

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 28th January, 2016

Place: Committee Room 1 - Civic Suite

Present: Councillor Flewitt (Chair)
Councillors D Garston (Vice-Chair), Arscott, Ayling, Borton, Holland, Kenyon, Lamb, McMahon, Nevin, Stafford, Waterworth, Cox*, Mulroney*, Phillips* and Salter*

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors Gilbert, Norman MBE, Terry and Woodley (Executive Councillors)
Councillor Assenheim
R Tinlin, J K Williams, F Abbott, S Holland, J Chesterton, I Ambrose, S Houlden, N Corrigan, D Patel, A Fiske and A Keating

Start/End Time: 6.30 pm - 9.15 pm

608 Apologies for Absence

Prior to the start of the meeting, the Committee held a minutes silence to mark the Holocaust Memorial Day, which was on 27th January.

Apologies for absence were received from Councillor Byford (substitute Cllr Cox), Councillor J Garston (substitute Cllr Salter), Councillor Crystall (substitute Cllr Mulroney), Councillor Walker (substitute Cllr Phillips) and Councillor Davies (no substitute).

609 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Gilbert, Norman MBE, Terry and Woodley (Executive Councillors) – interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor Cox – agenda item relating to Corporate Peer review – pecuniary – employers were part of the review (withdrew);
- (c) Councillor Salter – agenda items relating to – draft fees and charges and draft HRA – non-pecuniary - private landlord in borough;
- (d) Councillor Salter – agenda item relating to Summary Report – Hospital - non-pecuniary - husband is Business Unit Director at Southend Hospital for surgical services;
- (e) Councillor Holland – agenda items relating to budget – disclosable non-pecuniary – son works for Council;
- (f) Councillor Holland – agenda item relating to Borough patrol – non-pecuniary – son is police officer working with specials;
- (g) Councillor David Garston - agenda items relating to – draft fees and charges and draft HRA – non-pecuniary - private landlord in borough;

- (h) Councillor Ayling - agenda item relating to Borough patrol – non-pecuniary – son is a Special Constable;
- (i) Councillor Nevin - agenda item relating to Summary Report – Hospital - non-pecuniary – employee in NHS Trust external to this area; previous employee at Southend Hospital;
- (j) Councillor Lamb - agenda item relating to Summary Report – Hospital – non-pecuniary - Partner Governor, representing SAVS at Southend Hospital;
- (k) Councillor Assenheim – agenda item relating to Review Sheltered Housing - Board member South Essex Homes - attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;
- (l) Councillor Flewitt – agenda items relating to draft HRA and Review Sheltered Housing - non-pecuniary – SEH mentioned during discussion – friends and relatives tenants of SEH; lobbied and held surgeries at one location mentioned.

610 Questions from Members of the Public

There were no questions from members of the public.

611 Minutes of the Meeting held on 3rd December 2015

Resolved:-

That the Minutes of the Meeting held on 3rd December 2015 be confirmed as a correct record and signed.

612 Corporate Performance Management 2016/17

The Committee considered Minute 557 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Chief Executive on the Council's corporate approach to performance management for 2016/17.

Resolved:-

That the following decision of Cabinet be noted:

“(i) That the corporate performance measures to be monitored via the Monthly Performance Report (MPR) for 2016/17, as set out at Appendix 1 to the submitted report, be approved.

(ii) That the corporate priority actions, to support implementation of the Council's 2016/17 Corporate Priorities, as set out at Appendix 2 to the report, be approved.”

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

613 Council Tax Base & Non Domestic Rating Base 2016/17

The Committee considered Minute 558 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Corporate Services concerning the calculation of the

Council Tax Base for 2016/17 and the submission of the National Non Domestic Rates (NNDR1) form to the Department of Communities and Local Government (DCLG) by 31 January 2016.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by the Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003) and Local Government Finance Act 2012 (Calculation of billing authority’s council tax base Section 15):

- (i) The Local Council Tax Support Scheme for 2016/17 approved by Council on 10 December 2015, be incorporated into the Council Tax base setting as outlined in Appendices A and B to the submitted report.
 - (ii) That the changes to Council Tax discounts and exemptions approved by Cabinet on 5 January 2016 be introduced with effect from 1 April 2016 and these will be incorporated into the Council Tax Base:-
 - Properties requiring or undergoing structural alteration or major repairs (Class D) as allowed by Section 11A of the Local Government Finance Act 2012 will be set at 0%;
 - Vacant and substantially unfurnished properties (Class C) as allowed by Section 11A of the Local Government Finance Act 2012 to be entitled to receive a discount of 100% for up to 1 month. If Class D is applicable then there is no entitlement to Class C:
 - (iii) That the following discounts and exemptions that were originally approved by Council on 13 December 2012 will remain unchanged from 1 April 2016 and these will also be incorporated into the Council Tax Base:
 - Second homes (Classes A and B) as allowed by Section 11A of the Local Government Finance Act 2012 will be set at 0%;
 - Long-term empty homes (Class C) as allowed by Section 11A of the Local Government Finance Act 2012, a surcharge of 50% will be set allowing a full charge of 150% where they have been unoccupied for more than 2 years;
 - That a continuous 6 week period of occupancy is required between empty periods before a further discount can be awarded.
1. That the amount calculated by Southend-on-Sea Council as its Council Tax Base for the year 2016/17 shall be 55,701.27.
 2. That the amount calculated by Southend-on-Sea Council as the Council Tax Base in respect of Leigh-on-Sea Town Council for the year 2016/17 shall be 8,645.94.

3. That the NNDR1 form attached at Appendix C to the report be approved for submission to the DCLG.
4. That it be noted, however, that in the event the final NNDR1 form is not made available by DCLG in a timely fashion, it will be necessary for the Head of Finance and Resources, in conjunction with the Leader of the Council, to approve the NNDR1 form for submission to the DCLG, (the Head of Finance and Resources will include an explanation in a subsequent report to Council as to why it was not practical for Cabinet to use its own delegation).”

Note:- This is an Executive Function
Executive Councillor:- Woodley

614 Draft Housing Revenue Account Budget 2016/17 & Rent Setting

The Committee considered Minute 559 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a joint report of the Corporate Director for Corporate Services and Corporate Director for People setting out the Housing Revenue Account (HRA) budget for 2016/17 together with the information necessary to set a balanced budget as required by legislation.

In response to some questions from the Committee, the Executive Councillor for Housing, Planning & Regulatory Services advised that the Housing Working Party would be considering a report on the introduction of fixed term tenancies.

With regard to the proposed average rent increase on shared ownership properties, the Council’s Head of Finance & Resources said that he would provide the overall Council Tax figures, including Police precept etc. as part of the Report to Cabinet on 11th February 2016 on the final Revenue Budget for 2016/17.

The Executive Councillor for Housing, Planning & Regulatory Services stated that the Government had announced that the prescribed rent reduction of 1% did not apply to sheltered housing. A briefing note will be sent to Members shortly seeking views and outlining the position, the options available and financial consequences.

Resolved:-

That the following decisions of Cabinet be noted:

1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Bill, be endorsed.
2. That an average rent increase of 3.39% on shared ownership properties, be endorsed.
3. That an increase in hostel rents to the appropriate Local Housing Allowance rate, less 10% plus £60, as allowed by national guidance, be endorsed.

4. That the proposed rent changes, set out in 1-3 above, to be effective from 4 April 2016, be endorsed.
5. That the increases in other charges as set out in section 5 of the report, be endorsed.
6. That the management fee proposed by South Essex Homes, as set out in section 6, be noted.
7. That the proposal (from 1st April 2016) for South Essex Homes to be charged with setting and recovering service, heating and water charges directly, on a cost recovery only basis, and for their management fee to be reduced accordingly, be endorsed.
8. That the appropriations to the Repairs Contract Pensions earmarked reserve and the HRA Capital Investment earmarked reserve, as set out in section 8 of the report, be endorsed.
9. That subject to 1 to 8 above, the HRA budget, as set out in Appendix 1 to the report, be endorsed.
10. That the value of the Council's capital allowance for 2016/17 be declared as £34.073M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations, be endorsed."

Note:- This is an Executive Function, save the approval of the final budget following Cabinet on 11th February 2016 is a Council Function.

Executive Councillor:- Norman

615 Draft Capital Programme 2016/17 to 2019/20

The Committee considered Minute 560 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Management Team setting out the draft programme of capital projects for the period 2016/17 to 2019/20.

In response to questions about the borrowing level for 2016/17, the Council's Head of Finance & Resources agreed to provide the projected borrowing positions in the 2014/15 and 2015/16 budget reports compared to the proposed 2016/17 position.

Resolved:-

That the following decisions of Cabinet be noted:

"1. That the current approved Programme for 2016/17 to 2018/19 of £129.6m, as set out in Appendix 1 to the submitted report, be noted.

2. That the changes to the approved Programme as set out in Appendix 2 to the report, be noted.

3. That the proposed new schemes and additions to the Capital Programme for the period 2016/17 to 2019/20 totalling £52.7m of which £44.7m is for the General Fund and £8.0m for the Housing Revenue Account, as set out in Appendices 6 and 7 to the report, be endorsed.

4. That it be noted that the proposed new schemes and additions, as set out in Appendices 6 and 7 to the report, and other adjustments, as set out in Appendix 2 to the report, will result in a proposed capital programme of £177.6m for 2016/17 to 2019/20.

5. That it be noted that, of the total programme of £177.6m for the period 2016/17 to 2019/20, the level of external funding supporting this programme is £59.9m.

6. That it be noted that a final review is being undertaken on the 2015/16 projected outturn and that the results will be included in the report to Cabinet on 11 February 2016.”

Note:- This is an Executive Function, save the approval of the final budget following Cabinet on 11th February 2016 is a Council Function.

Executive Councillor:- Woodley

616 Draft Fees & Charges 2016/17

The Committee considered Minute 561 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Management Team detailing the fees and charges for services in 2016/17 included in the budget proposals for 2016/17.

With regard to the proposed burial and cremation fees, the Council’s Head of Customer Services said that he would provide benchmarking information.

Resolved:-

That the following decision of Cabinet be noted:

“That the proposed fees and charges for each Department as set out in the submitted report and appendices, be endorsed.”

Note:- This is an Executive Function, save the approval of the final budget following Cabinet on 11th February 2016 is a Council Function.

Executive Councillor:- Woodley

617 Draft General Fund Revenue Budget 2016/17

The Committee considered Minute 562 of Cabinet held on 19th January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Management Team presenting the draft revenue budget for 2016/17.

With regard to the information in Appendix 1, summary of general fund revenue estimates, the Council’s Head of Finance & Resources agreed to provide details on the earmarked contributions to / from reserves.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the 2016/17 draft revenue budget and any required commencement of consultation, statutory or otherwise, be endorsed.

2. That it be noted that the 2016/17 draft revenue budget has been prepared on the basis of a Council Tax increase of 1.99% and a new Adult Social Care precept of 2%.

3. That it be noted that the 2016/17 draft revenue budget has been prepared using the provisional local government finance settlement and that the outcome from the final settlement will need to be factored into the final budget proposals for the Cabinet and Council.

4. That the 2016/17 draft revenue budget, as endorsed, be referred to all Scrutiny Committees, Business sector and Voluntary sector to inform Cabinet, which will then recommend the budget and Council Tax to Council.

5. That the Schools budget position and the recommendations from the Schools Forum on 13th January 2016, as set out in Appendix 13 and 13(i) to the submitted report, be noted and referred to People Scrutiny Committee and then to Cabinet and Council.

6. That the direction of travel for 2017/18 and beyond, as set out in section 15 of the report, be endorsed.”

Note:- This is an Executive Function, save the approval of the final budget following Cabinet on 11th February 2016 is a Council Function.

Executive Councillor:- Woodley.

618 Monthly Performance Report

The Committee considered Minute 528 of Cabinet held on 5th January 2016, together with the Monthly Performance Report (MPR) covering the period to end November 2015, which had been circulated recently. The Committee additionally had before it an Exceptions Report which had been circulated on 22nd January 2016.

Resolved:

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

619 Notice of Motion - Southend Borough Patrol

The Committee considered Minute 524 of Cabinet held on 5th January 2016, which had been called in to scrutiny, concerning the Notice of Motion regarding Southend Borough Patrol.

The Committee discussed the matter in detail and whether the proposal regarding special constables would be a more cost effective option than the reintroduction of the Southend Borough Patrol.

Resolved:-

1. That the following decisions of Cabinet be noted:

“1.1 That the Council explore, with Partner Agencies, an effective approach to ensuring the town remains a safe place to live work and visit in the context of the austerity measures on all public services within Southend.

1.2 That the Council continues to develop a combined response model as demonstrated with the recent cruiser events along the seafront during 2015.”

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

Note:- This is an Executive Function
Executive Councillor:- Councillor Gilbert

620 Corporate Peer Review

The Committee considered Minute 529 of Cabinet held on 5th January 2016, which had been called in to scrutiny, concerning the Peer Challenge final Feedback Letter.

Resolved:

That the submitted report and appendix, be noted.

Note:- This is an Executive Function.
Executive Councillor:- Cllr Woodley

621 Summary Reports to Scrutiny Committee

Further to Minute 344 of the meeting held on 15th October 2015, the Committee considered the following reports:-

- (a) Essex Fire Authority – Report from Councillor Ware-Lane and update from Cllr Holland;
- (b) Southend University Hospital – Report from Councillor Crystall and update provided by Cllr Mulrone; and
- (c) Kent & Essex Inshore Fisheries & Conservation Authority – verbal update from Councillor Lamb.

The Chairman said that he would investigate the absence of a report in respect of the Essex Police and Crime Panel.

Resolved:-

1. That the information be noted.

2. That the presentation slides from the recent all Member briefing from the Fire Authority be circulated to all Members.

3. That consideration be given to including Minutes from the Constituent Authorities as well as the Member report.

622 In depth scrutiny project - 'Control of personal debt and the advantages of employment'

Further to Minute 473 of the meeting held on 3rd December 2015, the Committee received and noted an oral update on the in depth scrutiny project – 'Control of personal debt and the advantages of employment'. The evidence gathering session with invited witnesses will be held on 4th February 2016.

Resolved:-

That update be noted.

Note:- This is a Scrutiny Function.

623 Review of Sheltered Housing

Item requested by Councillor Flewitt in accordance with Council Procedure Rule 35.1 (d).

The Committee considered a report by the Corporate Director for People which had been prepared with the agreement of the Chief Executive & Town Clerk and which provided some background information to the issues.

Resolved:

That the report be noted.

Note: This is an Executive Function.
Executive Councillor:- D Norman MBE

Chairman: _____