

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 9th April, 2019

Place: Committee Room 1 - Civic Suite

Present: Councillor C Nevin (Chair)
Councillors M Borton (Vice-Chair), B Arscott, L Burton, A Chalk, A Dear, D Garne, S Habermel, T Harp, A Holland, J McMahon, C Mulroney, G Phillips, K Robinson, C Walker and R Woodley*
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors Boyd, Cox, Moring & Salter (Cabinet Members)
Councillors S George and A Jones
F Abbott, S Leftley, J Ruffle, P Grout, D Simon, B Martin, J O'Loughlin, S Baker, G Shine, N Laver and E Chidgey

Start/End Time: 6.30 - 8.50 pm

843 Apologies for Absence

Apologies for absence were received from Councillor Buckley (no substitute) and Councillor Stafford (Substitute Cllr R Woodley) and K Jackson, T Watts, J Broadbent and Rev'd Canon J Collis (co opted members).

844 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Boyd, Cox, Moring & Salter (Cabinet Members) – interest in the called in / referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor Boyd – disqualifying non-pecuniary interest in the Schools Progress Report; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (c) Councillor Salter – agenda item relating to Scrutiny Committee - updates – non-pecuniary - husband is consultant Surgeon at Southend Hospital; son-in-law is GP in the Borough; daughter is a doctor at Basildon Hospital (was not present for agenda item however);
- (d) Councillor Nevin – agenda item relating to Revenue & Capital Monitoring – non-pecuniary – Southchurch School highlighted in report – niece is teacher at the school;
- (e) Councillor Borton – agenda item relating to - Revenue & Capital Monitoring – non-pecuniary – work for DWP, dealing with Universal Credit claimants;
- (f) Councillor Nevin - agenda item relating to Scrutiny Committee updates – mid and south Essex STP - non-pecuniary – Previous association at Southend & MEHT Hospitals; sons work at MEHT; sister works Basildon Hospital; work at NHS Trust outside this area;

- (g) Councillor Harp - agenda item relating to Scrutiny Committee updates (Appendix 2) - non-pecuniary – patient at St Lukes Health Centre, Chair of St Lukes PPG and member of PPG Forum;
- (h) Councillor Borton - agenda item relating to Scrutiny Committee updates – section 3 of report – EPUT – daughter is a nurse at Basildon mental health unit;
- (i) Councillor Robinson - agenda item relating to Scrutiny Committee updates – disclosable interest – employee of EPUT mentioned in the report and workplace and mentioned in Appendix 2 – withdrew;
- (j) Councillor Burton – Safeguarding Report; Annual Education Report; Schools Progress report – non-pecuniary – Director of English and Maths at USP (formally SEEVIC) College and Southend schools are feeder schools;
- (k) Councillor Arscott – agenda items relating to – Safeguarding Report; Annual Education Report; Schools Progress report – non-pecuniary – Governor at Our Lady of Lourdes Catholic Primary School (Assisi Trust);
- (l) Councillor Holland - agenda item relating to Scrutiny Committee updates – non-pecuniary – President Southend Stroke Club;
- (m) Councillor McMahon – agenda item relating to Safeguarding Report – non-pecuniary – support parents in court cases of children who may feature in report;
- (n) Councillor McMahon – agenda item relating to Schools Progress report – non-pecuniary – Charitable association with Southend YMCA including school – former governor on Board YMCA.

845 Questions from Members of the Public

There were no questions received from members of the public.

846 Minutes of the Meeting held on Tuesday, 29th January, 2019

Resolved:-

That the Minutes of the Meeting held on Tuesday, 29th January, 2019 be confirmed as a correct record and signed.

847 Monthly Performance Report

The Committee considered Minute 779 of Cabinet held on 12th March 2019, which had been referred direct by Cabinet to all three Scrutiny Committees together with the Monthly Performance Report covering the period to end February 2019, which had recently been circulated.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Cabinet Member:- As appropriate to the item.

848 Transport Procurement

The Committee considered Minute 770 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a report of the Deputy Chief

Executive (People) which provided an update on the procurement for the preferred bidder to create a Joint Venture Partnership (JV) to deliver the Council's Passenger Transport Service.

The Committee asked a number of questions about the report and the Cabinet Member for Infrastructure agreed to provide further information on the delivery and operation of the passenger transport services, in particular, home to school transport service (number of vehicles & numbers to be transported).

Resolved:-

1. That the decisions of Cabinet, as set out in 1-5 below and the recommendation as set out in 6 below, be referred back to Cabinet for reconsideration. However the decision to refer the matter back was then referred up to Council, pursuant to Council Procedure Rule 39 (see Resolution 2 below):-

"1. That the selection of the preferred bidder as detailed in the Part 2 report be confirmed and that a Joint Venture Partnership (JV) be established with the preferred bidder for a period of 10 years with an option to extend for a further 5 years.

2. That the Council's annual contribution to the JV of £1.8M, be approved.

3. That the proposed additional community benefits as detailed within the Part 2 report, be approved.

4. That the additional financial arrangements as set out in the Part 2 report, be approved.

5. That the Strategic Director (Transformation), in consultation with the Deputy Chief Executive (People) and the Strategic Director (Finance and Resources) be authorised to:

a) Negotiate and settle the final details of the contractual obligations and responsibilities of each party which will be formalised and documented within a Partnership Agreement and further legal documents that are ancillary to this;

b) Take decisions associated with the creation of the JV (including organisational structure, Council representation and the appointment of directors) to ensure agile and timely decision making keeping the implementation of the JV to timetable and protecting the Council's position;

c) Finalise and complete any ancillary agreements or documents necessary to give effect to the constitution, implementation and functioning of the JV company in accordance with the submitted report and its appendices.

6. That the terms of reference of the Council's Shareholder Board be amended to include this JV."

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

Note: This is an Executive Function save that Recommendation in 6 above is a Council Function.

Cabinet Members: Cllrs Boyd, Cox and Moring

849 Annual Report on Safeguarding Children and Adults - September 2017 to March 2019

The Committee considered Minute 775 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a report of the Deputy Chief Executive (People) which presented the annual assurance assessment for the Chief Executive and Councillors in respect of their responsibilities for safeguarding children and adults in Southend.

On behalf of the Committee, the Chair welcomed E Chidgey to the meeting. Ms Chidgey is the Independent Chair of the Southend safeguarding children and adults Boards and she responded to a number of questions from members on the report.

Resolved:-

That the following decision of Cabinet be noted:-

“That the submitted report be noted and the actions detailed in Section 6 of the report, be approved.”

Note: This is an Executive Function

Cabinet Members: Cllrs Cox and Boyd

850 Annual Education Report

The Committee considered Minute 776 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a report of the Deputy Chief Executive (People) which set out the format and context of the Annual Education Report 2018.

In response to questions regarding the report, the Council’s Director of Learning said that the average score point figures on page 1 of the report, would be provided to 1 decimal point in the future. He also agreed to circulate the outcome data for free school meals at KS4 as this data had not been available at the time of writing the report.

Resolved:-

That the following decision of Cabinet be noted:-

“That the Annual Education Report, be approved.”

Note: This is an Executive Function

Cabinet Member: Cllr Boyd

851 Revenue and Capital Monitoring - 31st January 2019

The Committee considered Minute 780 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a report of the Strategic Director (Finance and Resources) which presented the Revenue and Capital Budget Monitoring report for the period ending 31st January 2019.

Resolved:-

That the following decisions of Cabinet be noted:-

“That, in respect of the 2018/19 Revenue Budget Monitoring as set out in Appendix 1 to the submitted report:

1. That the forecast £1,631,000 net surplus for the General Fund and the forecast £119,000 net surplus for the Housing Revenue Account, as at January 2019, be noted.
2. That the planned management actions of £721,000 to achieve that forecast outturn, be noted.
3. That the planned budget transfers (virements) of £377,000, be approved.
4. That the transfer of £300,000 to the Public Health Reserve as a result of unspent ring fenced grant, be approved.
5. That the transfer of £200,000 from the Interest Equalisation Reserve to mitigate against the impact of a change in Government regulations, be approved.
6. That the transfer of £65,000 from the Supporting People Reserve to mitigate the temporary non-delivery of a budget saving, be approved.
7. That the transfer of £790,000 from the Grants Reserve to release surplus funds within the Reserve, be approved.
8. That, as a result of the forecast net surplus, the following one-off investments totalling £480,000 be approved:
 - £100,000 to support secondary schools;
 - £130,000 additional support for children and vulnerable adults subject to gang exploitation;
 - £100,000 for a deep clean of the High Street;
 - £100,000 for Place branding, marketing and signage costs;
 - £50,000 for additional parking enforcement provision.
9. That the potential transfer of £1,151,000 to the Business Transformation Reserve in respect of the residual forecast General Fund net surplus, be noted.
10. That the potential transfer of £119,000 to the HRA Capital Investment Reserve in respect of the forecast HRA net surplus, be noted.

In respect of the 2018/19 Capital Budget Monitoring as set out in Appendix 2 to the report:

11. That the expenditure to date and the forecast outturn as at January 2019 and its financing, be noted.

12. That the requested changes to the 2018/19 capital investment programme as set out in Section 2 of Appendix 2 of the report, be approved.”

Note: This is an Executive Function
Cabinet Member: Cllr Lamb

852 Schools Progress Report

The Committee received a report of the Deputy Chief Executive (People) which informed the advised about the current position with regard to the performance of all schools, including those schools causing concern and updated on known Academy developments.

The Committee was pleased to note the recent ‘social mobility’ visit by Norwich Youth Council.

Resolved:-

1. That the report be noted.
2. That the staff, students, parents and carers of the YMCA Community School be congratulated on the ‘Good’ outcome from the recent Ofsted inspection.

Note:- This is an Executive Function.
Cabinet Member:- Cllr Boyd

853 Scrutiny Committee - updates

The Committee considered a report by the Strategic Director (Legal & Democratic Services) which updated the Committee on a number of Scrutiny matters.

The Scrutiny Officer reported that the Chair has been contacted by Camden Clinical Commissioning Group regarding scrutiny arrangements with regard to the proposed move of site for Moorfields Eye Hospital, City Road London. The proposal is to relocate all the services currently provided at Moorfields’ City Road site in Islington, London (along with the UCL Institute of Ophthalmology and Moorfields Eye Charity) to a brand new integrated, purpose-built hospital on land that has become available at the St Pancras Hospital site in Camden, London, subject to public consultation.

Committee members were contacted for their views and the responses received supported the proposed approach with regards to the Scrutiny Committees’ involvement and that it would be applicable for the existing Joint HOSC for North Central London to manage the scrutiny process on behalf of Southend. Regular updates / briefing on the proposals has been requested, together with

information on the arrangements for public consultation and how local people can respond if they so wish and how respective local Healthwatch bodies will be involved.

Resolved:-

1. That the report and actions taken be noted.
2. That the report and conclusions from the in depth scrutiny project, detailed at Appendix 1, be agreed.
3. That the Chair be authorised to agree any final amendments to the draft report and that in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution) the Chair (or Vice-Chair) present the report to a future Cabinet meeting.
4. To note the update information on the development of the St Lukes Health Centre, detailed at Appendix 2.
5. That the Youth Council be congratulated on the launch of the '1757' Voices Charter, detailed at Appendix 3.
6. To note the timetable for commenting on the Quality Accounts from EPUT and the Hospital Trust for 2018/19, as set out in section 3 of the report.
7. To note the position with regard to the scrutiny arrangements for the proposed move of site for Moorfields Eye Hospital, London and agreed that the existing Joint HOSC for North Central London should act as scrutiny lead and manage the scrutiny process on behalf of Southend.

Note:- This is a Scrutiny Function.

854 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.

855 Transport Procurement - Confidential Appendix to Report

The Committee considered Minute 783 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a confidential appendix to the report of the Deputy Chief Executive (People).

Resolved:-

That the following decision of Cabinet be noted:-

"That the confidential appendix, be noted."

Note: This is an Executive Function

Cabinet Members: Cllrs Boyd, Cox and Moring

856 Vote of Thanks

The Chair thanked Councillors for their contributions, support and participation at the meetings over the last Municipal Year. She also wished Councillors all the best who are seeking re election.

Chairman: _____