

# Public Document Pack

**Southend-on-Sea Borough Council**

**Legal & Democratic Services**

**Strategic Director: John Williams**

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07 December 2018

## **THE COUNCIL - THURSDAY, 13TH DECEMBER, 2018: SUPPLEMENTARY MINUTES AND REPORTS PACK**

I am pleased to enclose the Southend 2050 Five Year Road Map which will be taken in conjunction with Minute 508 of the Cabinet held on 4<sup>th</sup> December 2018 (Agenda Item 20 on the Council Agenda).

Also enclosed are the following minutes and report of the Strategic Director for Legal and Democratic Services.

### **Agenda Item No**

**20. Minutes of the meeting of Special Cabinet held on Tuesday, 4<sup>th</sup> December 2018 (Pages 1 – 24)**

Minutes attached

**21. Minutes of the meeting of Appeals Committee B held on Tuesday, 4<sup>th</sup> December 2018 (Pages 25 - 26)**

Minutes attached

**22. Minutes of the meeting of Health and Wellbeing Board held on Wednesday, 5<sup>th</sup> December 2018 (Pages 27 – 30)**

Minutes attached

**27. Changes to the Constitution (Pages 31 - 48)**

Report of the Strategic Director for Legal and Democratic Services attached

Robert Harris  
Principal Democratic Services Officer  
Legal & Democratic Services



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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 4th December, 2018  
Place: Committee Room 1 - Civic Suite

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**Present:** Councillor J Lamb (Chair)  
J Courtenay (Vice-Chair), T Cox, A Moring and L Salter

**In Attendance:** A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle,  
C Gamble, A Keating and T MacGregor, S Newman and R Sharp.

**Start/End Time:** 13.00/13.05

**506 Apologies for Absence**

Apologies for absence were received from Councillors Boyd and Flewitt.

**507 Declarations of Interest**

There were no declarations of interest at this meeting.

**508 Southend 2050 Ambition/Five Year Road Map**

The Cabinet considered a report of the Chief Executive presenting the revised Southend 2050 Ambition, Themes and Outcomes and Southend 2050 Five Year Road Map, following further feedback, including from Place, People and Policy & Resources Scrutiny Committees.

Recommended:

That the revised Southend 2050 Ambition, Themes & Outcomes and the Southend 2050 Five Year Road Map, as set out in Appendices A, B and C respectively, be adopted. ||

Reasons for decision:

To have in place an ambition for Southend 2050, Themes, Outcomes and a Five Year Road Map, for the future of the Borough.

Other options:

Not adopting the recommended approach would mean the Borough's vision would be very dated.

Note: This is a Council Function  
Cabinet Member: Cllr Lamb

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

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# Southend 2050 – Ambition, Themes & Outcomes and Five Year Road Map to 2023



## Our ambition

The year is 2050.

How does our borough, Southend-on-Sea, look and feel?

Inevitably the place has changed a lot since the early years of the century, but we've always kept sight of what makes Southend-on-Sea special. Prosperous and connected, but with a quality of life to match, Southend-on-Sea has led the way in how to grow a sustainable, inclusive city that has made the most of the life enhancing benefits of new technologies.

It all starts here - where we are known for our creativity, our cheek, our just-get-on-with-it independence and our welcoming sense of community. And so, whilst the growth of London and its transport network has made the capital feel closer than ever, we cherish our estuary identity - a seafront that still entertains and a coastline, from Shoebury garrison to the fishing village of Old Leigh, which always inspires. We believe it's our contrasts that give us our strength and ensures that Southend has a vibrant character of its own.

- **Pride and Joy:** People are proud of where they live – the historic buildings and well-designed new developments, the seafront and the open spaces. The city centre has generated jobs, homes and leisure opportunities, whilst the borough's focal centres all offer something different and distinctive. With its reputation for creativity and culture, as well as the draw of the seaside, Southend-on-Sea is a place that residents and visitors can enjoy in all seasons. Above all we continue to cherish our coastline as a place to come together, be well and enjoy life.
- **Safe and Well:** Public services, voluntary groups, strong community networks and smart technology combine to help people live long and healthy lives. Carefully planned homes and new developments have been designed to support mixed communities and personal independence, whilst access to the great outdoors keeps Southenders physically and mentally well. Effective, joined up enforcement ensures that people feel safe when they're out and high quality care is there for people when they need it.
- **Active and Involved:** Southend-on-Sea has grown, but our sense of togetherness has grown with it. That means there's a culture of serving the community, getting involved and making a difference, whether you're a native or a newcomer, young or old. This is a place where people know and support their neighbours, and where we all share responsibility for where we live. Southend in 2050 is a place that we're all building together – and that's what makes it work for everyone.

- **Opportunity and Prosperity:** Southend-on-Sea and its residents benefit from being close to London, but with so many options to build a career or grow a business locally, we're much more than a commuting town. Affordability and accessibility have made Southend-on-Sea popular with start-ups, giving us the edge in developing our tech and creative sectors, whilst helping to keep large, established employers investing in the borough. People here feel valued, nurtured and invested in. This means that they have a love of learning, a sense of curiosity and are ready for school, employment and the bright and varied life opportunities ahead of them.
- **Connected and Smart:** Southend-on-Sea is a leading digital city and an accessible place. It is easy to get to and get around, with easy parking for residents, visitors and businesses. Everyone can get out to enjoy the borough's thriving city centre, its neighbourhoods and its open spaces. Older people can be independent for longer. It is also easy to get further afield with quick journey times into the capital and elsewhere. Our airport has continued to thrive, opening up new business and leisure opportunities overseas – but it has done so in balance with the local environment.

**Southend-on-Sea - it all starts here.**

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## Our ambition

This ambition was developed following extensive conversations with those that live, work, visit, do business and study in Southend-on-Sea. These conversations asked people what they thought Southend-on-Sea should be like in 2050 and what steps are needed now, and in the coming years, to help achieve this. As a result, thousands of responses were provided through a range of methods including surveys, community events, partnership meetings, focus groups and social media. The feedback provides a rich source of information from which the ambition has been developed along with associated themes.

The ambition is grounded in the values of Southenders. It is bold, challenging, but achievable. It will, however, need all elements of our community to work together to make it a reality. We will also need our neighbouring boroughs, and central Government to play their part.

The ambition complements the Essex 2050 vision, [The Future of Essex](#) developed by Essex wide stakeholders and the emerging South Essex 'proposition', titled 'What sort of place are we making?' This is being developed by South Essex local authorities who are collectively looking to the future. Taking a longer view gives us the context to put the right building blocks in place to make our ambition a reality.



## Challenges and opportunities

There is so much that we love about Southend-on-Sea. The sea, the beach, being close to our family and friends, our parks and open spaces, and having easy access to public transport, London, and the airport are some of the things that many people value. We also heard about the things people don't like and which need more focus in the here and now. These include the quality of roads and pavements, crime and anti-social behaviour, parking and traffic congestion, the condition and future of the high street and the increase in homelessness, particularly in central Southend.

The borough faces major challenges. As our population increases, gets older, and birth rates rise, there will be greater demand for school places, homes, health and other public services. Our changing climate provides challenges to our valued coast. Our economy is also changing and we need a better skilled workforce to meet the needs of the future. This includes developments in robotics, artificial intelligence and technology. These have huge potential to enhance our lives by enabling independent living, ending the drudgery of many jobs and providing more leisure time. We also have significant and unacceptable inequalities across the borough, particularly relating to residents' health.

South Essex needs major investment in transport and infrastructure. The opening of Crossrail, operating from Shenfield, from December 2019, as well as a new Thames crossing (from the end of the 2020s) will help connectivity to Southend-on-Sea. Further into the future, a relief road to the north and east of the borough could ease congestion and provide economic opportunities.

The loss of Government grant funding for the Council will continue to put pressure on budgets and by 2020 the Council will receive no grant at all. However, with a spend of around £228m, and more financial independence, the ability to shape our future and meet local needs is in our hands. This will mean, increasingly, the Council will move towards enabling others to do more for themselves, rather than being a universal and direct provider of services for all.

We all want Southend-on-Sea to be a place that people love to live in, love to visit, love to work, do business and study. People told us they want to be part of the solution and to continue the conversations on how to achieve the ambition. We are on a journey, and this road map is just the beginning.

## Southend 2050 and the Five Year Road Map to 2023

The Southend 2050 programme is not about one single publication or statement. It is a mind-set – one that looks to translate the desires of local people and stakeholders into action, something that looks to the long term, but also at the action that is needed now and in the medium-term.

Southend 2050 is made-up of our ambition, associated themes and the outcomes we want to achieve. This Road Map, and all future delivery plans, strategies and policies will reflect this.

The Road Map outlines the Council's role in achieving the ambition and provides a high level guide for Councillors, staff, partners and others in aligning their capacity and resources to priorities. It will help in ensuring we are all working to achieve the same outcomes.

The Road Map also builds on our existing achievements and outlines what the Council wants to achieve in the coming five years. Our delivery plans will focus on achieving desired outcomes that reflect our ambition and focus on the next 12-18 months.

### Transforming Together

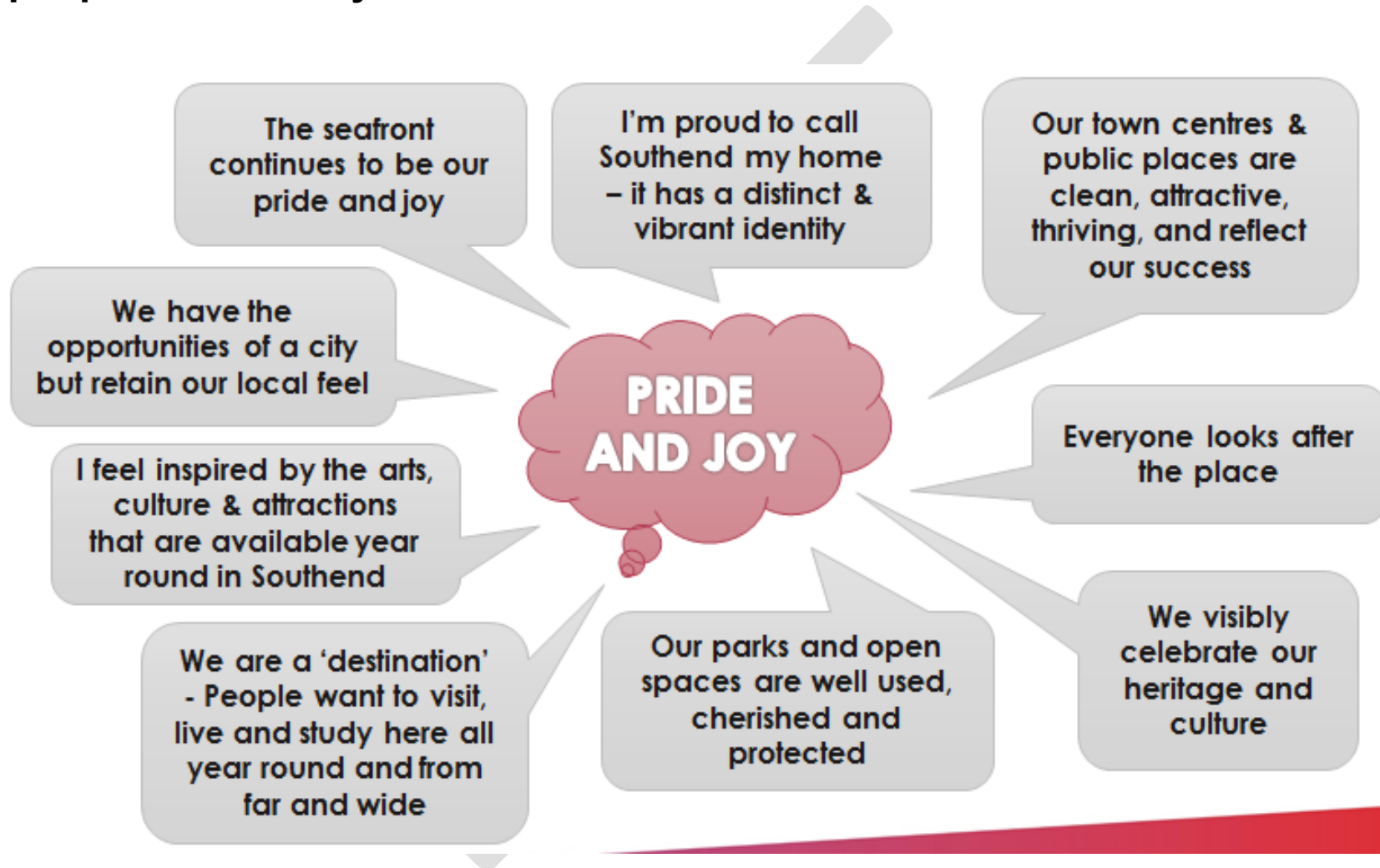
Political, economic and other uncertainties remain and we heard a lot about how quickly things change and how different the world will be by 2050. The Council will also need to change fundamentally to be able to take advantage of the opportunities and challenges ahead. This will mean a Council that is more agile, more efficient, more entrepreneurial and more engaged with residents and customers.

Work is underway to put in place the conditions staff have identified as being necessary to make us 'match fit' for the future. These conditions will form an overarching transformation programme for the organisation and includes the need for:

- A clear vision & delivery strategy
- Digital enablement to support the vision
- A trusted, empowered and engaged workforce
- An appetite to invest in people and outcomes and to accept risk
- Closer collaboration with staff, members, residents and partners
- Simple and effective governance
- An open mind-set that will drive forward transformation and change

Complementing this work, the Council will shift to longer-term outcome based budgeting to support the delivery of the 2050 Ambition and associated Themes.

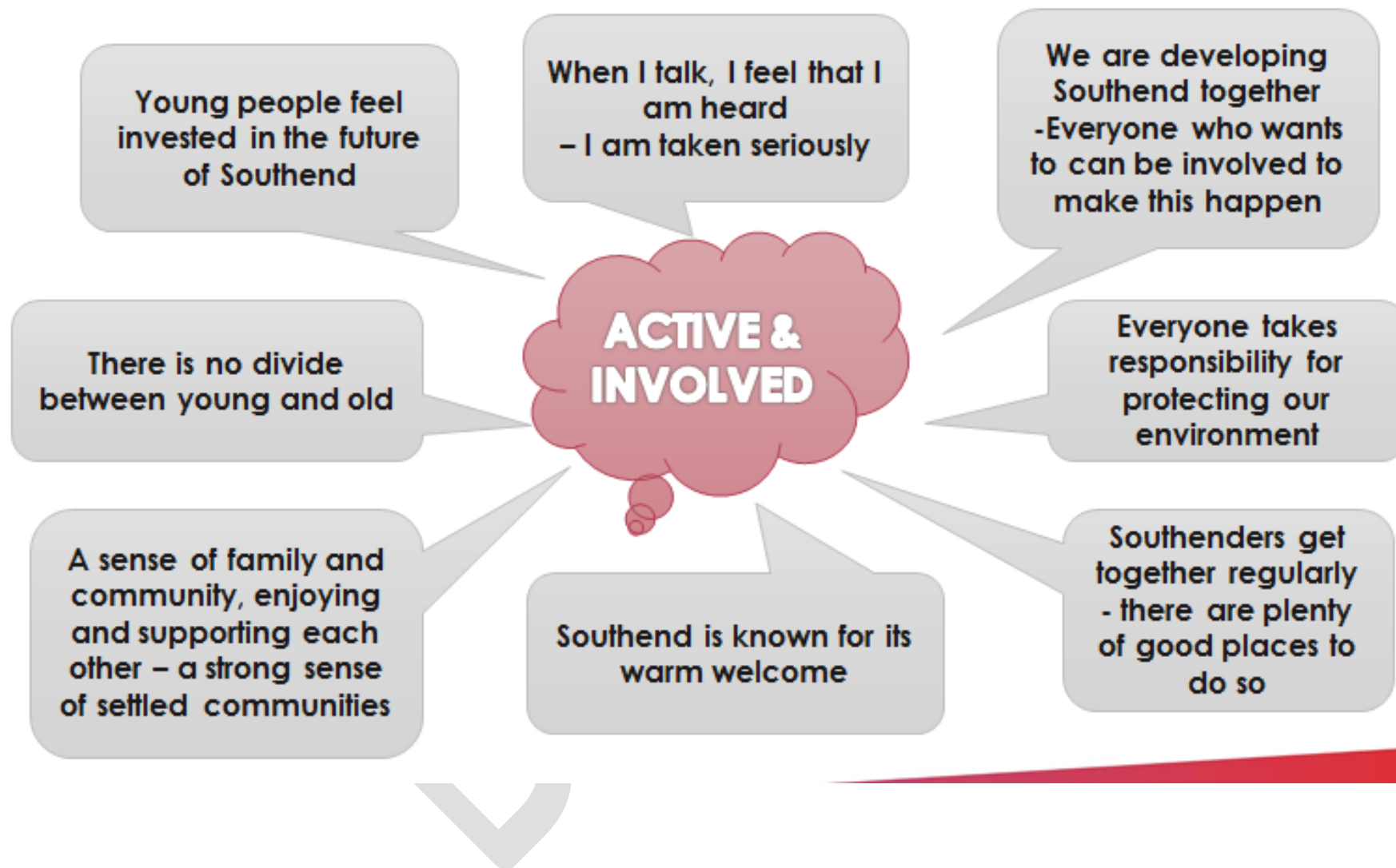
## What people told us they want for Southend-on-Sea's future



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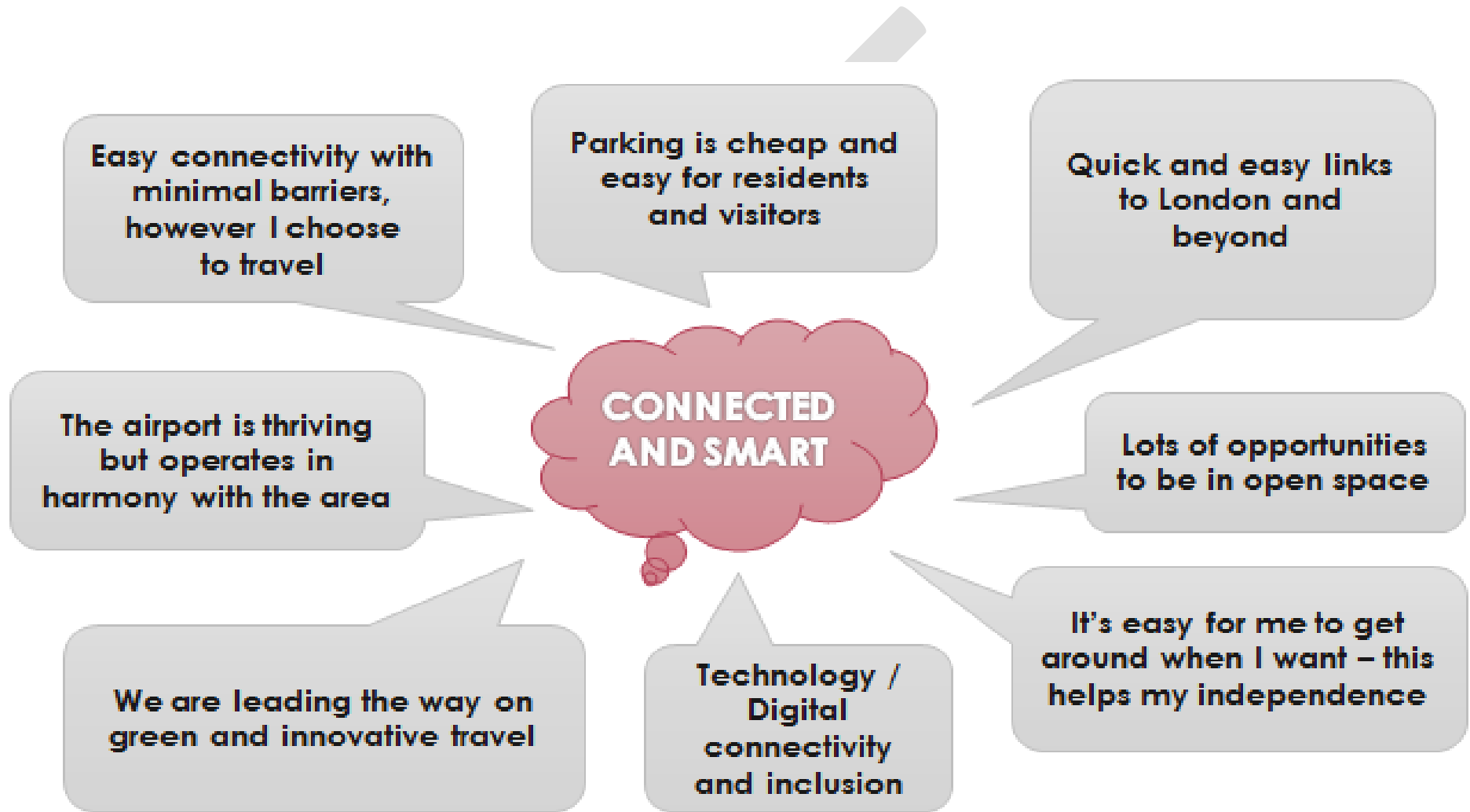


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## Our focus for the next five years - themes and outcomes:

### Theme 1: Pride and Joy

We already have much to be proud about, but there is so much more we can do together to make us even prouder.

With the ambition to become England's leading coastal tourist destination, we will work with local businesses and potential investors to develop and grow our tourism, cultural, creative and leisure offer. We will help to develop our visitor economy for the benefit of the whole borough. With our seven miles of coastline and the huge variety it offers visitors, Southend-on-Sea is becoming more than just a day-trip location. We must also continue to take advantage of our growing popularity as a 'staycation' destination.

People have repeatedly told us how much they value our **seafront** – the beaches, the water and the open spaces – both as a place for peace and for fun. This won't be taken for granted and so we will continue to invest and focus on this area to avoid erosion and further 'cliff slips', tackle growing flood risk and also encourage inward investment and seek external funding to ensure the seafront maintains its popularity and appeal with residents and visitors alike. Just as important to residents is the everyday street scene around them and we know that the cleanliness and state of repair of our streets and neighbourhoods serves as a highly visible indicator of our borough's overall state of health.

Over the next five years, our iconic, and ever popular **pier** will benefit from huge investment to sustain it for now and the future. This will include a redesigned pier entrance and new pavilion, housing a relocated pier museum. This development will provide a quality all-weather eating, drinking and cultural visitor experience, encouraging people to stay longer in our area.

Securing and enhancing our coastline is essential to ensure the safety and prosperity of the borough. Our investment programme will see improvements over the next five years to Shoebury and Leigh-on-Sea flood defences, complementing improvements at Two-Tree Island and followed by further enhancements over the long term through our Shoreline Strategy.

Other improvements at Shoebury Common North and new sun shelters at City Beach are just two developments that highlight our commitment to the entire seafront. Further work to help the port at Leigh-on-Sea remain accessible by all maritime users, including the fishing and cockling industries will also be considered.

We will continue to build on our reputation as a welcoming, vibrant and increasingly culturally diverse place. Our theatres, Metal Culture, The Forum and Focal Point gallery, along with our range of festivals across the year provide a rich foundation. Options for a



new museum, to house, among other things, the Saxon burial and 'The London' shipwreck finds will be developed. Investment in the former Beecroft Gallery to transform it into artists' studios will also be an important step in developing new exciting spaces to allow artists to flourish as part of our burgeoning cultural scene.

**By 2050 Southenders are fiercely proud of, and go out of their way, to champion what our city has to offer.**

Outcomes: In five years' time:

- There is a tangible sense of pride in the place and local people are actively, and knowledgeably, talking up Southend-on-Sea.
- The variety and quality of our outstanding cultural and leisure offer has increased and we have become the first choice English coastal destination for visitors.
- We have invested in protecting and nurturing our coastline, which continues to be our much loved and best used asset.
- Our streets and public spaces are clean and inviting.

## Theme 2: Safe and Well:

Southend-on-Sea should feel **safe** for all who live, work and visit here – across our streets, town centres and open spaces. The Council's decision to increase resources for community safety will help. However, the focus on tackling gangs, 'county line' drug networks, safeguarding of the vulnerable, child sexual exploitation, domestic abuse, and modern slavery will require us to work with our agency partners even more effectively. A key area of our focus will be our town centres. The Council will build on its excellent record of keeping young people at risk out of the criminal justice system. Technology will increasingly play its part in making people safer.

For people to **live well** the conditions they live in have to be right –their diet, home, air they breathe, mental well-being and level of activity. Our focus will be on the prevention of illness, through increased physical activity; reducing inequalities, through raising people's aspirations and opportunities and making long term change through increased personal responsibility and participation. The need for a revised approach to the provision of **mental health** services has also been highlighted in response to concerns that some residents may not be receiving the level of access to services they need. Promoting the Youth Council's Mental Health Charter for schools will help in this regard. We also believe that new, modern and fit for purpose health facilities, which provide acute services for the area and meet the changing and developing needs of our residents, are required

Overall demand for **housing and levels of homelessness** is increasing. Our new housing vision will address these issues by: prioritising the supply of a range of safe, locally affordable, housing options for sale and rent; creating inclusive healthy places to live

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and thrive; supporting people to live independently; encouraging good quality housing design management and maintenance and making homelessness brief and non-recurrent. Our approach will link closely to our aspirations as an emerging city, our ambitions for economic development, the creation of jobs, and workforce skills. We will continue to secure further funding to tackle rough sleeping specifically and our new housing company will look to increase the supply of housing for local people to buy and rent and new ways of improving conditions in the private rented sector.

We will ensure that **vulnerable children and adults** are safe and well looked after. This means working with families in a way that is responsive and gives them more power. We will roll out our programme to improve outcomes, promote resilience, reduce service duplication and enable staff. This will feature further developing our new approaches to work alongside clients, rather than making decisions about them (restorative practice), and working alongside communities to use and develop local assets to address local challenges (asset based community development).

In a world with ever increasing complex behaviour and health issues, the Council's own company, **Southend Care**, will continue to develop services, supporting people in our care homes, those with dementia, learning disabilities, autism and mental health issues, and look for opportunities to innovate and transform services. The new Priory, Delaware, Viking building and facilities will be a magnificent resource for those with care needs. Increased provision of accommodation for looked after children will be delivered locally to ensure they get the care and support they require to remain in their community.

The Better Start programme is investing £40m over ten years to improve the lives of Southend's very youngest residents. This means working with local people every step of the way to find out how to give every child who lives here the best possible start in life.

Southend-on-Sea is already one of the UK's 'Greenest' Cities (on the UK's Vitality Index). However, we want Southend-on-Sea to be a **Low Carbon City by 2020**, one that focuses on delivering low carbon growth, improving energy efficiency, providing a more sustainable future for our residents and businesses and one that protects and enhances our natural spaces, bio-diversity and habitats. This approach will help safeguard against rising energy costs and improve fuel security and air quality.

**By 2050 people in Southend-on-Sea feel safe in all aspects of their lives and are well enough to live fulfilling lives.**

Outcomes: In five years' time:

- People in all parts of the borough feel safe and secure at all times.
- Southenders are remaining well enough to enjoy fulfilling lives, throughout their lives.
- We are well on our way to ensuring that everyone has a home that meets their needs.

- We are all effective at protecting and improving the quality of life for the most vulnerable in our community.
- We act as a green city with outstanding examples of energy efficient and carbon neutral buildings, green open spaces, streets, transport and recycling.

### Theme 3: Active and Involved

Everything we want to achieve depends on the collective effort of local people and partners. The conversations started by the 2050 programme will continue, looking at what works best and adapting as circumstances change and new challenges and opportunities arise. We will harness the energy of those who care about wanting to make a positive difference and create the right conditions for that approach to flourish. We will involve the local community in designing and delivering services, and making decisions.

Volunteers already add much needed and vital capacity to many existing public services, such as libraries, museums, youth clubs, schools and support groups. We value the skills and experiences of our residents, working alongside those with the time and energy to make a real difference in their communities. Over the next five years we will help communities develop their asset and skills bases so that they become increasingly effective at finding new and creative ways of tackling local issues at grass roots. We will work in partnership, creating and strengthening long term, sustainable relationships so that communities feel equipped and empowered to do more for themselves.

Our well-established voluntary sector will be key in this relationship - harnessing their expertise and knowledge to support those who want to use their local insights and vitality to make a positive contribution. Through **hands-on activity** local initiatives will continue to support groups who want to enhance their local area and environment. This will grow and help create a greater sense of local pride and a cleaner, greener, more attractive place.

We will work hard to ensure that local people can live well in thriving communities with increasing integration of care services developed through a **locality approach** across south east Essex. Each **locality** will utilise local assets to support residents and patients whilst integrated primary, community and social care services work in multi-disciplinary teams. This approach will complement the intended reconfiguration of acute services across mid and south Essex.

The Council will promote more physical activity to improve people's health and happiness, with a particular focus on the large proportion of our population who undertake no physical activity at all. This will include looking to attract national sporting events, making walking and cycling easier and building physical activity into all areas of public life as much as possible.

**NOT COUNCIL POLICY UNTIL ADOPTED BY FULL COUNCIL, 13.12.18**

We will use our commissioning and procurement power to ensure we secure the best possible outcomes whilst delivering wider social, economic and environmental benefits to the community and ensuring value for money.

**By 2050 we have a thriving, active and involved community that feel invested in our city.**

Outcomes: In five years' time:

- Even more Southenders agree that people from different backgrounds are valued and get on well together.
- The benefits of community connection are evident as more people come together to help, support and spend time with each other.
- Public services are routinely designed - and sometimes delivered - with their users to best meet their needs.
- A range of initiatives help communities come together to enhance their neighbourhood and environment.
- More people have active lifestyles and there are significantly fewer people who do not engage in any physical activity.

## **Theme 4: Opportunity and Prosperity**

We aim that by 2023, the Southend economy will have addressed areas of economic underperformance to emerge as the leading economy in south Essex, with businesses and residents thriving. This will mean strengthening our identified Growth and Strategic sectors to increase average income and productivity, improve educational outcomes, improve business start-up and survival rates, and develop a more resilient, balanced and diverse economy that promotes growth.

The borough benefits from great **schools, colleges and a thriving university**. With nearly 9 out of 10 children currently in good or outstanding schools, we will prioritise our support on less successful schools and getting more local children into grammar schools.

However, those working in Southend-on-Sea currently have amongst the lowest average wages of urban areas in the country, while average house prices are amongst the highest in terms of affordability (with prices rising faster than elsewhere). The borough also has pockets of significant deprivation, with, for example, life expectancy varying by up to 10 years between the most and least affluent areas, resulting from a range of poorer social, economic and environmental conditions.

Our five year plans to help equip our people with skills for the future, including an improved education offer for adults will be an important part of breaking this cycle and producing an inclusive, efficient, and effective labour market, with clear and accessible career pathways. This will mean working with business and other partners to improve career advice and support and enhance more flexible

**NOT COUNCIL POLICY UNTIL ADOPTED BY FULL COUNCIL, 13.12.18**

skills provision, facilitate more workplace experience and link to the borough's major regeneration projects – all of which will help to reduce social isolation.

Over the next five years it is predicted there will be a significant increase in housing in the borough (with around 5,000 additional homes). To meet the projected increase in school places the Council will explore all alternative methods, including further expansion and an additional secondary school, as necessary, to meet our statutory requirements to provide a school place for every child.

Re-imagining **our High Street** will be a critical piece of work. This will need to address retail in a changing world, housing provision, community safety and securing town centre property. A second phase of development at the Forum will be progressed, creating a vibrant, lively environment, enhancing the town's educational and cultural quarter and providing a significant boost to enhancing the economic vibrancy of the town.

A new Southend **Local Plan** will provide a clear and long-term planning framework to manage future development in a way that is sustainable and seeks to meet local housing needs, improve job opportunities, improve health and well-being, improve transport provision and infrastructure, and protect and enhance the natural and built environment.

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Ambitious plans to transform the **Queensway** area will make significant progress. A new community of over 1,400 new homes will be created, providing better and new housing, improved connections to the high street and improved transport connectivity around the town.

The rejuvenation of **Victoria Avenue** as a key and vibrant gateway into our town centre will continue with derelict office blocks being turned into homes, cafes and shops.

**Airport Business Park Southend** will provide the nucleus for business growth, supporting key sectors such as aviation, medical technology and professional services, bringing up to 6,000 quality jobs to the area.

Plans to develop a year-round, all-weather leisure scheme including a cinema, restaurants, and a hotel at Seaway car park will be determined and appropriate planning consideration will be given to Southend United Football Club's plans to develop a new stadium, along with shops and homes at Fossetts Farm.

Work will also be undertaken to deliver the infrastructure led growth needed to deliver the south Essex Joint Strategic Plan, including business growth, additional housing and improved transport and green spaces.

**By 2050 Southend-on-Sea is a successful city and we share our prosperity amongst all of our people.**

Outcomes: In five years' time:

- The Local Plan is setting an exciting planning framework for the borough.
- We have a fast-evolving, re-imagined and thriving town centre, with an inviting mix of shops, homes, culture and leisure opportunities.
- Our children are school and life ready and our workforce is skilled and job ready.
- Key regeneration schemes, such as Queensway, seafront developments and the Airport Business Park are underway and bringing prosperity and job opportunities to the borough.
- Southend is a place that is renowned for its creative industries, where new businesses thrive and where established employers and others invest for the long term.

## **Theme 5: Connected and Smart**

We know that moving around Southend is not always easy. Popularity and growth means that our roads can become congested at peak times and our public transport is not as accessible and connected as it could be.

We will continue to make the case for external funding to make improvements to our existing roads. We will also work collectively to promote and encourage the use of sustainable transport, support the introduction and use of **smart technology** and prepare for the inevitable wider use of electric and ultra-low emission vehicles. Promoting an integrated transport system, with, for example, a single use travel card for trains and buses, a more holistic bus service, improved cycle facilities on and near other means of travel and better communication of travel options will be pursued.

Long term strategy and planning will be essential, and so we will look seriously at the potential for a relief road to the north and east of the borough to ease congestion. This will be done in conjunction with south Essex wide plans for new infrastructure across the region, including new homes, schools, businesses and health services.

More immediate priorities are being addressed through our 10-year programme of **highways improvements**, which include recent and ongoing improvements to the A127 which have increased capacity and traffic flow and have helped to enable developments like Airport Business Park Southend.

**NOT COUNCIL POLICY UNTIL ADOPTED BY FULL COUNCIL, 13.12.18**

Our approach to parking and access to the town will support tourism, retail and leisure as well as business and residents. It aims to meet needs through a modern parking management system that harnesses smart technology, uses competitive pricing, reduces 'traffic cruising' and improves air quality.

We will continue to support the success of London Southend Airport, whilst being sensitive to the impact it has on local residents. Its success is a key component of welcoming people from around Europe and a key driver of our plans to develop a high quality business park, including an Innovation Centre.

There is compelling evidence that air pollution is a significant contributor to preventable ill health and early death. Our three year action plan, which has a focus on transport to improve traffic flow, walking, cycling, electric vehicles, trains and improved passenger transport will be crucial to **improving health** locally.

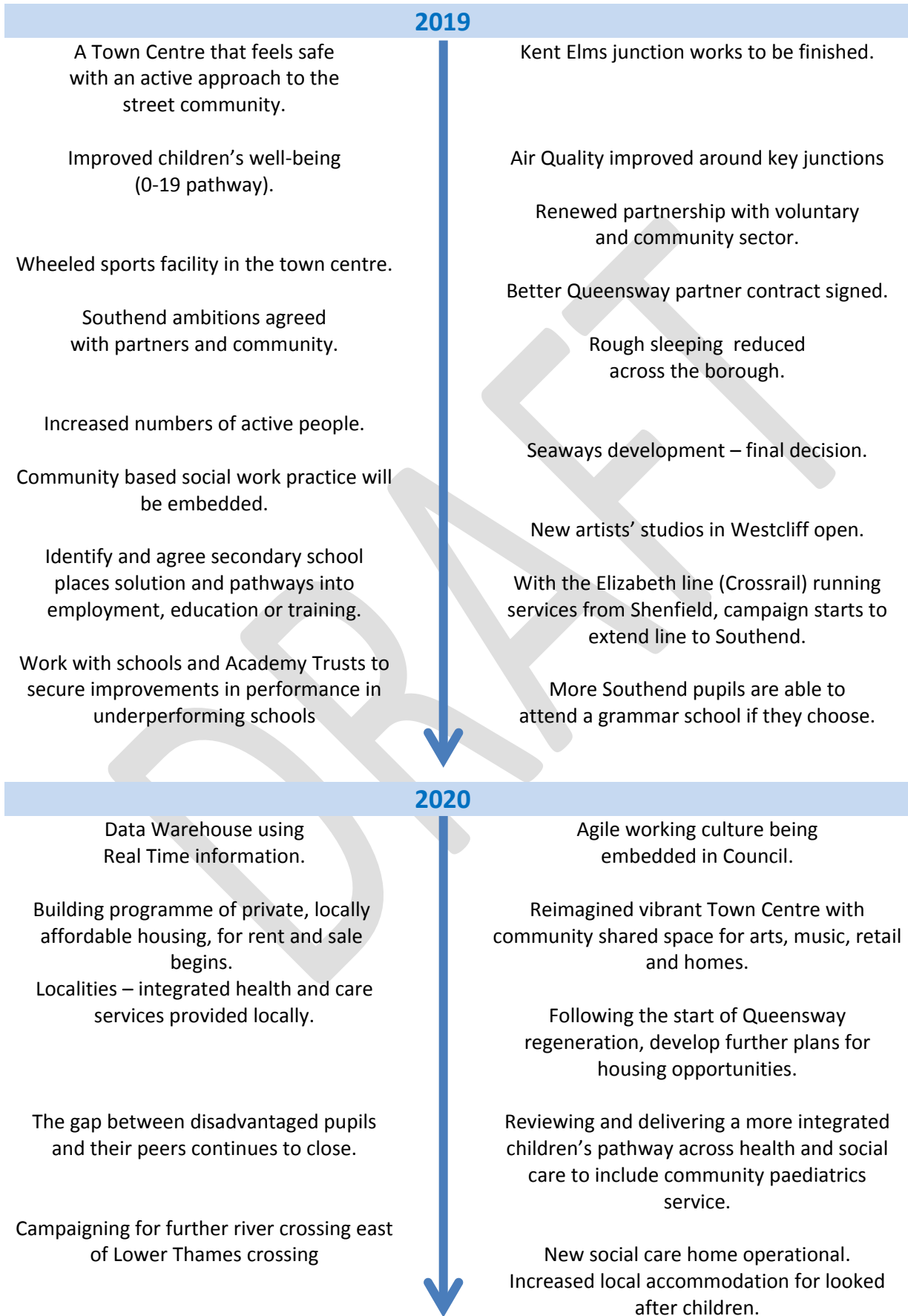
We will become a leading digital city, with private sector investment providing full fibre enablement, superfast broadband and free public Wi-Fi, benefiting business and residents. An enhanced and integrated operations centre will enable us and others to better engage with our community, providing smarter ways of meeting needs, for all, in relation to safety, traffic flow, parking, waste/recycling, air quality, retail offers and leisure opportunities. As well as access, we will support our people in having the right skills, confidence and motivation to use digital technology, while meeting the needs of those who are unable to do so.

**By 2050 people can easily get in, out and around our borough and we have a world class digital infrastructure.**

Outcomes: In five years' time:

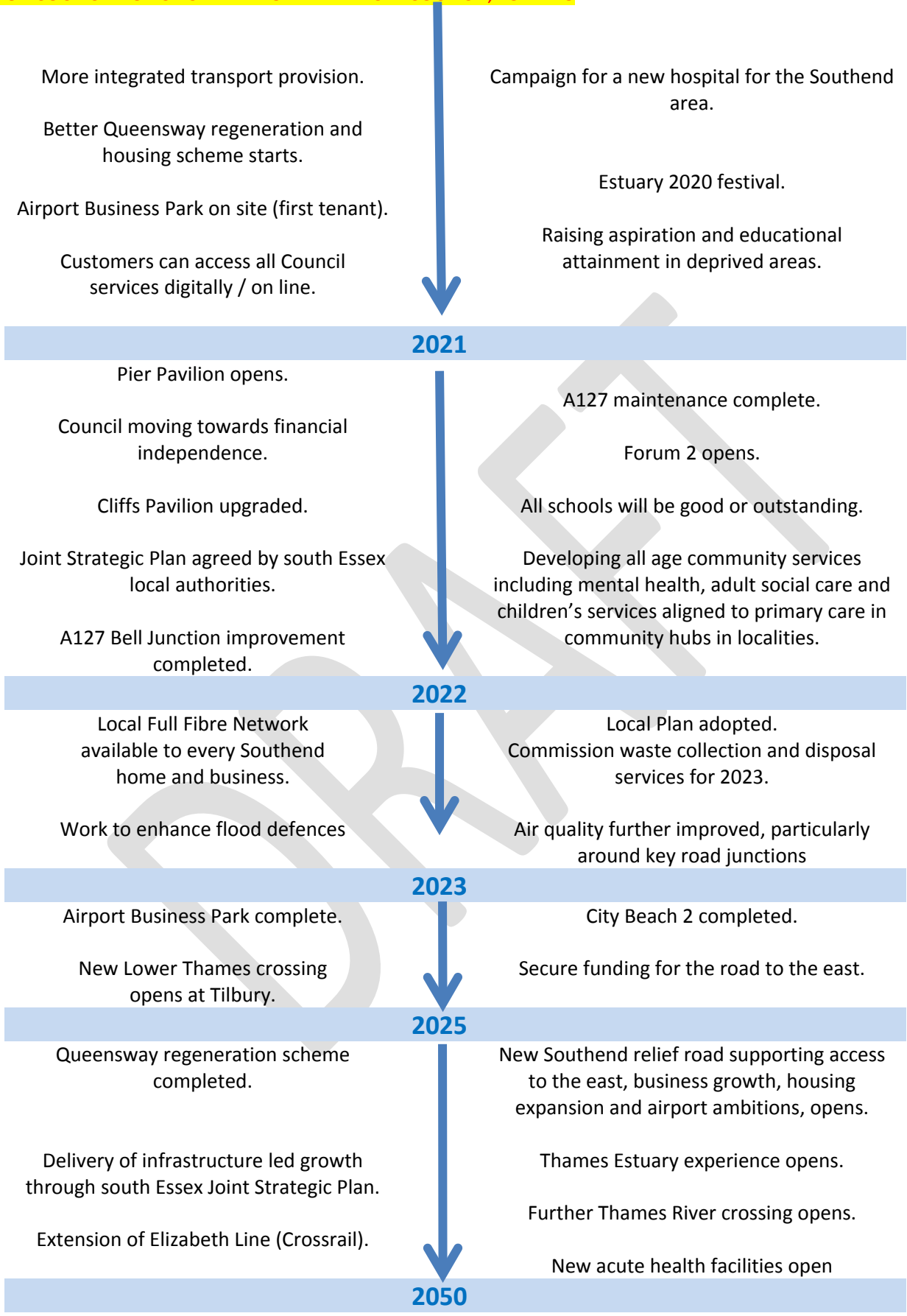
- It is easier for residents, visitors and people who work here to get in and around the borough.
- People have a wide choice of transport options.
- We are leading the way in making public and private travel smart, clean and green.
- Southend is a leading digital city with world class infrastructure, that enables the whole population.

## Southend-on-Sea Five Year Roadmap timeline





**NOT COUNCIL POLICY UNTIL ADOPTED BY FULL COUNCIL, 13.12.18**



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**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Appeals Committee B**

**Date: Tuesday, 4th December, 2018**  
**Place: Committee Room 6 - Civic Suite**

**21**

**Present:** Councillor D Burzotta (Vice-Chair in the Chair)  
Councillor N Folkard (Vice-Chair for the meeting), \*B Arscott, T Harp,  
C Nevin and D McGlone.

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** R Harris

**Start/End Time:** 6.00 - 6.25 pm

**509 Apologies for Absence**

Apologies for absence were received from Councillors Bright (no substitute) and J Garston (substitute: Cllr Arscott).

**510 Declarations of Interest**

There were no declarations of interest at this meeting.

**511 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.

**512 Education Transport Appeal**

The Committee considered a report of the Deputy Chief Executive (People), together with supporting correspondence from the parent of pupil GB, in connection with an application for home to school transport assistance.

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

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

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**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Health & Wellbeing Board**

**Date: Wednesday, 5th December, 2018**

**Place: Darwin Room - Tickfield**

**22**

**Present:** Councillor L Salter (Chair)  
Dr J Garcia-Lobera (Deputy Chair),  
Councillors \*A Chalk, F Evans and \*A Moring  
Ms C Gritzner (SCCG) , Mr S Leftley (SBC), , Ms J Broadbent , Ms M Longley (SAVS), Mr J Banks (ABSS), Mr K Ramkhelawon (SBC), Mr N Rothnie (SUFHT – non-voting) and Mr S Dolling (SBC – non-voting),

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Mr R Harris and Mr S Ford (Minute 517 only).

**Start/End Time:** 5.00 - 5.45 pm

**513 Apologies for Absence**

Apologies for absence were received from Councillors Lamb (substitute: Cllr Moring), Willis (no substitute), Woodley (substitute: Cllr Chalk), Councillor Davidson (no substitute).

Apologies were also received from A. Griffin, Y. Blucher, A. Khaldi, C. Jackson, C. Paniker, J. Gardner, A. Pike, K. Jackson, S. Morris, and Dr Chaturvedi.

**514 Declarations of Interest**

The following declarations of interest were made at the meeting:-

(a) Councillor Salter – Minute 520 – SBC STP Referral Letter – husband is Consultant Surgeon at Southend Hospital; daughter is a doctor at Basildon Hospital and son-in-law is a GP in the Borough;

(b) N. Rothnie - Minute 520 – SBC STP Referral Letter – wife is a GP;

(c) C. Gritzer – Minute 520 – SBC STP Referral Letter – daughter works at Basildon Hospital.

**515 Questions from Members of the Public**

There were no public questions.

**516 Minutes of the Meeting held on Wednesday 19th September 2018**

Resolved:-

That the Minutes of the Meeting held on Wednesday 19<sup>th</sup> September 2018, be confirmed as a correct record and signed.

## **517 Violence and Vulnerability Update**

The Board considered a report from the Group Manager for community safety and crime reduction which provided a six month progress report on how the Council and its partners are organising and resourcing local services to tackle serious violence and exploitation in the Borough.

The Group Manager highlighted a range of awareness raising public campaigns, school based programmes and training. Reference was also made to the development of a network of CE Champions across the Council and the wider partnership.

The Board asked a number of questions which were responded to by the officers.

The Board commended the progress made in the last six months and recognised that there was still a significant amount of work to do.

Resolved:

That the six month progress report on violence and vulnerability be noted.

## **518 A Better Start Update**

The Board considered a report of the Director, A Better Start Southend, which provided an update from the Chair of ABSS on key developments since the last meeting of the Health & Wellbeing Board.

The Board asked a number of questions which were responded to by the Director, ABSS.

Resolved:

1. That the report be noted and Board members raise any issues or opportunities with the Chair of the ABSS.
2. That the ABSS present a further update to the Health and Wellbeing Board in March 2019.
3. That the training '*Strategic Approaches to Father Inclusive Practice*' on 15<sup>th</sup> January 2019 and the ABSS Conference '*Who's the Expert? Innovation in Co-production and Service Design*' on 11<sup>th</sup> April 2019, be noted.

## **519 Locality Strategy**

The Board considered a report of the Integration Programme Manager which provided a briefing and update on the development of a Locality Strategy – Living Well in Thriving Communities, Appendix A, for health and care in Southend-on-Sea.

Resolved:

1. That it be noted that the Locality Strategy has been endorsed by the South East Essex Partnership Group (the Partnership).
2. That the Locality Strategy developed across South East Essex (SEE), be endorsed.
3. That the Locality Strategy be submitted to the relevant organisations governance, as appropriate.

**520 Southend-on-Sea Borough Council STP Referral Letter**

The Board received Southend Borough Council's referral letter to the Secretary of State for Health and Social Care regarding the Mid and South Essex Sustainability and Transformation Partnership (STP) – your care in the best place public consultation by the Mid and South Essex Clinical Commissioning Group's Joint Committee.

The Board noted that Thurrock Council was also giving consideration to making a referral to the Secretary of State regarding the STP. The Board was advised that if Thurrock Council did refer the matter both referrals would be taken together and all 19 recommendations in the STP would be examined by the Secretary of State, which could be a lengthy process.

The Board was also informed that the CCG Joint Committee response would be circulated to all Board members for information.

Resolved:

That SBC's referral letter to the Secretary of State for Health and Social Care regarding the STP, be noted.

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

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# Southend-on-Sea Borough Council

Agenda  
Item No.

27

Report of Strategic Director (Legal and Democratic  
Services)

to  
Council

on

13 December 2018

Report prepared by: John Williams  
Strategic Director (Legal & Democratic Services)

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## Changes to the Constitution

### Part 1 - Public Agenda Item

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#### 1. Purpose of Report

For the Council to agree minor changes to the Constitution which have been discussed in advance with the Group Leaders.

#### 2. Recommendations

- 2.1 That amendments be made to Council Functions as set out in Appendix 1 and that paragraph 4 of Article 4 in Part 2 of the Constitution be amended accordingly.
- 2.2 That amendments be made to the terms of reference of the Audit Committee, the Senior Managers Pay Panel and the Shareholder Board as set out in Appendix 2 and that Part 3 Schedule 2 of the Constitution be amended accordingly.
- 2.3 That amendments be made to Delegations to Officers in respect of Council management companies, RIPA and Regulatory Services as set out in Appendix 3 and that Part 3 Schedule 3 of the Constitution be amended accordingly.
- 2.4 That amendments be made to Standing Order 19.2 (Opposition Business) and Standing Order 37 (Attendance at Working Parties, Panels & Forums) as set out in Appendix 4 and that Part 4(a) of the Constitution be amended accordingly.
- 2.5 That a minor amendment be made to paragraph 6.2 of the Members' Code of Conduct as set out in Appendix 5 and that Part 5(a) of the Constitution be amended accordingly.
- 2.6 That throughout the Constitution the following terms shall be used: "councillor", "Cabinet Member" and "the Chief Executive" and the variations which currently exist will be amended accordingly.

### 3. Background

- 3.1 Minor amendments are required to the functions of the full Council to reflect legislative change and titles of documents in the Council's Policy Framework. The proposed changes to paragraph 4 of Article 4 of Part 2 of the Constitution are set out in **Appendix 1**.
- 3.2 Amendments are being recommended to the terms of reference of the following bodies in Part 3 Schedule 2 of the Constitution as set out in **Appendix 2**:
- a) Audit Committee – Three minor changes recommended by the Head of Internal Audit.
  - b) The Senior Managers Pay Panel – minor change to membership recommended by the Strategic Director (Transformation).
  - c) Shareholder Board – minor change to membership details.
- 3.3 Amendments are being recommended to the Delegations to Officers in Part 3 Schedule 3 of the Constitution as set out in **Appendix 3**:
- a) Minor alterations to delegations to the Strategic Director of Finance & Resources and the Head of Corporate Property & Asset Management to ensure the smooth running of estate management functions, for example in connection with the Council's management company for the Airport Business Park.
  - b) Minor changes to Special Scheme of Delegation re RIPA to reflect current management structures.
  - c) Minor changes to Special Scheme of Delegation re regulatory services to reflect current management structures.
- 3.4 Two amendments are being recommended to Standing Orders in Part 4(a) of the Constitution as set out in **Appendix 4**:
- a) Opposition Business – minor change to S.O. 19.2 requiring details of the motion to be moved (at the end of the debate) to be submitted at least 24 hours before the Council meeting.  
  
This makes the procedure work much more efficiently and in any event has been the practice adopted by Political Groups using Opposition Business. Also, it removes a problem around the recently introduced closure arrangements in S.O. 1.7 which assumes a motion is on the table.
  - b) Councillor attendance at Working Parties, Panels & Forums – more comprehensive explanation of the situation to be added to S.O. 37.
- 3.5 A very small change is being recommended to paragraph 6.2 of the Members' Code of Conduct in Part 5(a) of the Constitution to make the wording clear, as set out in **Appendix 5**.

3.6 The terms “councillor“ and “Member” are used throughout the Constitution. It is proposed that “councillor “ only is used, as this term is more readily understood by the public.

Similarly for consistency, it is proposed that the term “Cabinet Member “ will be used rather than “Executive Councillor” or “Portfolio holder”.

Finally, it is proposed that the Head of Paid Service will be referred to consistently as “the Chief Executive”.

#### **4. Background Papers**

None

#### **5. Appendices**

**Appendix 1** - Proposed amendments to paragraph 4 of Article 4 in Part 2 of the Constitution

**Appendix 2** - Proposed amendments to Part 3 Schedule 2 of the Constitution

**Appendix 3** - Proposed amendments to Part 3 Schedule 3 of the Constitution

**Appendix 4** - Proposed amendments to Part 4(a) of the Constitution

**Appendix 5** - Proposed amendments to Part 5(a) of the Constitution

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## Article 4 – The Full Council

### 4.01 The Role of the Council

- To act as a forum where all Members can meet on a regular basis to discuss and debate issues of importance to the Borough.
- To decide the Council's Policy Framework and Budget.
- To be responsible for regulatory, audit and other non-executive functions.
- To carry out the Local Choice functions in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).
- To hold the Executive to account.

### 4.02 Functions of the Council and Terms of Reference

#### (1) Council Policy Framework

To approve and adopt the following plans and strategies which together make up the Council's Policy Framework:

- (a) Those required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended (and any further or amendment regulations which may be made from time to time under s.13 of the 2000 Act) to be adopted by the Council:

- ~~Performance Plan~~
- Children & Young People's Plan (~~being a shared responsibility with the Executive~~)
- Sustainable Community Strategy
- ~~Sustainability Plan~~
- Crime and Disorder Reduction Strategy
- Local Transport Plan
- Plans and strategies which together comprise the Development Plan and the Statement of Community Involvement
- Youth Justice Plan
- Licensing Authority Policy Statement (Licensing Act 2003 and Gambling Act 2005)
- Pay Policy Statement

- (b) The following plans and strategies which the Council has adopted as part of the Policy Framework:

- Southend 2050 Ambitions, Themes & Outcomes and Five Year Road Map
- ~~Council's Corporate Plan & Annual Report~~
- The Official Feed and Food Controls Service Plan
- ~~The plan and strategy which comprise the Housing Investment Programme~~
- Corporate Support, Finance and Information Technology Policies which have major financial or organisational implications
- Highways Maintenance Plan-Infrastructure Asset Management Plan
- ~~Licensing Authority Policy Statement (Gambling Act 2005)~~
- ~~The Joint Health and Wellbeing Strategy~~

- (c) Any plan or strategy required by law to be sent to a Minister of the Crown for approval.

## 8. Audit Committee

### 8.1 Membership

9 Members of the Council (to include not more than one Executive Councillor, who should not be the Leader) and one non-voting co-opted member.

At least 1 member should have financial expertise.

The Chairman shall not be an Executive Councillor.

Substitutes: Permitted in accordance with Standing Order 31  
Proportionality: Applies

### 8.2 Quorum

As per Standing Order 38.1

### 8.3 Terms of Reference

**8.3.1** The Audit Committee is a key component of the Council's corporate governance arrangements. It provides an independent and high-level focus on audit, assurance and reporting arrangements that underpin good governance and financial standards.

**8.3.2** The purpose of the Audit Committee is to:

- provide independent assurance of the adequacy of the risk management framework and the internal control environment;
- provide independent review of its governance, risk management and control frameworks;
- oversee the financial reporting and annual governance processes; and
- oversee internal audit and external audit, helping to ensure effective relationships exist and efficient and effective assurance arrangements are in place.

**8.3.3** In order to be able to discharge its statutory responsibilities, its remit will cover:

- The Council's assurance statements, including the Annual Governance Statement, so it can satisfy itself that they:
  - properly reflect the risk and internal control environment and any actions required to improve it; and
  - demonstrate how governance supports the achievements of the Council's objectives. X
- The Council's internal audit function, with regards to its:
  - independence, objectivity, performance, professionalism and effectiveness;
  - use within the Council's overall assurance framework.
- The Council's risk management arrangements and control environment so it can:
  - consider its effectiveness;
  - review the organisation's risk profile and assurances provided that action is being taken on risk related issues, including those involving partnerships with other organisations. X
- The Council's control environment, so it can evaluate its effectiveness, particularly with regard to ensuring:
  - the effective exercise of the Council's functions;
  - value for money is delivered;
  - the exposure to the risks of fraud and corruption are managed. X
- reports and recommendations made by external audit and inspection agencies and their implications for governance, risk management or control;
- the financial statements, external auditor's opinion and reports to Members and responses by management to issues raised by external audit;

- treasury management, so it can effectively scrutinise and monitor delivery of the strategy and policies in accordance with the CIPFA Treasury Management Code of Practice; and
- the functions and effectiveness of the Audit Committee, including the production of its annual report.

**8.3.4** The Committee will meet four times per year, with dates included in the Council Calendar. Further meetings can be arranged on an ad hoc basis as the Audit Committee deems appropriate.

**8.3.5** The Director of Finance & Resources (S151 Officer), the Head of Internal Audit and the Council's External Auditors will be invited to attend every Audit Committee meeting. As well as reviewing documentation, the Audit Committee exercise the right to invite any other officers, Chairmen of other Committees or Cabinet Members to attend before it, as and when required. This would be to provide assurance in relation to the adequacy of the governance arrangements, risk management and control frameworks pertaining to their area of activity / responsibility.

It is the duty of those persons to attend if so required.

Where any member or officer is required to attend the Audit Committee under this provision, maximum notice will be given.

Where in exceptional circumstances, the Member or officer is unable to attend on the required date; an alternative date will be agreed with the Chairman.

#### **8.4 Status of Meetings**

Open to the public

#### **8.5 Reports To**

Council

#### 4.2.3 Terms of Reference

- (a) To act as a vehicle for improved liaison between the Council and private sector business, town centre and tourism interests.
- (b) To act as a mechanism for the exchange of ideas between the Council, local business and relevant organisations with the aim of enhancing the economic success and viability of the Borough, including the town centre and facilities for visitors and residents.
- (c) To make recommendations on future improvements which may be provided within the constraints of the Council's budgetary provision or which may be provided by the private sector.
- (d) To consider reports on principles and key ideas for development of the Borough's Economic Development Statement.

#### 4.2.4 Status of Meetings

Private

#### 4.2.5 Reports to

The Cabinet

#### 4.2.5 Reports

The Cabinet

### 4.3 The Senior Managers' Pay Panel

#### 4.3.1 Membership

- Leader (Chairman)
- Deputy Leader
- 1 Other Cabinet Member
- The Leaders of the 2 largest Opposition Groups
- \* ~~A person independent of the Council~~

(Advisor – Chief Executive & ~~Town Clerk~~, save that in the case of his her own PRP it will be a an independent SOLACE consultant- or other independent advisor as agreed with the Chief Executive.)

Substitutes: Permitted in accordance with Standing Order 31  
Proportionality: Does not apply

#### 4.3.2 Quorum

3

#### 4.3.3 Terms of Reference

- To consider and moderate objectives set for the Senior Managers subject to PRP (the Chief Executive & ~~Town Clerk~~, Deputy Chief Executives and Directors).
- To consider recommendations from end of year reviews and agree pay awards within the parameters of the Council's Senior Managers' Pay Scheme.

#### 4.3.4 Status of Meeting

Private

#### 4.3.5 Reports to

The Cabinet



Appendix 4

- (d) Local development issues and pressures
- (e) Other planning issues, such as design, sustainability and the procedures for dealing with applications BUT NOT any proposed or existing planning applications.

#### 4.5.4 Status of Meetings

Private

#### 4.5.5 Reports to

The Cabinet

### 4.6 Shareholder Board

#### 4.6.1 Membership

8 Members including the Leader, Deputy Leader ~~Executive Councillor for Corporate and Community Support Services and one other Executive Councillor~~ and two Cabinet Members, but Note: No Councillor who sits on the board of a Council Company can attend a shall be a member of the Shareholder Board meeting considering that Company.

X

The Chairman shall be the Leader or such other Executive Councillor as the Leader shall appoint

Substitutes: Permitted in accordance with Standing Order 31

Proportionality: By convention proportionality shall apply.

#### 4.6.2 Quorum

3

#### 4.6.3 Terms of Reference

- a) To provide an effective means of governance of Council Companies and to oversee the activities of such Council Companies.
- b) To represent the Council's interests as shareholder and to communicate the Council's views to the Council Companies.
- c) To Safeguard the Council from excessive risk taking or poor performance by the Council Companies.
- d) To provide assurance that the Council Companies are following the strategic direction and objectives which have been agreed and is delivering its service and financial performance.
- e) To make recommendations to Cabinet as to any action which needs to be taken as corporate shareholder of the Council Companies.

#### 4.6.4 Status of Meetings

Open to the public – save in respect of Part 2 Business

#### 4.6.5 Reports to

Cabinet

### 4.3 The Chief Executive and / or Director of Transformation

- To make, revoke or amend Human Resources Policies, in consultation with the Chief Executive & Town Clerk and after consultation with the Trade Unions if appropriate, save that where the Chief Executive & Town Clerk determines that the issues involved are significant (including but not limited to changes to disciplinary and grievance procedures), then the decision shall be for Cabinet.
- To agree gradings of new posts with the appropriate Chief Officer.
- To deal with Council communications and press releases.
- To determine applications for in-year grants in accordance with the agreed criteria, following consultation with the members of the Grants Strategy Working Party.
- To pay salaries, wages, performance related pay, honoraria and other gratuities (the Director of Finance & Resources also has this delegated power).
- To deal with organisational transformation, save that strategic decisions shall be a matter for Cabinet.
- To deal with all matters relating to the Customer Service Centre.
- To discharge the Council's functions (including but not limited to determining all consents, permissions and licences and taking enforcement action) in relation to:
  - Cemeteries and crematoria
  - The Registration of Births, Deaths and Marriages, and civil ceremonies, including premises for Civil marriages
  - Transport services
- See also section 5.2 for Special Scheme of Delegation for Cemeteries and Crematorium

### 4.4 The Chief Executive and / or the Director of Finance & Resources

- To take all steps that are considered appropriate for the administration of the financial affairs of the Council including:
  - To pay salaries, wages, performance related pay, honoraria and other gratuities. (The Director of Transformation also has this delegated power.)
  - To borrow and invest.
  - To trade in Landfill allowances.
  - To deal with all insurance matters, including the settlement of insurance claims.
  - To deal with all pension matters including the making of pension determinations.
  - To determine fraud and corruption policies.
- To deal with all Revenues and Benefits matters including:
  - To deal with all matters and to exercise all discretions relating to the determination, administration and collection of non-domestic rates and Council Tax which are not reserved to a Member Body.
  - To take legal proceedings for the recovery of General Rate arrears, Non Domestic Rate arrears, Community Charge arrears, Community Charge penalties and Council Tax arrears, and all other outstanding debts.
  - To authorise officers to represent the Council in such proceedings and in all other proceedings connected with local tax recovery.
  - To discharge the Council's functions relating to Council Tax and Housing Benefit, including measures to combat fraud.
- The Director of Finance & Resources shall exercise the functions of the S.151 Chief Finance Officer as set out in Article 12 of **Part 2** of the Constitution (Note: This role cannot be discharged by the Chief Executive unless he is a qualified accountant)
- To carry out the following Estate Management functions in relation to Council land or property assets including those assets held by the Council as trustee:

- To deal with all Estate Management functions including but not limited to settling the terms of any lease renewals, rent reviews, surrender and renewals, lease extensions, supplemental leases, lease re-gearing opportunities, landlord's consents, access agreements, dilapidations, charges, variations and the service of notices, commissioning surveys, forfeiture and enforcement action.
- To settle the terms of any new leases, or supplemental leases with an annual rent up to and including £75,000 p.a.
- To deal with disposals, including easements or other interests in land for best consideration with a capital value or consideration up to and including £250,000.
- To deal with acquisitions on value for money terms with a capital value or consideration up to and including £250,000.
- To deal with any disposals at under-value where the element of undervalue has a premium value or consideration of less than £100,000.
- To deal with any lettings at under value where the term does not exceed 7 years or the element of under value on the rent is less than £25,000 p.a.
- To consider objections and in the case of there being less than 5 non-substantive objections, to authorise the disposal of open space in accordance with the process set out in the Corporate Asset Management Strategy.
- To manage office accommodation in the Civic Centre
- The authority to set up, oversee vary and terminate estate management arrangements as required, including where necessary establishing management companies and to deal with the administration and authorisation of company arrangements for these and the distribution of shares as required



**Note:** Reference to leases includes licences, tenancies at will and any other occupational agreements.

- See also Section 5.3 and 5.10 for Special Schemes of Delegation for Estate Management Services and Assets of Community Value respectively.

#### **4.5 The Deputy Chief Executive (People) and / or, the Director of Children's Services**

- To act as the Director of Children's Services appointed under the Children Act 2004: To discharge all responsibilities and duties relating to children conferred under that Act or previously discharged by the Director of Social Services and to discharge all the functions of the Council as a Children's Services Authority except for:
  - Approval of statutory plans for any aspect of children's services.
  - Establishment and review of the statutory complaints procedure under S23A-S23B of the Children Act 1989.
- See also Section 5.8 for Special Scheme of Delegation for Children Statutory Social Services Complaints.

#### **4.6 The Deputy Chief Executive (People) and / or the Director of Learning**

- To discharge the Council's functions relating to education and learning (including those previously discharged by the statutory Chief Education Officer) except for:-
  - Approval of the financial scheme of delegation and Local Management of Schools formula.
  - Statutory notices and prior consultation relating to school closures.
  - Fixing school term and holiday dates

## 5. Special Schemes of Delegation

### 5.1 Regulation of Investigatory Powers Act 2000

- 5.1.1 All Chief Officers and the following Group Managers in the Department for Place (Regulatory Services, Waste & Environmental Care and Partnership Manager, Community Safety) are Authorising Officers for directed surveillance or CHIS activity under the Regulation of Investigatory Powers Act 2000 provided they have received appropriate training and comply with the Council's RIPA Policies & Procedures.
- 5.1.2 Any Council Officer who has received appropriate training may carry out directed surveillance authorised under 5.1.1. Such Officer shall be known as an "Investigating Officer" and must comply with the Council's RIPA Policies and Procedures.
- 5.1.3 All Chief Officers, the Group Manager Regulatory Services (Place) and the Assistant Director for Crime, Fraud & Investigation (Finance & Resources) ~~Group Manager Investigations (Chief Executive Department)~~ shall each act as Designated Person to submit applications to the National Anti-Fraud Network (NAFN) and to the Magistrates Court for Communications Data, provided they have received appropriate training and comply with the Council's RIPA Policies & Procedures.

### 5.2 Cemeteries & Crematorium

The Bereavement Services Group Manager is authorised to enforce and execute the duties and functions of the Council in respect of the following:

- (i) To grant exclusive rights of burial and rights to erect monuments and memorials.
- (ii) To enter into undertakings for the maintenance of graves.
- (iii) In appropriate circumstances, to arrange funerals at the Council's expense in accordance with Section 46 of the Public Health (Control of Disease) Act 1984.

Under the direction of the Bereavement Services Group Manager; the Crematorium Manager; Office Manager and Administration Officer are appointed to authorise cremations under the Cremation Act 1902, the Cremation Regulations 1930-1979 and the Cremation (Amendment) Regulations 1988.

### 5.3 Estate Management Service

The ~~Head of Group Manager (Corporate Property & Asset Management)~~ may exercise all the powers of the Chief Executive and Strategic Director of Finance & Resources in respect of Estate Management Services as defined in 4.4 above subject to the limits set out in the Financial Procedure Rules.

### 5.4 Private Sector Housing

The following Officers may serve notices and take appropriate action (including but not limited to works in default) under Private Sector Housing legislation within their area of responsibility, subject to being authorised in that regard by their Chief Officer pursuant to 3.2(h):

- Private Sector Housing Manager
- Strategy & Planning Manager, Private Sector Housing
- Private Sector Enforcement Officers

## 5.5 Building Control

The Group Manager (Planning & Building Control) may exercise all the powers of Deputy Chief Executive (Place) and the Director of Planning & Transport in respect of Building Control and Dangerous Buildings.

## 5.6 Public Protection (including Regulatory Services, Waste Management & Environmental Care and Community Safety)

- (a) The Group Managers for Regulatory Services, Waste Management & Environmental Care and Community Safety may exercise all the powers of the Deputy Chief Executive (Place) and the Director of Public Protection in respect of functions within their remit as defined in 4.11 above.
- (b) The following Officers may serve notices and take appropriate action (including but not limited to works in default) under legislation within their area of responsibility, subject to being authorised in that regard by their Chief Officer pursuant to 3.2(h):
- Regulatory Services Manager(s)
  - Regulatory Services Officer(s)
  - Service Manager, Waste Management
  - Waste and Contracts Officer(s)
  - Environmental Care Co-ordinator(s)
  - Environmental Care Officer(s)
  - Enforcement Officer(s)
  - Animal Warden
  - Sustainability Officer
  - ~~Anti-Social Behaviour Team Leader~~
  - ~~Anti-Social Case Worker(s)~~
  - CCTV Team Leader
  - Community Safety Manager
  - Community Safety Officer(s)
  - ~~Enforcement Support Officer~~
  - Any other duly appointed and trained contracted staff

## 5.7 Planning

5.7.1 Subject to the **Committee Referral Procedure** in 5.7.4 below, approval or refusal of all applications made under The Town and Country Planning Act 1990, The Planning (Listed Buildings and Conservation Areas) Act 1990 and The Planning (Hazardous Substances) Act 1990 and associated Regulations and Orders is delegated to each of the following officers ("**the Relevant Officer(s)**"):

- The Deputy Chief Executive (Place);
- The Director of Planning and Transport; and
- The Group Manager (Planning and Building Control)

provided that:

- (a) In the case of an approval the proposals do not conflict materially with a policy of the current Development Plan;
- (b) In the case of refusals the proposals are materially in conflict with a policy of the current Development Plan;
- (c) Consultations, neighbour notification and publicity have been carried out in accordance with statutory requirements and Council Policies;
- (d) The decision would not conflict with a material planning objection in principle from a statutory consultee received within the statutory consultation period;

## 18. Motions Affecting Persons Employed by the Council

If any question arises at a meeting of the Council as to the appointment, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered until the appropriate statutory resolution to exclude the public from the meeting has been passed.

## 19. Opposition Business at Council

19.1 This Standing Order applies where there is a majority group among the Members of the Council or there is a Joint Administration.

19.2 A minority group (not forming part of a Joint Administration) may require, by a notice in writing given to the Chief Executive not later than the latest time for the receipt of notices of motion for that meeting, that any one item of business be placed on the agenda for any meeting of the Council and this shall be treated as opposition business. In addition the minority group must give notice in writing to the Chief Executive at least 24 hours before the Council meeting of any motion which they propose to move at the end of the debate.

19.3 Where the Chief Executive receives more than one such notice for any meeting, he or she shall decide which notice shall be effective so as to ensure that as far as possible each minority group's share of such notices which are effective fairly reflects the relative sizes of those groups in the period since the last annual meeting of the Council.

19.4 The Chief Executive shall indicate on the agenda which (if any) item of business is to be treated as opposition business and not more than 45 minutes shall be spent on such business. The normal rules of debate shall apply and for the avoidance of doubt there shall be no provision for questions.

19.5 Opposition business cannot relate to a matter which is currently the subject of a formal public consultation process being undertaken by the Council.

## 20. Interest of Members in Contracts and Other Matters

(a) A Member with a Disclosable Pecuniary Interest, other pecuniary interest or non-pecuniary interest (as defined in the Member's Code of Conduct in **Part 5(a)**) in a matter who attends a meeting of the Authority at which the matter is considered, must disclose the existence and nature of the interest at the commencement of the meeting, or as soon as the interest becomes apparent.

(b) If the interest is a Disclosable Pecuniary Interest or other pecuniary interest then the Member must withdraw from the room where the meeting is being held whenever it becomes apparent that the matter is being considered, unless he or she has obtained a dispensation.

(c) If the interest is a non-pecuniary interest, then the Member must withdraw from the room where the meeting is being held if that interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest or may give rise to a perception of conflict of interest or bias.

## 21. Interest of Officers in Contracts

The Council's Director of Transformation shall keep a central electronic register of all declarations of interest by employees pursuant to the Employee Code of Conduct in **Part 5(c)** and the Declarations of Interest Policy and this will include any disclosure by officers of interests in contracts under S.117 of the Local Government Act 1972. The central electronic register will be open to public inspection in respect of the entries of the Chief Officers.

- A Council Working Party may comprise any Members of the Council, (except that a Cabinet Member shall not be a member of a Working Party which reports to or through a Scrutiny Committee) together with Co-opted members and Officers.
- Council Working Parties shall report to the Council, either directly or through a Committee.

### **37. Attendance at Cabinet, Committee & Working Party Meetings by Members of the Council**

#### **Cabinet**

**37.1** A Member of the Council may attend a meeting of the Cabinet, but will only be entitled to speak on an item if he / she:

- (a) is a Cabinet Member; or
- (b) has been permitted by the Cabinet to speak.

And for the avoidance of doubt only a Cabinet Member is permitted to vote on any item.

#### **Committees and Sub-Committees**

**37.2** Subject to the interest rules in the Code of Conduct and the provisos set out in (a) and (b) below, a Member of the Council may attend a meeting of any Committee or Sub-Committee, but will only be entitled to speak on an item if he / she:

- (a) is a member of the Committee or Sub-Committee (or duly appointed substitute); or
- (b) has been permitted by the Committee or Sub-Committee to speak; or
- (c) has placed the item on the agenda under Standing Order 35.1(d) (but calling in an item is not sufficient); or
- (d) is the proposer or seconder of a Notice of Motion which has been referred to a Scrutiny Committee under Standing Order 8.4.

And for the avoidance of doubt, only a member of the relevant Committee or Sub-Committee is permitted to vote on any item.

#### **Provisos**

- (a) A Member may not attend a meeting of a Committee / Sub-Committee meeting in private, to deal with employment issues and appeals, education appeals and housing allocation policy appeals unless he / she is a member of that Committee / Sub-Committee, a duly appointed substitute for that meeting or has a legal right to attend.
- (b) A Member who attends a Committee or Sub-Committee, of which he or she is neither a member nor a duly appointed substitute, should sit apart from Committee / Sub-Committee members and shall only be entitled to speak for a maximum of 5 minutes on any item.

#### **Working Parties, Panels & Forums Meeting in Public**

**37.3** Subject to the interest rules in the Code of Conduct and the proviso set out below, a Member of the Council may attend a meeting of any Working Party / Panel / Forum, but will only be entitled to speak on an item if he / she:

- (a) is a member of the Working Party / Panel / Forum (or duly appointed substitute); or
- (b) has been permitted by the Working Party / Panel / Forum to speak; or
- (c) has placed the item on the agenda under Standing Order 35.1(d)

And for the avoidance of doubt, only a member of the relevant Working Party / Panel / Forum is permitted to vote on any item.

### **Proviso**

A Member who attends a Working Party / Panel / Forum, of which he or she is neither a member nor a duly appointed substitute, should sit apart from Working Party / Panel / Forum members and shall only be entitled to speak for a maximum of 5 minutes on any item.

### **Working Parties, Panels & Forums Meeting in Private**

**37.34** Subject to the interest rules in the Code of Conduct and the proviso set out below, a Member of the Council may only attend a meeting of a Working Party / Panel / Forum meeting in private but only if he / she:

- (a) is a member of the Working Party / Panel / Forum; or
- (b) has been permitted by the Working Party / Panel / Forum to attend (and the right to speak is also at the body's discretion); or
- (c) has placed an item on the agenda under Standing Order 35.1(d), in which case the Member can be present for that item and shall have the right to speak; or
- (d) can demonstrate a 'need to know' in respect of an item, in which case the Member can be present for that item, but has no right to speak.

And for the avoidance of doubt, only a member of a Working Party / Panel / Forum is permitted to vote on any item.

### **Proviso**

A Member who attends a Working Party / Panel / Forum, of which he or she is neither a member nor a duly appointed substitute, should sit apart from Working Party / Panel / Forum members and shall only be entitled to speak for a maximum of 5 minutes on any item.

### **The Mayor**

**37.4-5** The Mayor shall be entitled to attend any Committee or Sub-Committee (subject to the proviso in 37.2 above) and shall be entitled to speak but not vote.

## **38. Quorum at Committees, Working Parties, etc.**

**38.1** Except where authorised by statute or ordered by the Council, business shall not be transacted at a meeting of any Committee unless at least one quarter of the total number of elected Members of the Committee are present, subject to not less than 3 elected Members being present in any case.

**38.2** The Quorum in respect of the Cabinet, Working Parties, Forums, Panels and other bodies shall be as set out in the Constitution and Terms of Reference of Cabinet, Committees etc (**Part 3 – Schedule 2**).

## **39. Reference Up of Decisions**

**39.1** This Standing Order applies where arrangements have been made for the discharge of a function of the authority by a Committee and the operation of such arrangements is now referred to as "the use of delegated powers". For the avoidance of doubt the procedure in this Standing Order applies to the Scrutiny Committees when considering called-in matters.

**39.2** Where a Committee has made a decision by the use of delegated powers and not fewer than the number of voting members as represents the smallest political group on the relevant Committee, immediately





## 5. Conferring an Advantage or Disadvantage

You must:

- (a) Not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;
- (b) When using or authorising the use by others of the resources of the Authority:
  - (i) act in accordance with the Authority's reasonable requirements;
  - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes);
- (c) Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

## Members' Interests

### 6. Disclosable Pecuniary Interests<sup>1</sup>

6.1 You have a Disclosable Pecuniary Interest in any business of the Authority if it is of a description set out in 6.2 below and is either:

- (a) An interest of yours; or
- (b) An interest (of which you are aware) of a spouse, civil partner or a person you are living with as a spouse or civil partner (known as "Relevant Persons").

6.2 A Disclosable Pecuniary Interest is an interest which relates to or is likely to affect:

- (i) Any employment, office, trade, profession or vocation carried on by you or a Relevant Person for profit or gain;
- (ii) Any payment or provision of any other financial benefit (other than from the Authority) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (iii) Any contract for goods, services or works which has not been fully discharged made between you or a Relevant Person ~~and the Authority~~ (or a body in which you or they have a beneficial interest) and the Authority; X
- (iv) A beneficial interest in any land in the Authority's area;
- (v) A licence of any land in the Authority's area (alone or jointly with others) that you or a Relevant Person occupy for a month or longer;
- (vi) Any tenancy where to your knowledge:
  - (a) the landlord is the Authority; and
  - (b) the tenant is a body in which you or a Relevant Person has a beneficial interest;

<sup>1</sup> The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 set out the pecuniary interests specified for the purposes of Chapter 7 of Part 1 Section 30(3) of the Localism Act 2011.

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