

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 15th March, 2016

Place: Committee Room 1 - Civic Suite

Present: Councillor Woodley (Chair)
Councillors Gilbert (Vice-Chair), Jones, Norman MBE and Betson

In Attendance: Councillors Davies and Lamb
R Tinlin, J K Williams, A Lewis, A Atherton, J Chesterton, J Ruffle,
C Gamble and M Sargood

Start/End Time: 2.00 - 2.35 pm

706 Apologies for Absence

Apologies for absence were received from Councillors Moyies and Terry

707 Declarations of Interest

- (a) Councillor Jones – Southend Children and Young People’s Plan – Parent of school age child – Non-pecuniary interest.
- (b) Councillor Jones – Annual Education Report - Parent of school age child – Non-pecuniary interest.

708 Minutes of the Meetings held on 5th and 19th January and 11th February 2016

Resolved:-

That the Minutes of the Meetings held on Tuesday 5th and 19th January and Thursday 11th February 2016 be confirmed as a correct record and signed.

709 Notice of Motion - C2C Timetable

At the meeting of Council held on 25th February 2016, Members received a notice of motion concerning changes to C2C’s train timetable, which was proposed by Councillor Courtenay and seconded by Councillor Cox.

Resolved:-

That the Director for Place be authorised to write to C2C to convey the Council’s views on the train timetable revisions on the basis of the recommendations of the Public Transport and Buses Working Party and to encourage C2C to continue to work with the Council to improve the situation.

Reason for Decision

To respond to the notice of motion.

Other Options

None

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

710 Reference Back from People Scrutiny Committee, 26th January 2016 - HIV Testing

The Cabinet considered a report of the Director for Public Health which had been prepared in response to the decision of the People Scrutiny Committee on 26th January 2016 to refer back the Southend-on-Sea Borough Council HIV Position Statement for further consideration.

Resolved:-

That the Southend-on-Sea Borough Council HIV Position Statement, as set out in Appendix 1 to the submitted report, be approved.

Reasons for Decision

A late HIV diagnosis can have adverse consequences on the individual including making it more likely the person will have frequent admissions to hospital due to illness and reducing their life expectancy and also increases the risk of transmission of the disease within the population.

Other Options

To introduce other measures to reduce the proportion of people diagnosed late with HIV in the Borough.

Note:- This is an Executive Function
Note: Not eligible for call-in as the matter has already been the subject of the call-in procedure
Executive Councillor:- Moyies

711 Reference back from Council, 25th February 2016 - Notice of Motion - Southend Borough Patrol

At the meeting of Council held on 25th February 2016, it was resolved to refer back the Cabinet's response to the notice of motion on the Southend Borough Patrol. The Cabinet considered a report of the Director for Place on the matter.

Resolved:-

1. That the Council explore, with Partner Agencies, an effective approach to ensuring the town remains a safe place to live, work and visit in the context of austerity measures on all public services within Southend.

2. That the Council explore the recruitment of Special Constables in helping to police communities, primarily within the town.

3. That the current South Essex Homes warden patrol scheme (of the Borough's tower blocks) be reviewed to determine whether the scheme could be integrated into a combined collective approach to community safety across the Borough.

4. That the Council continues to develop a combined response model as demonstrated with the recent cruiser events along the seafront during 2015.

Reason for Decision

To respond to the request of Council.

Other Options

To reaffirm the previous decision of Cabinet.

Note:-This is an Executive Function

Eligible for call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Gilbert

712 Monthly Performance Report

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function

Referred direct to all three Scrutiny Committees

Executive Councillor:- As appropriate to the item

713 Quarter Three Treasury Management Report - 2015/16

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the treasury management activity for both quarter three and the period from April to December 2015.

Recommended:-

1. That the Quarter Three Treasury Management Report for 2015/16, be approved.

2. That the Revised Minimum Revenue Provision Policy 2015/16, set out at Appendix 3 of the submitted report (the changes to which are set out in Section 12), be approved.

3. That it be noted that the 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 December 2015.

4. 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.

5. That it be noted that an average of £62.3m of investments were managed in-house. These earned £0.30m of interest during this nine month period at an average rate of 0.64%. This is 0.28% over the average 7 day LIBID and 0.14% over bank base rate.

6. That it be noted that an average of £24.7m of investments were managed by our external fund manager. These earned £0.14m of interest during this nine month period at an average rate of 0.74%. This is 0.38% over the average 7 day LIBID and 0.24% over bank base rate.

7. That it be noted that an average of £6.8m was managed by two property fund managers. This earned £0.431m during this nine month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 8.95%.

8. 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) decreased from £237.8m to £227.8m (Housing Revenue Account (HRA): £78.0m, GF: £149.8m) during the period from April to December 2015.

9. That it be noted that the level of financing for 'invest to save' schemes increased from £0.14m to £1.78m during the period from April to December 2015.

Reason for Decision

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2015/16 sets 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 a Council Function

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Woodley

714 Mortgage Interest Rate - April 2016 to September 2016

The Cabinet considered a report of the Corporate Director for Corporate Services declaring the Local Average Rate of Interest on the Council's mortgages in compliance with Section 438 of the Housing Act 1985.

Recommended:-

1. That the Local Average Rate of Interest be declared at 4.63% for the period from April 2016 to September 2016.
2. That the Council's mortgage interest rate be decreased from 4.69% to 4.63% for the period from April 2016 to September 2016.

Reason for Decision

To comply with the statutory requirements of the Housing Act 1985.

Other Options

None

Note:- This is a Council Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

715 Corporate Debt Report

The Cabinet considered a report from the Corporate Director for Corporate Services informing Members of the current outstanding debt to the Council as at 31st January 2016.

Resolved:-

1. That the current outstanding debt position as at 31st January 2016 and the position of debts written off to 31st January 2016, as set out in Appendices A and B to the submitted report, be noted.
2. That the latest individual write-off's greater than £25,000, as set out in Appendix B, be approved.

Reason for Decision

To inform Members of the current position on outstanding debts.

Other Options

None

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

716 Annual Procurement Plan

The Cabinet considered a report of the Corporate Director for People setting out the Annual Procurement Plan for 2016/17.

Resolved:-

That the Annual Procurement Plan 2016/17, as set out at Appendix 1 to the submitted report, be approved.

Reason for Decision

Approval of the Annual Procurement Plan is a requirement of the Council's Constitution.

Other Options

None

Note:- This is an Executive Function

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Woodley

717 Southend Children & Young People's Plan 16/17

The Cabinet considered a report of the Corporate Director for People presenting the 2016-17 Children and Young People's Plan (CYPP).

Recommended:-

1. That the 2016-17 Children and Young People's Plan set out at Appendix 1 to the submitted report, be approved.
2. That the Corporate Director for People, in consultation with the Portfolio Holder for Children and Learning, be authorised to approve the final detailed delivery plan.

Reason for Decision

1. The Children and Young People's Plan has been developed and endorsed by the Success for All Children Group and supports the Health and Wellbeing Board Strategy aims.
2. The priorities in the Children and Young People's Plan build on previous plans, self-assessment, external assessment and wide consultation and will assist in maintaining or improving the Council's good performance.
3. The plan gives a clear focus to the work on the Success for All Children Group and enables resources across all agencies to be directed at those actions that will make the biggest improvement in outcomes for children and young people and their families.

Other Options

Not to have a CYPP, but this is not recommended. Ofsted highlighted the Council's CYPP as a key plank in supporting the authority's outstanding capacity to improve.

Note:- This is a Council Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- A P Jones

718 Annual Education Report

The Cabinet considered a report of the Corporate Director for People informing Members of the educational achievement of children and young people attending Southend schools and colleges.

Resolved:-

1. That the report be noted.
2. That the Annual Education Report be approved with any amendments to be determined by the Director of People, in consultation with the Portfolio Holder for Children and Learning, and in terms of the quality and range of information provided and the accessibility of content, the Report to be published with the preferred validated national and local school performance data.

Reason for Decision

To ensure that Members are provided with a comprehensive overview of school standards and educational quality.

Other Options

None

Note:- This is an Executive Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- A P Jones

719 Annual Report on Implementation of SEN Strategy/SEN 3 year Strategy 16/19

The Cabinet considered a report of the Corporate Director for People on the progress of the third year of the implementation plan of the strategy for children with Special Educational Needs and/or Disabilities.

Resolved:-

1. That the report for the third year of the 2013-2016 SEN Strategy (as set out in Appendix 1 to the submitted report), be noted.
2. That the Strategy for 2016-19, be approved.

Reason for Decision

To inform Members of the progress made in implementing the SEN Strategy.

Other Options

None

Note:- This is an Executive Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- A P Jones

720 Housing Register - changes to Local Connection

The Cabinet considered a report of the Corporate Director for People on the implications associated with the proposal in relation to the local residency criteria for social housing, as set out in the notice of motion submitted to Council on 10th December 2015.

Resolved:-

That as a means of addressing changes in local housing needs option 3 be approved, namely to initiate a consultation process on a proposed review of the Council's Allocation Policy, not restricted to consideration of residency alone, but including a proposal to extend the length of the term of the residency qualification to 5 years or over.

Reason for Decision

There is a legal requirement for the Council to consult with the wider community and with applicants, tenants, and partner agencies before introducing changes to the Housing Allocation Policy.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Norman

721 School Term Dates 2017/18

The Cabinet considered a report of the Corporate Director for People setting out the proposed school term and holiday dates for the 2017/18 academic year.

Resolved:-

That the school term and holiday dates for 2017/18, as set out in Appendix 1 to the submitted report, be approved as a guide to schools.

Reason for Decision

As set out in the submitted report.

Other Options

None

Note:- This is an Executive Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- A P Jones

722 A127 - Kent Elms

The Cabinet considered a report of the Corporate Director for Place requesting that consideration be given to the options for the Kent Elms Corner Junction Improvement works and the replacement footbridge.

Resolved:-

1. That the options for the highway and footbridge designs are taken forward for public consultation (with the advantages and disadvantages set out).
2. That Highway Option 1, together with Footbridge Option 2, as set out in the submitted report, be confirmed as the Councils preferred options, to be presented as such in the consultation, and that in the meantime detailed design continues together with any necessary work relating to planning applications, land negotiations and utility diversions.
3. That should the land negotiations and/or the cost of diverting underground utilities in the south east verge be prohibitively expensive and therefore not likely to be successfully concluded within the necessary timescale to drawdown the funding, then Options 2 and 3 be considered and proceed concurrently with Option 1 through the consultation and negotiation stage.
4. That once the results of the public consultation have been considered, the Chief Executive and Corporate Director for Place, in consultation with the Portfolio Holder for Public Protection, Waste and Transport, be authorised to agree the final option to be taken forward to detailed business case submission, implementation, advertisement of any necessary traffic regulation orders, land acquisition and planning permissions following circulation of these details to all Members and discussions with Group Leaders.
5. That it be noted that there is no current capital budget for the additional maximum option cost of £1.5million and that once the position of any potential external funding of the scheme is established, there will be a further Cabinet report on the funding of the additional maximum of £1.5million.

Reason for Decision

As detailed in the submitted report.

Other Options

As set out in the submitted report

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

***723 PVX Review**

The Cabinet considered a report of the Corporate Director for Place proposing revisions to the existing Permanent Vehicular Crossing (PVX) Policy following the outcome of a review in light of feedback from residents and Members.

Resolved:-

That the proposed changes to the PVX Policy, process and procedures as outlined in Section 5 of the submitted report, be approved.

Reason for Decision

To implement improved procedures.

Other Options

To continue with the system that currently exists.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

***Called in to Place Scrutiny Committee**

724 Southend Central Area Action Plan - Local Growth Fund

The Cabinet considered a report of the Corporate Director for Place updating Members on the progress of the 'Southend Central Area Transport Scheme' and set out proposals to take the scheme forward.

Resolved:-

1. That the proposed "concept design and vision statements" for the Southend Central Area Transport Scheme be worked up into option layouts and taken forward for stakeholder and public consultation sufficient for SELEP Business Case submission and funding approval in June. (In consulting on these proposals, other suggestions in and around the Town Centre to improve access and movement would be welcomed)

2. That the preliminary layout design for the traffic signal junction at Carnarvon Road and Victoria Avenue, incorporating a right-turn out of Carnarvon Road be approved, so that detailed design can commence (Any loss of vegetation caused by the change in road layout will be replaced within the scheme)

3. That the principal, wherever possible, landscape elements are designed with integrated Sustainable Urban Drainage Systems (SUDS) in mind and that permeable surface treatments will be considered to attenuate surface water run-off from the Town Centre area and reduce the risk of flooding.

4. That the Chief Executive and Corporate Director for Place, in consultation with the Leader of the Council and the Portfolio Holder for Public Protection, Waste and Transport, be authorised following circulation of details to Ward Councillors and discussions with the Leaders of the opposition parties to agree:-

- the preliminary design layouts developed from the “concept design and vision statements” for consultation and subsequent submission of the Business Case for approval, with a programmed commencement in 2017/18. Details to be brought to a future Cabinet meeting to agree the final design for construction.

- the detailed design proposals for the Carnarvon Road junction to be taken forward to Business Case submission for implementation in 2016/17, together with the advertisement of any necessary Traffic Regulation Orders

Reason for Decision

The concept design and vision statements to guide the SCATS focus on ensuring that:-

1. High quality public realm enhancements will create spaces within the Town Centre to attract more people to the area, encourage activities in the public spaces and revitalise the commercial areas.

2. Improved access to the High Street will encourage more walking and cycling.

3. The better streets and public spaces will bring greater civic pride to encourage investment and visitor numbers supporting the local economy.

4. To support the spatial planning activity identified in the SCAAP and other plans either prepared or being prepared by the Council’s planning team.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

725 Annual Public Health Report

The Cabinet considered a report presenting the 2015 Annual Report of the Director of Public Health.

Resolved:-

That the content and recommendations of the 2015 Annual Report of the Director of Public Health, be noted.

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.

Other Options

None

Note:- This is an Executive Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- Moyies

726 Minutes of Public transport and Buses Working Party held on 22nd February 2016

The Cabinet considered the recommendations of the Public Transport and Buses Working Party held on 22nd February 2016 in relation to the C2C train timetable.

Resolved:-

That the recommendations of the Public Transport and Buses Working Party, be approved.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

727 Council Procedure Rule 46

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function
Eligible for call-in as appropriate to the item
Executive Councillor:- As appropriate to the item

728 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.

729 Garon Park Development Opportunity

The Cabinet considered a report of the Corporate Director for Corporate Services presenting a proposal to bring forward the development of part of the Council's land within the Garon Park Development Brief.

Resolved:-

1. That the Council progresses with a development opportunity presented by the proposed developer as set out in the submitted report, with final agreement of the detailed terms being delegated to the Corporate Director for Corporate Services in consultation with the Leader of the Council.

2. That the Council works with the proposed developer on a direct basis subject to the developer meeting the Council's internal and external fees and costs, including the costs of an independent surveyor to advise on, and to certify the terms of the transaction for best consideration in accordance with s.123 of the Local Government Act 1972.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

730 A127 Kent Elms - Appendix

Resolved:-

That the submitted appendix to the A127 Kent Elms report, be noted.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

731 Council Procedure rule 46 - Confidential Sheet

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function
Eligible for call-in as appropriate to the item
Executive Councillor:- As appropriate to the item

Chairman: _____