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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Tuesday, 28th January, 2020
Place: Committee Room 1 - Civic Suite

Present: Councillor A Moring (Chair)
Councillors M Flewitt (Vice-Chair), B Ayling, J Beck, A Bright, K Buck, L Burton, A Chalk, D Cowan, T Cox, M Dent, S George, D Jarvis, S Wakefield, C Walker, N Ward and P Wexham

In Attendance: Councillors I Gilbert, C Mulroney, K Robinson, M Terry and R Woodley (Cabinet Members)
Councillors S Aylen, K Evans and C Nevin
A Lewis, J Chesterton, L Reed, E Cooney, C Robinson, S Dolling, P Geraghty, G Gilbert and T Row

Start/End Time: 6.30 pm - 8.00 pm

738 Apologies for Absence

There were no apologies for absence.

739 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors Gilbert, Mulroney, Robinson, Terry and Woodley (Cabinet Members) – Disqualifying non-pecuniary interests in all 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 Ayling – Agenda Item No. 8 (Unmet Demand Survey for Hackney Carriage & Private Hire) (Minute 745) – Non-pecuniary interest: Previously worked as a cab driver;

(c) Councillor Bright – Agenda Item No. 7 (Update on Town Centre Strategy) (Minute 744) Non-pecuniary interest: Lives in the town centre;

(d) Councillor Cox – Agenda Item No. 8 (Unmet Demand Survey for Hackney Carriage & Private Hire) (Minute 745) – Non-pecuniary interest: Friends are taxi drivers;

(e) Councillor Gilbert – Agenda Item No. 7 (Update on Town Centre Strategy) (Minute 744) Non-pecuniary interest: Place of work is close to the town centre; and

(f) Councillor Mulroney – Agenda Item No. 5 (Draft Prioritising Resources to Deliver Better Outcomes – 2020/21 to 2024/25) (Minute 742) – Non-pecuniary interest: Member of Leigh Town Council which is mentioned in the report.

740 Questions from Members of the Public

The Committee noted the responses to questions that had been submitted by Mr Webb to the Cabinet Member for Environment and Planning Cabinet Member for Transport, Capital Inward Investment. Copies will be forwarded to him as he was not present at the meeting.

741 Minutes of the Meeting held on Monday, 25th November 2019

Resolved:-

That the Minutes of the Meeting held on Monday, 25th November 2019 be received, confirmed as a correct record and signed.

742 Draft Prioritising Resources to Deliver Better Outcomes – 2020/21 to 2024/25

The Committee considered Minute 692 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to all three Scrutiny Committees, together with a report of the Executive Director (Finance and Resources). This presented the draft General Fund Revenue Budget for 2020/21.

Resolved:-

“That the following decisions of Cabinet be noted:

1. That the draft Financial Sustainability Strategy (Appendix 1 to the submitted report) be endorsed.
2. That the draft Medium Term Financial Strategy (Appendix 2 to the report) and the resulting Medium Term Financial Forecast and Earmarked Reserves Balances up to 2024/25 (Annexes 1 and 2 to Appendix 2 to the report), be endorsed.
3. That the Section 151 Officer’s report on the robustness of the proposed budget, the adequacy of the Council’s reserves and the Reserves Strategy (Appendix 3 to the report), be noted.
4. That the appropriation of the sums to earmarked reserves totalling £3.37 million (Appendix 4 to the report), be endorsed.
5. That the appropriation of the sums from earmarked reserves totalling £8.972 million (Appendix 4 to the report), be endorsed;
6. That General Fund net revenue budget for 2020/21 of £130.428M (Appendix 5a to the report) and any required commencement of consultation, statutory or otherwise, be endorsed.
7. That a Council Tax increase of 3.99% for the Southend-on-Sea element of the Council Tax for 2020/21, being 1.99% for general use and 2% for Adult Social care (Paragraph 10.10 of the report), be endorsed.

8. That it be noted that the 2020/21 revenue budget has been prepared on the basis of using £2 million from the Collection Fund for the core budget to allow for a smoothing of the budget gap across the next three financial years (Paragraph 10.9 of the report).

9. That it be noted that the position of the Council's preceptors is to be determined:

- Essex Police – no indication of Council Tax position;
- Essex Fire & Rescue Services – no indication of Council Tax position; and
- Leigh-on-Sea Town Council – proposed precept increase ranging from 4.72% to 8.30%.

10. That no Special Expenses be charged other than the Leigh-on-Sea Town Council precept for 2020/21.

11. That the proposed General Fund on-going budget investment and reprioritisation of £5.355M (Appendix 6 to the report), be endorsed.

12. That the one-off investment items, as set out in paragraph 10.8 of the report and included within the appropriations (Appendix 7 to the report), be endorsed.

13. That the schools budget and its relevant distribution as recommended by the Education Board (Appendix 8 to the report), be endorsed.

14. That the Capital Investment Strategy for 2020/21 to 2024/25 (Appendix 9 to the submitted report) and the Capital Investment Policy (Annex 1 to Appendix 9 to the report), be endorsed.

15. That the new schemes and additions to the Capital Investment Programme for the period 2020/21 to 2024/25 totalling £28.4M for the General Fund and £18.7M for the Housing Revenue Account (Appendix 10, to the report), be endorsed.

16. That the schemes subject to viable business cases for the period 2020/21 to 2022/23 (Appendix 10 to the report), be endorsed.

17. That the proposed changes to the current Capital Investment Programme (Appendix 11, to the report), be endorsed.

18. That the proposed Capital Investment Programme for 2020/21 to 2024/25 (Appendix 12 to the report) be approved and it be noted that the changes to the approved programme will result in a proposed Capital Investment Programme of £204.8M for 2020/21 to 2024/25 (Appendix 12 to the report) of which £51.3M is supported by external funding.

19. That the Minimum Revenue Provision (MRP) Policy for 2020/21 (Appendix 13 to the report) and the prudential indicators (Appendix 14 to the report), be endorsed.

20. That the operational boundary and authorised limits for borrowing for 2020/21 are set at £375M and £385M respectively (Appendix 14 to the report)."

Note: This is an Executive Function save that approval of the final budget following Cabinet on 11th February 2020 is a Council Function
Cabinet Member: Cllr Gilbert

743 Update on Airport Business Park

The Committee considered Minute 694 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Deputy Chief Executive and Executive Director (Growth & Housing). This provided an update on the development of the Airport Business Park which is being progressed with the Council's development partner Henry Boot Developments Ltd.

Resolved:-

That the following decision of Cabinet be noted:

“That the progress of the Airport Business Park development, be noted.”

Note: This is an Executive Function
Cabinet Members: Cllrs Robinson and Woodley

744 Update on Town Centre Strategy

The Committee considered Minute 695 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Deputy Chief Executive and Executive Director (Growth & Housing). This provided an update on activity supporting the evolution of the town centre.

In response to questions regarding the locations of the proposed addition of street furniture and green infrastructure, the Cabinet Member for Environment & Planning gave an undertaking to circulate an indicative plan to the Committee.

Resolved:-

That the following decision be noted:

“That the progress made towards delivery of the agreed actions of the joint scrutiny project (2018/19) set out in Appendix 1 to the submitted report, be noted.”

Note: This is an Executive Function
Cabinet Member: Cllr Robinson

745 Unmet Demand Survey for Hackney Carriage & Private Hire

The Committee considered Minute 696 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Executive Director (Neighbourhoods and Environment). This outlined the conclusions of the Hackney Carriage Unmet Demand Study 2019 undertaken by LVSA (Licenced Vehicles Surveys and Assessments) on behalf of this Authority.

Resolved:-

That the following recommendation of Cabinet be noted:

“That the current entry control policy and a limit of 276 hackney carriage licenced vehicles is maintained and approved.”

Note: This is a Council Function

Cabinet Member: Cllr Woodley

746 Consideration of Hamlet Court Road for Conservation Area Designation

The Committee considered Minute 697 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Deputy Chief Executive and Executive Director (Growth & Housing). This set out details of the initial work (and subsequent recommendations) undertaken by independent heritage consultants, Purcell, on behalf of the Council, to review the potential of Hamlet Court Road for Conservation Area status. The report also sought approval on the proposed approach to consulting on Purcell’s initial report, and boundary considerations, for this area.

Resolved:-

That the following decision of Cabinet be noted:

“That the initial report and accompanying plan (Appendices A and B, to the submitted report) from Purcell, which sets out a potential area to consider for Conservation Area designation at Hamlet Court Road, be approved for an initial stage of public consultation.”

Note: This is an Executive Function

Cabinet Member: Cllr Mulroney

747 Southend Local Plan Update

The Committee considered Minute 698 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Deputy Chief Executive and Executive Director (Growth & Housing) proposing a new approach for preparing the Southend new Local Plan (SNLP).

Resolved:-

That the following recommendations of Cabinet be noted:

“1. That, in order to take forward the Southend New Local Plan in a timely, coordinated and efficient manner, the following be approved:

(i) the preparation of a common Joint Part 1 section with Rochford District Council covering cross-boundary strategic issues;

(ii) the preparation of a Part 2 section covering detailed planning policy matters for Southend.

2. That, as part of the preparation of a common Joint Part 1 Local Plan, the following be approved:

(i) the Memorandum of Understanding (Appendix 1 to the submitted report);

(ii) the Rochford and Southend Statement of Common Ground (Appendix 2 to the report);

(iii) the revised Local Development Scheme (Appendix 3 to the report).

3. That it be noted that the joint South Essex Plan (SEP) will continue to be prepared in partnership with the Association of South Essex Local Authorities (ASELA).

4. That delegated authority be given to the Deputy Chief Executive and Executive Director Growth and Housing, in consultation with the Cabinet Member for Environment and Planning, to liaise and agree with Rochford District Council on the most efficient use of staff and related resources to prepare the Joint Part 1 Local Plan in an efficient and cost-effective manner.

5. That delegated authority be given to the Deputy Chief Executive and Executive Director Growth and Housing, in consultation with the Cabinet Member for Environment and Planning, in conjunction with the Environment and Planning Working Party, to agree and consult on preparatory drafts of the New Local Plan, including the common Joint Part 1 and associated documentation.

6. That delegated authority be given to the Deputy Chief Executive and Executive Director Growth and Housing, in consultation with the Cabinet Member for Environment and Planning, to agree updates to the Statement of Common Ground (Appendix 2 to the report) and Local Development Scheme (Appendix 3 to the report).“

Note: This is a Council Function
Cabinet Member: Cllr Mulroney

748 Notice of Motion - Fireworks

The Committee considered Minute 699 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Executive Director (Neighbourhoods and Environment). This was in response to the Notice of Motion, submitted to Council on 17th December 2019, concerning the use of fireworks.

In response to questions regarding the introduction byelaws use of 'silent' fireworks, the Cabinet Member for Environment and Planning gave her assurances that the feasibility of introducing byelaws and other potential actions available to the Council such as the use of silent fireworks only at firework displays, would be included in the letter to the Government.

Resolved:-

That the following decision of Cabinet be noted:

“1. That the Notice of Motion submitted to Council on 17th December 2019, be noted.

2. That, where possible, that organisers of all public firework displays within the Borough be encouraged to advertise them in advance of the event, allowing residents to take precautions for their animals and vulnerable people.

3. That public awareness about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks, be supported.

4. That officers be requested to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90 decibels for those sold to the public for private displays.

5. That local suppliers of fireworks be encouraged to stock ‘quieter’ fireworks for public display.”

Note: This is an Executive Function

Cabinet Member: Cllr Mulroney

749 Notice of Motion - National Community Energy Campaign

The Committee considered Minute 700 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Executive Director (Neighbourhoods and Environment). This had been prepared in response to the Notice of Motion, presented to the last meeting of Council, concerning the Local Electricity Bill.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the Local Electricity Bill be supported.

2. That the local press be informed of the decision and that officers be requested to write a letter to the local MPs and the organisers of the Bill as proposed.

3. That it be noted that maximising the financial and infrastructure benefits that may arise from this initiative will require investment in local renewable generation in future years.”

Note: This is an Executive Function

Cabinet Member: Cllr Mulroney

750 Notice of Motion - Safer Passage Signage

The Committee considered Minute 701 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for

consideration, together with the report of the Executive Director (Neighbourhoods and Environment) responding to the Notice of Motion, presented at the last meeting of Council. This concerned the safety of cyclists on the roads within the Borough.

Resolved:-

That the following decision of Cabinet be noted:

“1. That support for the SEAT project and any successor DfT funded project is continued and to encourage and champion sustainable transport within all appropriate engineering project designs, following the principles set out in the Highway Code:

a. Rule 163 states, “give motorcyclists, cyclists and horse riders at least as much room as you would when overtaking a car”.

b. Rules 59 and 60 place an onus on cyclists to wear appropriate light and reflective clothing and to use lights at night. Both these messages are conveyed by the Forward Motion and Road Safety teams as well as advising cyclists how to position themselves on the road.

2. That the use of variable message signs to regularly remind all road users of the Highway Code obligation to be aware of each other’s presence and share the road responsibly, be approved.”

Note: This is an Executive Function
Cabinet Member: Cllr Woodley

751 Notice of Motion - Tree Cover

The Committee considered Minute 703 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Executive Director (Neighbourhoods and Environment) responding to the Notice of Motion, presented at the last meeting of Council, concerning tree cover in the Borough.

The Committee took the opportunity to ask the Cabinet Member for Environment and Planning a number of questions regarding the proposed policy. These included:

- the type of trees to be planted i.e. deciduous or evergreen and the use of shrubs etc;
- where the trees would be planted within the Borough; and
- the inclusion within the policy of an “aspiration” to double of trees in the Borough.

The Cabinet Member for Environment and Planning confirmed that the new policy would be based on best practice and a tree canopy assessment and gave her assurances that nothing would be ruled out at this stage.

Resolved:-

That the following decisions of Cabinet be noted:

- “1. That the motion to double tree cover of the Borough, be noted.
2. That the management of the towns tree cover as an urban forest, be approved.
3. That it be acknowledged that tree canopy cover and an approach to planting will form part of the upcoming Tree and Woodland Policy.
4. That the benefit that a mosaic of habitats and variety of green infrastructure can have on the environment and the health and wellbeing of residents and visitors, be acknowledged.
5. That the future of tree planting and the canopy cover within the Borough will be based on an approach to be outlined in the upcoming Tree and Woodland Policy.
6. That the ongoing work to help educate and inform residents about tree management in the Borough, be acknowledged.”

Note: This is an Executive Function
Cabinet Member: Cllr Mulroney

752 Transport Strategy

The Committee considered Minute 707 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Deputy Chief Executive and Executive Director (Growth & Housing). This set out an approach and timeline to develop a transport strategy using service design principles which, once completed, will set the context for the review of the Local Transport Plan (LTP).

The Executive Councillor for Transport, Capital, Inward Investment gave his assurances that any reference to “Taxis” would be amended to include “hackney carriages”.

Resolved:-

That the following decisions of Cabinet be noted:

- “1. That the progress with developing a transport strategy, be noted.
2. That the timetable for engaging stakeholders about a transport strategy for the Borough, be endorsed.”

This is an Executive Function
Cabinet Member: Cllr Woodley

753 Additional Outcome Success Measures Reporting

The Committee considered Minute 708 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for

consideration, together with the report of the Chief Executive. This presented the Outcome Success Measures report that provides an update on the Council's progression on the 23 Southend 2050 outcomes.

Resolved:-

That the following decision of Cabinet be noted:

"That the Outcome Success Measures report, be noted."

Note: This is an Executive Function
Cabinet Member: Cllr Gilbert

754 2019/20 Corporate Risk Register

The Committee considered Minute 710 of Cabinet held on Thursday, 16th January 2020, which had been referred direct by Cabinet to the Scrutiny Committee for consideration, together with the report of the Chief Executive outlining the 2019/20 Corporate Risk Register mid-year update.

Resolved:-

That the following decision of Cabinet be noted:

"That the 2019/20 Corporate Risk Register and the mid-year updates outlined in Appendix 2 to the submitted report, be noted."

Note: This is an Executive Function
Cabinet Member: Cllr Woodley

755 Council Procedure Rule 46

The Committee considered Minute 712 of Cabinet held on Thursday 16th January 2020 which had been referred direct by Cabinet to Scrutiny, concerning action taken under Standing Order 46.

Resolved:

That the following decision of Cabinet be noted:

"That the submitted report be noted."

Note: This is an Executive Function
Cabinet member: As appropriate to the item

Chair: _____