

**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Digest of the Decisions of Cabinet**  
**held on Tuesday, 17th September, 2019**  
**Place: Committee Room 1 - Civic Suite**

**Present:** Councillor I Gilbert (Chair)  
Councillors R Woodley (Vice-Chair), T Harp, A Jones, C Mulroney,  
K Robinson and M Terry

**In Attendance:** Councillors J Beck, M Borton, D Cowan, T Cox, M Dent, K Evans,  
D Garne and D Jarvis  
A Griffin, J K Williams, A Lewis, J Chesterton, J Ruffle, C Gamble,  
S Dolling, P Geraghty, G Halksworth, P Jenkinson, T MacGregor,  
B Martin, A Richards, L Doe and M Sargood

**Start/End Time:** 2.00 - 3.50 pm

**1 Apologies for Absence**

There were no apologies received for the meeting.

**2 Declarations of Interest**

(a) Councillor Beck – Agenda Item No. 5 (Fire Safety) – Non-pecuniary interest: Fire safety campaigner for tower block safety.

(b) Councillor Beck – Agenda Item No. 16 (Selective Licensing of the Private Rented Sector) – Disqualifying Pecuniary Interest: Private Landlord.

(c) Councillor Beck – Agenda Item No. 18 (School Outcomes Summer 2019) – Non-Pecuniary Interest: Governor/Teacher (Academies)

(d) Councillor Cowan – Agenda Item No. 14 (Lundy Close) – Non-Pecuniary Interest: Discussed with residents

(e) Councillor Cowan – Agenda Item No. 16 (Selective Licensing of the Private Rented Sector) – Non-Pecuniary Interest: Private Sector Tenant

(f) Councillor Cowan – Agenda Item No. 17 and 18 (Ofsted Inspection of Children's Services/School Outcomes Summer 2019) – Non-Pecuniary Interest: Has a child in LEA School

(g) Councillor Cox – Agenda Item No. 12 (Notice of Motion - Seaway Car Park) – Pecuniary Interest: Relative works for Stockvale Group who is involved with Seaways development – withdrew

(h) Councillor Harp – Agenda Item No. 15 (Housing and Regeneration Pipeline) - Disqualifying Non-Pecuniary Interest: Season ticket holder at Southend United Football Club/ Uses Illfracombe Avenue Car Park – withdrew in relation to the Roots Hall discussion

(i) Councillor Jarvis – Agenda Item No. 15 (Housing and Development Pipeline) –Non-Pecuniary Interest: Wife and himself are season ticket holders at Southend United Football Club and he is also a small shareholder – withdrew in relation to the Roots Hall discussion

(j) Councillor Jones – Agenda Item Nos. 18 and 20 (School Outcomes Summer 2019/ Admission Arrangements for Community Schools) – Non-Pecuniary Interest: Has a child in education in Southend

(k) Councillor Mulroney – Agenda Item No. 25 (Budget Performance): Non-Pecuniary Interest: Chairman of North Thames Fisheries Local Action Group

(l) Councillor Robinson – Agenda Item No. 16 (Selective Licensing of the Private Rented Sector) – Non-Pecuniary Interest: Private Sector Tenant

(m) Councillor Terry – Agenda Item No. 15 (Housing and Regeneration Pipeline) – Disqualifying Non-Pecuniary Interest: Season ticket holder at Southend United Football Club – withdrew in relation to the Roots Hall discussion

(n) Councillor Woodley – Agenda Item No. 14 (Notice of Motion – HRA Lundy Close) – Non-Pecuniary Interest: Lead Peer member for East England and East Midlands – LGA

(o) Councillor Woodley – Agenda Item No. 15 (Housing and Regeneration Pipeline) – Disqualifying Non-Pecuniary Interest: Wife is a season ticket holder at Southend United Football Club – withdrew in relation to Roots Hall discussion

(p) Councillor Woodley – Agenda Item No. 19 (Review and Update of Tree Policy) – Non-Pecuniary Interest: Chair of BERA – donates trees to the environment

### **3 Minutes of the Meeting held on 25 June 2019**

Resolved:-

That the Minutes of the Meeting held on 25<sup>th</sup> June 2019 be confirmed as a correct record and signed.

### **4 Minutes of the Meeting held on 8 July 2019**

Resolved:-

That the Minutes of the Meeting held on 8<sup>th</sup> July 2019 be confirmed as a correct record and signed.

### **5 Fire Safety**

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the progress in delivering the Council's Fire Safety Review, which was established following the Grenfell Tower fire on 14<sup>th</sup> June 2017.

The report also set out the Council's response to the Government Consultation 'Building a Safety Future: Proposals for reform of the building safety regulatory system' that sets out the Government's proposals to implement the Independent Review of Building Regulations and Fire Safety.

Resolved:-

1. That the work undertaken by the Council and South Essex Homes with respect to Fire Safety including independent fire engineer assessments of two typical tower blocks and proposals to undertake Type 4 Fire Risk Assessments in a further two typical blocks be noted and endorsed.
2. That the Council's response to the Government Consultation 'Building a Safety Future: Proposals for reform of the building safety regulatory system' be noted and endorsed.
3. That a further update be provided to Cabinet in spring 2020.
4. That it be noted that a request to increase the Fire Improvement Works capital budget for 2019/20 has been included in the Corporate Budget Performance – July 2019/20 report.

Recommended:-

5. That £750k p.a. be added to the Fire Improvement Works capital budget for the five years from 2020/21 to 2024/25, to be financed by corporate borrowing.

Reasons for Decision

1. The Council has undertaken a fundamental review of its fire safety policies and procedures, reviewed its property stock and put in place appropriate resources (financial and other) to ensure that it maintains its buildings in a safe condition whilst upgrading them where this is appropriate and practicable.
2. The Council has also recognised its 'community leadership' role with respect to fire safety and engaged with partners and the private sector to ensure residents, employees and visitors across the Borough are housed in, work in or visit safe premises.
3. The Council has considered the recommendations of the Independent Review of Building Regulations and Fire Safety and determined that it should take immediate steps to assess and enhance its duty holder requirements and to enhance opportunities for members of the public to raise concerns.

Other Options

1. 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.
2. To maintain the current arrangements whereby individual building managers are identified as responsible for the buildings within which they operate.
3. To commit to the immediate adoption of all recommendations set out within the Independent Review of Building Regulations and Fire Safety.

Note: The decisions in 1-4 above constitute an Executive Function. The decision in 5 above constitutes a Council Function.

Eligible for call in to: Place Scrutiny Committee  
Cabinet Member: Councillors Gilbert and Terry

## **6 Council Preparations for Brexit**

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the Council's preparations for leaving the European Union (EU) ("Brexit") following the report received by Cabinet on 17<sup>th</sup> January 2019 and in light of the Secretary of State's letter of 6<sup>th</sup> August 2019 to council leaders.

Resolved:-

That the work done by the Council to date to prepare for the UK's exit from the European Union (EU) be noted.

Reason for Decision

To enable the Council to respond to Brexit in the services it delivers and as a community leader.

Other Options

1. To reduce or cease the Council's preparations for Brexit.
2. To dedicate further staff time and resources to preparations for Brexit.

Note: This is an Executive Function

Eligible for call in to: Policy & Resources Scrutiny Committee

Cabinet Member: Councillor Gilbert

## **7 Parking on Seafront and High Street Areas**

Further to the meeting of Council on 18<sup>th</sup> July 2019 (minute 242) the Cabinet considered a report of the Deputy Chief Executive (Place) setting out recommendations on a number of highway proposals

Resolved:-

1. That the content of the report be noted, including the assessment of the proposals.
2. That the recommendations in respect of each of the highway proposals, be approved.

Reasons for Decision

To respond to the decision of Council.

Other Options

1. Do nothing.

2. To consider other locations around the Borough as part of the parking strategy.

Note: This is an Executive Function  
Eligible for call in to: Place Scrutiny Committee  
Cabinet Member: Councillor Woodley

**8      Petition Against New Parking Charges (referred back by Place Scrutiny Committee held 8th July 2019)**

At the meeting of the Place Scrutiny Committee held on 8<sup>th</sup> July 2019, it was agreed to refer back the above petition to Cabinet for consideration (minute 143, refers)

Resolved:-

That no changes be made to the current pricing structure, but that consideration be given to car parking charges as part of the 2020/21 budget process.

Reason for Decision

To respond to the petition

Other Options

None

Note: This is an Executive Function  
Not eligible for call in as the matter has already been considered by Place Scrutiny Committee  
Cabinet Member: Councillor Woodley

**9      Petition relating to High Street and Two Hours Free Parking (referred back by Place Scrutiny Committee held 8th July 2019)**

At the meeting of the Place Scrutiny Committee held on the 8<sup>th</sup> July 2019, it was agreed to refer back the above petition to Cabinet for consideration (minute 144, refers)

Resolved:-

That given the significant lack of income potential, the suggested 2 hour free parking in the town centre car parks is not implemented.

Reason for Decision

To respond to the petition

Other Options

None

Note: This is an Executive Function  
Not eligible for call in as the matter has already been considered by Place Scrutiny Committee  
Cabinet Member: Councillor Woodley

**10     Petition relating to Street Lighting and CCTV in Pleasant Road Area**

At the meeting of Council held on 18<sup>th</sup> July 2019, Councillor Collins presented a petition, on behalf of residents, requesting improved street lighting and increased CCTV coverage for the Pleasant Road area.

Resolved:-

1. That subject to the availability of funding, infill street lighting be installed in Hartington Road, Pleasant Road and Hartington Place.
2. That as part of the CCTV upgrade programme, CCTV be included in Hartington Road and Pleasant Road

Note: This is an Executive Function  
Eligible for call in to: Place Scrutiny Committee  
Cabinet Member: Councillor Terry

## **11 Notice of Motion - Better Queensway**

At the meeting of the Council held on 18<sup>th</sup> July 2019, Councillors received a Notice of Motion relating to the Better Queensway development. The motion was proposed by Councillors Davidson and Garston and supported by 16 other Conservative Councillors (this had been referred to Cabinet in accordance with Standing Order 8.4).

Resolved:-

1. That it be noted that the Council has made a commitment to seek an increase on the current provision of 441 affordable homes (paragraph 3.19 of the report to Cabinet on 12<sup>th</sup> February 2019, refers)
2. That it be noted that a strong relationship between the two partners has been formed and formalised through the formation of the JV partnership which is the vehicle for delivery of the Project. The details of the partnership, including the financial commitments made by the Council and Swan, are captured in the signed partnership agreement and ancillary legal agreements. Expeditious delivery of the Project is one of the agreed underlying principles of the procurement, though this must be balanced against disruption and financial viability.
3. That in addition to the consideration of reports from the Shareholder Board to Cabinet in reference to the Project, an informal biannual (minimum) update for elected councillors is undertaken through e-newsletters, briefings or similar processes.
4. That it be noted that resident, business and stakeholder communication and engagement is fundamental to the Project and is being captured in a communication and engagement plan for the JV. This will ensure that residents and businesses are kept up to date with the progress of the Project with opportunities to influence and shape it where possible and appropriate.

Reason for Decision

To respond to the Notice of Motion

Note: This is an Executive Function  
Eligible for Call in to: Place Scrutiny Committee  
Cabinet Member: Councillors Gilbert and Woodley

## **12 Notice of Motion - Seaway Car Park**

At the meeting of Council held on 18<sup>th</sup> July 2019, Councillors received a Notice of Motion in connection with the Seaway Car Park development. The motion was proposed by Councillors Buck and Davidson and supported by 16 other Conservative councillors (this had been referred to Cabinet in accordance with standing order 8.4).

Resolved:-

1. That the Notice of Motion is rejected to ensure the Council's contractual position is not fettered and that the current planning application can be dealt with through the normal process.
2. That it be noted that consideration is being given to options to create additional parking in the vicinity of Seaway Car Park.

Reason 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  
Cabinet Member: Councillors Gilbert and Robinson

## **13 Notice of Motion - Climate Emergency Declaration**

The Cabinet received a report of the Deputy Chief Executive (Place) which had been prepared in response to the above Notice of Motion presented to Council on 18<sup>th</sup> July 2019 by Councillor Mulroney.

Resolved:-

1. That in taking forward the Motion, the current position in respect to the Council's own CO2 emissions which have already been reduced by 75%, be noted. Subject to completion of the current capital programme and that proposed in the 2050 outcomes, the Council is expected to achieve net-zero by 2024/5.
2. That in taking forward the Motion, the implications of the proposed Declaration of Climate Emergency and its potential impact on all areas of the Council, be noted.
3. That in taking forward the Motion, the Council's leadership opportunity be noted, but that achieving net-zero for the Borough by 2030 will require coordinated actions across all parts of the Borough and will be an enormous undertaking which may take resources from other priorities.
4. That Cabinet lobby Government (via LGA) with other Local Authorities to ensure that funds are made available to increase the work towards achieving carbon neutral status.

Reasons for Decisions

Major reductions in emissions are required across the world to mitigate against climate change and hold global warming to less than 2 degrees, preferably 1.5 degrees.

Other Options

None

Note: This is an Executive Function  
Eligible to call in to Place Scrutiny Committee  
Cabinet Member: Councillor Mulroney

#### **14 Notice of Motion - HRA Lundy Close**

At the meeting of Council held on 18<sup>th</sup> July 2019, Councillors received a Notice of Motion opposing the Lundy Close housing scheme.

Resolved:-

That officers proceed to the next steps of the Land Review project which will include appointing of an Architect and Design Team to provide a more detailed plan for proposals at Lundy Close. Further consultation will take place with both ward councillors and local residents. Any planning application will be subject to public consultation in the normal way.

Reason for Decision

To respond to the Notice of Motion

Other Options

None

Note: This is an Executive Function  
Eligible to call in to Policy and Resources Scrutiny Committee  
Cabinet Member: Councillor Gilbert

#### **15 Housing and Development Pipeline Update**

The Cabinet considered a report of the Executive Director (Finance and Resources) and the Deputy Chief Executive (People) providing an update on the work underway in looking at the pipeline of housing and development opportunities across the Borough and presenting recommendations setting out the proposed way forward.

Recommended:-

1. That the progress of the first phase of housing and development pipeline sites currently in delivery as set out in Section 3.11 of the submitted report, be noted.
2. That the progress on the Acquisitions Programme for Council Housing as set out in Section 3.3 of the report, be noted.
3. That the work undertaken to date on the development land pipeline as set out in Section 3.5 of the report, be noted.



4. That £645,000 be allocated from existing capital reserves held within the General Fund and Housing Revenue Account as appropriate, in the first phase to enable the necessary initial site feasibility, due diligence, survey and high level design work to be commissioned to demonstrate viability (or otherwise) and enable a more detailed assessment of the number of units which could be delivered across the sites and, in relation to those suitable for joint venture opportunities, to establish appropriate objectives and bundling of sites. Following detailed feasibility, those sites which are proved to be viable will be presented to Cabinet for agreement on the preferred way forward for development in due course.
5. That PSP Southend LLP be invited to undertake the next stage of feasibility (to e2) for sites which the pipeline assessment work has indicated would be suitable for PSP delivery and for the Council to commission valuations for these sites to establish the baseline values. At this stage PSP will work at their risk. Once these sites have been assessed in detail by PSP Southend LLP, recommendations will be made to Cabinet for the sites to be opted in to the LLP for delivery or for alternative approaches to be considered.
6. That negotiations be carried out to progress to update and re-brand PSP Southend LLP as set out in 3.21 of the submitted report. In particular so that the board and reporting structure can be aligned with other Council LLPs and companies, reporting in to the Shareholder Board and to delegate the agreement of the detailed arrangements to the Strategic Directors (Finance and Resources and Legal and Democratic Services) in consultation with the Leader of the Council.
7. That it be noted that the proposed amendments to the Ilfracombe Avenue site, specifically that the Library will not be located within the proposed housing development which is proposed to provide a housing-for-rent scheme which will include a planning policy level of affordable housing for rent (capped at Local Housing Allowance levels). Income from the development will be used to finance the capital borrowing required to complete the necessary condition works at the existing Southchurch Library.

Resolved:-

8. That, in principle, the Council is minded to enter into an income strip lease transaction in relation to the proposed residential development at Roots Hall subject to the completion of the relevant due diligence and to ensuring the long-term financial sustainability for the Council. To note that if a suitable transaction can be agreed, the terms of that transaction will be put to Cabinet for consideration.

#### Reasons for Decision

1. To update Cabinet on progress on the HRA infill sites and acquisition programme.
2. To allocate funding for the next stages of feasibility work on the pipeline of sites.
3. The updating and re-branding of PSP Southend LLP will enable it to report in to the Shareholder Board in line with the other Council companies.

4. Removing the library from the scheme at Ilfracombe Avenue will significantly improve viability and deliverability and enable investment in to the existing library building.
5. To enable officers to progress negotiations in relation to the Roots Hall development proposals.

#### Other Options

1. The Council could opt not to use PSP for further developments although in order to continue the delivery of the range of sites, alternative resourcing considerations would be required.
2. The Council could opt not to pursue negotiations for an income strip lease for the development at Roots Hall.

Note: The decisions in 1-7 above constitute a Council Function. The decision in 8 above constitutes an Executive Function.

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

Cabinet Member: Councillors Gilbert and Woodley

## **16 Selective Licensing of the Private Rented Sector**

The Cabinet considered a report of the Deputy Chief Executive (People) outlining the preliminary work underway to introduce Selective Licensing in parts of the Borough and to seek agreement for the next steps, including resources required to undertake the preparatory research and other work needed ahead of implementation.

#### Resolved:-

1. That a one off resource of £50k in order to undertake in-depth preparatory work ahead of any implementation of Selective Licensing within the Borough through a service delivery partner, be approved.
2. That the targeted consultation is progressed on the adoption of powers of Selective Licensing within parts of the Borough identified as experiencing antisocial behaviour (ASB) problems, crime and deprivation associated with poorly managed Private Rented Sector (PRS) accommodation.
3. That following the above work, a further report is brought before Cabinet relating to the introduction of Selective Licensing in parts of the Borough.

#### Reasons for Decision

To enable further preparatory work to be undertaken.

#### Other options

Other options for tackling substandard and problematic properties within the Borough are set out in the submitted report.

Note: This is an Executive Function  
Eligible for call-in to: Policy and Resources Scrutiny Committee  
Cabinet Member: Councillor Gilbert

## **17 Ofsted Inspection of Children's Services**

The Cabinet considered a report of the Deputy Chief Executive (People) on the outcome of the Inspection of Local Authority Children's Services.

Resolved:-

1. That the submitted report be noted
2. That the action plan and revised Strategic Children's Services Improvement Plan is brought to Cabinet in January 2020 to enable Cabinet to provide scrutiny and challenge of, and support for, progress.

Reasons for Decision

None

Other Options

None

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

## **18 School Outcomes Summer 2019**

The Cabinet considered a report of the Deputy Chief Executive (People) concerning the early high level performance data from Southend schools following the summer 2019 examinations and tests.

Resolved:-

That the overall performance of Southend schools at each key stage, in particular relative to the emerging national benchmarks, be noted.

Reason for Decision

To receive performance data for Southend schools at each key stage.

Other Options

None

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

## **19 Review and update of Tree Policy**

The Cabinet received a report of the Deputy Chief Executive (Place) on the development of a new tree policy.

Resolved:-

1. That the adoption of an interim approach to tree management, including planting as set out in Appendix 2 to the submitted report, until the new tree policy for the borough is adopted be approved.
2. That the adoption of a new tree policy as per the approach set out in Appendix 1 of the report, be approved.
3. That the Council promotes and enhances the donated tree scheme working alongside residents, businesses, organisations and other interested parties who would like to support tree planting within the Borough.

Recommended:-

4. That funding (as identified in paragraph 6.3 of the report) be allocated for the planting and maintenance of an additional 1,000 standard trees in the next three planting seasons. This is in addition to the usual c300 replacement trees planted each year.

Reasons for Decision

Reviewing the current policy, adopting an interim approach and subsequently reviewing and adopting a new tree policy once the DEFRA guidance is released will ensure the appropriate continual management of the town's trees, the safety of the public and property and allows interested parties to become involved at different stages.

Other Options

1. Continue managing council trees as per the existing tree policy without review.
2. Continue managing council trees as per the existing tree policy until the guidance from DEFRA is available.

Note: The decisions in 1-3 above constitute an Executive Function. The decision in 4 above constitutes a Council Function.

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Mulroney

## **20 Admission Arrangements for Community Schools**

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the admission arrangements for community schools for the academic year 2021/22 and the proposed the Coordinated Admissions Scheme for 2021/22.

Resolved:-

1. That the proposed Admissions Arrangements for Community Schools for the academic year 2021/22 as set out in Appendix 1 to the submitted report be approved and it be noted that there was no requirement for public consultation as no further changes are proposed.
2. That consultation with governing bodies of community schools takes place on the published admission number (PAN) for community infant, junior and primary schools for September 2020 as set out in the Admission Arrangements in Appendix 1 to the report.
3. That the proposed Coordinated Admissions Scheme for 2021/22 onwards, as set out in Appendix 2 to the report be approved.
4. That the relevant area for schools is reviewed and agreed as follows: Southend, Castle Point and Rochford for the years 2021 and 2022.

#### Reasons for Decision

The Council has a statutory duty to ensure sufficient places for all statutory school aged children.

#### Other Options

None

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Councillor Jones

## **21 Real Living Wage**

The Cabinet considered a report of the Executive Director (Transformation) providing an overview of the Real Living Wage and outlined the financial and non-financial implications of becoming a Real Living Wage employer.

#### Resolved:-

That the Council declares it is a Real Living Wage employer and actively works towards obtaining the Real Living Wage accreditation.

#### Reason for Decision

The benefits of becoming an accredited Living wage employer are set out in the submitted report.

#### Other Options

1. Continue to pay the nationally agreed pay scales
2. Ensure the Council pays the living wage to directly employed employees, but do not seek to obtain the real living wage accreditation

3. Seek the real living wage accreditation and work with arm's length organisations and 3<sup>rd</sup> party suppliers to ensure that they are paying the real living wage

Note: This is an Executive Function

Eligible for call in to: Policy and Resources Scrutiny Committee

Cabinet Member: Councillor Gilbert

## **22 Journey of the Child - Annual Report**

The Cabinet considered a report of Deputy Chief Executive (People) presenting the "The Journey of the Child" end of year report covering the 2018/19 financial year.

Resolved:-

That "The Journey of the Child" end of year report, as set out at Appendix 1 to the submitted report, be approved.

Reasons for Decision

The overarching report allows for a more holistic oversight of service delivery and gives senior managers and Councillors an ability to see the overall impact for the Council of the work of the children's service.

Other Options

To continue reporting with individual reports through the cabinet cycle.

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Councillor Jones

## **23 Council Debt Position to 31 July 2019**

The Cabinet considered a report of the Executive Director (Finance and Resources) on the current position of outstanding debt to the Council, as at 31<sup>st</sup> July 2019.

Resolved:-

1. That the the current outstanding debt position as at 31<sup>st</sup> July 2019 and the position of debts written off to 31<sup>st</sup> July 2019 (as set out in Appendices A and B to the submitted report), be noted.
2. That the 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 and Resources Scrutiny Committee

Cabinet Member: Councillor Gilbert

**24 Southend 2050 Outcomes Success Measures Report - Quarter 1 2019/20**

The Cabinet considered a report of the Chief Executive outlining the Southend 2050 Outcomes Success Measures for 2019/20 (first quarter).

Resolved:-

That the Quarter 1 performance from 1 April – 30 June 2019 be noted.

Reasons for Decision

To drive the delivery of the Southend 2050 ambition through robust and strategic performance management arrangements.

Other Options

None

Note: This is an Executive Function

Eligible for call-in to: All Three Scrutiny Committees

Cabinet Member: Cllr Gilbert

**25 Corporate Budget Performance 2019/20 - Period 4**

The Cabinet considered a report of the Executive Director (Finance and Resources) on the corporate budget performance 2019/20 (period 4)

Recommended:-

That in respect of the 2019/20 Revenue Budget Performance:

1. The forecast outturn for the General Fund and the Housing Revenue Account as at July 2019, be noted.
2. That the planned budget transfers (virements) of £1,872,260 between portfolio services, be approved.

3. That the transfer of £2,000,000 from the Children's Social Care Reserve previously approved to assist with the increase in demand and cost within this area, be approved.
4. That the transfer of £500,000 from the Interest Equalisation Reserve to fund the additional interest costs due to advance borrowing to take advantage of exceptionally low interest rates, be approved.

That in respect of the 2019/20 Capital Budget Performance:

5. That the expenditure to date and the forecast outturn as at July 2019 and its financing, be noted.
6. That the requested changes to the 2019/20 capital investment programme, be approved.
7. That the requested additions to the Fire Improvement Works budget of £750k p.a. for the five years from 2020/21 to 2024/25 as set out in the Fire Safety Report, be noted.

#### Reason for Decision

1. The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to members, senior officers and other interested parties on the financial performance of the Council. It sets out the key variances being reported by budget holders and the management action being implemented to address the identified issues.
2. It also informs decision making to ensure that Councillors' priorities are delivered within the agreed budget provision.

#### Other Options

The Council could choose to monitor its budgetary performance against an alternative timeframe but it is considered that the reporting schedule provides the appropriate balance to allow strategic oversight of the budget by Councillors and to manage the Council's exposure to financial risk.

Note: This is a Council Function

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

Cabinet Member: Councillors Gilbert and Woodley

## **26 Treasury Management - Quarter One 2019/20**

The Cabinet considered a report of the Executive Director (Finance and Resources) covering the treasury management activity for the period from April to June 2019.

Recommended:-

1. 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 June 2019.

2. 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.
3. That it be noted that £0.492m of interest was received during this three month period. The total investment income earned including this interest during this three month period was £0.490m, at an average rate of 1.88%. This is 1.31% over the average 7 day LIBID (London Interbank Bid Rate) and 1.13% over the average bank rate.
4. 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 1<sup>st</sup> April 1998) increased from £267.8m to £277.8m (HRA: £77.0m, GF: £200.8m) during the period from April to June 2019.
5. That it be noted that during the quarter the level of financing for 'invest to save' schemes decreased from £8.73m to £8.70m.

#### 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 2019/20 sets 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 a Council Function

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

Cabinet Member: Cllr Woodley

## **27 Governance Update and SIRO Report**

The Cabinet considered a report of the Chief Executive providing a summary of the Council's key actions in regard to information governance and management during 2018/19.

Resolved:-

1. That the SIRO's report on Information Governance for 2018/19 be noted.
2. That the key actions taken during 2018/19, and the opportunities and challenges for 2019/20, be noted.

Reason for Decision

To ensure that the Council holds personal data securely, disseminates information effectively, is transparent and enabling in its handling of information and operates within the necessary legal framework.

#### Other Options

It is a requirement of the Council's Information Management Strategy that an annual report is made to councillors.

Note: This is an Executive Function  
Eligible for call in to: Policy & Resources Scrutiny Committee  
Cabinet Member: Councillor Terry

## **28 Annual Comments, Compliments and Complaints**

The Cabinet considered a report of the Chief Executive providing performance information about comments, compliments and complaints received across the Council for 2018/19.

#### Resolved:-

1. That necessary changes be made to the Comments, Compliments and Complaints policy as described in paragraph 5.2 of the submitted report.
2. That the Council's performance in respect of comments, complaints and compliments for 2018/19 be noted and that the report at Appendix A be referred to each Scrutiny Committee and the reports at Appendix B and Appendix C be referred to the People Scrutiny Committee

#### Reason for Decision

To ensure the Council continues to have transparent and effective complaint procedures and utilises feedback from customers to good effect.

#### Other Options

The Council is required by legislation to report regarding social care statutory complaints and Local Government and Social Care Ombudsman complaint outcomes. Reporting on the efficacy of a complaint processes is best practice. While the content of the reports is not prescribed, reporting itself is obligatory.

Note: This is an Executive Function  
Referred direct to all three Scrutiny Committees (save that appendices B and C to the report be referred only to People Scrutiny Committee)  
Cabinet Member: Councillors Terry, Harp and Jones

## **29 Control Environment Assurance**

The Cabinet considered a report of the Executive Director (Finance and Resources) on the proposed revisions to be made to the Control Environment in respect of Risk Management, Counter-Fraud, Bribery & Corruption, Counter Money Laundering, Whistleblowing and the Regulation of Investigatory Powers.

Resolved:-

1. That the revised Risk Management Policy Statement and Strategy set out in Appendix A to the submitted report (including the action plan included at Appendix A of that document) be approved.
2. That the revised Counter Fraud, Bribery & Corruption Policy and Strategy (Appendix B), the revised Counter Money Laundering Policy & Strategy (Appendix C) and the revised Whistleblowing Policy (Appendix D), be approved
3. That the revised Policy and Procedures for undertaking Directed Surveillance and the use of Covert Human Intelligence Sources (Appendix E) and also the detailed procedures for use of a CHIS as set out in the confidential Appendix F, (subject to the inclusion of an additional sentence under paragraph 7.2 in relation to the handling, storage and destruction of material obtained through the use of a CHIS) be approved.
4. That it be noted that:
  - (a) The Council has not used the surveillance powers available to it under RIPA between 1 April 2018 and the 31st March 2019 and neither has it used any CHIS during this period.
  - (b) Thurrock Council has not used any such powers on behalf of Southend-on-Sea Borough Council when undertaking Anti-Fraud work between 1 April 2018 and 31st March 2019.
5. That the staff training undertaken in 2018/19 and proposed training for 2019/20 in connection with RIPA, be noted.
6. That the regulation of CCTV activities be noted.

Reasons for Decision

To comply with the Home Office Codes of Practice and the Investigatory Powers Commissioner's Officer Guidance on RIPA.

Other Options

None

Note: This is an Executive Function

Eligible for call in to: All three Scrutiny Committees

Cabinet Member: Councillors Gilbert and Woodley

## **30 Minutes of Meeting of Environment and Planning Working Party, 29th August 2019**

Resolved:-

That the Minutes of the Meeting of the Environment and Planning Working Party held on 29<sup>th</sup> August 2019, be noted.

**31 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

Cabinet Member: As appropriate to the item

**32 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 7 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**33 Control Environment Assurance - Confidential Appendix**

Resolved:-

That the confidential appendix, be endorsed (subject to the amendment referred to in item 29 above).

Note: This is an Executive Function

Eligible for Call in to Policy and Resources Scrutiny Committee

Cabinet Members: Councillors Gilbert and Woodley