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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Wednesday, 10th April, 2019

Place: Committee Room 1 - Civic Suite

Present: Councillor B Ayling (Chair)
Councillors C Mulroney (Vice-Chair), B Arscott, D Burzotta, F Evans, N Folkard, D Garston, I Gilbert, R Hadley, H McDonald, D Nelson, D Norman MBE, G Phillips, M Stafford, C Walker, *R Woodley (Councillor) and *J Garston.

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Courtenay and A Moring (Cabinet Members) and Councillor S George.
J K Williams, I Ambrose, P Grout, J Ruffle, E Cooney, G Halksworth and R Harris.

Start/End Time: 6.30 - 7.25 pm

857 Apologies for Absence

Apologies were received from Councillor M Terry (substitute Cllr R Woodley) and Councillor McGlone (substitute: Cllr J Garston).

858 Declarations of Interest

The following interests were declared at the meeting:-

(a) Councillors Courtenay and Moring (Cabinet Members) - Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

(b) Councillor Moring – Minutes 863 and 866 (Transport Procurement) – non-pecuniary interest – reference to the transport service in 2008 – son was using the transport service at the time;

(c) Councillor Burzotta – Minute 865 (In-depth Scrutiny Project) – non-pecuniary interest – family business within the borough;

859 Questions from Members of the Public

There were no questions received from members of the public.

860 Minutes of the Meeting held on Wednesday, 30th January, 2019

Resolved:-

That the Minutes of the meeting held on Wednesday, 30th January, 2019 be confirmed as a correct record and signed.

861 Monthly Performance Report

The Committee considered Minute 779 of Cabinet held on 12th March 2019, which had been referred direct by Cabinet to all three Scrutiny Committees together with the Monthly Performance Report covering the period to end February 2019, which had recently been circulated.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Cabinet Member:- As appropriate to the item.

862 Transport Procurement

The Committee considered Minute 770 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a report of the Deputy Chief Executive (People) which provided an update on the procurement for the preferred bidder to create a Joint Venture Partnership (JV) to deliver the Council's Passenger Transport Service.

The Committee received a detailed briefing note responding to issues which had been raised at the People Scrutiny Committee held on 9th April 2019.

The Committee was advised that the People Scrutiny Committee held on 9th April 2019 had referred the matter back to Cabinet for reconsideration. However, the decision to refer the matter back was then referred up to Council, pursuant to Council Procedure Rule 39.

Resolved:-

1. That the decisions of Cabinet, as set out in 1-5 below and the Recommendation as set out in 6 below, be noted:

"1. That the selection of the preferred bidder as detailed in the Part 2 report be confirmed and that a Joint Venture Partnership (JV) be established with the preferred bidder for a period of 10 years with an option to extend for a further 5 years.

2. That the Council's annual contribution to the JV of £1.8M, be approved.

3. That the proposed additional community benefits as detailed within the Part 2 report, be approved.

4. That the additional financial arrangements as set out in the Part 2 report, be approved.

5. That the Strategic Director (Transformation), in consultation with the Deputy Chief Executive (People) and the Strategic Director (Finance and Resources) be authorised to:

a) Negotiate and settle the final details of the contractual obligations and responsibilities of each party which will be formalised and documented within a Partnership Agreement and further legal documents that are ancillary to this;

b) Take decisions associated with the creation of the JV (including organisational structure, Council representation and the appointment of directors) to ensure agile and timely decision making keeping the implementation of the JV to timetable and protecting the Council's position;

c) Finalise and complete any ancillary agreements or documents necessary to give effect to the constitution, implementation and functioning of the JV company in accordance with the submitted report and its appendices.”

“6. That the terms of reference of the Council's Shareholder Board be amended to include this JV.”

2. That in accordance with Council Procedure Rule 39, the matter be referred to Council for decision.

Note: This is an Executive Function save that Recommendation in 6 above is a Council Function.

Cabinet Members: Cllrs Boyd, Cox and Moring

863 Southend-on-Sea Commissioning Framework

The Committee considered Minute 771 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a report of the Strategic Director (Transformation) which sought approval to a Commissioning Framework to enable the Council to become an outcome-based commissioning organisation.

Resolved:-

That the decisions of Cabinet, as set out in 1-4 below and the Recommendation as set out in 5 below, be noted:-

“1. That the definition of commissioning for Southend-on-Sea Borough Council be as follows:

“the process by which we understand the collective approach needed in order to deliver the Southend 2050 outcomes; and what we need to do with others to make them happen. In practice, this is not in-sourcing or out-sourcing but clearly ‘right-sourcing’.”

2. That the overarching principles of the Southend-on-Sea Commissioning Framework, be approved.

3. That, as part of a transitional period to an outcome based investment model, the Thematic Annual Procurement Plan 2019/20, be approved.

4. That the Market Position Statement for publication as set out in paragraph 5.7 and Appendix 4 to the report, be approved.

5. That the Constitution be amended as set out in paragraph 5.6 and Appendix 3 of the submitted report.”

Note: This is an Executive Function save that Recommendation 5 above is a Council Function.

Cabinet Member: Cllr Lamb

864 In-depth Scrutiny Project - Re-imagining the Town Centre in the context of the vision for Southend 2050 - Draft Final Report

Further to Minute 682 of its meeting held on 30th January 2019, the Committee considered a report of the Strategic Director (Legal & Democratic Services) which presented the draft report of the scrutiny project – ‘Re-Imagining the Town Centre, in the Context of the Vision for Southend 2050’.

The Committee noted that the report had been agreed by the Place Scrutiny Committee at its meeting held on 8th April 2019 (Minute 841 refers).

Resolved:-

1. That the report and conclusions from the in-depth scrutiny project, detailed at Section 1 of the submitted report be agreed.
2. That in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), to agree that the Chair of the Project Team present the report to a future meeting of Cabinet.
3. That the Councillors and Officers involved with the scrutiny project be thanked for their hard work.

Note: This is a Scrutiny Function.

865 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 item of business set out below, on the grounds that it 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.

866 Transport Procurement - Confidential Appendix to Report

The Committee considered Minute 783 of Cabinet held on 12th March 2019, which had been called in to scrutiny, together with a confidential appendix to the report of the Deputy Chief Executive (People).

Resolved:-

That the following decision of Cabinet be noted:-

“That the confidential appendix, be noted.”

Note: This is an Executive Function

Cabinet Members: Cllrs Boyd, Cox and Moring

867 Councillor D Norman MBE

The Committee extended its thanks and appreciation to Councillor David Norman MBE who, after 24 years' service to this Council, will be standing down at the local elections on 2nd May 2019.

Chairman: _____

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