy

369 Monthly Performance Report - August 2014

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

370 Capital Monitoring for 2014/15 & Revised Capital Programme 2014/15 to 2017/18

The Cabinet considered a report of the Corporate Director for Corporate Services setting out the capital expenditure as at 30th September 2014 and proposing in-year amendments to the approved Capital Programme for 2014/15 to 2017/18 and later years.

Recommended:-

1. That the actual capital expenditure position as at 30th September 2014 of £10.823 million as shown in Section 4 and Appendix 1 to the submitted report, be noted.
2. That the financing position of the Capital Programme as at 30th September 2014 as set out in Section 5 of the submitted report, be noted.
3. That the proposed changes to the Capital Programme as set out in Appendix 6 to the submitted report, be approved.
4. That the revised Capital Programme for 2014/15 to 2017/18 and later years as set out in Appendix 7 to the submitted report, be approved.

Reason for Decision

To approve changes to the Capital Programme.

Other Options

The proposed Capital Programme is made up from a number of individual projects, any of which can be agreed or rejected independently of the other projects.

Note:- This is a Council Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

371 Mid-Year Treasury Management Report - 2014/15

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the treasury management activity for both quarter two and the period from April to September 2014.

Recommended:-

1. That the Mid-Year Treasury Management Report for 2014/15, be approved.
2. That the Revised Annual Investment Strategy 2014/15, as set out in section 9 of the submitted report, be approved.
3. That it be noted that treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to September 2014.
4. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned whilst maintaining a low level of risk.
5. That it be noted that an average of £75.7 million of investments were managed in-house. These earned £0.19 million of interest during this six month period at an average rate of 0.49%. This is 0.14% over the average 7-day LIBID (London Interbank Bid Rate) and 0.01% under bank base rate.
6. That it be noted that an average of £24.7 million of investments were managed by the Council's external fund manager. These earned £0.11 million of interest during this six month period at an average rate of 0.87%. This is 0.52% over the average 7-day LIBID and 0.37% over bank base rate.
7. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £250.8 million (Housing Revenue Account HRA): £84.5m, General Fund: £166.3m) during the period from April to September 2014.

Reason for Decision

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2014/15 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other Options

There are many options available for the operation of the treasury management function with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

Note:- This is a Council Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

372 Airport Business Park

The Cabinet considered a report of the Corporate Director for Corporate Services updating Members on the procurement of a development partner for the proposed Airport Business Park on land north of Aviation Way.

Resolved:-

1. That the progress made on the project, be noted.
2. That it be noted that Henry Boot Development Limited has been appointed as the preferred development partner, subject to formal stand still arrangements and contract award and that once the stand still period has expired, the contract documents (including the development agreement) will be progressed and completed, such process be endorsed.

Reason for Decision

To enable the Airport Business Park project to progress.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

373 Essential Living Fund

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the existing Essential Living Fund Scheme that has been in operation since April 2013 together with the proposed future funding arrangements.

Resolved:-

1. That the Essential Living Fund Scheme be continued from 2015/16 to 2018/19.
2. That the scheme (awards and staff costs) be funded from the Social Fund Earmarked Reserve.

Reason for Decision

To ensure the continuation of the Essential Living Fund Scheme.

Other Options

The scheme could be abolished but the impact on residents would need to be assessed.

Note:- This is an Executive Function.

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

Executive Councillor:- Gilbert

374 Heath & Carby House - Victoria Avenue

The Cabinet considered a report of the Corporate Director for Corporate Services on the proposed acquisition of Heath House and Carby House by agreement or by compulsory purchase if agreement cannot be reached.

Resolved:-

1. That the preferred course of action is the acquisition of Heath House and Carby House by agreement and in the event that acceptable terms can be reached, the Corporate Director for Corporate Services, in consultation with the Leader, be authorised to agree such terms subject to external valuation advice confirming that the price is reasonable.
2. That simultaneously to 1 above, the detailed case be prepared for Heath House and Carby House, Victoria Avenue, Southend-on-Sea, shown edged black on the plan at Appendix 1 to the submitted report, to be compulsorily purchased pursuant to Section 226 Town and Country Planning Act 1990 in order to facilitate the carrying out of development that will promote the economic, environment and social well-being of the area and that a report come back to Cabinet and Council to make the formal resolution.

3. That the Head of Finance & Resources be authorised to re-profile the existing allocated capital budget to ensure that finance is available when required to facilitate a purchase by agreement or a Compulsory Purchase Order and to proceed with demolition.

4. That it be noted that separate applications for the demolition of Heath House and Carby House (14/01728/DEM) and the redevelopment of the land (14/01763/OUT) have been submitted by the Council and the demolition work is specified ready to tender to ensure that if a purchase can be negotiated, the buildings can be demolished without delay to mitigate risk.

Reasons for Decision

1. To enable the redevelopment of Heath House and Carby House.
2. To support the Council's regeneration agenda for the Borough and Victoria Avenue in particular.
3. To create housing and employment and stimulate investment into Southend.
4. To raise the profile of Southend-on-Sea and of this important area which is the focus of Southend's City Deal.
5. To mitigate the negative impact and risks associated with these derelict buildings.
6. To bring focus to the owners entering into serious negotiations leading to a disposal of the site.

Other Options

1. Delay any action and leave the market to possibly bring forward development.
2. Continue with negotiations and not pursue a Compulsory Purchase Order at this time.

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

375 Big Lottery Update: Fulfilling Lives - A Better Start

The Cabinet considered a report of the Corporate Director for People updating Members on the progress of the mobilisation phase of the Fulfilling Lives - A Better Start initiative.

Resolved:-

That the submitted report, be noted.

Reason for Decision

To provide Members with an update on the initiative.

Other Options

None.

Note:- This is an Executive Function.

Eligible for call-in to People Scrutiny Committee

Executive Councillors:- A P Jones and Gilbert

376 Care Act Update

The Cabinet considered a report of the Corporate Director for People informing Members on the implications of the Care Act 2014 for the Council.

Resolved:-

That the significant service and financial implications arising from the implementation of the Care Act 2014, be noted.

Reason for Decision

To make Members aware of the implications of the Act.

Other Options

None.

Note:- This is an Executive Function.

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Norman

377 Local Account of Adult Social Care Services in Southend 2013/14

The Cabinet considered a report of the Corporate Director for People presenting the Local Account of Adult Social Care Services in 2013/14, including priorities and plans for 2014/15.

Resolved:-

That the Local Account be noted as the Council's self-assessment for social care services.

Reason for Decision

The publication of the Local Account of Adult Social Care Services for 2013/14 ensures the continuity of information for the public about the performance of this service.

Other Options

None.

Note:- This is an Executive Function

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Norman

This matter had previously been subject to pre-Cabinet Scrutiny

378 Outcome of Consultation on the Permanent Expansion of Primary Places in Southend

The Cabinet considered a report of the Corporate Director for People on the outcome of the consultation to expand six primary phase schools in the central area of Southend.

Resolved:-

1. That Hamstel Infant School be permanently expanded to 450 places from September 2015.
2. That Hamstel Junior School be permanently expanded to 600 places from September 2016.
3. That Sacred Heart Catholic Primary School be permanently expanded to 420 places from September 2015.
4. That St. Helen's Catholic Primary School be permanently expanded to 420 places from September 2015.
5. That the Federated Thorpe Greenways Infant School be permanently expanded to 450 places from September 2015.
6. That the Federated Thorpe Greenways Junior School be permanently expanded to 600 places from September 2017.

Reason for Decision

Permanent expansion at the schools will provide sufficient places for reception pupils in the short and long term.

Other Options

None.

Note:- This is an Executive Function

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- A P Jones

This matter had previously been subject to pre-Cabinet Scrutiny

379 School Admissions Arrangements/Coordinated Admission Scheme for 2016/17

The Cabinet considered a report of the Corporate Director for People detailing the proposed admission arrangements for community schools for the 2016/17 academic year and seeking agreement in principle for the Coordinated Admission Arrangements Scheme for 2016 onwards.

Resolved:-

1. That no consultation be undertaken on the Admissions Arrangements for community schools for the 2016/17 academic year.
2. That consultation be undertaken with governing bodies of community schools on the published admission numbers for community infant, junior and primary schools for September 2016 as set out in the admission arrangements in Appendix 1 to the submitted report.
3. That the proposed Coordinated Admission Arrangements Scheme for 2016 onwards, as set out in Appendix 2 to the submitted report, be approved in principle, and if there are any minor issues to be resolved following consultation with the schools, the Corporate Director for People in consultation with the Executive Councillor for Children & Learning, be authorised to make minor amendments to the scheme.

Reason for Decision

The determination of admission arrangements for community schools and the provision of a coordinated admissions scheme is a statutory requirement.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- A P Jones

380 Allotments – Future Self-Management

The Cabinet considered a report of the Corporate Director for Place proposing a structure for self-management and the leasing of allotment sites.

Resolved:-

1. That the principle of introducing total self-management arrangements and the leasing of allotment sites in the Borough to interested constituted allotment societies, be approved.

2. That the Corporate Director for Place, in consultation with the Portfolio Holder for Enterprise, Tourism and Economic Development and the Council's Asset Management section, be authorised to undertake consultation and agree the details and terms of self-management agreements and leases.

Reason for Decision

1. The introduction of total self-management agreements proposed would create a much greater sense of ownership and stronger community spirit.
2. Societies undertaking total self-management will have committee members who are plot holders and are likely to be more in touch with tenants.
3. The regular presence of society members on allotment sites means issues can be quickly identified and addressed.
4. The sense of ownership that can be created by total self-management means that society members are better placed to keep vacant plots tidy and re-let plots quickly.
5. The introduction of total self-management offers tenants the opportunity for greater involvement and interaction in the running of the allotment site.
6. Total self-management limits the involvement of the Council in the day-to-day running of the allotment and will help reduce administration costs.
7. Societies may have the opportunity to apply for grants unavailable to the Council.

Other Options

To continue with the current management arrangements with the Council managing the allotments sites with some assistance from allotment societies.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Longley

381 Chalkwell Park and Priory Park Tennis Courts

The Cabinet considered a report of the Corporate Director for Place setting out proposals to upgrade tennis courts in Chalkwell Park and Priory Park following a £350,000 grant award from the Lawn Tennis Association (LTA), together with a proposition to seek additional external funding for tennis courts in parks across the borough.

Resolved:-

1. That the tennis court improvement scheme at Chalkwell Park and Priory Park, to be funded by the Lawn Tennis Association, be approved.

2. That an application for funding through the Priory Park Trust be made to contribute towards the cost of tennis courts in Priory Park (if successful this will offset the funding received from the LTA for Priory Park and enable some of the LTA funding to be reallocated).

3. That the management arrangements and reintroduction of tennis charges as set out in Paragraph 3.8 in the submitted report, be approved.

Reason for Decision

The grant of £350,000 from the LTA provides the opportunity to increase participation without incurring any direct cost to the Council.

Other Options

Continue with the existing provision.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Longley

382 Licensing Act 2003 - Review of Statement of Licensing Policy

The Cabinet considered a report of the Corporate Director for Place setting out a revised Statement of Licensing Policy.

Recommended:-

That the Statement of Licensing Policy, as set out in Appendix 1 to the submitted report, be approved. ||

Reason for Decision

To comply with statutory duty under Section 5 of the Licensing Act 2003.

Other Options

To continue with the current policy until 2016.

Note:- This is a Council Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Assenheim

383 Low Carbon Energy and Sustainability Strategy 2015-2020

The Cabinet considered a report of the Corporate Director for Place presenting the Low Carbon Energy and Sustainability Strategy 2015-2020.

Recommended:-

1. That the comments included in the submitted report provided by Members at the Place Scrutiny Committee on 13th October 2014, be noted.
2. That the Strategy be approved and that the Council sign up to the Local Government Association's Climate Local Initiative

Reasons for Decision

1. To position the Council as a leading local authority in the East of England with regards to the UK's transition to the low carbon economy. Successful implementation of the new strategy will provide the Council with the opportunity to establish new funding streams (including EU funding bids), efficiency savings and revenue sources (including money generated through renewable energy installations).
2. The new Strategy provides an excellent opportunity for the Council to make a real contribution in delivering local objectives around health and well-being, housing, fuel poverty, air quality, transport, education, economic development and community cohesion.

Other Options

Not to replace the existing Low Carbon Energy Strategy 2012-2014 and build on the progress that has already been made in addressing rising energy costs, future fuel security and associated costs of climate change.

Note:- This is a Council Function

Eligible for call-in to Place Scrutiny Committee

Executive Councillor:- Longley

This matter had previously been subject to pre-Cabinet Scrutiny

384 Permanent Vehicular Crossing Policy

The Cabinet considered a report of the Corporate Director for Place presenting the revised Permanent Vehicular Crossing (PVX) Policy.

Resolved:-

That the revised Permanent Vehicular Crossing Policy process procedures, as set out in Appendix 1 to the submitted report, be approved.

Reasons for Decision

1. The benefits that will arise from the proposed changes will be that an applicant that feels they have exceptional circumstances will have the opportunity to present those for consideration by Members. The change in the fee structure will also give more flexibility. The substance of the process has worked well and does not require any other changes. It has the benefit of allowing increased involvement of the applicant in the process.

2. The application criterion by which a request is assessed is clear. This ensures a consistent judgement is applied at all times and in line with statutory requirements. However, the proposed changes allow for exceptional circumstances to be considered should the applicant consider that they exist.

Other Options

To continue with the system that currently exists.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry
This matter had previously been subject to pre-Cabinet Scrutiny

385 Southend Museums' Collection Policy

The Cabinet considered a report of the Corporate Director for Place detailing the updated Southend Museums' Service Collections Development Policy.

Resolved:-

That the Collections Development Policy 2014-2019, be approved.

Reason for Decision

To ensure that the Museums Service is collecting in the appropriate areas and meets national accreditation standards.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Longley

386 Flood Incident Report - 24th August 2013

The Cabinet considered a report of the Corporate Director for Place presenting the Flood Incident Report following the flooding on 24th August 2013.

Resolved:-

1. That the report be approved for publication.
2. That the continued development of formal partnership with the Environment Agency and Anglian Water Services Ltd in order to jointly investigate possible structural works and other measures to mitigate the effects of future flooding throughout the Borough, be approved.

Reason for Decision

To address the risk of future flooding incidents.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

387 Southend-on-Sea Borough Council Sexual Health Strategy 2014-2017

The Cabinet considered a report of the Director of Public Health outlining the contents of the Sexual Health Strategy 2014/2017.

Resolved:-

That the Sexual Health Strategy 2014-2017 and associated action plan, be approved.

Reason for Decision

Implementation of the Sexual Health Strategy 2014-2017 and the associated action plan will help to improve the sexual health and wellbeing of the local population and deliver efficiencies over the longer term.

Other Options

The Southend-on-Sea Sexual Health Strategy 2014-2017 highlights how the commissioning of a local integrated sexual health service will make the system more streamlined for service users and lead to more efficient use of resources. The other option would be to keep elements of the local sexual health service as individual services.

Note:- This is an Executive Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- Gilbert

388 Minutes of the Meeting of Waste Management Working Party held on Tuesday, 21st October, 2014

The Cabinet considered the recommendation of the Waste Management Working Party concerning the adoption of the new Vehicle Removal Policy.

Resolved:-

That, subject to the inclusion of the amendments put forward by the Working Party the Vehicle Removal Policy be adopted.

Reason for Decision

To adopt a Council policy.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

389 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 item of business set out below, on the grounds that it 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.

**** **Part II**

390 Housing Property Investment Proposal

The Cabinet considered a Joint Report of the Corporate Director for Corporate Services and Corporate Director for People on the above.

Recommended:-

1. That subject to a viable business case, an appropriate bid, based upon external valuation advice, be made for the relevant properties.
2. That the Corporate Director for People, in consultation with the Portfolio Holder for Adult Social Care, Health and Housing and the Head of Finance & Resources, be authorised to determine the final bid price.

3. That a Local Housing Company be set up, to be financed by the General Fund, and that the Capital Programme be amended accordingly if the bid is successful.

Reason for Decision

As set out in the submitted report.

Other Options

None.

Note:- This is a Council Function

Referred direct to Special Policy & Resources Scrutiny Committee on 20th November 2014

Executive Councillor:- Norman