

SOUTHEND-ON-SEA BOROUGH COUNCIL

**Digest of the Decisions of Cabinet
held on Tuesday, 13th March, 2018
Place: Committee Room 1 - Civic Suite**

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

In Attendance: A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle,
C Gamble, E Cooney, A Keating, B Martin, C Robinson, N Hoskins
and L White

Start/End Time: 2.00 p.m. - 3.05 p.m.

1 Apologies for Absence

Apologies for absence were received from Councillors Cox, Flewitt and Moring.

2 Declarations of Interest

The following Member declared an interest as indicated:

Councillor Byford – Agenda Item 9 (Notice of Motion: Parking Provision for Remembrance Day Services) – non-pecuniary interest – son is a Commanding Officer of 1312 Squadron.

3 Minutes of the Meeting held on 9th January 2018

Resolved:-

That the Minutes of the Meeting held on 9th January 2018 be confirmed as a correct record and signed.

4 Minutes of the meeting held 18th January 2018

Resolved:

That the minutes of the meeting held on 18th January 2018 be confirmed as a correct record and signed.

5 Minutes of the Special Meeting held 29th January 2018

Resolved:

That the minutes of the special meeting held on 29th January 2018 be confirmed as a correct record and signed.

6 Minutes of the meeting held 13th February 2018

Resolved:

That the minutes of the meeting held on 13th February 2018 be confirmed as a correct record and signed.

7 Minutes of the special meeting held 13th February 2018

Resolved:

That the minutes of the special meeting held on 13th February 2018 be confirmed as a correct record and signed.

8 Notice of Motion - Drinking Water Motion (Council, 22nd February 2018)

At the meeting of Council held on 22nd February 2018, Members received a notice of motion calling on the Council to work in partnership to promote the availability of water refill points in Southend and to give consideration to ways that the public can access drinking water, in order to reduce the use and disposal of plastics in the town.

This had been proposed by Councillor Gilbert and seconded by Councillor McDonald.

Resolved:

1. That officers be requested to investigate the provision of a tap to the outside of the toilet block at City Beach, one of the Borough's busiest areas, and to renew any taps that may need improvements.

2. That officers be requested to improve signposting for drinking water taps, as some are out of sight (the information can be added to the website, tourist information centre, and associated material on safety in the hot weather).

3. That the campaign generally be supported (via the Media team), whilst acknowledging the Council's current activities.

Reasons for Decision:

To respond to the notice of motion.

Other Options:

None

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

**9 Notice of Motion: Parking Provision for Remembrance Day Services
(Council, 22nd February 2018)**

At the meeting of Council held on 22nd February 2018, Members received a notice of motion calling on the Council to implement free parking provision for veterans in respect of Remembrance Day Services within the Borough.

Resolved:

That the existing arrangements in respect of Remembrance Sunday be formalised and continued and that similar car parking concessions be extended to Armistice Day.

Reasons for Decision:

To respond to the notice of motion.

Other Options:

None

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

10 Fire Safety Report

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the interim results of the Council's Fire Safety Review, which was established following the Grenfell Tower fire on the 14th June 2017.

Resolved:

1. That the work undertaken by the Council and South Essex Homes in respect to Fire Safety, be noted and endorsed.
2. That a further update be submitted to a future meeting of the Cabinet.

Reasons for Decision:

As a result of the Grenfell Tower Fire the Council undertook a fundamental review of its fire safety policies and procedures and put in place appropriate resources to ensure it maintains its buildings in a safe condition whilst upgrading them where this is appropriate and practicable.

Other Options:

The Council could decide to maintain all operational properties in their current condition with fire improvement works and, where practicable, to bring them up to the requirements of the latest Building Regulations when they next undergo major alterations and/or extension. All operational buildings would still meet statutory requirements although it could be argued that the Council would not be meeting the section of the Regulatory Reform (Fire Safety) Order 2005 that

requires Employers to 'put in place, and maintain, appropriate fire safety measures'. This option has, therefore been discounted.

The Council could commit to bringing all operational buildings up to current Building Regulation requirements. However, this will not always be practicable due to the construction and/or age of the building; the building may be listed on the National Heritage List for England, which could limit what works could be undertaken; or changes could be financially unviable. This option has, therefore been discounted.

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

11 Monthly Performance Report

Resolved:

That the submitted report be noted.

Note: This is an Executive Function.
Eligible for call in to all three Scrutiny Committees
Executive Councillor: as appropriate to the item.

12 Treasury Management Report

The Cabinet considered a report of the Chief Executive covering the treasury management activity and compliance with the treasury management strategy for both quarter three and the period from April to December 2017.

Resolved:

1. That the Quarter Three Treasury Management Report for 2017/18, be approved.

2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to December 2017.

3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.

4. That it be noted that an average of £47.4m of investments were managed in-house. These earned £0.157m of interest during this nine month period at an average rate of 0.44%. This is 0.27% over the average 7 day LIBID and 0.14% over the average bank base rate.

5. That it be noted that an average of £5.0m was managed by an enhanced cash fund manager. This earned £0.023m during this nine month period at an average rate of 0.62%.

6. That it be noted that an average of £15.2m was managed by two short dated bond fund managers. This earned £0.176m during this nine month period from

a combination of an increase in the value of the units and income distribution, giving a combined return of 1.54%.

7. That it be noted that an average of £16.3m was managed by two property fund managers. This earned £1.353m during this nine month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 11.01%.

8. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m; GF: £150.8m) during the period from April to December 2017.

9. That it be noted that the level of financing for 'invest to save' capital schemes increased from £7.90m to £8.80m during the period from April to December 2017.

Reasons for Decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2017/18 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other options:

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

Note: This is an Executive Function.

Eligible for call-in to: Policy & Resources Scrutiny Committee
Executive Councillor: Cllr Moring

13 Shoreline Strategy

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the draft Southend Shoreline Strategy.

Resolved:

1. That the Southend Shoreline Strategy document for managing the Borough's coastal defences into the future, subject to approval by the Environment Agency, be adopted.

2. That the Deputy Chief Executive (Place), in consultation with the Executive Councillor for Transport, Waste and Regulatory Services, be authorised to approve the final strategy, following Environment Agency approval.

3. That it be noted that the total value of the Strategy at £410m (Present Value £134m) over a 100 year period, of which part will need to be funded from the

Council's Capital Programme whilst other funding may include Flood Defence Grant-in-Aid and other external sources.

4. That the Strategy will be supported by an appropriate governance process, as set out in Paragraph 6 of the submitted report.

5. That the submission of the Strategy to the EA Large Project Review Group (LPRG) in June 2018, be approved.

Reasons for Decision:

There is a need to develop sub-regional elements of the Shoreline Management Plan into a more in-depth strategy for the Borough.

Adopting a comprehensive strategy and submitting it to the EA Large Project Review Group will enable the Council to maximise access to supporting funds.

Other options:

None.

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

14 Sex Establishment Premises

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out a Sex Establishments draft Statement of Licensing Policy as a basis for formal consultation.

Recommended:

That the draft Statement of Licensing Policy set out in Appendix 1 to the submitted report be approved for consultation. ||

Reasons for Decision:

To allow the Council to update the policy giving clearer guidance to applicants and objectors.

Other options:

Not to publish a revised policy and keep the existing one which is now outdated.

Note: This is a Council function.
Eligible for call-in to: Place Scrutiny Committee
Executive Councillor: Cllr Cox

15 Forum 2

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the core accommodation requirements for the development of Forum 2, which the Council is taking forward in partnership with South Essex College and

provided an update on the South East Local Enterprise Partnership (SELEP) funding bid to support the scheme.

Resolved:

1. That the content of the Design Brief for Forum 2, including the initial statement of the Council's requirements in respect to gallery spaces and a digital workspace hub, be approved.
2. That the current budgetary position in relation to the development of Forum 2, including the partners' progress in securing funding from the South East Local Enterprise Partnership Local Growth Fund, alongside the proposed completion date and programme for delivery, be noted.
3. That the proposed procurement route and the project governance arrangements, including the establishment of a joint Council/College Sponsoring Group and Project Board, be approved.
4. That the Deputy Chief Executive (Place) be approved as the Project Executive and, in consultation with the Executive Councillor for Culture, Tourism and the Economy, be given delegated authority to appoint the Main Design Team and Cost Consultant to progress the design from RIBA Stage 2 (Concept Design) through to RIBA Stage 7 (In Use).

Reasons for Decision:

To establish an agreed design brief position from which the Council, in partnership with the College, may progress the project alongside a formal project governance and management framework providing a solid foundation for the successful delivery of the project.

Other options:

As set out in the submitted report.

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

16 **Massage and Special Treatment**

The Cabinet considered a report of the Deputy Chief Executive (Place) updating the standard conditions used to grant and renew the licences for persons carrying on establishments for massage or special treatments under the Essex Act 1987 and proposing the adoption of best practice Codes of Practice specific to the different treatments being offered.

Recommended:

1. That the Council specifies in each Massage or Special Treatment Licence the updated Conditions and the Codes of Practice relevant to each type of operation. In doing so, the Council is thereby approving the appropriate Code of Practice for each type of licence.

2. That the Codes of Practice continue to be updated in line with best practice and emerging new treatments. ||

Reasons for decisions:

To continue to maintain best practice and keep pace with the development of new treatments which are licensable under the Essex Act 1987 for massage or special treatment.

Other options:

To continue with the existing conditions in these establishments.

Note: This is a Council Function.

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Cox

17 Annual Procurement Plan

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the Council's Annual Procurement Plan for 2018/19.

Resolved:

That the Annual Procurement Plan 2018/19 set out in Appendix 1 to the submitted report, be approved.

Reasons for Decision:

Approval of the Annual Procurement Plan is a requirement of the Council's Constitution.

Other Options:

None.

Note: This is an Executive Function

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

Executive Councillor: Cllr Moring

18 Annual Education Report

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the Annual Education Report (AER) on the retrospective performance of Southend Schools for the academic year 2016/17.

Resolved:

1. That the new format of the Annual Education Report be noted.

2. That the Annual Education Report, recognising the very positive outcomes for learners across all Key Stages, be approved.

Reasons for Decision:

Recognition of the very strong performance of Southend Schools should be celebrated and the new AER will allow more people to access their achievements.

Other Options:

None.

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

19 Secondary School Places

The Cabinet considered a report of the Deputy Chief Executive (People) providing an update on the current position regarding the future provision for Secondary School places across the Borough from 2018-2020 and beyond.

Resolved:

1. That the position regarding the provision of sufficient secondary school places, be noted.
2. That the decision to pursue a Free School option be reversed in favour of the expansion in existing secondary schools.

Reasons for Decision:

The decision to revert to an expansion as opposed to a free school has been taken for a number of reasons as set out in the submitted report.

Other options:

The decision previously taken by Cabinet was in effect the alternative option.

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

20 School Term Dates

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the guideline school term and holiday dates for the academic year 2019/20.

Resolved:

That the school term and holiday dates for 2019/20 as set out in Appendix 1 of the submitted report, as a guide to schools, be approved.

Reasons for Decision:

As set out in the report.

Other Options:

None.

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

21 Council Procedure Rule 46

Resolved:

That the submitted report be noted.

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

22 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.

23 Council Procedure Rule 46 - Confidential Sheet

Resolved:

That the submitted report be noted.

Note: This is an Executive Function.
Eligible for call-in to the relevant Scrutiny Committee
Executive Councillor: as appropriate for the item