

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 25th February, 2016

Place: Council Chamber - Civic Suite

Present: Councillor Moring (Chair)
Councillors Velmurugan (Vice-Chair), Arscott, M Assenheim, Aylen, B Ayling, Betson, M Borton, M Butler, S Buckley, Byford, Callaghan, Courtenay, Cox, A Crystall, M Davidson, L Davies, Evans, N Folkard, Flewitt, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, Longley, D McGlone, McMahon, Moyies, Mulrone, C Nevin, Phillips, I Robertson, K Robinson, Salter, M Stafford, Terry, Van Looy, Walker, Ward, Ware-Lane, Waterworth, Willis and Woodley

Start/End Time: 6.30 pm - 1.00 am

653 Apologies for Absence

Apologies for absence were received from Councillors Endersby, D Garston and Norman MBE.

654 Presentation to the Youth Mayor and Deputy Youth Mayor

The Worshipful the Mayor presented the chain of office to this year's Youth Mayor, Ms Bertha Sibanda, and the Chain of Office to this year's Deputy Youth Mayor, Ms Devang Thaker.

655 Communications

The Worshipful the Mayor thanked all Members who attended the Memorial Service for Gwen Horrigan MBE which took place on Sunday 24th January 2016, who will be remembered with great fondness.

656 Declarations of Interest

Members declared the following interests:

- **Councillor Arscott**

Development Control Committee - 3rd February, 2016

Minute 627 - Application No. 15/01792/FUL - Non-Pecuniary — Friends live in neighbouring properties (withdrew)

- **Councillor Assenheim**

Council – 25th February 2016

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – Board Member South Essex Homes and relative lives in sheltered housing accommodation;

Cabinet Committee – 4th January, 2016

Minute 514 – Members requests list - Non-Pecuniary - Members' Request Reference No. 15/11 – Registered at Doctor's Surgery in the road;

Cabinet - 5th January, 2016

Minute 522 - Notice of Motion - Local Connection Housing Allocation Policy - Non-Pecuniary - Board Member of South Essex Homes

Development Control Committee - 13th January, 2016

Minute 548 - Application No. 15/01877/FUL - Non-Pecuniary – Applicant is his registered GP;

Minute 548 - Application No. 15/ 01046/ADV – Lives near to the roundabout;

Place Scrutiny Committee - 25th January, 2016

Minute 586 - Member's Requests List - Non-Pecuniary - Members' Request Ref No. 15/11 - The Doctor's Surgery where he is registered is in the road.

People Scrutiny Committee – 26th January 2016

Minute 606 - Establishment of a Local Authority Trading Company for Adult Social Care and site feasibility study for Delaware, Priory and Viking - Disclosable Non-Pecuniary - Board member South Essex Homes - attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote

Policy and Resources Scrutiny Committee – 28th January 2016

Minute 621 - Review of Sheltered Housing - Disclosable Non-Pecuniary - Board member South Essex Homes - attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Ayling**

Development Control Committee – 13th January 2016

Minute 548 - Application No. 15/01884/FUL – Non-Pecuniary - Lives in the vicinity of the application site;

Policy and Resources Scrutiny Committee – 28th January 2016

Minute 617 - Notice of Motion - Southend Borough Patrol - Non-Pecuniary - son is a Special Constable;

- **Councillor Betson**

Cabinet Committee - 4th January, 2016

Minute 514 - Member's Requests List - Non-Pecuniary interest - Members' Request Reference No. 15/24 – Lives in the vicinity of Green Lane and Members' Request Reference No. 15/39 – Husband owns property in Rutland Avenue;

Cabinet – 5th January 2016

Minute 535 - Fostering Service Annual Report - Non-Pecuniary interest - Member of Fostering Panel

Minute 532 - Appropriation of Assets - Non-Pecuniary interest - Board Member of South Essex Homes and knows tenant of 75 Southchurch Avenue;

Cabinet – 19th January 2016

Minute 559 - Draft Housing Revenue Account Budget 2016/17 and Rent Setting - Non-Pecuniary interest - South Essex Home Board Member

Place Scrutiny Committee - 25th January, 2016

Disqualifying Non-Pecuniary - Interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011.

- **Councillor Borton**

Development Control Committee – 13th January 2016

Minute 548 - Application No. 15/01052/ADV - Non-Pecuniary - Lives in the vicinity of the roundabout;

- **Councillor Buckley**

Cabinet Committee – 4th January 2016

Minute 514 – Members Requests List – Non-Pecuniary – Members’ Request Reference No.15/37 – Lobbied for change with residents;

Development Control Committee – 13th January 2016

Minute 548 – Application No. 15/01917/FUL – Non-Pecuniary – Asked for attention as to highway impact for residents;

Development Control Committee – 3rd February 2016

Minute 627 – Application No. 15/02065/BC4 – Non-Pecuniary – Lobbied as to potential impact on surrounding highway for local residents;

- Councillor Callaghan**

Cabinet Committee – 4th January 2016

Minute 514 - Member’s Requests List - Non-Pecuniary - Members’ Request Reference No. 15/26 – A client of the accountants located in Monometer House;

- Councillor Tony Cox**

Policy and Resources Scrutiny Committee - 28th January, 2016

Minute 618 - Corporate Peer Review - Pecuniary - employers were part of the review (withdrew);

- **Councillor Crystal**

Development Control Committee - 13th January, 2016

Minute 548 - Application No. 15/01493/FUL – Non-Pecuniary - Site is adjacent to the dental surgery where he is registered;

People Scrutiny Committee – 26th January 2016

Minute 598 - Monthly Performance Report - Non-Pecuniary - discharge from Hospital;

Minute 603 - Urgent Care Services Review Update - Non-Pecuniary - Partner Governor at Southend Hospital;

- **Councillor Davies**

Council – 25th February 2016

Minute 658 – Questions from Members of the Council (relating to his question) – Non-Pecuniary – has recently had dealings with estate agents;

Policy & Resources Scrutiny Committee – 28th January 2016

Minute 619 – Notice of Motion (Southend Borough Patrol) – Non-Pecuniary – part of the Street Pastors team provided in the borough;

- **Councillor Davidson**

People Scrutiny Committee - Tuesday, 26th January, 2016

Minute 597 - Draft General Fund Revenue Budget 2016/17 - Non-Pecuniary - volunteer for Healthwatch Southend;

- **Councillor Flewitt**

Cabinet Committee – 4th January 2016

Minute 514 – Members Requests List – Non-Pecuniary – Members' Request Reference No.15/37 – Lobbied for change with residents;

Development Control Committee – 13th January 2016

Minute 548 – Application No. 15/01917/FUL – Non-Pecuniary – Asked for attention as to highway impact for residents;

Development Control Committee – 3rd February 2016

Minute 627 – Application No. 15/02065/BC4 – Non-Pecuniary – Lobbied as to potential impact on surrounding highway for local residents;

Place Scrutiny Committee – 25th January 2016

Minute 586 - Member's Requests List - Non-Pecuniary - Members' Request Ref No. 15/37 – Lobbied for investigations and speed reduction measures at the school entrance in Hornby Avenue;

Minute 584 - Essex and Southend Replacement Waste Local Plan - Non-Pecuniary - Knows some of the consultees who are cited and named;

Minute 581 - Draft Fees and Charges 2016/17 - Non-Pecuniary - Has a discounted permit for green waste;

People Scrutiny Committee – 26th January 2016

Minute 606 - Establishment of a Local Authority Trading Company for Adult Social Care and site feasibility study for Delaware, Priory and Viking - Non-Pecuniary - employers acted as legal advisors to consultants and SEH mentioned during discussion – friends and relatives tenants of SEH;

Minute 599 - Reference back from Council, 10th December 2015 - Notice of Motion - HIV Testing - Non-Pecuniary - lobby for THT and worked with Halve-It Charity;

Minute 601 - Annual Report on Safeguarding Children and Adults - Non-Pecuniary - sits as a JP in east London area

Policy and Resources Scrutiny Committee – 28th January 2016

Minute 612 - Draft Housing Revenue Account Budget 2016/17 & Rent Setting - Non-Pecuniary - SEH mentioned during discussion – friends and relatives tenants of SEH; lobbied and held surgeries at one location mentioned;

Minute 621 - Review of Sheltered Housing - Non-Pecuniary - SEH mentioned during discussion – friends and relatives tenants of SEH; lobbied and held surgeries at one location mentioned;

Council – 25th February 2016

Agenda Item 8 (Budget 2016/17) – Non-Pecuniary – Family & Friends are tenants of South Essex Homes Limited;

- **Councillor Folkard**

People Scrutiny Committee – 26th January 2016

Minute 603 - Urgent Care Services Review – update - Non-Pecuniary - ambassador for fundraising team at Southend Hospital; on reading panel at Southend Hospital for information leaflets;

- **Councillor D Garston**

Development Control Committee – 13th January 2016

Minute 548 - Application No. 15/01340/FULH – Non-Pecuniary - Agent is well-known to him;

Minute 548 - Application No. 15/01785/FULM – Non-Pecuniary - Applicant's spokesperson is a neighbour of his son and is known to him

Policy and Resources Scrutiny Committee – 28th January 2016

Minute 612 - Draft Housing Revenue Account Budget 2016/17 & Rent Setting - Non-Pecuniary - private landlord in borough;

Minute 614 - Draft Fees & Charges 2016/17 - Non-Pecuniary - private landlord in borough;

- **Councillor J Garston**

Development Control Committee – 3rd February 2016

Minute 627 - Application No. 15/02014/BC3 – Non-pecuniary – Knows residents in the area who are affected by the works;

- **Councillor Gilbert**

Policy and Resources Scrutiny Committee – 28th January 2016

Disqualifying Non-Pecuniary - interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Holland**

Council – 26th February 2016

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – son works for the Council;

Policy and Resources Scrutiny Committee – 28th January 2016

Minute 623 - Council Tax Base & Non Domestic Rating Base 2016/17; Minute 612 – Draft Housing revenue Account Budget 2016/17 & Rent Setting; Minute 613 - Draft Capital Programme 2016/17 to 2019/20; Minute 614 - Draft Fees & Charges 2016/17; Minute 615 - Draft General Fund Revenue Budget 2016/17 - Non-Pecuniary - son works for Council;

Minute 617 - Notice of Motion - Southend Borough Patrol - Non-Pecuniary - son is police officer working with specials;

- **Councillor Jones**

People Scrutiny Committee – 26th January 2016

Disqualifying Non-Pecuniary - interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 607 - Schools Progress Report - Non-Pecuniary - child in secondary school cohort in 2015;

- **Councillor Lamb**

Council – 25th February 2016

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – involved in the HMS London-Shipwreck project;

Policy and Resources Scrutiny Committee - 28th January, 2016

Minute 619 - Summary Reports to Scrutiny Committee - Non-Pecuniary - Partner Governor, representing SAVS at Southend Hospital;

- **Councillor Longley**

Council – 25th February 2016

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – daughter is director of Havens Hospice;

- **Councillor McGlone**

Development Control Committee – 13th January 2016

Minute 548 - Application No. 15/01917/FUL – Non-Pecuniary - Members of staff at the premises are known to him;

- **Councillor McMahon**

Cabinet – 5th January 2016

Minute 521 – Notice of Motion (Refugees) – Disclosable Non-Pecuniary – predominantly Christian and all proposers of the motion were personally known to her;

Development Control Committee – 13th January 2016

Minute 548 - Application No. 15/01763/FUL – Non-Pecuniary - Business has contacted previously in her capacity as Councillor (withdrew);

Minute 548 - Application No. 15/01877/FUL – Non-Pecuniary - Comments on the application have been made by the Chairman of a Kursaal Ward Residents' Association;

Policy & Resources – 28th January 2016

Minute 619 – Notice of Motion (Southend Borough Patrol) – Non-Pecuniary – part of the Street Pastors team provided in the borough;

- **Councillor Moyies**

People Scrutiny Committee – 26th January 2016

Disqualifying Non-Pecuniary - interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act;

- **Councillor Mulroney**

Development Control Committee – 13th January 2016

Minute 548 – Application No. 15/01340; Application No. 15/01741; Application No. 15/01616 – Non-Pecuniary – Member of Leigh Town Council and Leigh Society who were consultees;

Development Control Committee – 3rd February 2016

Minute 627 – Application No. 15/01792; Application No. 15/0219 - Non-Pecuniary – Member of Leigh Town Council and Leigh Society who were consultees;

- **Councillor Nevin**

People Scrutiny Committee – 26th January 2016

Minute 603 - Urgent Care Services Review Update - Non-Pecuniary - employee in NHS Trust external to this area; previous employee at Southend Hospital;

Minute 599 - Reference back from Council, 10th December 2015 - Notice of Motion - HIV Testing - Non-Pecuniary - niece works at Public Health England;

Policy and Resources Scrutiny Committee – 28th January 2016

Minute 619 - Summary Reports to Scrutiny Committee - Non-Pecuniary - employee in NHS Trust external to this area; previous employee at Southend Hospital;

- **Councillor Norman MBE**

Place Scrutiny Committee – 25th January 2016

Disqualifying Non-Pecuniary - Interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011.

- **Councillor Robinson**

People Scrutiny Committee – 26th January 2016

Minute 603 - Urgent Care Services Review – update - Non-Pecuniary - NHS employee of Trust in Southend outside scope of committee business

Minute 606 - Establishment of a Local Authority Trading Company for Adult Social Care and site feasibility study for Delaware, Priory and Viking - Non-Pecuniary - NHS employee of Trust in Southend outside scope of committee business;

Minute 601 - Annual Report on Safeguarding Children and Adults - Non-Pecuniary - NHS employee of Trust in Southend outside scope of committee business and his employer provided a statement at section 7;

Development Control Committee – 3rd February 2016

Minute 627 - Application Nos. 15/01977BC3 & 15/01984/LBC – Non-Pecuniary - Lives in the road opposite the Palace Theatre;

- **Councillor Salter**

People Scrutiny Committee – 26th January 2016

Minute 603 - Urgent Care Services Review Update - Non-Pecuniary - husband is Business Unit Director at Southend Hospital for surgical services including oral surgery – urology;

Policy and Resources Scrutiny Committee – 28th January 2016

Minute 612 - Draft Housing Revenue Account Budget 2016/17 & Rent Setting – and Minute 614 – Draft Fees & Charges 2016/17 - Non-Pecuniary - private landlord in borough;

Minute 619 - Summary Reports to Scrutiny Committee - Non-Pecuniary - husband is Business Unit Director at Southend Hospital for surgical services;

Health & Wellbeing Board – 9th February 2016

Minute 636 - Success Regime Verbal Briefing - Non-Pecuniary - Husband is Business Unit Director at Southend Hospital for surgical services including oral surgery - urology;

- **Councillor Terry**

Cabinet – 5th January 2016

Minute 539 - Flood Incident Report - URS (September 2014) - Non-Pecuniary - Lives in area affected;

Cabinet – 19th January 2016

Minute 559 - Draft Housing Revenue Account Budget 2016/17 and Rent Setting - Non-Pecuniary - South Essex Homes Board Member

Place Scrutiny Committee – 25th January 2016

Disqualifying Non-Pecuniary - Interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

People Scrutiny Committee – 26th January 2016

Minute 598 - Monthly Performance Report - Non-Pecuniary - ticket holder SUFC
Disqualifying Non-Pecuniary - interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Policy and Resources Scrutiny Committee - 28th January, 2016

Disqualifying Non-Pecuniary - interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Van Looy**

Development Control Committee – 13th January 2016

Minute 548 - Application No. 15/01785/FULM - Non-Pecuniary - – Applicant known to him in the seafront trade (withdrew);

Minute 548 - Application No. 15/01884/FUL – Non-Pecuniary – Ward Councillor;

Minute 548 - Application No. 15/01763/FUL – Non-Pecuniary - Applicant known to him

Minute 548 - Application No. 15/01741/FUL – Non-Pecuniary - Applicant known to him

- **Councillor Walker**

Cabinet – 5th January 2016

Minute 531 – Council Tax Discounts & Exemptions and Discretionary Relief Policy – Non-Pecuniary – Chairman of Trustees at Eastwood Memorial Hall;

Development Control Committee – 13th January 2016

Minute 548 - Application No. 15/01340/FULH - Non-Pecuniary — Knows a resident who lives close to the application site;

- **Councillor Nick Ward**

Development Control Committee – 3rd February 2016

Minute 630 - Modification of Section 106 Agreement - Heath House & Carby House - Application No. 15/02019/S106BA - Non-Pecuniary — The solicitor is known to him;

- **Councillor Ron Woodley**

Cabinet Committee – 4th January 2016

Minute 514 - Member's Requests List- Non-Pecuniary - Members' Request Reference No. 15/11 – Lives in the Tyrone Road;

Place Scrutiny Committee – 25th January 2016

Disqualifying Non-Pecuniary - Interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

People Scrutiny Committee – 26th January 2016

Disqualifying Non-Pecuniary - Interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Policy & Resources – 28th January 2016

Disqualifying Non-Pecuniary - Interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

657 Questions from Members of the Public

The relevant Executive Councillors responded to written questions received from Members of the Public.

658 Questions from Members of the Council

The relevant Executive Councillors responded to written questions received from Councillors Assenheim, Ware-Lane, Buckley, Nevin and Davies.

659 Minutes of the Meeting held on Thursday, 10th December 2015

Resolved:-

That the Minutes of the Meeting held on 10th December 2015 be confirmed as a correct record and signed.

660 Council Budget 2016/17

The Council considered a report of the Corporate Director for Corporate Services which presented the Cabinet's revenue budget and Council Tax for 2016/17 financial year, together with Minutes 558 to 562 of Cabinet held 19th January 2016 and Minutes 645 to 649 of Cabinet held on 11th February 2016, and Scrutiny Minutes 580-582, 595-597 and 613-617.

The Council suspended the relevant parts of Council Procedure Rule 10 to permit the extended budget speeches of the Leader of the Council and of the Leaders of the Opposition Groups.

In accordance with Council Procedure Rule 10.1(e) Councillors Lamb and Flewitt submitted 2 amendments to the Budget concerning:

Amendment 1:HRA Rental Income;

Amendment 2: No increase in parking charges and cremation fees & cemetery burial fees and no reduction in the expenditure savings for school improvement and teenage pregnancy;

Each amendment was then voted on by way of a named vote as required by law. The voting was as follows:-

Amendment 1 – HRA Rental Income

For the amendment:

Cllrs Arscott, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Phillips,

Robertson, Salter, Walker, Waterworth (22)

Against the amendment:

Cllrs Assenheim, Aylen, Ayling, Betson, Borton, Callaghan, Crystall, Davies, Gilbert, Jones, Kenyon, Longley, McMahon, Moyies, Mulroney, Nevin, Robinson, Stafford, Terry, Van Looy, Velmurugan, Ward, Ware-Lane, Willis, Woodley (25)

Abstentions:

The Worshipful the Mayor, Cllr Moring (1)

Absent:

Cllrs Endersby, D Garston and Norman MBE (3)

The amendment (1) was not carried.

Amendment 2 - No increase in parking charges and cremation fees & cemetery burial fees and no reduction in the expenditure savings for school improvement and teenage pregnancy

For the amendment:

Cllrs Arscott, Aylen, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Phillips, Robertson, Salter, Walker, Waterworth (23)

Against the amendment:

Cllrs Assenheim, Ayling, Betson, Borton, Callaghan, Crystall, Davies, Gilbert, Jones, Kenyon, Longley, McMahon, Moyies, Mulroney, Neving, Robinson, Stafford, Terry, Van Looy, Velmurugan, Ward, Ware-Lane, Willis, Woodley (24)

Abstentions:

The Worshipful the Mayor, Cllr Moring (1)

Absent:

Cllrs Endersby, D Garston and Norman MBE (3)

Amendment (2) was not carried.

The Council Budget 2016/17 proposals were then voted on by way of a named vote as required by law. The voting was as follows:-

For the budget proposals 2016/17:

Cllrs Assenheim, Aylen, Ayling, Betson, Borton, Callaghan, Crystall, Davies, Gilbert, Jones, Kenyon, Longley, McMahon, Moyies, Mulroney, Nevin, Robinson, Stafford, Terry, Van Looy, Velmurugan, Ward, Ware-Lane, Willis, Woodley (25)

Against the budget proposals 2016/17:

Cllrs Arscott, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Phillips, Robertson, Salter, Walker, Waterworth (22)

Abstentions: The Worshipful the Mayor, Cllr Moring (1)

Absent: Cllrs Endersby, D Garston and Norman MBE (3)

The Council Budget 2016/17 proposals were carried, as set out below:

Resolved:

With regard to the Housing Revenue Account Budget 2016/17 and rent setting:

1. That a rent reduction of 1% on General Needs tenancies, as required by the Welfare Reform and Work Bill, be approved.
2. That a zero % rent increase on Sheltered Accommodation tenancies, be approved.
3. That an average rent increase of 3.39% on shared ownership properties, be approved.
4. That an increase in hostel rents to the appropriate Local Housing Allowance rate, less 10% plus £60, as allowed by national guidance, be approved.
5. That the proposed rent changes in 1-4 above be effective from 4 April 2016.
6. That the increases in other charges, as set out in section 5 of the submitted report to Cabinet on 11th February 2016, be approved.
7. That the management fee proposed by South Essex Homes, as set out in section 6 of the submitted report to Cabinet on 11th February 2016, be noted.
8. That from 1 April 2016, South Essex Homes be charged with setting and recovering service, heating and water charges directly, on a cost recovery only basis, and their management fee be reduced accordingly.
9. That the appropriations to the Repairs Contract Pensions earmarked reserve and the HRA Capital Investment earmarked reserve, as set out in section 8 of the submitted report to Cabinet on 11th February 2016, be approved.
10. That, subject to 2 - 9 above, the HRA budget, as set out in Appendix 1 of the submitted report to Cabinet on 11th February 2016, be approved.
11. That a report be brought back to Cabinet in the Autumn on the HRA Medium Term Financial Strategy and Plan, as set out in section 9 of the submitted report to Cabinet on 11th February 2016.
12. That the value of the Council's Capital allowance for 2016/17 be declared as £34.073M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

With regard to the Capital Programme 2016/17 to 2019/20:

13. That the current approved Programme for 2016/17 to 2018/19 of £129.6m, as set out in Appendix 1 of the submitted report to Cabinet on 11th February 2016, be noted.

14. That the changes to the approved Programme, as set out in Appendix 2 of the submitted report to Cabinet on 11th February 2016, be approved.

15. That the proposed new schemes and additions to the Capital Programme for 2016/17 to 2019/20 totalling £52.7m of which £44.7m is for the General Fund and £8.0m for the Housing Revenue Account, as set out in Appendices 6 and 7 of the submitted report to Cabinet on 11th February 2016, be approved.

16. That it be noted that, the proposed new schemes and additions, as set out in Appendices 6 and 7 of the submitted report to Cabinet on 11th February 2016 and other adjustments, as set out in Appendix 2 of the report, will result in a proposed capital programme of £188.1m for 2016/17 to 2019/20, as set out in Appendix 8 of the report.

17. That it be noted that, of the total programme of £188.1m for the period 2016/17 to 2019/20, the level of external funding supporting this programme is £65.0m.

18. That it be noted that a final review has been undertaken on the 2015/16 projected outturn and that the results have been included in the submitted report to Cabinet on 11th February 2016.

19. That the proposed Capital Programme for 2016/17 to 2019/20, as set out in Appendix 8 of the submitted report to Cabinet on 11th February 2016, be approved.

20. That the Capital Strategy for 2016/17 to 2019/20, be approved.

With regard to the Treasury Management and Prudential Indicators 2016/17

21. That the Treasury Management Policy Statement, as set out in Appendix 1 of the submitted report to Cabinet on 11th February 2016, be approved.

22. That the Treasury Management Strategy, as set out in Appendix 2 of the submitted report to Cabinet on 11th February 2016, be approved.

23. That the Annual Investment Strategy, as set out in Appendix 3 to the submitted report to Cabinet on 11th February 2016, be approved.

24. That the Minimum Revenue Provision (MRP) Policy, as set out in Appendix 5 of the submitted report to Cabinet on 11th February 2016, be approved.

25. That the prudential indicators, as set out in Appendix 6 of the submitted report to Cabinet on 11th February 2016, be approved.

26. That the operational boundary and authorised limits for borrowing for 2016/17 be set at £280m and £290m respectively.

27. That it be noted that decisions 21 to 23 above comply with the CIPFA Treasury Management Code of Practice.

28. That it be noted that decision 24 above complies with the Local Authority's general duty to charge an amount of MRP to revenue which it considers to be prudent.

29. That it be noted that decisions 25 and 26 above demonstrate compliance with the CIPFA Prudential Code for Capital Finance and Local Authorities.

With regard to Fees and Charges 2016/17:

30. That, subject to the minor amendment to the transport charge (Adult Social Care) as reported at the Cabinet meeting on 11th February 2016, the proposed fees and charges for each Department as set out in the submitted report to Cabinet on 10th February 2016 and the associated appendices, be approved.

With regard to the General Fund Revenue Budget 2016/17:

In respect to 2015/16:

31. That the forecast outturn of £126.093 million, be noted.

32. That the appropriation of the sums to earmarked reserves totalling £5.624 million, as set out in detail in Appendix 15 of the submitted report to Cabinet on 10th February 2016, be approved.

33. That the appropriation of the sums from earmarked reserves totalling £6.853 million, as set out in detail in Appendix 15 of the submitted report to Cabinet on 11th February 2016, be approved.

In respect of 2016/17:

34. That the Section 151 Officer's (Head of Finance and Resources) report on the robustness of the proposed budget, the adequacy of the Council's reserves and the Reserves Strategy, as set out in Appendix 1 of the submitted report to Cabinet on 11th February 2016, be noted.

35. That a General Fund net revenue budget for 2016/17 of £123.206 million, as set out in Appendix 3 of the submitted report to Cabinet on 11th February 2016, and any required commencement of consultation, statutory or otherwise, be approved.

36. That a Council Tax increase of 1.99% for the Southend-on-Sea element of the Council Tax for 2016/17, be approved.

37. That an Adult Social Care precept of 2%, be approved.

38. That it be noted that, the Council's preceptors Essex Police and Fire Authorities have confirmed their precept levels of 3.36% and 1.90% respectively for 2016/17 and the Leigh-on-Sea Town Council has confirmed its precept of £391,550 and a consequential increase of 5.67% in their Council Tax.

39. That no Special Expenses be charged other than Leigh-on-Sea Town Council precept for 2016/17.

40. That the appropriation of the sums to earmarked reserves totalling £5.785 million, as set out in Appendix 15 of the submitted report to Cabinet on 11th February 2016, be approved.

41. That the appropriation of the sums from earmarked reserves totalling £9.659 million, as set out in Appendix 15 of the submitted report to Cabinet on 11th February 2016, be approved.

42. That the schools' budget and its relevant distribution as recommended by the Schools' Forum and as set out in Appendix 2 of the submitted report to Cabinet on 11th February 2016, be approved.

43. That the pressures required of £1.355 million, as set out in Appendices 11 and 12 of the submitted report, and the General Fund and Public Health savings required of £10.467 million, as set out in Appendices 13 and 14 of the submitted report, and the subsequent individual service cash limits for 2016/17, as contained in Appendices 3 to 10 of the submitted report to Cabinet on 11th February 2016, be approved.

44. That the direction of travel for 2017/18 and beyond, as set out in Section 11 of the submitted report to Cabinet on 11th February 2016, be endorsed.

45. That the revised Medium Term Financial Strategy up to 2019/20, as set out in Appendix 16 of the submitted report to Cabinet on 11th February 2016, be approved.

46. That authority be delegated to the Head of Finance and Resources (S 151 Officer) in consultation with the Leader to make the required changes to the Council Budget following the final Local Government Finance settlement and other related Government announcements including Public Health.

With regard to the Council Tax 2016/17:

47. That it be noted that on 19th January 2016 the Cabinet calculated the Council Tax Base 2016/17 as follows:

(a) for the whole Council area as 55,701.27

(b) for dwellings in those parts of its area to which a Parish precept relates (Leigh Town Council) as 8,645.94.

48. That the Council Tax requirement for the Council's own purposes for 2016/17 (excluding town/parish precepts) be determined as £67,165,705.

49. That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) £389,948,550 - Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by town/parish councils.

(b) -£322,391,295 - Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £67,557, 255 - Being the amount by which the aggregate of 49(a) above exceeds the aggregate at 49(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (including town/parish precepts).

(d) £1,212.85 - Being the amount at 49(c) above, divided by the Council Tax Base shown at 47(a) above, as the basic amount of its Council Tax for the year (including town/parish precepts).

(e) £391,550 - Being the aggregate amount of all special items (town/parish precepts) referred to in Section 34(1) of the Act, as set out below:

(f) £1,205.82 - Being the amount at 49(d) above less the result given by dividing the amount at 49(e) above by the Council Tax Base shown at 47(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Town/Parish precept relates.

50. That it be noted that the Essex Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Act for each category of dwellings in the Council's area as indicated below:

Essex Police: Band A: 101.40, Band B: 118.30, Band C: 135.20, Band D: 152.10, Band E: 185.90, Band F: 219.70, Band G: 253.50, Band H: 304.20

Essex Fire Authority: Band A: 45.12, Band B: 52.64, Band C: 60.16, Band D: 67.68, Band E: 82.72, Band F: 97.76, Band G: 112.80, Band H: 135.36

Leigh Town Council – 8,645.94: Band A: 30.18, Band B: 35.21, Band C: 40.24, Band D: 45.27, Band E: 55.33, Band F: 65.39, Band G: 75.45, Band H: 90.54

51. That the Council's basic amount of Council Tax for 2016/17 be determined as not excessive in accordance with the principles approved under Section 52ZB of the Act, and as shown in the calculation below:

(a) Percentage increase defined by the Secretary of State as constituting an excessive increase for 2015/16 - 4.0%:

(b) Percentage increase in the Council's basic amount of Council Tax:

2015/16 amount - £1,159.42;

2016/17 amount - £1,205.82;

Percentage Increase: 3.99%

The figure at 51(b) is less than the figure at 51(a) above and therefore the Council's basic amount of Council Tax for 2016/17 is not excessive and no referendum is required.

52. That the amounts payable in each town/parish at each band, comprising aggregate sums derived from all precepts, be as set out below:

Unparished Area: Band A – 950.40, Band B – 1,180.80, Band C – 1,267.20, Band D – 1,425.60, Band E – 1,742.40, Band F – 2,059.20, Band G – 2,376.00, Band H – 2,851.20

Parished Area: Band A – 980.58, Band B – 1,144.01, Band C – 1,307.44, Band D – 1,470.87, Band E – 1,797.73, Band F – 2,124.59, Band G – 2,451.45, Band H – 2,941.74

661 Minutes of the meeting of Development Control Committee held Wednesday, 9th December 2015

Resolved:

That the minutes of this meeting be noted.

662 Minutes of the meeting of Licensing Sub-Committee A held Monday, 14 December 2015 of Licensing Sub-Committee A

Resolved:

That the minutes of this meeting be noted.

663 Minutes of the Cabinet Committee held on Monday, 4th January 2016

Resolved:

That the minutes of this meeting be noted.

664 Minutes of the Cabinet held on Tuesday, 5th January 2016

The Council noted that Minute 526 would be considered in conjunction with the report on changes to the electoral arrangements under agenda item 27.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 530, 531 and 538, be adopted.

665 Minutes of the Development Control Committee held Wednesday, 13th January 2016

Resolved:

That the minutes of this meeting be noted.

666 Minutes of the Appeals Committee B held Thursday, 14th January 2016

Resolved:

That the minutes of this meeting be noted.

667 Minutes of the Cabinet held Tuesday, 19th January 2016

Minutes 558 to 562 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 555, 556, 557 and 564 of this meeting be noted.

668 Minutes of the Audit Committee held on Wednesday, 20th January 2016

Resolved:

That the minutes of this meeting be noted.

669 Minutes of the Place Scrutiny Committee held Monday, 25th January 2016

Minutes 580 to 582 had been dealt with previously as part of the budget proposals.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 584 and 587, be adopted.

670 Minutes of the People Scrutiny Committee held Tuesday, 26th January 2016

Minutes 595 to 597 had been dealt with previously as part of the budget proposals.

The Chief Executive advised that the item in Minute 606 (Establishment of a Local Authority Trading Company for Adult Social Care) was an Executive matter and the decision had taken effect. Therefore Minute 606 was only eligible for debate.

Resolved:

1. That the minutes of this meeting, be noted.

2. That minute 606 (Establishment of a Local Authority Trading Company for Adult Social Care) be deferred to the next ordinary meeting of the Council at which the decision would only be eligible for debate.

671 Minutes of the Policy & Resources Scrutiny Committee held Thursday, 28th January 2016

Minutes 613 to 617 have been dealt with previously as part of the budget proposals.

Resolved:

That the minutes, with the exception of Minute 619 (Notice of Motion – Southend Borough Patrol) which was referred back to Cabinet for further consideration, of this meeting be noted.

672 Minutes of the Development Control Committee held Wednesday, 3rd February 2016

Resolved:

That the minutes of this meeting, be noted.

673 Minutes of the Health & Wellbeing Board held Tuesday, 9th February 2016

Resolved:

That the minutes of this meeting, be noted.

674 Minutes of the Cabinet held Thursday, 11th February 2016

Minutes 645 to 649 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 643 and 644, be noted.

675 Minutes of the Licensing Sub Committee B held Friday, 12th February 2016

Resolved:

That the minutes of this meeting be noted.

676 Notice of Motion - C2C

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“That this Council recognises the adverse effect on the residents of Southend of the recent implementation of C2C’s new timetable.

The Council commends C2C’s efforts over recent years to improve the service from ‘the misery line’ to one of the best in the country and sees the new timetable as a retrograde step.

Residents of Southend have to spend longer travelling and those to the west of the town struggle to get a seat in the mornings, with residents from across the town often having to stand in the evenings.

It is therefore requested that the Cabinet:

- 1. Records the Council’s disappointment in the implementation of the new timetable;*
- 2. Joins forces with our two local MPs to the lobby C2C and the Department for Transport to either revert to the old timetable or reduce the number of trains*

*that stop at London stations to reduce inbound and outbound journey times;
and*

3. *Requests the Town Clerk to write to the Managing Director of C2C and the Secretary of State for Transport indicating the Council's disappointment and requesting that they revert to the old timetable."*

Proposed by Cllr Courtenay

Seconded by Cllr Cox and supported by Cllrs Arscott, Flewitt, Folkard, D Garston, J Garston, Lamb and Phillips.

677 Pay Policy Statement

The Council considered a report of the Leader of the Council which recommended the Pay Policy Statement 2016/17 in the context of the Council's overall Reward Strategy.

Resolved:

That the Pay Policy Statement, as recommended by the Performance Related Pay Panel, be approved.

678 Changes to the Constitution

The Council considered a report of the Corporate Director for Corporate Services which recommended a minor change to the Constitution.

Resolved:

That a minor amendment be made to the Terms of Reference of the General Purposes Committee in Part 3 Schedule 2 of the Constitution as set out in Appendix 1 to the submitted report.

679 Notice of Motion - Changes in Electoral Arrangements

The Council considered a report of the Chief Executive & Town Clerk which provided background information to enable the Council to make a decision on the notice of motion on proposed changes to the Council's electoral arrangements. The report was considered in conjunction with Minute 526 of the Cabinet held 5th January 2016.

Resolved:

That the matter be deferred to the next ordinary meeting of the Council.

680 Draft Calendar of Meetings 2016/17

Resolved:

That, subject to final ratification in May 2016 and the changes detailed below, the draft Calendar of Meetings 2014/15 be approved:

- The Cabinet meeting date on 21st June 2016 be moved to 28th June 2016;

- The Cabinet Committee meeting date on 23rd June 2016 be moved to 16th June 2016.

681 Council Procedure Rule 1.7

During consideration Minute 539 (Flood Incident Report) of Cabinet held 5th January 2016 the hour of 11 p.m. having been reached, the Council:

Resolved:

That the remaining business on the agenda be proceeded with.

Chairman: _____