

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 25th January, 2016

Place: Committee Room 1 - Civic Suite

Present: Councillor Habermel (Chair)
Councillors Evans (Vice-Chair), Assenheim, Callaghan,
Courtenay, Cox, J Garston, Jarvis, Kenyon, McMahon, Mulroney,
Ward, Ware-Lane, Willis, Endersby and Davidson*

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors Betson, Norman MBE, Terry and Woodley (Executive Councillors), Flewitt and Nevin
T Row, J Chesterton, S Crowther, P Geraghty, N Harris,
D Hermitage, A Lewis, R Tinlin and J K Williams

Start/End Time: 6.30 - 8.50 pm

575 Apologies for Absence

Apologies for absence were received from Councillors G A F Phillips (substitute: Councillor Davidson), A Crystall and I T Robertson.

576 Declarations of Interest

(a) Councillors Betson, Norman MBE, Terry and Woodley (Executive Councillors) – interests 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 Assenheim – Agenda item No. 12 (Members' Request Ref No. 15/11) – Non-pecuniary interest: The Doctor's Surgery where he is registered is in the road;

(c) Councillor Flewitt – Agenda Item No. 7 (Draft Fees & Charges 2016/17) – Non-pecuniary interest: Has a discounted permit for green waste;

(d) Councillor Flewitt – Agenda Item No. 10 (Essex and Southend Replacement Waste Local Plan) – Non-pecuniary interest: Knows some of the consultees who are cited and named;

(e) Councillor Flewitt – Agenda Item No. 12 (Members' Request Ref No. 15/37) – Non-pecuniary interest: Lobbied for investigations and speed reduction measures at the school entrance in Hornby Avenue;

(f) Councillor Woodley – Agenda Item No. 7 (Draft Fees & Charges 2016/17) – Non-pecuniary interest: Has a discounted permit for green waste;

(g) Councillor Woodley – Agenda item No. 12 (Members' Request Ref No. 15/11) – Non-pecuniary interest: Lives in Tyrone Road.

577 Questions from Members of the Public

There were no questions from members of the public.

578 Minutes of the Meeting held on Monday, 30th November 2015

Resolved:-

That the Minutes of the Meeting held on Monday, 30th November 2015 be received, confirmed as a correct record and signed.

579 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 decisions 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

580 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.

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

581 Draft Fees and 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.

In response to questions regarding the tariff for the carers/health care special comprehensive (named car park) season ticket, the Corporate Director for Place confirmed that the current tariff was £90 not £80 as shown. It was proposed that the tariff would remain at £90.

In response to questions regarding the proposed changes to the charges for the collection of green waste, the Corporate Director for Place undertook to include these proposals in the papers for Cabinet. He also undertook to provide a breakdown of the numbers who had purchased a 39 week collection permit and those who had purchased a 52 week collection permit.

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

582 Draft General Fund Revenue Budget

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.

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.

583 Monthly Performance Report (MPR)

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.

584 Essex and Southend Replacement Waste Local Plan

The Committee considered Minute 538 of Cabinet held on 5th January 2016, together with a report of the Corporate Director for Place seeking endorsement of the Essex and Southend-on-Sea Replacement Waste Local Plan Proposed Submission Document (RWLP). The RWLP would replace the existing Essex and Southend Waste Local Plan 2001 and provide planning policies to guide and enable waste and related developments until 2032 within the administrative boundaries of Essex and Southend-on-Sea.

Resolved:

That the following recommendations of Cabinet be noted:

“1. That the RWLP, as set out in Appendix 1 to the submitted report, be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. That the RWLP be submitted to the Secretary of State, prior to Examination in Public, under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

3. That the Corporate Director for Place, in consultation with the Executive Councillor for Housing, Planning and Regulatory Services, be authorised to:

(i) approve amendments to the RWLP that may result from inter alia analysis of the representations made following public consultation, recommendations of the Sustainability Appraisal and any additional evidence considered, and then consult on these changes, if required, before they are submitted to the Secretary of State;

(ii) agree and approve amendments that may be proposed by the Inspector during the Examination in Public process and to any further consultation that may be required as a result of this; and

(iii) take all necessary steps to ensure compliance with the relevant statutory processes and procedures necessary for preparation and participation of the Council at the Examination in Public.

4. That the consultation summary regarding the previous version of the RWLP, as set out in Appendix 2 to the submitted report, be noted.”

Note:- This is a Council Function.

Executive Councillor:- Cllr Terry

585 Shoebury Garrison Land Transfers

The Committee considered Minute 540 of Cabinet held on 5th January 2016, together with a report of the Corporate Director for Place setting out the current position in respect of the Section 106 Agreement dated 6th February 2004 (as subsequently modified) relating to land transfers at Shoebury Garrison.

Resolved:

That the following decisions of Cabinet be noted:

“1. That it be noted that the land shown on the plan at Appendix 1 to the submitted report comprising the sea walls and associated structures will be transferred to the Council by Avant Homes (“the developer”) in accordance with the terms of the S106, once all repair works required by the S106 have been completed to the Council’s reasonable satisfaction.

2. That the additional land shown in Appendix 2a and 2b to the submitted report be transferred to the Council by the developer, and the additional land shown in Appendix 2c be transferred to the Council by the Ministry of Defence (“MoD”).

3. That all areas of foreshore comprised within the land referred to in 1 above be transferred to the MoD as soon as possible and until such transfer that the foreshore at Shoebury Garrison remain closed to the public.

4. That the allocation of departmental duties and responsibilities for future management of the land to be transferred to the Council, be noted.

5. That the Corporate Director for Place be authorised to determine the best possible solutions in relation to other minor related issues including (but not limited to) a procedure for works in the park and foreshore, a media / communications strategy, the surface water outfall, positioning / ownership of navigation aids, drainage ditches / scrapes / swales etc.”

Note:- This is an Executive Function

Executive Councillor:- Councillor Norman

586 Member's Requests List

The Committee considered Minute 514 of Cabinet Committee held on 5th January 2016, together with the relevant excerpts from the report of the Corporate Director for Place regarding Member's Request ref no.15/11 regarding amendments to the operational hours of existing waiting restriction in Tyrone Road and Fermoy Road and Member's Request ref no.15/37 regarding the removal of school keep clear markings in Hornby Avenue.

Resolved:-

1. That Minute 514, in respect of Members’ Request Ref no. 15/11 regarding amendments to the operational hours of existing waiting restriction in Tyrone Road and Fermoy Road be referred back to Cabinet Committee for reconsideration.

2. That Minute 514, in respect of Members’ Request Ref no. 15/37, regarding the removal of school keep clear markings in Hornby Avenue, be noted.

Note:- This is an Executive Function

Executive Councillor:- Terry

587 Traffic & Parking Working Group Recommendations

The Committee considered Minute 516 of Cabinet Committee held on 5th January 2016, together with a report of the Corporate Director for Place that presented the outcome of the meetings of the Working Group to review the existing policies, processes and practices. The purpose of the review was to ensure that all requests for traffic and parking matters were undertaken in the most effective and efficient manner and to ensure that the terms of reference of the Traffic & Parking Working Party and Cabinet Committee were up to date.

The report also sought Members approval to the revised policies and processes set out in Appendix 1 to the report of the Corporate Director, together with the amended terms of reference for the Traffic & Parking Working Party and Cabinet Committee, the introduction of a Protocol for Public Participation in respect of traffic regulation orders as set out in Appendix 2 of the report and the extension of proviso (b) under Council Procedure Rule 37.2 so that it would also apply to Working Parties.

Resolved:

That the following recommendations of Cabinet Committee be noted:

“1. That, subject to the following amendment, the revised policies, processes and procedures for traffic & parking investigations as set out in Appendix 1 to the report of the Corporate Director for Place be approved:

Section 1, item 4 is deleted.

Section 1, items 2 and 6 relate to members of the public only.

Section 3, item 2 – should now read: Any proposals in this regard should have the agreement of at least two Councillors, one of which must be the relevant Ward Councillor.

2. That the Executive Councillor for Public Protection, Waste & Transport in consultation with the Corporate Director for Place be authorised to make any minor amendments to the revised policies, processes and procedures prior to adoption.

3. That the amended terms of reference for the Traffic & Parking Working Party and Cabinet Committee as set out in Appendix 2 of the report be approved.

4. That the Protocol for Public Participation at meetings of the Traffic & Parking Working Party and Cabinet Committee in respect of traffic regulation orders be approved.

5. That proviso (b) under Council Procedure Rule 37.2 be extended so as to also apply to Working Parties.”

Note:- This is an Council Function
Executive Councillor: Councillor Terry

588 Introduction of a Policy in respect of the Installation of Bollards

(This is a pre-Cabinet Scrutiny item.)

The Committee received a presentation by way of pre-Cabinet scrutiny. This sought Members' views on the introduction of a policy in respect of the installation of bollards and the protection of the public realm/environment.

The Committee discussed the matter in some detail and requested that copies of the slides used in the presentation be circulated to members of the Committee.

Resolved:-

That the existing Environmental Enforcement Policy be updated to include a comprehensive range of measures to protect grass verges, paving and other public realm from damage caused by overriding vehicles, including the use of bollards, the content of which be submitted to the a future meeting of the Committee, prior to consideration by Cabinet.

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

589 In-depth Scrutiny Project - 20 mph in Residential Streets

The Committee received an update on the in-depth Scrutiny project regarding 20mph in residential streets.

Resolved:-

That the report be noted

Note:- This is a Scrutiny Function

Chairman: _____