Apologies for Absence

There were no apologies for absence.

30 Declarations of Interest

(a) Andrew Lewis – Blenheim Park Pavilion Proposal – Chairman of Leigh Dynamo YFC – non-pecuniary interest

(b) Councillor Terry – Roots Hall CPO – Season ticket holder, Southend United FC – non-pecuniary interest

(c) Councillor Terry – Provision of Secondary School Places – Wife is a teacher at Futures College – non-pecuniary interest

31 Minutes of the Meeting held on Tuesday 17th March 2015

Resolved:-

That the Minutes of the Meeting held on Tuesday 17th March 2015 be confirmed as a correct record and signed.

32 Minutes of Meeting held on Monday 23rd March 2015

Resolved:-

That the Minutes of the Meeting held on Monday 23rd March 2015 be confirmed as a correct record and signed.

33 Pre-Cabinet Scrutiny Items

- Parks and Green Spaces Strategy

34 Monthly Performance Report - April 2015

Resolved:-
In Depth Scrutiny Report

The Cabinet considered a report of the Corporate Director for Corporate Services presenting the final report of the in-depth scrutiny project ‘The Council’s community leadership role in promoting safer communities’.

Resolved:-

1. That the report and recommendations from the in-depth scrutiny project, as set out in appendix 1 to the submitted report, be approved.

2. That it be noted that approval of any recommendations with budget implications will require consideration as part of future years’ budget processes prior to implementation.

Reason for Decision

To improve and promote community safety.

Other Options

None.

Corporate Plan & Annual Report 2015

The Cabinet considered a report of the Chief Executive & Town Clerk presenting the Council’s draft Corporate Plan and Annual Report for 2015.

Recommended:-

That the draft Corporate Plan and Annual Report 2015, be approved.

Reason for Decision

To ensure the Corporate Plan and Annual Report reflects the needs of the organisation and the borough’s communities.

Other Options

None.
The Cabinet considered a report of the Chief Executive & Town Clerk detailing the end of year position of the Council’s corporate performance.

Resolved:-

That the 2014/15 end of year position and accompanying analysis, be noted.

Reason for Decision
To note the Council’s corporate performance for 2014/15.

Other Options
None.

Note:- This is an Executive Function Eligible for call-in to all three Scrutiny Committees
Executive Councillor:- Woodley

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the treasury activity for the period from April 2014 to March 2015 and reviewed performance against the Prudential Indicators for 2014/15.

Recommended:-


2. That it be noted that the financing of capital expenditure of £34.752m has been funded in accordance with the schedule set out in Table 1 of section 4, with a reduced financing requirement of £6.701m.

3. That it be noted that Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2014/15.

4. That the revised Treasury Management Policy Statement for 2015/16, as set out in appendix B to the submitted report, be approved.

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

(a) That the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.

(b) That £0.61m of interest was earned during the whole of 2014/15 at an average rate of 0.64%. This is 0.29% over the benchmark of the 7 day LIBID (London Interbank Bid Rate) and 0.14% over bank base rate.

(c) That an average of £69.9m of investments were managed in-house. These earned £0.39m of interest during the year at an average rate of 0.56%. This is 0.21% over the average 7 day LIBID and 0.06% over bank base rate.

(d) That an average of £24.8m of investments were managed by our external fund
manager. These earned £0.22m of interest during the year at an average rate of 0.87%. This is 0.52% over the average 7 day LIBID and 0.37% over bank base rate.

(e) That the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) decreased from £250.8m to £237.8m (Housing Revenue Account (HRA): £80.8m, General Fund (GF): £157.0m) by the end of 2014/15.

(f) That the level of funding for invest to save schemes was £0.14m by the end of 2014/15.

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

Other Options
None.

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

39 Debt Management- Position to 31st March 2015

The Cabinet considered a report of the Corporate Director for Corporate Services informing Members of the current outstanding debt to the Council as at 31st March 2015 and debts that had been, or are recommended for write-off.

Resolved:-

1. That the current outstanding debt position as at 31st March 2015 and the position of debts written off to 31st March 2014/15, as set out in appendices A and B to the submitted report, be noted.

2. That the latest individual write-offs greater than £25,000, as set out in appendix B to the submitted report, be approved.

Reason for Decision
All reasonable steps to recover the debt have been taken and therefore, where write-off is recommended, it is the only course of action available. If the Council wishes to pursue debts for bankruptcy proceedings, it will follow the agreed and published recovery policy that covers this.

Other Options
None.

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

40 Provision Capital Outturn 2014/15

The Cabinet considered a report of the Corporate Director for Corporate Services outlining the capital programme outturn for 2014/15 and sought approval for the relevant budget carry forwards, accelerated delivery requests and in-year amendments to the current approved programme.
Recommended:-

1. That it be noted that the expenditure on the capital programme for 2014/15 totalled £34.752m against a budget of £41.453m, a delivery of 83.8% as set out in sections 3.4 and 3.5 of the submitted report.

2. That the relevant budget carry forwards and accelerated delivery requests totalling a net £7.005m, as set out in appendices 1 and 2 to the submitted report, be approved.

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

4. That the relevant changes to the budget identified since the approved capital programme was set at Council on 26th February 2015, as detailed in appendix 6 to the submitted report, be approved.

5. That it be noted that the above changes will result in an amended Capital Programme of £166.907m for the period 2015/16 to 2018/19 and later years, as detailed in appendix 7 to the submitted report.

Reason for Decision

To inform Members of the activity in 2014/15.

Other Options

None.

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

41 Provisional Revenue Outturn 2014/15

The Cabinet considered a report of the Corporate Director for Corporate Services on the provisional revenue outturn for 2014/15.

Recommended:-

1. That the provisional revenue outturn for the General Fund and HRA for 2014/15, be noted.

2. That the appropriation of revenue funds to and from earmarked reserves, as set out in paragraphs 4.6 and 5.4 of the submitted report, be approved.

Reason for Decision

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

Other Options

None.

Note:- This is a Council Function Eligible for call-in to Policy & Resources Scrutiny Committee Executive Councillor:- Woodley
42 **Consolidation of Dormant Trust Funds**

The Cabinet considered a report of the Corporate Director for People on a proposal to enter into a partnership agreement with Essex Community Foundation to create a Southend Education Fund from the consolidation of four dormant trust funds.

Resolved:-

1. That, following consultation with the Charities Commission, the four dormant trust funds be closed and consolidated into a single fund.

2. That the single fund be paid to Essex Community Foundation, who would use it to set up a Southend Education Fund, manage the fund and invest it in order to maximise future funding potential to support the educational achievement of children and young people resident in Southend.

Reason for Decision

To maximise the potential for educational investment and to facilitate the establishment of a sustainable, if modest, source of additional funding.

Other Options

Managing the trust funds in-house. This is not recommended for the reasons set out in the submitted report.

Note:- This is an Executive Function

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Jones

43 **Older People Joint SBC/CCG Commissioning Strategy 2015-2018**

The Cabinet considered a report of the Corporate Director for People outlining the key principles of the proposed Older People Joint SBC/CCG Strategy 2015-2018.

Resolved:-

1. That the Older People’s Strategy be approved.

2. That the Corporate Director for People, in consultation with the Portfolio Holder for Health & Adult Social Care, be authorised to make minor amendments in response to feedback from members of the public.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Moyies

44 **Revised Scheme of Delegation and Instrument of Government**
The Cabinet considered a report of the Corporate Director for People proposing a revised Scheme of Delegation and Instrument of Government for the Governance of Southend Adult Community College.

Recommended:-

That the revised Scheme of Delegation and Instrument of Government (June 2015) for the Governance of Southend Adult Community College, be approved subject to the addition of the words ‘at least’ before ‘one’ in the first line of paragraph 2.3 of annex A to the submitted report.

Reason for Decision

To ensure that the college fully complies with the legislative and regulatory requirements.

Other Options

No change. The Governors agreed that continuing with a large governing body and a committee structure is out of step with the modernisation of governance elsewhere in the further education sector.

Note:- This is a Council Function Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Jones

45 Delaware & Priory Update

The Cabinet considered a report of the Corporate Director for People presenting the outcome of the initial findings of the Site Feasibility Study for the re-provision of Delaware House, Priory House and Viking Day Centre.

The report also presented the initial findings of an independent Financial Feasibility Study into establishing a Local Authority Trading Company (LATC) or Charitable Trust (CT) to manage Delaware House, Priory House and Viking Day Centre and potentially other care services.

Resolved:-

1. That the progress made since the previous report to Cabinet on 20th January 2015 be noted and that the option of setting up an LATC be approved in principle, subject to the following:

(a) Completion of a business case
(b) Completion of a full business plan
(c) Completion and consideration of an Equality Impact Assessment
(d) Completion and consideration of consultation with service users, carers and staff
(e) Completion of due diligence
(f) Development of an implementation plan for an Apprenticeship Scheme
(g) Development of an implementation plan for setting up a LATC structure and framework
(h) Noting outcome of Site Feasibility Study to date which identifies the Priory site as the most viable option whilst acknowledging the viability of the alternative site option
(i) Further reports on progress to be presented to Cabinet in September 2015, when a final decision on whether or not to pursue a LATC will be sought

2. That the Corporate Director for People, in consultation with the Portfolio Holder for Health and Adult Social Care, be authorised to continue to lead the development of the LATC and Apprenticeship Scheme.

3. That work continues to establish the preferred design option for service re-provision which is based on the Priory site with a final report being produced by 31st July 2015. This
final design brief report will incorporate an indicative programme up (to and including occupation) and an indicative, phased cost plan.

4. That work continues on the school sites reconfiguration project to support the transfer of the Priory school from the Priory site. This will include the consultation and sign off process for all the school sites affected by the project.

5. That the Corporate Director for People, in consultation with the Portfolio Holders for Health and Adult Social Care and for Children and Learning, be authorised to lead the Site Feasibility Study and school site reconfiguration projects.

6. That a report outlining progress be presented to Cabinet in September 2015.

Reason for Decision

To provide the Council with an opportunity to develop a new modern integrated care home facility whilst at the same time allowing for the potential development of a LATC that could, over time, take on responsibility for other adult social care provider services. This model should provide the Council with a more cost effective service delivery model which, in turn, will generate a surplus.

Other Options

No other site options were considered as it was agreed at Cabinet in January 2015 that only two sites should be considered with Priory being the preferred site.

Consideration was given to joining the ECC Apprenticeship Scheme and this is still a potential solution depending on timescales and its ability to meet local requirements.

Consideration will need to be given as to whether the LATC is a stand-alone company or aligned to an established LATC as part of the implementation phase of setting up an LATC.

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

Executive Councillor:- Moyies

46 Blenheim Park Pavilion Proposal

The Cabinet considered a report of the Corporate Director for Place on a proposal to work with Catholic United FC to develop a new sports pavilion in Blenheim Park.

Resolved:-

That landlord consent be approved for Catholic United FC to develop a sports pavilion in Blenheim Park for the use of the club and other football teams (the development will require external funding and be subject to detailed planning approval).

Reasons for Decision

The proposal offers an innovative opportunity to develop good facilities in Blenheim Park to support football and the local community.

Other Options

To leave the changing provision as it currently exists.

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

47 Community Infrastructure Levy (CIL)

The Cabinet considered a report of the Corporate Director for Place proposing the adoption of the Southend-on-Sea Borough Council Community Infrastructure Levy (CIL) Charging Schedule together with the associated documents.

On consideration of the report, Members acknowledged the excellent work undertaken in relation to the CIL and asked that their thanks be conveyed to the relevant officers.

Recommended:-

1. That all the modifications of the Examiner's Report (appendix 1 to the submitted report) and the revised version of the Southend-on-Sea Borough Council Community Infrastructure Levy (CIL) Charging Schedule 2015 (appendix 2 to the submitted report), be approved.

2. That the Southend-on-Sea Borough Council Community Infrastructure Levy Charging Schedule be adopted in the format set out in appendix 2 to the submitted report, in accordance with the Planning Act 2008 (as amended) and CIL Regulations 2010 (as amended).

3. That the following CIL associated documents be adopted:
   - CIL Regulation 123 Infrastructure List, as set out in appendix 3 to the submitted report.
   - CIL Instalment Policy, as set out in appendix 4 to the submitted report.
   - CIL Payment in Kind and Infrastructure Payments Policy as set out in appendix 5 to the submitted report.
   - Supplementary Planning Document 2: Planning Obligations 2015, as set out in appendix 6 to the submitted report.
   - CIL Governance Framework, as set out in appendix 7 to the submitted report.

4. That Part 3 Schedule 3 of the Southend-on-Sea Borough Council Constitution be amended as outlined in paragraph 3.12 of the submitted report to allow provisions for CIL implementation.

5. That the Corporate Director for Place, in consultation with the Portfolio Holder for Housing, Planning and Regulatory Services, be authorised to deal with all necessary adoption documents, minor adjustments that may be required to the text and other consequential matters.

Reason for Decision

To ensure that all appropriate documentation and procedures are in place to enable the Council to collect contributions from developers through the Community Infrastructure Levy (CIL) to fund community infrastructure to support development. Also, to ensure that upon receipt of CIL funding there are appropriate arrangements in place in relation to reporting, allocation and spending in accordance with an adopted Regulation 123 Infrastructure List thus ensuring CIL funding can be used effectively to deliver the infrastructure.

Other Options

Not to adopt the CIL Charging Schedule and associated documents but rely on S106 planning obligations to provide infrastructure to support growth. This is not recommended for, as of April 2015, the provisions of the CIL Regulations 2010 (as amended) mean that local authorities are now more restricted on the nature of planning obligations, thus putting...
Adoption of Southend-on-Sea Development Management Report

The Cabinet considered a report of the Corporate Director for Place proposing the adoption of the Southend Development Management Document.

Recommended:-

1. That all the recommendations of the Inspector’s Report (appendix A to the submitted report) and the revised version of the Southend-on-Sea Development Management Document (appendix B to the submitted report), be approved.

2. That the Development Management Document be adopted in the format set out in appendix B to the submitted report in accordance with the Planning Regulations 2012.

3. That the Corporate Director for Place, in consultation with the Portfolio Holder for Housing, Planning and Regulatory Services, be authorised to deal with all necessary adoption documents, minor adjustments which may be required to the text and other consequential matters.

Reason for Decision

To enable the Council to adopt the Development Management Document as planning policy for Southend-on-Sea.

Other Options

1. Not to adopt the Development Management Document but rely on the existing policy framework. This is not recommended as an up-to-date plan prepared using local evidence and guided by community consultation, is the most appropriate guide for local planning decisions and is compliant with national planning policy.

2. Not to accept all or some of the Inspector’s Report recommendations. This would result in the Council not having a sound document or up-to-date plan. In cases where there is not an up-to-date local plan the National Planning Policy Framework (NPPF) will apply.

Economic Development Partnerships Update

The Cabinet considered a report of the Corporate Director for Place updating Members of recent developments in the economic development partnership arena.

Resolved:-

1. That the changing environment across partnerships where the Council is an active participant, be noted.

Reason for Decision
To provide Members with an update on the current economic development landscape and future options.

Other Options

The Council could choose not to participate in wider discussions about economic development partnerships. This course of action is not recommended because funding packages have better success when allocated to larger, strategic propositions. Central government has signalled on repeated occasions that local authorities need to work together and in collaboration with business communities. This is referenced in Lord Heseltine’s paper ‘No stone unturned’ and also in recent Government funding announcements.

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

50 The Official Feed and Food Control Service Plan 2015/16

The Cabinet considered a report of the Corporate Director for Place presenting the Official Feed and Food Controls Service Plan 2015/16 for approval as required by the Food Standards Agency.

Recommended:-

1. That the official Feed and Food Controls Service Plan 2015/16, as set out in appendix 1 to the submitted report, be approved.

Reason for Decision

To comply with the Food Standards Agency Framework Agreement and the Food Standards Agency Audit findings reported to Cabinet on 18th June 2013.

Other Options

None.

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

51 Gambling Act 2005

The Cabinet considered a report of the Corporate Director for Place detailing the legal obligations of the Council, together with a timetable for the review in respect of the Gambling Licensing Policy. The report also set out a draft revised Policy Statement forming the basis for formal consultation.

Recommended:-

That the draft revised Policy document be endorsed, enabling consultation to commence.

Reasons for Decision

To comply with the Council’s statutory duty under Section 349 of The Gambling Act 2005.

Other Options

None.
LED Street Lighting and Illuminated Street Furniture Replacement Project

The Cabinet considered a report of the Corporate Director for Place detailing proposals to accelerate the project to replace street lights with LED units and to bring all illuminated street furniture in line with proposed new traffic sign regulations.

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

Recommended:-

1. That the £13.5m project to replace the existing street lighting project be progressed by completing the rollout of LEDs on street lights and street furniture, replacing light columns and installing a computer management system by March 2018.

2. That this be funded by a 25 year reducing balance ‘invest to save’ finance from the Green Investment Bank (GIB) of £8.5m and a £5.09m grant from the Department for Transport.

3. That the necessary changes to the capital programme and its financing be made in line with the content of the submitted report.

4. That the necessary changes to the revenue budgets and earmarked reserves be made as set out in paragraphs 5.3 and 5.4 of the submitted report.

5. That it be noted that an annualised saving of £440,000 will be generated from this invest to save project and that this will form part of the savings proposed for the 2016/17 budget.

Reason for Decision

To replace street lighting and illuminated street furniture throughout the Borough and to introduce a computer management system (CMS), resulting in the benefits set out in the submitted report.

Other Options

1. Do nothing. This will leave the Council unable to complete the LED street lighting project throughout the Borough. The Council will lose the potential energy savings and will retain its current budget pressure and the requirement to change columns and street furniture to meet regulations.

2. Reduce the size of the project. The only viable options to reduce the project would be to omit the CMS or the street furniture. Removing the street furniture means that the Council will still have to fund compliance with new regulations whilst removing the CMS lowers the non-financial benefits substantially.
The Cabinet considered a report of the Corporate Director for Place presenting the draft Parks and Green Spaces Strategy following consideration by the Place Scrutiny Committee.

Resolved:-

1. That the draft Parks and Green Spaces Strategy be approved in principle for public consultation.

2. That following consultation, the Corporate Director for Place, in consultation with the Portfolio Holder for Enterprise, Tourism and Economic Development, be authorised to make amendments to the strategy (which would include the detailed points raised by Place Scrutiny Committee as set out in paragraph 3.6 of the submitted report).

Reason for Decision

To ensure Members’ views and those of the public are reflected in the final Strategy document.

Other Options

None.

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

Executive Councillor:- Longley

This matter had previously been subject to pre-Cabinet scrutiny.

54 Minutes of the Meeting of People Management


Resolved:-

1. That the Digital Strategy 2014-17, including the actions, be approved.


Reasons for Decision

To adopt Council policies.

Other Options

None.

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

Executive Councillor:- Gilbert

55 Council Procedure rule 46

Resolved:-

That the submitted report, be noted.
56 **Exclusion of the Public**

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

57 **Roots Hall CPO**

No report had been circulated as information was still awaited from the football club. The matter was therefore not considered by the Cabinet and the Chairman indicated that the intention was to submit a report to a special meeting of the Cabinet.

58 **Future Delivery of the Grounds Maintenance Service**

The Cabinet considered a report of the Corporate Director for Place setting out proposals for the future delivery of the Grounds Maintenance Service.

Resolved:-

That the proposals for the future delivery of grounds maintenance and related services, as set out in paragraphs 6.2.3 and 6.2.4 of the submitted report, be approved.

Reasons for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

59 **Delaware & Priory Update**

Members noted the confidential appendix 1 to the Report of the Corporate Director for People on the above.

60 **Provision of Secondary School Places**

The Cabinet considered a report of the Corporate Director for People updating Members on the forecast of secondary numbers and detailing proposals to provide the necessary additional places.

Resolved:-

1. That the need for ten additional forms of entry across the Borough by 2021/22 to meet the demand for secondary school places, be noted.
2. That in order to meet part of the demand, officers be requested to undertake negotiations to purchase the land identified in the submitted report.

3. That expressions of interest be sought from Southend secondary schools regarding expansion to meet the balance of the demand.

4. That following negotiations and the outcome of the expressions of interest, a further report be submitted to Cabinet.

Reasons for Decision
As set out in the submitted report.

Other Options
None.

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

61 Council Procedure Rule 46 confidential Sheet

Resolved:-

That the submitted report, be noted.

Note:- This is an Executive Function
Eligible for call-in as appropriate to the item
Executive Councillor:- As appropriate to the item

Chairman: ____________________________