

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Monday, 18th September, 2023

Place: Committee Room 1 - Civic Suite

Present: Councillor T Cox (Chair)
Councillors M Davidson (Vice-Chair), K Buck, J Courtenay, D Jarvis,
J Lamb, J Moyies and D Nelson

In Attendance: Councillors B Beggs and D Cowan
R Tinlin, K Sawyer, J Chesterton, A Richards, C Shuter, M Marks,
T Harris, E Georgeou, C Braun and C Gamble

Start/End Time: 6.30 pm - 7.50 pm

30 Apologies for Absence

Apologies for absence were received from Councillors Boyd and Garston.

31 Declarations of Interest

The following interests were declared at the meeting:-

(i) Councillor Lamb – Agenda Item No. 10 (Domestic Abuse Strategy) – Trustee of SAVS.

32 Minutes of the Meeting held on Tuesday, 18 July 2023

Resolved:-

That the Minutes of the meeting held on Tuesday, 18th July 2023 be confirmed as a correct record and signed.

33 Policy and Resources Scrutiny Committee In-depth Scrutiny Project - Developing Strong Governance - Strengthening Joint Working between Councillors and Officers

The Cabinet received the final report and recommendations of the in-depth Scrutiny project that had been undertaken on behalf of the Policy & Resources Scrutiny Committee in 2022-23 – ‘Developing Strong Governance: Strengthening Joint Working Between Councillors and Officers’.

Resolved:-

That the recommendations arising from the in-depth scrutiny project, detailed at paragraph 11 of the submitted report, be approved.

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.

Other Options:

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

Note: This is an Executive Function

Not eligible for call-in

Cabinet Member: Cllr Moyies

34 People Scrutiny Committee In-depth Scrutiny Project - Providing First Class Services for families of Children with Special Educational Needs and Disabilities

The Cabinet received the final report and recommendations of the in-depth Scrutiny project that had been undertaken on behalf of the People Scrutiny Committee in 2022-23 - 'Providing First-Class Services for Families of Children with Special Educational Needs and Disabilities'.

Resolved:-

That the recommendations arising from the in-depth scrutiny project, detailed at paragraph 11 of the submitted report, be approved.

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.

Other Options:

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

Note: This is an Executive Function

Not eligible for call-in

Cabinet Member: Cllr Cox

35 Place Scrutiny Committee In-depth Project: "Preparing Southend for the EV Revolution" - Final Report & Recommendations

The Cabinet received the final report and recommendations of the in-depth Scrutiny project that had been undertaken on behalf of the Place Scrutiny Committee in 2022-23 - "Preparing Southend for the EV Revolution".

Resolved:-

1. That the report and recommendations arising from the Place Scrutiny Committee In-Depth Scrutiny Project for 2022/23, detailed at Section 6 of the attached report, be approved.

2. That the budget implications arising from the recommendations of the in-depth 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
Not eligible for call-in
Cabinet Member: Cllr Buck

**36 Finance and Corporate Performance Report 2023/24 to end of July 2023
(Period 4)**

The Cabinet considered a report of the Executive Director (Finance & Resources) summarising the current forecast position at this early stage of the financial year and which highlighted where corrective action would be necessary and reasonable mitigation is required to try to deliver a balanced financial position by the end of the year.

Resolved:-

1. That the unprecedented levels of reported financial pressure and challenges right across the local government sector as set out at Appendix 1 of the submitted report, be noted.

2. That, in respect of the 2023/24 Revenue Budget Performance as set out in Appendix 2 to the submitted report:

(i) The forecast outturn for 2023/24 for the General Fund and the Housing Revenue Account as at 31 July 2023, be noted.

(ii) The plans and intentions to try to reduce the forecast overspend of the Council's revenue budget for 2023/24 be noted and that the Chief Executive and Executive Director (Finance & Resources) be requested to explore all opportunities within their delegated powers and authority to improve the financial position by the year-end as set out in section 5 of the submitted report.

(iii) The planned budget transfers (virements) of £308,600 from earmarked reserves, as set out in section 5.50 of the submitted report, be approved.

3. That, in respect of the 2023/24 Capital Budget Performance as set out in Appendix 3 of the submitted report:

(i) The expenditure to date and the forecast outturn as at 31 July 2023 and its financing, be noted.

(ii) the Corporate Performance Report as at 31 July 2023 set out in Appendix 4 of the submitted report, be noted.

Recommended:

4. That the requested changes to the capital investment programme for 2023/24 and future years, as set out in section 4 of Appendix 3 of the submitted report, be approved.

Reasons for Decisions

To provide detailed financial information on the financial performance of the Council. The report sets out the key variances by budget holders and associated management action being implemented to address the identified issues.

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: The decisions in resolutions 1 to 3 above constitute an Executive function and the recommendation in 4 above constitutes a Council function.

Cabinet Member: Cllr Cox

***Called-in to Policy & Resources Scrutiny Committee**

37 Corporate Risk Register

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

Resolved:-

That the updated summary Corporate Risk Register and the position at July 2023 outlined in Appendix 1 of the submitted report be noted the actions being taken to manage the risks be supported.

Reasons 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.

Other Options

None.

Note: This is an Executive function

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Policy and Resources Scrutiny Committee.

Cabinet Member: Cllr Lamb

38 Economic Growth Strategy

The Cabinet considered a report of the Executive Director (Environment & Place) that sought approval of the principle of preparing an up-to-date Economic Growth Strategy, the likely timescales for creating it and proposed elements of the structure of the strategy.

Resolved:-

1. That the development of an Economic Growth Strategy be approved.
2. That councillors and wider stakeholders be engaged during the process and that a draft Economic Growth Strategy be presented to Cabinet for adoption in due course.

Reasons for Decisions

Supporting economic growth in the city is key to achieving a wide range of the council's objectives, as recognised in its current body of strategies. Delivering this through the development of an overarching, up to date strategy which can adapt to changing economic contexts is an effective way of progressing this both in terms of delivering positive outcomes and making best use of resources.

Appropriate engagement with stakeholders at an early stage is key to informing the development of a strategy which addresses the relevant issues, maximises the benefits presented by opportunities and is deliverable.

Other Options

The Council could choose to not develop an Economic Growth Strategy (there is no statutory requirement). However, it is considered that supporting economic growth in its widest sense is a key priority for the Council, as reflected in the Corporate Plan and the Council's wider suite of strategies.

Note: This is an Executive function

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Place Scrutiny Committee.

Cabinet Member: Cllr Nelson

39 Domestic Abuse Strategy

The Cabinet considered a report of the Executive Director (Adult & Communities) proposing a new strategy to tackle domestic abuse across the City.

Resolved:-

That, in principle, the proposed strategy identified for the next Southend Domestic Abuse Strategy (2023 – 2026) be approved to enable the strategy to be finalised.

Reason for Decision

The Council's current interim strategy requires an update. Although the interim strategy satisfied the Council's statutory duties, it is far from providing a robust, whole system response to domestic abuse.

Other Options

There are wider options in terms of the proposed strategic priorities. However, it is considered that these priorities best reflect the local need in Southend, whilst also enabling us to align to the national policy frameworks and Greater Essex, Southend, Essex and Thurrock Domestic Abuse Board strategy.

Note: This is an Executive function

Not eligible for call-in as the matter has been subject to pre-Cabinet scrutiny by the People Scrutiny Committee

Cabinet Member: Cllrs Courtenay and Moyies

40 Procedure for Statutory Nuisance Investigation and Progression 'Nuisance Policy'

The Cabinet considered a report of the Executive Director (Environment & Place) that presented the Statutory Nuisance Investigation and Progression Policy, following its review by the Public Protection Working Party.

Resolved:-

1. That Procedure for Statutory Nuisance Investigation and Progression 'Nuisance Policy' attached as Appendix 1 to the submitted report, be adopted.
2. That the Executive Director (Environment and Place), together with the Cabinet Member for Regulatory Services, be authorised to approve any minor changes required to the Policy arising from changes in legislation and identified priorities for the Council.

Reasons for Decision

The policy provides a framework which is transparent and is compliant with the Regulators Code. It empowers communities and residents to proactively support and engage in the process through defining their role.

Other Options

The local authority could choose to investigate all complaints raised by Registered Social Landlord (RSL) tenants in the first instance. This would be a less efficient use of resources as the RSL's have a greater control over their tenants and this would divert resource to an area which is already supported and reduce the resource available across other unsupported groups.

Not to adopt a policy on how it manages nuisance. This may lead to more complaints against the service, where there is no understanding of the Council's duty and procedures with respect to nuisance investigation.

Note: This is an Executive function.

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Place Scrutiny Committee.

Cabinet Member: Cllr Lamb

41 Treasury Management Report - Quarter 1 (2023/24)

The Cabinet considered a report of the Executive Director (Finance and Resources) that presented the Treasury Management Report for Quarter One covering the treasury management activity for the period from April to June 2023 and compliance with the treasury management strategy for that period.

Resolved:-

1. That the Treasury Management Report for Quarter One 2023/24 be approved.
2. That it be noted that 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 2023.
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 £1.483m of interest and income distributions for all investments were earned during this three-month period at an average rate of 4.20%. This is 0.17% under the SONIA rate (Sterling Overnight Index Average) and 0.24% under the average bank rate. Also, the value of the externally managed funds decreased by a net of £0.643m due to changes in the unit price, giving a combined overall return of 2.38% as set out in Section 8 of the submitted report.
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 £347.3m (HRA: £74.2m, GF: £273.1m) during the period from April to June 2023.
6. That it be noted that during the quarter the level of financing for 'invest to save' schemes remained the same at £8.22m.

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 2023/24 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

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Policy and Resources Scrutiny Committee.

Cabinet Member: Cllr Cox

42 Debt Management Position to 31 July 2023

The Cabinet considered a report of the Executive Director (Finance and Resources) setting out the corporate debt management position to 31 March 2023.

Resolved:-

1. That the finalised outstanding debt position on 31 July 2023 and the position of debts written off to 31 July 2023 as set out in Appendices A & B of the submitted report, be noted.

2. That it be noted that no write offs exceeding £25,000 need to be considered for approval as part of this report, as shown in Appendix B of the submitted report.

Reasons for Decisions

All action instigated remains in accordance with the Council's Corporate Debt Management Policy to ensure a fair and consistent approach is applied to each case, and to maximise collection for the Council.

Other Options

None

Note: This is an Executive Function

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the Policy and Resources Scrutiny Committee.

Cabinet Member: Cllr Cox

43 School Admission Arrangements for Community Schools 2025/26 - The Co-ordinated Admission Scheme for Academic Year 2025/26 and Review of the Relevant Area

The Cabinet considered the report of the Executive Director (Children & Public Health) presenting the admission arrangements for Community Schools for the academic year 2025/26 and the Coordinated Admissions Scheme for 2025/26.

Resolved:-

1. That the proposed Admissions Arrangements for Community Schools for the academic year 2025/26 as set out in Appendix 1 of the submitted report, be noted and the requirement for public consultation on changes proposed, be approved.
2. That the consultation with governing bodies of community schools take place on the published admission number (PAN) for community infant, junior and primary schools for September 2025 as set out in the Admission Arrangements in Resolution 1 above.
3. That the proposed Co-ordinated Admissions Scheme for 2025/26, as set out in Appendix 2 and Appendix 3 of the submitted report be approved and that the final version be ratified by the Executive Director for Children and Public Health in December for publication as required by law on 1 January 2024.
4. That the relevant area for schools be reviewed and agreed as follows:
Southend, Castle Point and Rochford for the years 2025 and 2026.

Reasons for Decisions

To comply with the relevant statutory requirements relating to the School Admissions arrangements.

Other Options

As set out in paragraphs 5.1 to 5.5 of the submitted report.

Note: This is an Executive function

Not eligible for call-in as the matter has been the subject of pre-Cabinet scrutiny by the People Scrutiny Committee.

Cabinet Member: Cllr Boyd

44 Minutes of the Shareholder Board held Monday, 14 August 2023

The Cabinet considered the Minutes of the meeting of the Shareholder Board held on Monday, 14th August 2023.

Resolved:-

That the Minutes of the meeting of the Shareholder Board held on Monday 14th August 2023 be noted and the recommendations contained therein be approved.

Note: This is an Executive function

Not eligible for call-in

Cabinet Member: Cllr Cox

45 Notices of Motion Referred from Council held Thursday, 13 July 2023

The Cabinet considered a report of the Executive Director (Finance and Resources) concerning the Notice of Motions referred to it by Council at its meeting on 13th July 2023. These related to:

- Transition Planning for Children and Young People

- Sheltered Housing
- Idling vehicles around schools

Resolved:-

That each Notice of Motion be referred to the relevant Working Party, listed below:

- Children's Services, Education and Learning Working Party (Transition Planning for Children and Young People)
- Housing and Planning Working Party (Sheltered Housing)
- Highways, Transport and Parking Working Party (Idling vehicles around Schools)

Reasons for Decision:

To respond to the Notice of Motion.

Other options:

None

Note: This is an Executive Function

This matter is not eligible for call-in.

Cabinet Member: Cllrs Boyd, Garston and Buck

46 Action Taken by Individual Cabinet Member

The Cabinet considered a report of the Executive Director (Finance and Resources) setting out the decision taken by the Cabinet Member for Housing and Planning.

Resolved:-

That the report be noted.

Note: This is an Executive function

Not eligible for call-in

Cabinet Member: Cllr Garston

47 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.

48 Waste Procurement

The Cabinet considered a part 2 confidential report of the Executive Director (Environment and Place) regarding the extension of the contract for recycling, waste, and street cleansing services.

Resolved:-

1. That the proposal from Veolia to extend the recycling, waste, and street cleansing services contract for 1 year from 5th October 2023 to 4th October 2024 with an option to extend for a further 6 or 12 months (i.e. maximum of 24 months total) by mutual agreement be accepted.
2. That the Executive Director (Environment and Place), in consultation with Section 151 officer and the Cabinet Member for the Environment, be authorised to exercise the option to extend for a further 6 or 12 months (i.e. maximum of 24 months total).
3. That the cost of the extension be funded from the existing Council approved budget plans and supplemented accordingly by the Council's earmarked Waste Reserve, as set out in Section 6.1 of the submitted report.
4. That officers be authorised to contract with Veolia accordingly and promptly to secure the contract extension.

Reasons for Decisions

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note: This is an Executive function
Not eligible for call-in as this is an urgent matter
Cabinet Member: Cllr Davidson

Chair: _____