

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Thursday, 29th September, 2022

Place: Council Chamber - Civic Suite

- Present:** Councillor S George (Chair)
Councillors L Burton, P Collins, I Gilbert, S Wakefield and M Terry
- In Attendance:** A Lewis, J Chesterton, J Burr, B Leigh, S Dolling, E Georgeou, E Lindsell and C Gamble.
- Start/End Time:** 6.30 pm - 7.50 pm

312 Apologies for Absence

Apologies for absence were received from Councillors Mulroney and Mitchell, plus M. Marks, A. Richards, S. Meah-Sims and T. Dafter.

313 Declarations of Interest

The following declaration of interest was made:

(a) A Lewis – Minute 326 (SO46 Report relating to Porters Place LLP) - Council appointed representative on the Porters Place LLP Board.

314 Resourcing Better Outcomes - Finance and Corporate Performance Report for July (Period 4)

The Cabinet considered a report of the Executive Director (Finance and Resources) reviewing the Council's financial performance.

Recommended:

That, in respect of the 2022/23 Revenue Budget Performance as set out in appendix 1 to the submitted report:

1. That the forecast outturn for 2022/23 for the General Fund and the Housing Revenue Account as at 31 July 2022, be noted.
2. That the management action taken and to be taken to reduce the forecast overspend of the Council's revenue budget for 2022/23, be noted.
3. That the transfer of £500,000 from HRA reserves to support the increase in repairs and maintenance costs, be approved.
4. That the planned budget transfers (virements) of £2,327,766 from earmarked reserves, as set out in the report, be approved.

That, in respect of the 2022/23 Capital Budget Performance as set out in appendix 2 of this report:

5. That the expenditure to date and the forecast outturn as at 31 July 2022 and its financing, be noted.

6. That the requested changes to the capital investment programme for 2022/23 and future years, as set out in section 4 of appendix 2 to the report, be approved.

7. That the Corporate Performance Report as at 31 July 2022 set out in appendix 3 to the report, be noted.

Reasons for recommendations:

1. The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to Councillors, senior officers and other interested parties on the financial performance of the Council. It sets out the key variances being reported by budget holders and the associated management action being implemented to address any identified issues. It also informs decision making to ensure that the Council's priorities are delivered within the approved budget provision.

2. It is important that any adverse variances are addressed in order for the Council to remain within the approved budget provision or where this cannot be achieved by individual service management action, alternative proposals are developed and solutions proposed which will address the financial impact. Councillors will have a key role in approving any actions if the alternative proposals represent significant changes to the service delivery arrangements originally approved by them.

3. The challenge of delivering a balanced financial outturn for 2022/23 is significant. Even at this very early stage of the year – urgent action is needed to try to reduce all non-essential expenditure and/or generate extra income. This priority must be achieved whilst ensuring that our most vulnerable residents are looked after appropriately, and our statutory responsibilities are effectively discharged. Improving efficiency and productivity is essential but the scale of the unprecedented financial pressures will inevitably lead to a reduction in the range, quality, cost and responsiveness of other discretionary Council services.

Other options:

The Council could choose to monitor its budgetary performance against an alternative timeframe, but it is considered that the current reporting schedule provides the appropriate balance to allow strategic oversight of the budget by Councillors and to also formally manage the Council's exposure to financial risk. More frequent monitoring is undertaken by officers and considered by individual service Directors and the Council's Corporate Management Team (CMT) including the implementation of any necessary remedial actions.

Note: This is a Council Function

Referred direct to: All three Scrutiny Committees

Cabinet Members: Cllr George and Cllr Collins

315 City Centre Strategy & Investment Plan

The Cabinet considered a report of the Interim Director for Growth and Housing presenting the City Centre Strategy and Implementation Plan developed with partners following significant public and stakeholder engagement, and outlined the actions, both short and long term, to create a thriving, active, safe, and sustainable City Centre.

Resolved:

1. That the City Centre Strategy & Investment Plan, set out in Appendix 1 to the submitted report, as a means to create a thriving, active, safe and sustainable City Centre, be approved.
2. That the governance arrangements and next steps, including Day One actions, be approved.

Reasons for decision:

1. Evidence highlights that culture-led regeneration can have positive effects on myriad socio-economic factors including health and well-being, skills and learning, commercial opportunity, investment, and social connection. It underpins and adds value to a number of the 2050 outcomes and recovery priorities.
2. This Strategy builds on developments already in progress in the City Centre. The principle aim of the strategy and investment plan is to bring about social, health, economic, and environmental improvement for local people. This is central to delivery of Southend 2050. The Strategy also uses the creative & cultural industries in the City as a catalyst for positive regeneration of the City which reflects the priority it has as part of the Southend 2050 ambition and the underpinning role it plays across several 2050 themes and outcomes.
3. The Strategy provides strategic direction and a statement of intent for the City Centre and is intended as a tool to support and guide investment.

Other options:

None

Note: This is an Executive Function

Referred direct to: Place Scrutiny Committee

Cabinet Member: Cllr Gilbert

316 City Council Corporate Branding Refresh

The Cabinet considered a report of the Executive Director (Strategy, Change and Governance) presenting the final option for the refresh of the City Council's corporate brand.

Resolved:

1. That the results and comments from the public engagement exercise be noted and that the favoured concept ('Shell' concept) be developed and implemented as the Council's new corporate logo and branding.

2. That authority be delegated to officers to carry out the development and implementation work required, along with the creation of full branding guidelines.

Reasons for decision:

Not deciding at this stage will mean that the Council will continue to operate with an outdated logo and branding.

Other options:

None

Note: This is an Executive Function

Referred direct to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr George

317 Draft Private Rented Sector Housing Enforcement Policy 2022

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the draft Private Rented Sector Housing Enforcement Policy for public consultation.

Resolved:

1. That the draft Private Rented Sector Housing Enforcement Policy 2022, set out at Appendix 1 to the submitted report, be approved for a 6-week public consultation.

2. That authority be delegated to the Executive Director (Neighbourhoods and Environment), in consultation with the Cabinet Members for Economic Recovery, Regeneration and Housing and Public Protection to make amendments to the Policy, following the consultation should it be required.

3. That the finalised Enforcement Policy (post consultation) be presented to Cabinet on 12 January 2023.

Reasons for decision:

1. To ensure that all landlords and managing agents renting out accommodation in the private rented sector are dealt with in a fair, transparent and consistent manner.

2. To target the Council's resources to the areas of greatest demand whilst ensuring that statutory responsibilities are still met with respect to other tenure groups.

3. To strengthen the enforcement response by formally enforcing against substantial Category 2 hazards.

4. To set out how the Council intends to apply penalties under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.

5. To publish a statement of principle, so as to apply the financial penalties under the Carbon Monoxide Alarm (England) Regulations 2015.

Other options:

To adopt the Policy in part rather than in full or to not adopt the Policy.

Note: This is an Executive Function

Referred direct to: Policy and Resources Scrutiny Committee

Cabinet Members: Cllr Gilbert and Cllr Terry

318 Endorsement of Transport East Transport Strategy

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the Transport East Transport Strategy.

Resolved:

That the Transport East Transport Strategy, set out at Appendix 1 to the Submitted report, be endorsed.

Reasons for decision:

1. To endorse the Strategy, not adopt it. The Strategy fully aligns and supports our current Local Transport Plan 3, will inform and support the emerging Local Plan and Local Transport Plan 4. The Strategy supports Southend's 2050 ambitions, Southend's Green City Action Plan, our Net Zero ambitions and levelling up agenda through improved access to jobs, skills, training and services.

2. The Strategy supports the work of Opportunity South Essex and the Association of South Essex Local Authorities vision to deliver a decarbonised, integrated public transport system. Rebalance modal priorities in favour of active and sustainable modes and reducing carbon emissions with the aim for South Essex to become carbon neutral ahead of national targets.

3. Department for Transport tasked Transport East to develop a Transport Strategy to set a single voice for the future strategic transport investment in the East Region. Endorsing the Strategy will strengthen Southend's and the Region's strategic case to government in future bids for funding.

Other Options

None. If the Council does not endorse the Strategy it could undermine the strategy (and the one voice of the region) and may make it even more difficult for Southend, and possibly the whole of the region, to attract DfT funding.

Note: This is an Executive Function

Referred direct to: Place Scrutiny Committee

Cabinet Member: Cllr Wakefield

319 Options for the Procurement of the Voluntary Sector Contract

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the options for the re-procurement of Voluntary Sector Infrastructure Contract.

Resolved:

That the outcomes set out in the submitted report, the financial envelope of £100,000 and the recommended procurement option to go to tender for a Southend infrastructure service, be approved.

Reasons for decision:

To go out to the market for a new voluntary sector infrastructure service for Southend so that it may attract different providers with new ideas and the City can benefit from economies of scale. It will also allow Southend City Council to clearly specify what they want from the new contract.

Other options:

1. To cease funding an infrastructure contract.
2. To go out to tender with Essex County Council as part of a larger contract.

Note: This is an Executive Function
Referred direct to: People Scrutiny Committee
Cabinet Member: Cllr Mitchell

320 Procurement Options for The Stray Dog Service

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) setting out the options for the procurement of the stray dog service.

Resolved:

1. That the contents of the submitted report be noted.
2. That the feasibility of South Essex Property (SEPS) providing the Acceptance Point element of the service proposed under option 5 as detailed in the report (paragraph 4.5 refers), be explored and that subject to the outcome of satisfactory negotiations, authorised the Executive Director (Neighbourhoods and Environment) to make a direct award of this service to SEPS. The kennelling service to be then put out to tender.
3. That in the event a direct award is not made to SEPS, then the service (Acceptance Point/Kennelling) be put out to tender on the basis of options 3 and 4 as detailed in the report (paragraphs 4.3 and 4.4 refers).

Reasons for decision:

Southend-on-Sea City Council has a statutory duty to deliver a service that provides for the collection and kennelling of stray dogs. Current arrangements have lapsed, and it is necessary to re-procure the service. Option 5 as outlined in paragraph 4.7 of the report is the preferred option.

Other options:

As set out in the submitted report.

Note: This is an Executive Function

Referred direct to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Terry

321 Public Space Protection Order - Jet Skis and Beach Barbecues

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the outcomes of the recent consultation for a PSPO to be introduced for Personal Water Craft (PWC), such as jet skis and barbecues and bonfires on beaches.

Resolved:

1. That the introduction of a ban on barbecues under PSPO legislation on designated beaches, be approved.
2. That a PWC code of conduct under PSPO legislation, be adopted.

Reasons for decision:

To introduce a ban on barbecues as 74% of respondents to the consultation supported the proposal and introduce a PWC code of conduct as 85% of respondents to the consultation supported the proposal under the PSPO legislation.

Other options:

None

Note: This is an Executive Function

Referred direct to: Place Scrutiny Committee

Cabinet Member: Cllr Mulronev

322 The Official Feed and Food Control Service Plan 2022-23

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the Official Feed and Food Control Service Plan 2022-23.

Recommended:

1. That the achievements against the previous plan 2021-22 and the ability to achieve targets is reliant on the ability to maintain staffing levels and the ability to recruit to vacant posts, be noted.

2. That the Official Feed and Food Control Service Plan 2022-23 'The Plan', set out at Appendix 1 to the submitted report, be approved.

Reasons for recommendation:

The Official Feed and Food Control Service Plan is a Statutory document that is required by the FSA Framework Agreement to be produced annually, and to have senior management and/or Councillor approval. The Plan is in line with the FSA audit findings, agreed by Cabinet on the 18th June 2013, and it sets out the priorities for the Service and is available for members of the public to view so that they are aware of what the authority is doing to help ensure that the food they eat is safe.

Other options:

None. The production of the plan is a statutory requirement.

Note: This is a Council Function

Referred direct to: Place Scrutiny Committee

Cabinet Member: Cllr Terry

323 School Admissions Arrangements for Community Schools 2024/25; the Coordinated Admission Scheme for Academic year 2024/25; and Review of the relevant area

The Cabinet considered a report of the Executive Director (Children and Public Health) presenting the admission arrangements for Community Schools for the academic year 2024/25 and the Coordinated Admissions Scheme for 2024/25.

Resolved:

1. That the proposed Admissions Arrangements for Community Schools for the academic year 2024/25, set out in Appendix 1 to the submitted report, be approved.

2. That it be noted that consultation with governing bodies of Community Schools takes place on the published admission number (PAN) for community infant, junior and primary schools for September 2024, as set out in the Admission Arrangements in Appendix 1 to the report.

3. That the proposed Coordinated Admissions Scheme for 2024/25 onwards, as set out in Appendix 2 and Appendix 3 of the report, be approved.

4. That any minor changes after School Governor consultation be ratified by the Executive Director (Children and Public Health) in December 2022 for publication as required by law on 1 January 2023.

5. That the relevant area for schools as follows: Southend, Castle Point and Rochford for 2025 and 2026, be approved.

Reasons for decision:

The Council is required to publish the Co-ordinated Admissions Scheme 2024/25, by 1 January 2023 and to consult on the proposed scheme with schools as required by the Admission Code.

Other options:

The Council could decide to change the admission arrangements for the Community Schools. This would require full public consultation. This would add undue pressure on a small number of local schools for 2024, where no need for change has been identified.

Note: This is an Executive Function
Referred direct to: People Scrutiny Committee
Cabinet Member: Cllr Burton

324 Treasury Management Report - Quarter One 2022/23

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Treasury Management Report for Quarter One covering the treasury management activity for the period from April to June 2022 and compliance with the treasury management strategy for that period.

Resolved:

1. That the Treasury Management Report for Quarter One 2022/23, be approved.
2. 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 June 2022.
3. 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.
4. That it be noted that £0.592m of interest and income distributions for all investments were earned during this three-month period at an average rate of 1.36%. This is 0.47% over the SONIA rate (Sterling Overnight Index Average) and 0.41% over the average bank rate. Also the value of the externally managed funds increased by a net of £0.916m due to changes in the unit price, giving a combined overall return of 3.46%.
5. 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) remained at £347.3m (HRA: £74.2m, GF: £273.1m) during the period from April to June 2022.

6. That it be noted that during the quarter the level of financing for 'invest to save' schemes decreased from £8.39m to £8.38m.

Reasons for decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2022/23 set 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 an Executive Function

Referred direct to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Collins

325 Minutes of the meeting of Economic Recovery, Regeneration and Housing Working Party held Monday, 5 September 2022

The Cabinet considered the recommendations from the Economic Recovery, Regeneration and Housing Working Party held on Monday, 5 September 2022.

Resolved:

1. That the Notice of Motion seeking the declaration of a cost-of-living emergency in Southend-on-Sea be noted.
2. That a cost-of-living emergency be declared in Southend-on-Sea.
3. That the recommendations set out within the Notice of Motion be reviewed in line with the Council's budget principles already agreed, the most significant being the financial implications of response to the cost-of-living emergency.
4. That the proposed approach to the response to the cost-of-living emergency, alongside the tackling poverty workstream and wider strategic work to prevent duplication and improve consistency, be approved.
5. That the Cabinet Member for Economic Recovery, Regeneration and Housing be designated as the member champion for the response to the cost-of-living emergency.
6. That the Economic Recovery, Regeneration and Housing Working Party act as the multi-agency partnership task and finish group to deliver the response to the cost-of-living emergency, and that representation on the Working Party also include Group Leaders, Cabinet Members and relevant partners and stakeholders, in order to pool resources and maximise the impact of this work.

7. That a co-produced action plan be developed as part of the response to the cost-of-living emergency, with clear lines of reporting and accountability to focus activity and prioritise tasks.

8. That the response to the cost-of-living emergency seeks to improve access to support services, making them easier to access for all who need them, with particular focus on inclusivity.

9. That the response to the cost-of-living emergency considers the impact of the crisis on mental health and ensures that work activity takes account of this element of wellbeing.

Reasons for decision:

To respond to the Notice of Motion.

Other options:

None

Note: This is an Executive Function

Referred direct to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

326 SO46 Report

Resolved:

That the submitted report, be noted.

Note: This is an Executive Function

Referred direct to: The relevant Scrutiny Committee

Cabinet Member: As appropriate to the item

327 Exclusion of the Public

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

328 SO46 Report - Confidential Sheet

Resolved:

That the submitted report, be noted.

Note: This is an Executive Function

Referred direct to: The relevant Scrutiny Committee

Cabinet Member: As appropriate to the item

Chair: _____