

SOUTHEND-ON-SEA BOROUGH COUNCIL

**Digest of the Decisions of Cabinet
held on Tuesday, 3rd November, 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: Councillors K Evans
A Griffin, A Lewis, J Chesterton, J Williams, J Ruffle, T Forster,
M Marks, E Cooney, C Gamble, S Dolling, G Halksworth, B Leigh,
N Spencer, K Waters, L Reed and R Parker.

Start/End Time: 2.00 pm - 3.15 pm

1 Apologies for Absence

There were no apologies for absence at this meeting.

2 Declarations of Interest

The following declarations of interest were made:

(a) Councillor Harp (Agenda Item 6: Community Investment Fund) –
Disqualifying Non-Pecuniary interest: Wife works for SAVS (withdrew);

(b) Councillor Jones (Agenda Item 13: Future Governance of Southend Adult
Community College) – Non-pecuniary interest: Appointed to the Governing
Body;

(c) Councillor Mulroney (Agenda Item 9: Destination Southend and Agenda Item
10 (Culture Vision) – Non-pecuniary interest: member of Leigh Town Council
and Trustee of the Leigh Heritage Centre.

3 Minutes of the meeting held on Tuesday 15th September 2020

Resolved:

That the minutes of the meeting held on Tuesday, 15th September 2020, be
confirmed as a correct record, subject to a minor correction to the Declarations
of Interest to replace Councillor Jones with Councillor Woodley, as set out
below:

(e) Cllr Woodley– Agenda Item No. 21 (Planning White Paper) – Non-Pecuniary
Interest: Chairman of Burges Estates Residents Association.

4 Minutes of the Meeting held on 6th October 2020

Resolved:

That the minutes of the special meeting held on 6th October 2020, be confirmed as a correct record.

5 Resourcing Better Outcomes - Financial Performance Report - Period 6

The Cabinet considered a report of the Executive Director (Finance and Resources) reviewing the Council's financial performance.

Recommended:-

That, in respect of the 2020/21 Revenue Budget Performance as set out in appendix 1 to the submitted report:

1. That the forecast outturn for the General Fund and the Housing Revenue Account as at September 2020, be noted.
2. That the planned budget transfers (virements) of £296,000 between pay and non-pay budgets, as set out in section 4.13 of the report, be approved.

That, in respect of the 2020/21 Capital Budget Performance as set out in appendix 2 to the report:

3. That the expenditure to date and the forecast outturn as at September 2020 and its financing, be noted.
4. That the requested changes to the capital investment programme for 2020/21 and future years, as set out in section 3 of appendix 2 to the report, be approved.

Reason for Decisions:

The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to Councillors, 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 associated management action being implemented to address any identified issues. It also informs decision making to ensure that the Council's priorities are delivered within the approved budget provision.

Other options:

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

Note: This is a Council Function
Eligible for call-in to: Policy and Resources Committee
Cabinet Members: Cllrs Gilbert and Woodley

6 Community Investment Fund (VCS Commissioning)

The Cabinet considered a report of the Executive Director (Adults and Communities) setting out proposals for community investment and support designed to create a stronger and more resilient local voluntary and community sector by creating a £1.5 million community investment fund for local services.

Resolved:

1. That the creation of a £1.5m Community Investment Fund for three years for Southend as outlined in the submitted report, be approved.
2. That the existing grants be extended as set out in appendix 1 to the report to support the process.

Reasons for Decisions:

To create a £1.5m Community Investment Fund for three years in Southend-on-Sea and to extend the existing grants as set out in appendix 1 to the report.

The Implementation of the recommendations will shift the relationship from engagement and consultation towards community ownership and coproduction and support the development of a culture of community ownership and resilience, and build on learning and community energy generated in response to the Covid-19 crisis.

Other Options:

As set out in the submitted report.

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

7 Southend 2050 Outcomes Success Measures Report up to 31 August 2020 and Transforming Together Roadmap

The Cabinet considered a report of the Chief Executive setting out the progress in the second period of the Southend 2050 Outcome Success Measures for 2020/21, covering the period 1 July – 31 August 2020, and presented the Transforming Together roadmap.

Resolved:

1. That the progress made on delivery of the Southend 2050 outcomes and activity on the roadmap as at 31 August 2020, be noted.
2. That the Transforming Together roadmap, be noted.

Reasons for Decisions:

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

8 Annual Comments, Compliments and Complaints Report

The Cabinet considered a report of the Chief Executive providing performance information about comments, complaints and compliments received across the Council for 2019/20.

Resolved:

1. That the Council's performance in respect of comments, complaints, and compliments for 2019/20, be noted.
2. That the matter be referred to all three Scrutiny Committees (Appendix B and C to the submitted report referred to the People Scrutiny Committee only).
3. That authority be given to make the changes to the corporate Comments, Complaints and Compliments policy as set out in Section 4.3 and appendix A to the report.

Reason for Decisions:

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 produce a 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 Members: Cllr Terry (overarching), Cllr Harp (Appendix B) and Cllr Jones (Appendix C)

9 Destination Southend

The Cabinet considered a report of Executive Director (Adults and Communities) providing an update on the refreshed tourism strategy, 'Destination Southend', and outlined progress made to date together with ongoing plans.

Resolved:

That the refreshed 'Destination Southend' Strategy and action plan, with updated content, be noted.

Reasons for Decision:

Progress has been made in the last few months on several objectives that were originally set out. Businesses have been increasingly engaged in the tourism partnership over recent months and in preparation for the period after coronavirus lockdown, the tourism sector will benefit from confidence in a refreshed strategy.

Other Options:

The existing strategy could remain in place. This is not recommended as progress has been made and some conditions have changed and will benefit from alignment to 2050 outcomes.

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

10 Culture Vision

The Cabinet considered a report of Executive Director (Adults and Communities) providing an update on progress with community engagement towards developing the Culture Vision to meet the 2050 objectives and shape the cultural offer in Southend.

Resolved:

1. That the engagement with the Borough's residents and local practitioners on the cultural offer, be noted.
2. That the key themes identified through engagement so far, be noted and that the Culture Vision be further coproduced in partnership with the Southend creative sector, residents and businesses.

Reasons for Decisions

The Culture Vision aligns the 2050 outcomes with an overarching cultural theme and has been developed with the community and practitioners in the sector.

Other Options

None

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

11 Southend Pier

The Cabinet considered a report of Executive Director (Adults and Communities) outlining some significant improvements to the Pier visitor offer to be in place for the 2021 season.

Resolved:

1 That the proposed improvements to the Pier Head visitor offer as set out in the submitted report, be approved

2. That the medium and longer term plans for the Pier, be noted.

Recommended:

3. That £1.2m be included in the capital investment programme to fund the new Pier Head development (Phase 1).

Reasons for Decisions:

A programmed and proactive approach to maintenance and management of the structure will reduce the possibility of unplanned closures and higher costs. Co-designing the visitor offer with users will increase participation and income opportunities.

Other Options:

Investment is needed to increase the Pier's visitor appeal. The timing could be extended but this is not recommended as these proposals are already a phased approach.

Note: The decisions in 1 and 2 above constitute an Executive Function. The decision in 3 above constitutes a Council Function.

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Robinson

12 The Beecroft Trust - Council Options

The Cabinet considered a report of Executive Director (Adults and Communities) providing an update on the current position with regards the Beecroft Art Gallery ("the Trust") and with the proposed renovations to the building to create artist's studios.

Resolved:

That it be noted that the proposal to convert the former Beecroft Art Gallery into artist's studios is no longer feasible.

Reasons for Decision:

The proposal to convert the Former Gallery into artist's studios is no longer financially viable.

Other Options:

None.

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

13 Future Governance of Southend Adult Community College

The Cabinet considered a report of Deputy Chief Executive and Executive Director (Growth & Housing) setting out the current governance arrangements of Southend Adult Community College for review, its status within the Council and proposed a future direction that maximises resources for skills and community learning that will benefit local residents and support economic recovery.

Resolved:

1. That the transfer from the Southend Adult Community College current governance structure with a Governing Body operating under a Scheme of Delegation to a more flexible model in direct relationship with Council governance to swiftly mobilise employability skills and learning aligned to the priorities of the Council for recovery and prosperity, be approved.

2. That an Advisory Board (AB) be established to support recovery, growth, innovation and sustainable future for employability skills and learning in Southend and that the appointment of the AB be delegated to the Director of Regeneration and Growth in consultation with the Cabinet member for Children and Learning.

Reasons for Decisions:

As set out in the submitted report.

Other Options:

1. To retain College governance as it is and recruit to vacant governor posts, elect a chair and continue to operate within the scheme of delegation with limited decision-making powers in relation to finance. The college could continue to work at arms-length from the Council and governors would agree the strategic direction and priorities for the delivery of skills and learning across Southend. Governors would continue to approve College policy and strategy. The Council would continue to have one representative on the Governing body.

2. While this could offer the autonomy a separate governance structure can bring it would not bring the College closer to the Council thereby unlocking the potential around skills, learning and growth in the local community. It is also a challenging climate in which to recruit governors with the poor financial position and impending Ofsted inspection. Moreover the Council would continue to be ultimately responsible for the College.

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

14 Hamlet Court Road draft Conservation Area Designation

The Cabinet considered a report of Deputy Chief Executive and Executive Director (Growth and Housing) concerning the draft Conservation Area Appraisal produced on behalf of the Council by independent heritage experts, Purcell, assessing the potential of Hamlet Court Road for Conservation Area status and set out the proposed approach to public consultation.

Resolved:

1. That the draft Conservation Area Appraisal from Purcell, as set out in Appendix A to the submitted report, setting out a potential area for Conservation Area designation at Hamlet Court Road, be noted and that the draft Appraisal be approved for public consultation.

Reasons for Decision:

To facilitate public consultation on the draft appraisal from independent heritage experts Purcell, and to seek the views of local residents and businesses on the proposal to consider Hamlet Court Road for designation as a Conservation Area.

Other Options:

Not to publicly consult on the draft Appraisal, and not to progress further work on the potential for a Conservation Area designation at Hamlet Court Road. This would be contrary to the recommendations of Purcell based on the initial work undertaken to date and the outcome of the public consultation and would not allow for public consultation on the appraisal. By moving forward with public consultation, it will be possible to collate the views of interested parties to determine whether a Conservation Area should be adopted at Hamlet Court Road.

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

15 Petition - Old Leigh Alcohol Free Zones

The Cabinet considered a report of Executive Director (Neighbourhoods and Environment) providing a response to the petition (referred by Council) proposing alcohol free zones in Old Leigh.

Resolved:

That a full Public Spaces Protection Order (PSPO) consultation process be undertaken, which includes stakeholder and public consultation as well as collation of crime and anti-social behaviour evidence, to inform a decision regarding a potential PSPO for Old Leigh in relation to no drinking of alcohol in public areas (excluding licensed premises), and other relevant anti-social behaviour issues in this area.

Reasons for Decision:

As a specific location, Old Leigh is a popular visitor area, with a number of public houses, cafes and restaurants, as well as the picturesque harbour front and

wharves, and its renowned local seafood industry. Visitor numbers are high and in particular during the past summer season, a growing number of anti-social behaviour issues have been evident, including drinking in public areas, and it could therefore benefit from the introduction of a PSPO.

Other options:

As set out in the submitted report.

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

16 Census

The Cabinet considered a report of Chief Executive providing an update on Southend-on-Sea's preparations for the national 2021 Census which is due to take place in England and Wales on 21st March 2021.

Resolved:

That the work that the Council is doing to ensure a robust and accurate census for Southend-on-Sea, be noted and that Councillors help promote the benefits of the 2021 Census throughout the Council and the Borough.

Reasons for Decision:

To ensure the Council supports the Office for National Statistics to deliver an accurate population count for Southend-on-Sea in 2021.

Other Options:

The Council could choose not to locally support the delivery of the census. The potential implication of this would be that we do not get the necessary local support for it and the population count is not accurate and does not meet our needs. This would affect confidence in results.

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

17 EU Exit

The Cabinet considered a report of Deputy Chief Executive and Executive Director (Growth and Housing) providing an update on the Council's preparations for the end of the EU Exit Transition Period on 31st December 2020.

Resolved:

That the work undertaken by the Council to date in preparing for the end of the Transition Period, be noted.

Reasons for Decision:

To enable the Council to respond to EU Exit and the end of the Transition Period in the services it delivers and give due consideration to the potential cumulative impact of the end of the Transition Period alongside any possible further waves of the Coronavirus.

Other Options:

1. To reduce or cease the Council's preparations for the end of the Transition Period. The result of this would significantly compromise the Council's ability to respond as the consequences of EU Exit are realised which in turn can destabilise community engagement and cohesion. Failure to engage in EU Exit preparations could potentially result in legal challenge or affect future funding opportunities for the Council.

2. To dedicate further staff time and resources to preparations for Brexit. The result of this would have an impact on the day to day delivery of services as resources are diverted to focus on Brexit preparations, and also, potentially, away from Covid-19 work.

Note: This is an Executive Function

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

Cabinet Member: Cllr Gilbert

18 Treasury Management Report - Mid Year 2020/21

The Cabinet considered a report of Executive Director (Finance and Resources) presenting the Mid-Year Treasury Management Report covering the treasury management activity and compliance with the treasury management strategy for both quarter two and the period from April to September 2020.

Resolved:

1. That the Treasury Management Mid-Year Position report for 2020/21, be approved.

2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to September 2020.

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

4. That it be noted that £0.842m of interest and income distributions for all investments were earned during this six month period at an average rate of 1.08%. This is 1.14% over the average 7 day LIBID (London Interbank Bid Rate) and 0.98% over the average bank rate. Also the value of the externally managed funds decreased by a net of £0.767m due to changes in the unit price, giving a combined overall return of 0.10%.

5. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £310.3m (Housing Revenue Account (HRA): £75.0m, General Fund: £235.3m) during the period from April to September 2020.

5. That it be noted that the level of financing for 'invest to save' schemes decreased from £8.64m to £8.59m during the period from April to September 2020.

Reasons for Decisions:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2020/21 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other Options:

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

Note: This is an Executive Function

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

Cabinet Member: Cllr Woodley

19 Notice of Motions (Referred by Council, 10th September 2020)

The Cabinet considered a report of Executive Director (Legal & Democratic Services) requesting the Cabinet to determine how to respond to each of the Notices of Motion referred by Council on 10th September 2020.

Resolved:

That the Notices of Motion be referred to the relevant Cabinet Working Parties.

Reasons for Decision:

To respond to the Notices of Motion referred by Council on 10th September 2020.

Other options:

To ask officers to prepare a report on each Notice of Motion for submission to the next meeting of Cabinet.

Note: This is an Executive Function

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

Cabinet Member: As appropriate to each Notice of Motion

20 SO46 Report

Resolved:

That the submitted report be noted.

Note: This is an Executive Function

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

Cabinet Member: As appropriate to the item

21 Exclusion of the Public

Resolved:

To agree 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 involves 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.

22 SO46 Report -Confidential Sheet

Resolved:

That the confidential sheet, be noted.

Note: This is an Executive Function

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

Cabinet Member: As appropriate to the item