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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 8th July, 2021

Place: Council Chamber - Civic Suite

Present: Councillor D Garston (Chair)
Councillors S Habermel (Vice-Chair), T Cox, T Cowdrey, M Davidson, M Dent, S George, M Kelly, J Lamb*, D McGlone, J Moyies, D Nelson, K Robinson*, I Shead, A Thompson, S Wakefield and P Wexham

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors I Gilbert, C Mulroney and M Terry (Cabinet Members),
Councillor K Evans, A Griffin, E Butler, A Eastgate, A Keating, S Meah-Sims, J Ruffle, S Tautz and J Williams

Start/End Time: 6.30 pm - 9.58 pm

125 Apologies for Absence

Apologies for absence were received from Councillor S Buckley (Substitute: Councillor J Lamb) and Councillor D Cowan (Substitute: Councillor K Robinson).

126 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors I Gilbert, C Mulroney and M Terry (Cabinet Members) - Interest in the called-in items; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.
- (b) Councillors I Gilbert, C Mulroney and M Terry (Cabinet Members) - Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.
- (c) Councillor C Mulroney - Agenda Item 8 (The Council's response to the Public Spaces Protection Order (PSPO) public consultation in the Old Leigh/Chalkwell area) - Is Chairman of the Trustees of Leigh Heritage Centre in Old Leigh - Non-pecuniary interest.
- (d) Councillor M Terry - Agenda Item 8 (The Council's response to the Public Spaces Protection Order (PSPO) public consultation in the Old Leigh/Chalkwell area) - Lives adjacent to one of the areas specified in the proposed PSPO - Non-pecuniary interest.
- (e) J Ruffle and J Williams - Agenda Item 7 (Management Arrangements) - Pecuniary interest (withdrew).

127 Questions from Members of the Public

The Committee noted the responses of the Cabinet Member for Public Protection, to questions presented by Mr D Webb.

128 Minutes of the Meeting held on 17 March 2021

Resolved:

That the minutes of the meeting of the Committee held on 17 March 2021 be confirmed as a correct record and signed.

129 Management Arrangements

The Committee considered Minute 62 of the meeting of the Cabinet held on 15 June 2021, which had been called-in to the Policy and Resources Scrutiny Committee, together with a report of the Chief Executive that set out proposals for a reconfigured corporate management team structure.

Resolved:

(1) That the following decisions of the Cabinet be noted:

“1. That the reconfigured corporate management structure to reduce by one Executive Director from September 2021 and the associated annual saving from April 2022, be noted.

2. That the current Executive Director roles for Legal and Democratic Services and Transformation be deleted and one new Executive Director role (Strategy, Change and Governance) be created.

3. That the outcome of the HR procedures for individual officers be noted and approved as detailed in the confidential Appendix C to the submitted report.

4. That the funding of the one-off payments detailed in the confidential Appendix C, be noted.

5. That the services currently underneath the Executive Director roles for Legal and Democratic Services, Transformation and Finance and Resources be realigned to the new post of Executive Director (Strategy, Change and Governance) and Executive Director (Finance and Resources), as set out in Appendix B to the report.

6. That external recruitment be arranged for the vacant Executive Director (Strategy, Change and Governance) post and interim arrangements be put in place whilst the recruitment process is undertaken.

7. That the revised Senior Leadership team posts, be noted.

8. That the Chief Executive, in consultation with the Leader, be authorised to make further adjustments to the corporate management structure following relevant HR processes.”

(2) That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note: This is an Executive function
Cabinet Member: Councillor I Gilbert

130 COVID Update

The Committee considered Minute 53 of the meeting of the Cabinet held on 15 June 2021, which had been called-in to each of the scrutiny committees, together with a report of the Chief Executive that provided an update on the action taken by the Council in response to the COVID-19 pandemic and its approach to protect and support residents, local businesses, staff and the Borough in general.

The Cabinet Member for Public Protection undertook to provide written responses to questions raised by members of the Committee, with regard to the level of funding received from the Government for the provision of advice and guidance to businesses and others by the Council's 'Covid Compliance Ambassadors', and the level and nature of any increases in instances of domestic abuse during the pandemic.

The Leader of the Council undertook to provide written responses to questions raised by members of the Committee, with regard to work that had so far been undertaken to understand the effect of the pandemic in terms of local economic growth and unemployment, and the level of any increases in applications received for Council Tax Reduction (Council Tax Support) since the start of the easing of COVID-19 restrictions.

Resolved:

That the following decision of the Cabinet be noted:

"That the action taken to date in response to the Covid-19 crisis, be noted."

Note: This is an Executive function
Cabinet Member: Councillor I Gilbert

131 ASELA Governance

The Committee considered Minute 61 of the meeting of the Cabinet held on 15 June 2021, which had been called-in to the Policy and Resources Scrutiny Committee, together with a report of the Chief Executive that provided an update on developments in relation to ASELA and proposed that the Council become a member of a Joint Committee of constituent members to oversee ASELA and provide enhanced transparency and accountability in the new delivery stage of its work programme.

Resolved:

(1) That the following recommendations of the Cabinet be noted:

"1. That the updates provided in the submitted report, be noted.

2. That the Council formally becomes a member of the Association of South Essex Local Authorities (ASELA) Joint Committee in accordance with Section 101 of the Local Government Act 1972, to oversee ASELA and provide enhanced transparency and accountability in the new delivery stage of its work programmes.

3. That the governance arrangements of the Joint Committee set out in Appendix 1 to the report and the related Joint Committee Agreement and Terms of Reference, be approved.

4. That the Leader of the Council be appointed to represent the Council on the Joint Committee.

5. That Councillor Woodley be appointed as the deputy representative to substitute for the Leader, in line with Part 7 of the Constitution."

(2) That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note: This is a Council function
Cabinet Member: Councillor I Gilbert

132 The Council's response to the Public Spaces Protection Order (PSPO) public consultation in Old Leigh/Chalkwell area

The Committee considered Agenda Item 3 of the meeting of the Cabinet held on 5 July 2021, which had been referred directly to the Policy and Resources Scrutiny Committee, together with a report of the Executive Director (Environment and Neighbourhoods) that set out the response to the public consultation findings regarding the proposals for a Public Spaces Protection Order (PSPO) in the areas of Old Leigh and Chalkwell.

The Cabinet Member for Public Protection undertook to provide written responses to questions raised by members of the Committee, with regard to the number and nature of cancelled Fixed Penalty Notices for PSPOs, action that could be taken in instances where false details were provided for Fixed Penalty Notices, and the legislative basis for action that could be taken by the Council's officers in the enforcement of a PSPO.

Resolved:

That the following decisions of the Cabinet be noted:

"1. That the response to the consultation set out at Appendix 2 to the submitted report, be noted.

2. That the draft Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No. 1 of 2021, be approved and implemented.

3. That the funding for 2 x FTE Community Safety Officers and 1 x FTE Community Safety Caseworker, to support enforcement and administration of the PSPO on an initial 12 month basis, be approved."

Note: This is an Executive Function
Cabinet Member: Councillor M Terry

133 In-Depth Scrutiny Project 2020/21

The Committee considered the draft final report arising from its in-depth scrutiny project for 2020/21.

On behalf of the Project Team that led the in-depth scrutiny project, the Chair of the Committee expressed thanks to all councillors and officers that contributed to the project.

Resolved:

1. That the report and recommendations arising from the in-depth scrutiny project, detailed at Section 14 of the report, be agreed.

2. That, in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the Chair of the Committee present the report to a future meeting of the Cabinet.

Note: This is a Scrutiny function.

134 Summary of Work 2020/21 & In-Depth Scrutiny Project 2021/22

The Committee received a report of the Executive Director (Legal & Democratic Services) on progress with regard to the in-depth scrutiny projects undertaken during the 2020/21 municipal year and which sought the agreement of a possible joint approach to in-depth scrutiny activity for 2021/22. The report, which was being made to each of the scrutiny committees in the current cycle of meetings, also provided information on the work carried out by the scrutiny committees during the previous municipal year.

The Committee considered the benefits of undertaking a joint scrutiny project around the 'Councillor Queries' process but felt that the nature of such scrutiny activity should be broadened to reflect the theme of 'Enabling Councillors to be Effective' and that the scoping of the project should incorporate appropriate matters of importance to councillors within this theme, including problem reporting and requests for information. The Committee was advised that the Place Scrutiny Committee and the People Scrutiny Committee had supported such approach to in-depth scrutiny activity for 2021/22 at their meetings on 5 and 6 July 2021 and had suggested that councillors' contact and engagement with the Council and residents and the 'My Southend' platform, should also be included within the scope of the project.

The Committee was advised that the proposed project could also complement the work of a design group currently looking at councillor development as part of the leadership programme and were reminded that a separate review was to be undertaken of the Council's Constitution, to which all members would have an opportunity to contribute.

Resolved:

1. That the progress of the in-depth scrutiny projects undertaken during the 2020/21 municipal year, be noted.
2. That, subject to the concurrence of the other scrutiny committees, a single scrutiny project be undertaken on behalf of the three scrutiny committees during the 2021/22 municipal year on the theme of 'Enabling Councillors to be Effective.'
3. That the Council be recommended to appoint members to a Project Team to lead the proposed joint scrutiny project for 2021/22, in order that the scoping of the project can commence as soon as possible, and that membership of the Project Team include representation from a non-aligned councillor.
4. That no other topic(s) be selected by the Committee for additional in-depth review during 2021/22.
5. That the summary of the scrutiny work undertaken by the Committee during 2020/21 municipal year be noted.

Note: This is a Scrutiny function, save that the appointment of members to the Project Team constitutes a Council function.

135 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.

136 Confidential Appendix - Management Arrangements

The Committee considered Minute 71 of the meeting of the Cabinet held on 15 June 2021, which had been called-in to the Policy and Resources Scrutiny Committee, together with a confidential appendix to the report of the Chief Executive that set out proposals for a reconfigured corporate management team structure.

Resolved:

(1) That the following decision of the Cabinet be noted.

“That the confidential Appendix C to the Management Arrangements, be noted.”

(2) That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note: This is an Executive function
Cabinet Member: Councillor I Gilbert

Chair: _____