

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 7th February, 2022

Place: Council Chamber - Civic Suite

Present: Councillor N Folkard (Vice-Chair, in the Chair)
Councillors C Walker, K Buck, D Cowan, T Cox*, M Dent, F Evans,
K Evans, S George, D Jarvis, K Mitchell, K Robinson, S Wakefield,
J Warren and P Wexham
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillors I Gilbert, P Collins, C Mulroney, M Terry and R Woodley
(Cabinet Members)
A Eastgate, T Forster, G Gilbert, P Bates, J Burr, S Dolling,
S Harrington, N Hoskins, G Perry-Ambrose, A Roberts, T Row and
S Wheeler

Start/End Time: 6.35 pm - 11.35 pm

655 Apologies for Absence

Apologies for absence were received from the Chair, Councillor Moring (substitute: Councillor Cox) and Councillor Ward (no substitute).

656 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillors Gilbert, Collins, Mulroney, Terry and Woodley (Cabinet Members) – Interest in the called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

(ii) Councillor Buck – Minute 662 (Agenda Item No. 8 – Department for Transport (DfT) Tranche 2 – Active Travel Fund) – Non-pecuniary interest: Son attends Eastwood Academy which is mentioned in the report;

(iii) Councillor Buck – Minute 664 (Agenda Item No. 10 – 20mph Neighbourhoods) – Non-pecuniary interest: Contacted by residents in respect of this matter;

(iv) Councillor Cowan – Minute 662 (Agenda Item No. 8 – Department for Transport (DfT) Tranche 2 – Active Travel Fund) – Non-pecuniary interest: Appointed Governor at Prince Avenue School, which was mentioned in the report.

(v) Councillor Cowan – Minute 664 (Agenda Item No. 10 – 20mph Neighbourhoods) – Non-pecuniary interest: Knows some of the public questioners;

(vi) Councillor Dent – Minute 663 (Agenda Item No. 9 – Conservation Area Appraisals) Non-pecuniary interest: Lives in a conservation area;

- (vii) Councillor Dent – Minute 664 (Agenda Item No. 10 – 20mph Neighbourhoods) – Non-pecuniary interest: Contacted by residents in respect of this matter;
- (viii) Councillor K Evans – Minute 660 (Agenda Item No. 6 - Draft Prioritising Resources to Deliver Better Outcomes – 2022/23 to 2026/27) – Non-pecuniary interest: Member of Leigh Town Council;
- (ix) Councillor K Evans – Minute 664 (Agenda Item No. 10 – 20mph Neighbourhoods) – Non-pecuniary interest: Family live in one of the roads affected by the proposals;
- (x) Councillor Folkard – Minute 661 (Agenda Item No. 7 - Leisure Contract – Short-Term Options Review) – Non-pecuniary interest: Regular user of Council’s leisure facilities;
- (xi) Councillor Jarvis – Minute 663 (Agenda Item No. 9 – Conservation Area Appraisals) – Non-pecuniary interest: Lives in Shoebury Conservation Area but spoke on the item as Shadow Cabinet Member;
- (xii) Councillor Mulroney – Minute 661 (Agenda Item No. 6 - Draft Prioritising Resources to Deliver Better Outcomes – 2022/23 to 2026/27) – Non-pecuniary interest: Member of Leigh Town Council;
- (xiii) Councillor Mulroney – Minute 663 (Agenda Item No. 9 – Conservation Area Appraisals) – Non-pecuniary interest: Executive Director of Leigh Society and Chair of Trustees of the Leigh Heritage Centre
- (xiv) Councillor Mulroney – Minute 664 (Agenda Item No. 10 – 20mph Neighbourhoods) – Disqualifying non-pecuniary interest: Lives in one of the roads affected by the proposals (withdrew);
- (xv) Councillor Warren – Minute 664 (Agenda Item No. 10 – 20mph Neighbourhoods) – Non-pecuniary interest: Office is located in one of the roads affected by the proposals; and
- (xvi) Councillor Woodley – Minute 664 (Agenda Item No. 10 – 20mph Neighbourhoods) – Non-pecuniary interest: Councillor for Thorpe Ward, Chair of Burges Estate Residents’ Association, and lives in one of the roads affected by the proposals. Councillor Woodley stated he was satisfied that his non-pecuniary interest was not a disqualifying interest (under paragraph 10.3 of the Members’ Code of Conduct) and so he did not withdraw.

657 Questions from Members of the Public

The Cabinet Member for Transport, Asset Management & Inward Investment responded to questions from Mr David Webb and Ms Lydia Hyde. A copy of the response will be sent to Mr Webb as he was not present at the meeting.

The Cabinet Member for Transport, Asset Management & Inward Investment also gave a generic response to a number of questions relating to the 20mph Neighbourhood proposals in Thorpe Ward. The number of persons able to put their questions in person was limited to the following residents due the length of time permitted for public questions:

Mrs S Carr
Mr M Ford
Mrs L Ford
Ms H Tomkinson
Mr S Tomkinson
Ms D Jansen
Mr F Smith
Ms L Walton
Mrs Gotch
Mr A Hall

A copy of the response was handed to each of the questioners present and will be circulated to all those who were unable to attend the meeting or able to put their questions in person.

658 Minutes of the Meeting held on Monday, 29th November 2021

Resolved:-

That the Minutes of the meeting held on Monday 29th November 2021 be received, confirmed as a correct record and signed.

659 Minutes of the Meeting held on Monday 6th December 2021

Resolved:-

That the Minutes of the meeting held on Monday 6th December 2021 be received, confirmed as a correct record and signed.

660 Draft Prioritising Resources to Deliver Better Outcomes – 2022/23 to 2026/27

The Committee considered Minute 605 of the meeting of the Cabinet held on January 2022, which had been referred directly to each of the scrutiny committees, together with a report of the Executive Director (Finance and Resources) presenting the draft prioritising resources to deliver better outcomes for 2022/23 to 2026/27.

Resolved:

That the following decision of Cabinet be noted:

“1. That it be noted that the final version of the updated Financial Sustainability Strategy 2022-2032 will be available for consideration in February 2022 (Appendix 1 to the submitted report).

2. That it be noted that a Medium-Term Financial Strategy for 2022/23 – 2026/27 will be available for consideration in February 2022 and the draft Medium Term Financial Forecast and estimated Earmarked Reserves Balances up to 2026/27 (Annexes 1 and 2 to Appendix 2 to the submitted report), be endorsed.

3. That the draft Section 151 Officer's statement on the robustness of the proposed budget, the adequacy of the Council's reserves and the Council's Reserves Strategy (Appendix 3 to the report), be noted.
4. That the appropriation of the sums to earmarked reserves totalling £2.675M (Appendix 4 to the report), be endorsed.
5. That the appropriation of the sums from earmarked reserves totalling £4.494M, which includes £2.500M that was previously approved to support the budget in 2021/22 and is now requested to be used to support the estimated budget gap for 2022/23 instead. (Appendix 4 to the report), be endorsed.
6. That a General Fund Budget Requirement for 2022/23 of £140.288M and Council Tax Requirement of £91.844M (Appendix 5) and any required commencement of consultation, statutory or otherwise, be endorsed.
7. That it be noted that the 2022/23 revenue budget has been prepared on the basis of using £1.5 million from accumulated Collection Fund surpluses for the core budget to allow for a smoothing of the budget gap across the next four financial years.
8. That a Council Tax increase of 3.99% for the Southend-on-Sea element of the Council Tax for 2022/23, being 1.99% for general use and 2.0% for Adult Social Care, be endorsed.
9. That it be noted that the position of the Council's preceptors is to be determined:
 - Essex Police – no indication of Council Tax position
 - Essex Fire & Rescue Services – no indication of Council Tax position
 - Leigh-on-Sea Town Council – proposed Band D precept increase of 0.53%;
10. That no Special Expenses be charged other than the Leigh-on-Sea Town Council precept for 2022/23, be endorsed.
11. That the proposed General Fund revenue budget investment of £13.672M (Appendix 6 to the report), be endorsed.
12. That the proposed General Fund revenue budget savings and income generation initiatives for 2022/23 of £5.087M (Appendix 7 to the report), be endorsed.
13. That the proposed future outline Budget Transformation Programme 2023/24 – 2026/27 (Appendix 8 to the report), be noted.
14. That the proposed range of fees and charges for 2022/23 (Appendix 9 to the report), be endorsed.
15. That the Dedicated Schools Grant budget and its relevant distribution as recommended by the Education Board (Appendix 10 to the report), be endorsed.

16. That the Capital Investment Strategy for 2022/23 to 2026/27 (Appendix 11 to the report) and the Capital Investment Policy (Annex 1 to Appendix 11 to the report), be endorsed.

17. That the new schemes and additions to the Capital Investment Programme for the period 2022/23 to 2026/27 totalling £12.6M for the General Fund (Appendix 12 to the report) and new schemes subject to viable business cases totalling £33.9M (£15.5M for the General Fund and £18.4M for the Housing Revenue Account) (Appendix 12 to the report), be endorsed.

18. That the proposed changes to the current Capital Investment Programme that were considered for approval as part of the Resourcing Better Outcomes – Financial Performance Report – Period 8 (Appendix 13 to the report), be noted.

19. That the proposed Capital Investment Programme for 2022/23 to 2026/27 of £119.8M to be delivered by the Council and £51.3M to be delivered by Subsidiary Companies, Partners and Joint Ventures (Appendix 14 to the report) of which £51.1M is supported by external funding, be endorsed.

20. That the Minimum Revenue Provision (MRP) Policy for 2022/23 (Appendix 15 to the report) and the prudential indicators (Appendix 16 to the report), be endorsed.

21. That the operational boundary and authorised limits for borrowing for 2022/23 are set at £385M and £395M respectively (Appendix 16 to the report), be endorsed.”

Note: This is an Executive Function save that approval of the final budget following Cabinet on 15th February 2020 is a Council Function
Referred direct to all three scrutiny committees
Cabinet Members: Cllr Gilbert and Cllr Collins

661 Leisure Contract – Short-Term Options Review

The Committee considered Minute 608 of Cabinet held on 13th January 2022, which had been called-in for scrutiny, together with the report of the Executive Director (Adults and Communities) requesting confirmation of the in-year arrangements for the operation of the Council’s leisure centres and set out the proposed steps in respect of the centres beyond April 2022.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the ongoing waiver of Fusion’s management fee until 31 March 2022, be approved.

2. That the remaining three year’s management fee be repaid by Fusion over a reprofiled duration meeting the Council’s financial expectations from the contract.

3. That it be noted that the Council’s officers will continue to manage the existing contract performance of Fusion.

4. That Fusion's current proposals regarding the extension of the contract beyond 2025 be rejected and market testing take place.

5. That it be noted that a further report will be provided during 2022/23 to consider the long-term future and options for leisure services."

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

662 Department for Transport (DfT) Tranche 2 - Active Travel Fund

The Committee considered Minute 609 of Cabinet held on 13th January 2022, which had been called-in for scrutiny, together with the report of the Executive Director (Neighbourhoods and Environment) concerning the schemes that had been awarded funding by the Department of Transport (DfT) following the Council's Tranche 2 bid. The consultation/survey results in relation to the schemes would be submitted to the DfT.

In response to questions regarding schools included in the School Streets scheme, the Council's Head of Civil Engineering undertook to investigate further and provide a written response to the following matters:

- (i) the number of schools on busy/main roads with high volumes of traffic and congestion and poor air quality that did not apply to be included in the scheme or would have expected to apply;
- (ii) whether there would be a further opportunity for other school to be involved or how the Council might encourage them to be involved;

In response to questions regarding the possibility of installing CCTV along the Prittlebrook Greenway should the proposed lighting not adequately address community safety or anti-social behaviour, the Head of Civil Engineering undertook to provide a written response after the meeting.

Resolved:-

That the following decisions of Cabinet be noted:

"1. That the bid to the Department of Transport (DfT) on 20 November 2020 for Tranche 2 funding from the Active Travel Fund for the schemes for which funding in the sum of £741,000 was awarded, be endorsed.

2. That, following discussion at design review stage with the Transport, Capital and Inward Investment Working Party, authority be delegated to the Executive Director (Neighbourhoods and Environment), in consultation with the Cabinet Member for Transport, Asset Management and Inward Investment, to agree the final detailed design options based upon the outline designs submitted to the DfT for Tranche 2 funding."

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

663 Conservation Area Appraisals

The Committee considered Minute 610 of Cabinet held on 13th January 2022, which had been called-in for scrutiny, together with the report of the Executive Director (Growth and Housing) presenting the Conservation Area Appraisals for Clifftown, Leigh, Leigh Cliff, Milton, The Leas and Shoebury Garrison, following a recent period of public consultation.

Resolved:-

That the following decision of Cabinet be noted:

“That the Conservation Area Appraisal documents, set out at Appendices 1 to 6 of the submitted report, for Clifftown, Leigh, Leigh Cliff, Milton, The Leas and Shoebury Garrison, be adopted.”

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

664 20 mph Neighbourhoods

The Committee considered Minute 610 of Cabinet held on 13th January 2022, which had been called-in for scrutiny, together with the report of the Executive Director seeking approval for the adoption of 20MPH Neighbourhoods pilot scheme in the following locations:

- West Leigh and Leigh Wards: Area bounded by Hadleigh Road, Rectory Grove, Lymington Avenue, London Road and Salisbury Road;
- Thorpe Ward: (i) Area bounded by Thorpe Hall Avenue, Thorpe Bay Gardens, Maplin Way and Station Road; (ii) on Burges Road, Colbert Avenue and Wyatts Drive; (iii) On Shaftesbury Avenue, Kensington Avenue and Northumberland Crescent.

The Committee discussed the matter in detail and asked a number of questions which were responded to by the Cabinet Member for Transport, Asset Management and Inward Investment and the Council’s Head of Civil Engineering.

Resolved:-

That the matter be referred back to Cabinet for reconsideration with the following recommendations:

1. That the proposals for the 20mph Neighbourhood in the area within West Leigh and Leigh Wards be progressed as proposed.
2. That the proposals for the 20mph Neighbourhood in the areas within Thorpe Ward be subject to full consultation with residents before considering whether the scheme should progress in these areas.

Note: This is an Executive function
Cabinet Member: Cllr Woodley

665 Joint In-depth Scrutiny Project

The Committee noted an oral update on the progress that had been made in respect of the joint in-depth Scrutiny study, entitled 'Enabling Councillors to be Effective'.

Resolved:-

That the report be noted.

Note: This is a Scrutiny function

666 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.

667 Southend Leisure Future - Confidential Appendix 1

The Committee considered the confidential appendix to the report of the Executive Director (Adults and Communities) the Leisure Contract – Short Term Options Review which was dealt with under Minute 661 above.

Resolved:-

That the confidential appendix, be noted.

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

668 Council procedure Rule 44.2

During consideration of Agenda Item No. 6 and the time having reached 10.00 p.m. the Committee agreed that the remaining items of business on the Agenda be dealt with at this meeting.

Chairman: _____