

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 2nd February, 2023

Place: Council Chamber - Civic Suite

Present: Councillor D Garston (Chair)
Councillors D Nelson (Vice-Chair), M Borton, D Cowan, T Cowdrey, T Cox,
J Courtenay*, M Davidson, A Jones, A Line, R McMullan, J Moyies*,
M Sadza, I Shead, C Walker and P Wexham

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: T Breckels, J Chesterton, J Burr, T Dafter, S Ford, G Gilbert, G Halksworth,
E Helm, S Meah-Sims, L Minnis, G Perry-Ambrose, A Richards and
S Tautz

Start/End Time: 6.30 pm - 11.45 pm

665 Apologies for Absence

Apologies for absence were received from Councillor H Boyd (Substitute: Councillor J Courtenay) and Councillor F Evans (Substitute: Councillor J Moyies).

666 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors S George, L Burton, P Collins, I Gilbert, K Mitchell, C Mulroney, M Terry and S Wakefield (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 S George, L Burton, P Collins, I Gilbert, K Mitchell, C Mulroney, M Terry and S Wakefield (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 D Nelson (Vice-Chair) - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Wife is employed by the National Health Service and family owns businesses in Southend-on-Sea.

(d) Councillor M Borton - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Governor of Milton Hall School.

(e) Councillor M Borton - Minute 672 (Draft Housing Revenue Account Budget 2023/24 and Rent Setting) - Member of the Board of Directors of South Essex Homes.

(f) Councillor M Davidson - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) and Minute 672 (Draft Housing Revenue Account Budget 2023/24 and Rent Setting) - Member of the Board of Directors of South Essex Homes.

(g) Councillor M Sadza - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Member of the ACORN renters union.

(h) Councillor I Shead - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Local allotment holder.

(i) Councillor P Wexham - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) and Minute 672 (Draft Housing Revenue Account Budget 2023/24 and Rent Setting) - Member of the Board of Directors of South Essex Homes.

(j) Councillor K Mitchell (Cabinet Member) - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Member of the Board of Southend Association of Voluntary Services (SAVS).

(k) Councillor C Mulroney (Cabinet Member) - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Member of Leigh-on-Sea Town Council.

(l) Councillor M Terry (Cabinet Member) - Minute 670 (Car Cruise PSPO) - Resident of area covered by the proposed PSPO.

(m) Councillor S Wakefield (Cabinet Member) - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Owner of a local business in Southend-on-Sea; Sub-contractor for the Council.

(n) Councillor K Evans - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) - Member of Leigh-on-Sea Town Council; Family member is Operations Manager at the Trust Links mental health charity; Member of the Southend NetPark wellbeing project is known to the councillor.

(o) A Richards (Officer) - Minute 671 (Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28) – Member of the Board of Porters Place Southend-on-Sea LLP.

667 Questions from Members of the Public

The Committee noted the response of the Cabinet Member for Corporate Matters and Performance Delivery to a question presented by Mr David Webb.

668 Minutes of the Special Meeting held on 15 November 2022

Resolved:

That the minutes of the special meeting of the Committee held on 15 November 2022 be confirmed as a correct record and signed.

669 Minutes of the Meeting held on 1 December 2022

Resolved:

That the minutes of the meeting of the Committee held on 1 December 2022 be confirmed as a correct record and signed.

670 Car Cruise PSPO

The Committee considered Minute 623 of the meeting of the Cabinet held on 12 January 2023, which had been called-in for scrutiny, together with a report of the Executive Director (Neighbourhoods and Environment) highlighting that the existing car cruise injunction would expire on 12 April 2023 and seeking consideration as to whether the Council should apply to extend the injunction or commence statutory consultation on changing the injunction to a Public Spaces Protection Order (PSPO).

At the request of councillors, the Cabinet Member for Public Protection confirmed that he would be willing to circulate the draft PSPO to all members of the Committee to enable them to make comment on the draft PSPO and to hold a meeting of the Public Protection Working Party as soon as possible to consider any feedback received, to inform the consultation on the PSPO.

Resolved:

That the following decisions of the Cabinet be noted:

“1. That consultation be undertaken into the possibility of the Council implementing a Public Spaces Protection Order under Sections 60 & 61 of the Anti-Social Behaviour, Crime and Policing Act 2014 in respect of the area and activities detailed in Appendix 2 to the submitted report.

2. That the proposed consultation process commences as soon as practically possible.

3. That authority be delegated to the Executive Director (Neighbourhoods and Environment) and Director of Public Protection to:

- a) Finalise the draft PSPO to form part of the Consultation.
- b) Agree the final form of the Consultation.
- c) Explore and report back to Cabinet following the consultation additional resource requirements to effectively enforce the PSPO.”

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

671 Draft Prioritising Resources to Deliver Better Outcomes - 2023/24 to 2027/28

The Committee considered Minute 613 of the meeting of the Cabinet held on 12 February 2023, which had been referred directly to the Committee for scrutiny, together with a report of the Executive Director (Finance and Resources) presenting the draft General Fund Revenue Budget and capital investment priorities for 2023/24.

The Leader of the Council confirmed that the Cabinet would consider the views of the Committee in respect of the following matters, in proposing the Council's General Fund Revenue Budget for 2023/24 for adoption by the Council at its meeting to be held on 23 February 2023:

- (a) The dimming of street lights between the hours of 10.00pm and 6.00am (SOC-17).
- (b) The application of Council Tax Empty Property Relief for South Essex Homes (IGC-13).
- (c) The application of the convenience/transaction fee for the 'Mobon' car parking application (IGC-19).
- (d) The removal of free parking for councillors and whether this proposal would also apply to Honorary Aldermen of Southend-on-Sea (IGC-08).
- (e) The application of 'free' first hour parking at the Jones Memorial, Big Gunners, Little Gunners and Rayleigh Road car parks (IGC-12).
- (f) The increase in free parking at Chalkwell Park, Priory Park, Belfairs Park and Southchurch Park from two to three hours (IGC-17).
- (g) The reduction of councillor support arrangements (SOC-14), the move away from printed agenda etc. and the removal of the member courier service (SOC-06).
- (h) The reduction of the Corporate Training (Learning and Development) Budget (SOC-05).
- (i) The provision of funding for the Southend 'NetPark'.
- (j) The reduction of the grass-cutting programme in non-residential areas (SOC-15).

The relevant Cabinet Members undertook to provide written responses to questions raised by members of the Committee with regard to:

(a) In relation to proposed Cost Avoidance and Overspend Reduction Initiative SOC-17 (Street Light Dimming), the process undertaken in 2017 to authorise the reduction in the light output operation of street lights, where they were currently already being dimmed between the hours of 10.00pm and 6.00am.

(b) The arrangements in respect of proposed Budget Savings and Income Generation Initiative IGC-06 (Parking Charging Times and Associated Enforcement) for ensuring that income generated from extended charging hours for pay and display parking in Zone 1(a) would be ring-fenced for the delivery of the Council's transport strategies and objectives, and the level of additional income likely to be raised from the extended charging hours.

(c) In relation to proposed Cost Avoidance and Overspend Reduction Initiative IGC-19 (Income Generation Capability), whether the card transaction fee for car parking payments made via the 'Mobon' pay by phone application, would also apply to the use of the 'Southend Pass.'

(d) The location of the operation of the proposed mobile food market van offering low-price food items to residents in deprived areas, the eligibility criteria for the use of the food van and arrangements for monitoring its success in the tackling of health inequalities and improving health and wellbeing outcomes for local people.

(e) In relation to proposed Budget Savings and Income Generation Initiative IGC-08 (Remove Free Parking for Elected Members), whether the removal of the existing free of charge parking permit for councillors would also apply to Honorary Aldermen of Southend-on-Sea.

During consideration of the matter the hour of 10.00pm having been reached the Committee, in accordance with Standing Order 44.2, agreed to proceed with the remaining business on the agenda.

Resolved:

1. That the following decisions of the Cabinet be noted:

"1. That it be noted that a detailed Medium Term Financial Strategy for 2023/24 – 2027/28 will be available for consideration in February 2023 and that the draft Medium Term Financial Forecast and estimated Earmarked Reserves Balances up to 2027/28 (Annexes 1 and 2 to Appendix 1 to the submitted report), be endorsed.

2. That the draft Section 151 Officer's statement on the robustness of the proposed budget, the adequacy of the Council's reserves and the Council's Reserves Strategy (Appendix 2 to the report), be noted.

3. That the appropriation of the sums to earmarked reserves totalling £0.706M (Appendix 3 to the report), be endorsed.

4. That the appropriation of the sums from earmarked reserves totalling £1.953M (Appendix 3 to the report), be endorsed.

5. That the use of £1M from the General Fund balances to support the core 2023/24 revenue budget which will be replenished over the life of the Medium Term Financial Plan (Annex 1 to Appendix 1 to the report), be endorsed.

6. That a General Fund Budget Requirement for 2023/24 of £143.875M and Council Tax Requirement of £97.499M (Appendix 4 to the report) and any required commencement of consultation, statutory or otherwise, be endorsed.
7. That it be noted that the 2023/24 revenue budget has been prepared on the basis of using £2M from accumulated Collection Fund surpluses to support the core budget and to allow for a smoothing of the budget gap.
8. That a Council Tax increase of 4.99% for the Southend-on-Sea element of the Council Tax for 2023/24, being 2.99% for general use and 2.00% for Adult Social Care, be endorsed.
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
 - Leigh-on-Sea Town Council – proposed Band D precept decrease of 0.71%
10. That no Special Expenses be charged other than Leigh-on-Sea Town Council precept for 2023/24, be endorsed.
11. That the proposed General Fund revenue budget investment of £23.448M (Appendix 5 to the report), be endorsed.
12. That the proposed General Fund revenue budget savings and income generation initiatives for 2023/24 of £9.140M (Appendix 6a to the report), be approved.
13. That the proposed General Fund revenue cost avoidance and overspend reduction initiatives for 2023/24 of £1.628M (Appendix 6b to the report), be endorsed.
14. That the approach proposed for the development and implementation of a new transformation blueprint for the Council (Section 12) and to confirm the use of £1.5m from existing earmarked reserves over the next three years to support this programme of activity, be endorsed.
15. That the implementation of the new Adult Social Care Charging Policy from 1 April 2023 (Appendix 7 to the report), be endorsed.
16. That the proposed range of fees and charges for 2023/24 (Appendix 8 to the report), be endorsed.
17. That the Dedicated Schools Grant budget and its relevant distribution as recommended by the Education Board (Appendix 9 to the report), be endorsed.
18. That the Capital Investment Strategy for 2023/24 to 2027/28 (Appendix 10 to the report) and the Capital Investment Policy (Annex 1 to Appendix 10 to the report), be endorsed.
19. That the following be endorsed:
 - (i) new schemes and additions to the Capital Investment Programme for the period 2023/24 to 2027/28 totalling £16.1M (£3.6M for the General Fund and £12.5M for the Housing Revenue Account) (Appendix 11 to the report)
 - (ii) new schemes subject to viable business cases totalling £5.6M for the General Fund (Appendix 11 to the report).

20. That the proposed changes to the current Capital Investment Programme that were considered for approval as part of the Resourcing Better Outcomes – Financial Performance Report – Period 8 earlier on this agenda (Appendix 12 to the report), be noted.

21. That the proposed Capital Investment Programme for 2023/24 to 2027/28 of £116.0M to be delivered by the Council and £53.1M to be delivered by Subsidiary Companies, Partners and Joint Ventures (Appendix 13 to the report) of which £57.8M is supported by external funding, be endorsed.

22. That the Minimum Revenue Provision (MRP) Policy for 2023/24 (Appendix 14 to the report) and the prudential indicators (Appendix 15 to the report), be endorsed.

23. That the operational boundary and authorised limits for borrowing for 2023/24 which are set at £390M and £400M respectively (Appendix 15 to the report), be endorsed.”

2. That the following recommendations be considered by the Cabinet:

(a) That in relation to proposed Cost Avoidance and Overspend Reduction Initiative SOC-17 (Street Light Dimming), all street lights be returned to full light output operation where they are currently already being dimmed between the hours of 10.00pm and 6.00am, and that appropriate budget provision be made to facilitate the return of such street lights to full operation.

(b) That in relation to proposed Budget Savings and Income Generation Initiative IGC-13 (Council Tax Empty Property Relief), properties managed by South Essex Homes (SEH) be exempted from the provision of a 100% discount for newly empty properties for two weeks to cover the period in-between tenants and that the discount period for properties managed by SEH remain at one month.

Note: This is an Executive Function, save that approval of the final budget following Cabinet on 14 February 2023 is a Council Function
Cabinet Member: Councillors S George and P Collins

672 Draft Housing Revenue Account Budget 2023/24 and Rent Setting

The Committee considered Minute 614 of the meeting of the Cabinet held on 12 January 2023, which had been referred directly to the Committee for scrutiny, together with a joint report of the Executive Director (Finance and Resources) and the Executive Director (Growth and Housing) setting out the Housing Revenue Account budget and rent setting for 2023/24.

The Cabinet Member for Economic Recovery, Regeneration and Housing undertook to provide a written response to a question raised by a member of the Committee with regard to the number of high-risk residential buildings (any building over eighteen meters or six storeys in height) within Southend-on-Sea and to request that South Essex Homes provide a briefing for all councillors in relation to current arrangements for compliance with the Building Safety Bill published in July 2020 and the Fire Safety Act 2021.

Resolved:

That the following decisions of the Cabinet be noted:

“1. That an average rent increase of 7% on all tenancies, be endorsed.

2. That an average rent increase of 7% on shared ownership properties, be endorsed.

3. That an increase of 10.1% for garage rents to £13.98 per week for tenants and £16.77 for non-tenants (being £13.98 plus VAT), a rise consistent with the standard approach taken across the Council's fees and charges (all variants on a standard garage will receive a proportionate increase), be endorsed.

4. That the South Essex Homes core management fee at £7,192,000 for 2023/24, be endorsed.

5. That the South Essex Homes proposals for average increases of 44.29% in service charges to reflect the estimated costs incurred for 2023/24, be endorsed.

6. That the South Essex Homes proposals for an average 104% increase in heating charges for sheltered housing tenants and for hostel tenants to reflect the estimated costs incurred for 2023/24, be endorsed.

7. That the following appropriations be endorsed:

- £60,000 to the Repairs Contract Pensions Reserve.
- £4,047,000 to the Capital Investment Reserve.
- £6,549,000 from the Capital Investment Reserve.

8. That, subject to resolutions 1 to 7 above, the HRA budget for 2023/24, as set out in Appendix 1 to the submitted report, be endorsed.

9. That the value of the Council's capital allowance from 2023/24 be declared as £49,512,000, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations."

Note: This is an Executive Function, save that approval of the final budget following Cabinet on 14 February 2023 is a Council Function
Cabinet Member: Councillor I Gilbert

673 Minutes of the Corporate Matters and Performance Delivery Working Party held Wednesday, 7 December 2022 - Item (b) Notice of Motion - Webcasting of Public Meetings

The Committee considered Minute 630 of the meeting of the Cabinet held on 12 January 2023, which had been called-in for scrutiny, together with the recommendations arising from the meeting of the Corporate Matters and Performance Delivery Working Party held on 7 December 2022, concerning a Notice of Motion in respect of the webcasting of public meetings that had been referred to the Working Party by the Council.

It was noted that the call-in of Minute 630 of the meeting of the Cabinet did not concern any other business arising from the meeting of the Corporate Matters and Performance Delivery Working Party on 7 December 2022.

Resolved:

That the matter (Webcasting of Public Meetings) be referred back to the Cabinet for reconsideration as the Committee was concerned that it appeared that the infrastructure installed in the Jubilee Room (Committee Room 1) at the Civic Centre was not currently providing an acceptable webcasting facility, particularly in terms of external audio volume, and that it was considered that a review of the success of the use of the Jubilee Room for recent meetings should be undertaken.

Note: This is an Executive Function
Cabinet Member: Councillor P Collins

674 Association of South Essex Local Authorities - Joint Committee

The Committee received the draft minutes of the meeting of the Joint Committee of the Association of South Essex Local Authorities (ASELA), held on 15 December 2022.

Resolved:

That the draft minutes of the meeting of the Joint Committee of the Association of South Essex Local Authorities held on 15 December 2022, be noted.

Note: This is a Scrutiny function

675 In-Depth Scrutiny Project 2022/23 - 'Developing Strong Governance & Strengthening Joint Working between all Councillors and Officers'

The Committee received an update on progress with regard to the in-depth scrutiny project for 2022/23.

Resolved:

That the report be noted.

Note: This is a Scrutiny function

Chair: _____