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SOUTHEND-ON-SEA CITY COUNCIL

Digest of the Decisions of Cabinet
held on Tuesday, 26th July, 2022
Place: Council Chamber - Civic Suite

Present: Councillor S George (Chair)
Councillors C Mulroney (Vice-Chair), L Burton, P Collins, I Gilbert,
K Mitchell, M Terry and S Wakefield

In Attendance: Councillors J Moyies and R Woodley
M Marks, A Lewis, J Chesterton, G Gilbert, J Burr, S Dolling,
R Harris, S Meah-Sims, K Ramkhelawon and S Wheeler.

Start/End Time: 10.00 am - 11.35 am

1 Apologies for Absence

There were no apologies for absence.

2 Declarations of Interest

The following declarations of interest were made:

(a) Cllr Mitchell – Agenda Items 7 (Corporate Risk Register) and 8 (Annual Public Health Report) – A Better Start Southend (ABSS) is in partnership with Hamlet Court Road in Harmony Community Group - the Councillor is the Chair of this group.

3 Minutes of the meeting held on Tuesday, 14 March 2022

Resolved:

That the minutes of the meeting held on Tuesday, 14 March 2022 be confirmed and signed as a correct record.

4 Minutes of the meeting held on Tuesday, 14 June 2022

Resolved:

That the minutes of the meeting held on Tuesday, 14 June 2022 be confirmed and signed as a correct record.

5 Minutes of the Special Meeting held on Friday, 1 July 2022

Resolved:

That the minutes of the meeting held on Friday, 1 July 2022 be confirmed and signed as a correct record.

6 Corporate Plan

The Cabinet considered a report of the Interim Executive Director (Strategy, Change and Governance) presenting the Council's draft Corporate Plan for 2022-26 for agreement.

Recommended:

That the draft Corporate Plan 2022-26, set out at Appendix 1 to the submitted report, be approved and the responsibility for any final changes prior to publication be delegated to the Chief Executive, in consultation with the Leader of the Council.

Other Options:

There is no requirement to have a Corporate Plan, but it is best practice and provides a helpful narrative to set the direction for the work, clearly articulating our priorities and contribution to the Southend 2050 Ambition.

Reasons for recommendation:

To ensure the Council has a robust strategic plan which clearly articulates the priorities for the organisation enabling efficient use of resources.

Note: This is a Council Function

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

Cabinet Member: Cllr George

7 Corporate Risk Register

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the the updated summary Corporate Risk Register.

Resolved:

That the updated summary Corporate Risk Register and the position at July 2022, outlined in Appendix 1 to the submitted report, be noted.

Other options:

None

Reason for decision:

The Accounts and Audit Regulations 2015 require that a relevant authority must ensure it has a sound system of internal control which facilitates the effective exercise of its function and the achievement of its aims and objectives, ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk.

Note: This is an Executive Function

Eligible for call-in to: All three Scrutiny Committees

Cabinet Member: Cllr Collins

8 Annual Public Health Report

The Cabinet considered a report of the Executive Director (Children and Public health) presenting the 2021 Annual Report of the Director of Public Health.

Resolved:

That the content and recommendations of the 2021 Annual Report of the Director of Public Health be noted.

Other Options:

There are no other options as it is a statutory duty of the Director of Public Health to prepare an Annual Public Health Report.

Reason for decision:

The Health and Social Care Act 2012 requires Directors of Public Health to prepare an annual report on the health of the local population.

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

9 In-depth Scrutiny Project - 'Enabling Councillors to be effective' Final Report

The Cabinet considered a report of the Interim Executive Director (Strategy, Change and Governance) presenting the final report of the In-Depth Scrutiny Project for 2021/22 – 'Enabling Councillors to be Effective.'

Resolved:

1. That the recommendations arising from the in-depth scrutiny project, as set out in Appendix 1 to the submitted report, be approved.
2. That the budget implications arising from the recommendations of the in1depth scrutiny project be considered as part of current and future years' budget processes prior to implementation.

Reason for decisions:

In accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the report of the in-depth scrutiny requires approval by the Cabinet. Some of the recommendations arising from the review have budget implications that will require consideration as part of future years' budget processes prior to implementation.

Other Options:

To note the report but not progress any of the recommendations.

Note: This is an Executive Function
Eligible for call-in to: All three Scrutiny Committees
Cabinet Member: Cllr George

10 City Culture Bid

The Cabinet considered a report of the Executive Director (Adults and Communities) setting out the potential opportunities, risks and likely resources required for the Council to prepare a bid for the 2029 UK City of Culture competition.

Resolved:

That initial research and engagement be undertaken with the Southend-on-Sea resident community to assess the level of support for a bid to become the 2029 UK City of Culture and that a further report come back to Cabinet on the outcome of this engagement, with a 66% in favour of a bid being the criteria.

Other Options:

The Council could decide not to pursue a city of culture bid without any evidence gathering of the benefits/disbenefits and community engagement.

Reason for decision:

To reach out to the Southend-on-Sea community to test their appetite before committing significant public finances to progress a bid.

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

11 Leisure Services

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting a way forward for the long-term future delivery of the Council's leisure provision following an options appraisal.

Resolved:

1. That the options for the long-term delivery of the Council's leisure provision, as set out in the submitted report, be noted.
2. That a procurement exercise be undertaken to appoint a provider to be the Council's leisure operator, which should consider and factor in the following key principles:
 - i. A 10 -15 year contract to allow for investment in the facilities and provide the Council with both the best return and also the most attractive proposition for the market;
 - ii. The Council should seek investment from the market within SLTC as described and also the condition survey investment, on the basis that this will generate additional revenue to fund the capital through prudential borrowing undertaken by the Council;

- iii. Seek a financial offer from the market to deliver a new improved contract with a revenue position that enhances that under the existing leisure contract with innovation in offer and method of operation;
- iv. Structure the procurement on a lot-based approach, providing the opportunity for the relevant schools to bid and operate their own facilities where appropriate;
- v. Include utilities benchmarking;
- vi. Build into the specification the delivery of:
 - a. The overall health and wellbeing strategic aims and vision to ensure that the operator is required to support the Council in delivering these
 - b. The strategic management of Garon Park in partnership with the Garon Park Trust
- vii. Develop a dialogue-based approach to procurement to enable the Council to discuss approaches through competitive dialogue with the market.

Other options:

There are several alternative management options available when considering the future delivery of the Council's leisure provision.

Reasons for decision:

To proceed with a procurement exercise to appoint a provider to be the Council's leisure operator factoring in a range of key principles.

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

12 Southend Business Improvement District LTD RE-Ballot

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting an update on the success of the Southend Business Improvement District (BID) since its launch in April 2013 and re-ballot in 2017 and sought agreement to provide the support required for a renewal ballot of Southend City Centre businesses for a further five-year term of the Southend BID.

Resolved:

1. That the progress and impact of the BID be noted.
2. That the Director of Culture and Tourism, in consultation with the Cabinet Member for Public Protection, be given delegated authority to: -
 - i. Consider on behalf of the Council as billing authority, whether the proposal conflicts with any formally adopted policy of the Council, and, if it does, give notice of this in accordance with the BID regulations.

ii. Determine whether the Council should support the BID's proposal decided by the majority of BID Directors and businesses and if so, to vote yes on its behalf in the BID ballot. If a 'no' vote is proposed, this will be referred to Cabinet for further consideration.

iii. Formally manage the ballot process in accordance with BID regulations.

iv. That subject to a 'yes' vote at ballot by the relevant BID business community, the Council as relevant local billing authority will manage the billing and collection of the additional levy, and its transfer to the BID company. In the event of a 'no' vote, that the costs of the ballot be recovered from the BID Company as per the BID regulations.

v. Review and update the Operating Agreement, as required, which details the billing, collection and enforcement provisions as well as the arrangements for transmitting the BID receipts to the BID in consultation with the Executive Director (Finance and Resources).

vi. Enter into a revised service level agreement with the BID company regarding the operation of the BID and delivery of Council requirements and baselines.

Other Options:

There are certain functions within the BID ballot process which can only be undertaken by the local authority. Therefore, if the Council is to support a third term of the BID it must be willing to undertake these activities.

Reasons for Decision:

The Southend BID company has leveraged funding from businesses in the BID area which wouldn't otherwise have been available to invest in the city centre. The report sets out the impact the BID has made in the city centre and central seafront area funded through the levy and additional contributions.

These interventions and value adding activities have been to the benefit of the area and could not have been delivered under the previous Town Centre Partnership / Management arrangement.

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Terry

13 Fees and Charges Update

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting a selected range of new fees and charges, together with some targeted increases above CPI which are outside the scope of the Council's delegated fees and charges policy.

Recommended:

1. That the new fees and charges proposed for property and legal services, set out at Appendix 1a and the revisions to fees and charges shown in the schedule, set out at Appendix 1b to the submitted report, be approved.

2. That it not be the Council's policy to introduce charging in the following very small car parks in Zone 3:

- Eastwood Boulevard Car Park (Blenheim Park Ward);
- Pargat Drive Car Park (Eastwood Park Ward); and
- Sutherland Boulevard Car Park (West Leigh Ward)

3. That any decision to implement charging in the Rayleigh Road Car Park in Eastwood, as set out in the submitted report, will only occur after the appropriate governance process is followed.

Other Options:

To retain fees and charges at their current levels which will result in an increasing gap between income and expenditure as inflationary pressures drive up costs whilst fees and charges remain static.

Reasons for Recommendation:

As part of our commitment to achieving financial self-sustainability and improved resilience we must ensure a sensible commercial mindset where appropriate. The recommendations in this report allow the Council to improve its income generating capabilities and ensure that appropriate charges are levied where necessary to better cover (or make a contribution) to the costs incurred for delivery of that service.

Note: This is a Council Function

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

Cabinet Members: Cllr George and Cllr Collins

14 SO46 Report

Resolved:

That the submitted report, be noted.

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Collins

15 Reports approved under the Delegated Authority Report process

The Cabinet considered a report of the Interim Executive Director (Neighbourhoods and Environment) presenting the decisions taken under the Delegated Authority Report (DAR) process.

Resolved:

That the decisions taken under Delegated Authority, be noted.

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Wakefield

16 Exclusion of the Public

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded 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.

17 Parking Procurement

The Cabinet considered a report of the Interim Executive Director (Neighbourhoods and Environment) presenting the outcomes of the invitation to Tender (ITT) process for the Parking Enforcement Services Contract Lot 1 and the Cashless Parking and Parking Permits System Contract Lot 2 and sought approval to award the Parking Enforcement Services contract (Lot 1) following the ITT process to the successful bidder and the direct award through a procurement framework agreement for the award of the Lot 2 Contract.

Resolved:

1. That the contract be awarded to Provider A; this being the successful bidder for the Lot 1 Contract for a seven-year period with the option to extend up to a further 3 years at the Council's discretion.
2. That authority be delegated to the Executive Director (Neighbourhoods and Environment) to liaise with Legal Services to finalise the required contract documentation and contract sealing for the Lot 1 Contract.
3. That a permanent budget increase of £300k per annum for the Lot 1 contract commencing April 2023 and that this be included as part of the 2023/24 budget setting process, be approved.
4. That one off implementation costs of £198k for the new contract funded by the Business Transformation Reserve, be approved.
5. That authority be delegated to the Executive Director (Neighbourhoods and Environment) to procure the services for Lot 2 Contract by way of direct award via a Framework Agreement, subject to the appropriate operating budget being in place.

Other Options:

As set out in the submitted report.

Reasons for Decisions:

As set out in the submitted report.

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