

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 16th June, 2020
Place: Virtual Meeting - MS Teams

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

In Attendance: Councillor P Collins
A Griffin, T Forster, M Marks, L Reed, J Williams, A Lewis,
J Chesterton, J Ruffle, C Gamble, E Georgeou, P Geraghty, S Baker,
S Dolling, A Keating, S Newman, N Spencer and C Thomas.

Start/End Time: 2.00 - 3.30 pm

65 Apologies for Absence

There were no apologies for absence at this meeting.

66 Declarations of Interest

The following interests were declared:

(a) Cllr Gilbert – Agenda item 6 (Southend Statement of Community Involvement) – non-pecuniary interest: Council representative on the Board of Southend Association of Voluntary Services (SAVS);

(b) Cllr Harp — Agenda item 6 (Southend Statement of Community Involvement) - non-pecuniary interest: Volunteer for SAVS and wife employed by that organisation.

67 Parking Review

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment):

- a) Providing an update on progress made against the Cabinet Report of 5 November 2019;
- b) Exploring the risks and opportunities from the COVID-19 emergency;
- c) Seeking approval for a new Parking Review 2020 Project Plan; and
- d) Providing an update on the introduction of the Key worker permit (temporary)

Resolved:

1. That the updates be noted and the revised Parking Review Project Plan as set out in the submitted report, be approved.

2. That the efforts to expand the function of the Traffic and Parking Working Party to act as a monitoring and advisory panel for the Project Management Team, be supported.

Other Options

To revise the programme or scope, or abandon elements.

Reasons for Recommendations

The revised project plan has been developed to ensure it is deliverable with the ongoing uncertainties. The revised project plan also ensures proposals and decisions are supported by robust strategic direction linked to corporate objectives and aspirations, with input from the elected representatives, public and key worker consultations where appropriate.

Note: This is an Executive Function

***Called-in to: Place Scrutiny Committee**

Cabinet Member: Cllr Woodley

68 **Protection of Public Open Space**

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) informing councillors of the increasing pressure on existing public open spaces and the increasing number of requests being received from sports clubs and other organisations to lease public open space and to limit, restrict or reduce public availability. The report proposed to establish clear and consistent guidance which could be applied by officers in dealing with requests for the disposal of public open spaces.

Resolved:

1. That the general presumption against the disposal of public open space in Southend-on-Sea and the ongoing protection of these areas, be continued.
2. That the existing agreements relating to areas of public open space or buildings within them continue during their term and on renewal or re-letting/procurement can be agreed when applicable.
3. That requests for the Council to dispose (by any means) of areas of open space to enable their enclosure (or any other restrictions on public use) by sports clubs or other organisations and the exclusion of the public from enjoying those spaces are not considered to ensure that free public access to open space is maintained. Whilst exceptions are not expected, should they arise, such exceptions will be a matter for Cabinet to decide upon.
4. That it be noted that from time to time, the granting of easements and wayleaves for services or highway widening or realignment may be required. In these situations, the preferred position is that public access is maintained or replacement land is sought.
5. That in a situation where an area of open space has been identified as a location which could enable the delivery of a key Council outcome, and the

Council has determined that the area has no or minimal recognised benefit to the public, or a replacement space of the same or enhanced value can be provided, the disposal will be considered to enable the Council to deliver its outcomes.

Other Options

As set out in the submitted report

Reasons for Recommendations

Maintaining the current availability of publicly accessible green space has a long-term benefit to the health and wellbeing of residents. The available green space within the Borough is limited, and any loss is unlikely to be replaceable.

Greenspace has benefits to the local environment and is a benefit to the Council's commitment to reducing its impact on the environment and tackling the local effects of climate change.

Note: This is an Executive Function

***Called-in to: Place Scrutiny Committee**

Cabinet Member: Cllr Mulroney

69 **The Beecroft Trust**

The Cabinet considered a report of the Executive Director (Adults and Communities) proposing improved governance arrangements and decision making for the Beecroft Trust ("the Trust").

Recommended:

1. That the Council's General Purposes Committee act on behalf of the Trust and make recommendations for Full Council to consider.
2. That independent advice be provided to the Beecroft Trustee ("Trustee") through the General Purposes Committee to fulfil its objectives in the best interest of the Trust.
3. That specific independent advice be sought and provided on the Beecroft Art Gallery site at Station Road, Westcliff ("the Former Gallery").

Other Options

1. The Trustee can consider whether the Trust can be wound up. This is not recommended as it is extremely unlikely to be in the Trust's best interests.
2. The Trustee could continue the status quo. This is not recommended as the Former Gallery is subject to further deterioration and diminution and this is unlikely to be in the Trust's best interest.

Reasons for Recommendations

To progress improved governance arrangements

Note: This is a Council Function

***Called-in to: Place Scrutiny Committee**

Cabinet Member: Cllr Robinson

70 Southend Statement of Community Involvement

The Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth and Housing) concerning the adoption of the Southend Statement of Community Involvement (SCI) 2020 and the SCI Addendum in connection with the South Essex Plan..

Recommended:

1. That the Southend Statement of Community Involvement (Appendix 1 to the submitted report) and Statement of Community Involvement Addendum for the South Essex Plan (Appendix 2 to the report), be adopted.
2. That the consultation responses to the Southend Statement of Community Involvement and responses received on the Statement of Community Involvement Addendum for the Southend South Essex Plan, be noted.
3. That delegated authority be granted to the Deputy Chief Executive and Executive Director (Growth & Housing) and the Cabinet Member for Environment and Planning (or equivalent role should this title change) to make any appropriate amendments to the Statement of Community Involvement and Addendum.

Other Options

Not to update to SCI or Addendum - this is not seen as a credible option as Development Plan Document preparation must be consistent with national legislation and be in compliance with the SCI and it is seen as good practice to update SCI's periodically. The revised SCI and Addendum ensures that the Council's approach to consulting the public and other stakeholders on planning matters remains up-to-date.

Reason for Recommendation

The SCI has been produced to ensure the Council's approach to community involvement within planning reflects national legislation and continues to be up-to-date. The SCI Addendum will ensure a consistent basis for conducting consultation on the emerging SEP across South Essex authorities.

Note: This is a Council Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Mulroney

71 Annual Procurement Plan 2020/21

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the annual procurement plan for 2020/21 in terms of those procurements with a contract value in excess of £1m which require Cabinet approval prior to commencement.

Resolved:

1. That those procurements provided in the submitted appendix for 2020/21, be approved (£1m+ contract value).
2. That the full procurement plan for 2020/21 (contracts with a value of £25k and above), be noted.
3. That it be noted that those capital projects already approved as part of the capital programme (with a value of over £25k) will also form part of the procurement plan for 2020/21, be noted.
4. That the development and contents of the corporate contracts register, be noted.
5. That the development and contents of the 3 year procurement pipeline plan (2020-23), be noted.

Other Options

Annual approval of the Council's procurement plan is required under the constitution.

Reasons for Recommendation

Councillors are aware of the development of the comprehensive contracts register and 3 year procurement pipeline plan, and the benefits this will provide in terms of the Council's commissioning plans, financial planning as well as future planning for suppliers and local businesses

Note: This is an Executive Function

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

Cabinet Member: Cllr Woodley

72 The Official Feed and Food Control Service Plan

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the Official Feed and Food Control Service Plan 2020-21 as required by the Food Standards Agency (FSA).

Recommended:

That the Official Feed and Food Control Service Plan 2020-21 set out in Appendix 1 to the submitted report, be approved. ||

Other Options

The Food Standards Agency Framework Agreement sets out the statutory duty for Southend-on-Sea Borough Council in developing the Service Plan.

Reasons for Recommendation

To comply with the Food Standards Agency Framework Agreement.

Note: This is a Council Function

73 Resourcing Better Outcomes -Outturn 2019/20

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the revenue outturn for 2019/20.

On consideration of the report, the Cabinet noted the amendments to the funding allocations for two of the neighbourhood projects (Appendix 3 to the submitted report), namely the resurfacing of Shoebury high street (£8,418.39) and Mendip Wildlife Garden (£2,000)

Recommended:

1. That the final 2019/20 revenue outturn position for both the General Fund and Housing Revenue Account (HRA) of the submitted report, be noted.
2. That the appropriation of revenue funds to and (from) earmarked reserves, as set out in sections 4.7 to 4.11 (General Fund) and section 5.7 (HRA) of the report, be approved.
3. That the potential revenue impact of the 2019/20 outturn on the 2020/21 General Fund budget and Medium Term Financial Strategy, be noted
4. That it be noted that the expenditure on the capital investment programme for 2019/20 totalled £59.451m against a revised budget of £70.957m.
5. That the relevant budget carry forwards and accelerated delivery requests totalling a net £11.552m moving into 2020/21 and future years, as set out in Appendix 1 to the report, be approved.
6. That it be noted that the virements, reprofiles, amendments and new external funding for schemes, as detailed in Appendix 1 to the report will result in an amended Capital Investment Programme of £222.077m for the period 2020/21 to 2024/25, as detailed in Appendix 2 to the report.
7. That the new capital schemes in the programme as set out at paragraphs 6.32 to 6.37 of the submitted report, be approved. This will result in an overall Capital Investment Programme of £223.857m.
8. That the content of the Community Infrastructure Levy (CIL) Annual Financial Report 2019/20 be noted and that Main Fund receipts from 2019/20 and previous financial years be carried forward until the CIL Governance Framework and spending plans are reviewed later this year.
9. That authority be delegated to the Director of Planning and Transport (in consultation with Ward Members and the Cabinet Member for Environment and Planning) to agree how the Ward Neighbourhood Allocations received up until 31 March 2020 (excluding allocation to Leigh Town Council) are to be spent.

Other Options

None.

Reasons for Recommendations

To provide Cabinet with the final revenue and capital outturn position for 2019/20 and as part of the year end processes, to approve appropriations to and from earmarked reserves and to approve capital budget carry forwards, accelerated delivery requests and in year amendments to the current approved programme.

Note: This is a Council Function

Eligible for call-in to: All three scrutiny committees

Cabinet Members: Cllr Gilbert and Cllr Woodley

74 Outcomes Success Measures Report - January to March 2020 and Annual Place Based Report

The Cabinet considered a report of the Chief Executive presenting the achievements towards the Southend 2050 Ambition through the periodic Outcome Success Measures report (OSMR) alongside the Annual Place-based Report.

Resolved:

1. That the OSMR for Period 4, January-March 2020, be noted.
2. That the Annual Place Based Report, be noted.
3. That the reporting schedule for outcome success measures and progress on roadmap milestones and joint administration priorities for 2020/21, be approved.

Other options:

None

Reasons for Recommendation

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

Note: This is an Executive Function

Eligible for call-in to: All three Scrutiny Committees

Cabinet Member: Cllr Gilbert

75 Annual Treasury Management Report

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Annual Treasury Management Report covering the treasury activity for the period from April 2019 to March 2020 and reviews performance against the Prudential Indicators for 2019/20.

Resolved:

1. That the Annual Treasury Management Report for 2019/20 and the outturn Prudential Indicators for 2019/20, be approved.
2. That it be noted that the financing of 2019/20 capital expenditure of £59.451m has been funded in accordance with the schedule set out in Table 1 of section 4 of the submitted report.
3. That it be noted that the 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 2019/20.
4. 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.
5. That it be noted that £2.174m of interest and income distributions were received during 2019/20. The total investment income (including the movement on the unit price of externally managed funds) was £0.882m, giving a combined return of 0.70%. This is 0.16% over the average 7 day LIBID rate (London Interbank Bid Rate) and 0.02% under the average bank base rate as set out in Section 7 of the report.
6. 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) increased from £267.8m to £310.3m (Housing Revenue Account (HRA): £75.0m, General Fund (GF): £235.3m) by the end of 2019/20.
7. That it be noted that the level of financing for 'invest to save' schemes decreased from £8.73m to £8.64m by the end of 2019/20.

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.

Reasons for Recommendations

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.

Note: This is an Executive Function

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

Cabinet Member: Cllr Woodley

76 Corporate Debt Report

The Cabinet considered a report of the Executive Director (Finance and Resources) that outlined the current position of outstanding debt to the Council, as at 31st March 2020 and debts that have been written off, or are recommended for write off, in the current financial year as at 31st March 2020.

Resolved:

1. That the current outstanding debt position as at 31st March 2020 and the position of debts written off to 31st March 2020 as set out in Appendices A and B to the submitted report, be noted.
2. That it be noted that no write offs greater than £25,000 are requested, as shown in Appendix B to the report.

Other Options

None

Reasons for Recommendations

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

Note: This is an Executive Function

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

Cabinet Member: Cllr Gilbert

77 Urgent item of business - Temporary Key Worker Permit

The Chair agreed to take this matter as an urgent item of business to enable the continuation of the key worker permit.

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) seeking approval for the continuation of the key worker permit until 18 August 2020 (or until the Government guidelines change).

Resolved:

That the action taken to date and the continuation of the key worker permit to 18 August 2020 (or when the Government guidelines change) for NHS workers, care workers and volunteers working on the response to the Covid-19 pandemic in line with the national guidance (issued 3 April 2020), be approved.

Other Options

None

Reasons for Recommendation:

To continue with the key worker permit using the 3 April guidelines. The Council will be able to ensure that essential workers are supported through this unprecedented time.

Note: This is an Executive Function
Referred direct to: Place Scrutiny Committee
Cabinet Member: Cllr Woodley

78 Urgent item of business - Emergency Active Travel Fund

The Chair agreed to take this matter as an urgent item of business to enable the highway works to be progressed without delay.

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) seeking agreement for the construction of temporary interventions to create an environment that is safe for walking and cycling during the Covid-19 pandemic and the period directly after. The report also included details of the funding arrangements associated with the highway works.

Resolved:

1. That the bid submitted to DfT on 5 June 2020, for £309k for tranche 1 funding from the Emergency Active Travel Fund, be endorsed.
2. That authority be delegated to the Executive Director (Neighbourhoods and Environment) to make a further bid to the Department for Transport of £1.236 million for Tranche 2 funding from the Emergency Active Travel Fund.
3. That authority be delegated to the Executive Director (Neighbourhoods and Environment), in consultation with the Deputy Leader of the Council, to agree the final detailed design options based upon the principle in the DfT's guidance for temporary road space reallocation, in consultation with ward councillors for both tranche 1 and tranche 2 funding.

Other options:

None

Reasons for Recommendations

To provide funding for the temporary interventions that further encourage the increased walking and cycling activity in the Borough.

Note: This is an Executive function
Referred direct to: Place Scrutiny Committee
Cabinet Member: Cllr Woodley

79 SO46 Report

This matter was withdrawn as it had been dealt with at the Special Cabinet meeting held on 9th June 2020 and referred direct to the Special meetings of the three Scrutiny Committees.

80 SO46 Report Confidential Sheet

This matter was withdrawn as it had been dealt with at the Special Cabinet meeting held on 9th June 2020 and referred direct to the Special meetings of the three Scrutiny Committees.

Chair: _____