

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Tuesday, 21st February, 2023
Place: Committee Room 1 - Civic Suite

Present: Councillor S George (Chair)
Councillors M Terry (Vice-Chair), C Mulroney, L Burton, P Collins,
I Gilbert, K Mitchell and S Wakefield

In Attendance: R Polkinghorne, J Chesterton, M Marks, J Burr, S Meah-Sims,
A Richards, G Gilbert, E Lindsell, S Fox, G Halksworth, A Keating,
R Harris and M Sheppard

Start/End Time: 6.30 pm - 8.10 pm

711 Apologies for Absence

There were no apologies for absence at this meeting.

Chair's Introduction

Prior to consideration of the matters set out on the agenda, the Chair outlined his expectations of the standard of conduct and behaviour to be shown at the meeting.

712 Declarations of Interest

The following declaration of interest was made:

Cllr L Burton – Agenda Item 9 (SEND Strategy) – teacher at a local school.

713 Southchurch Park Lake - Removal of Post and Rail (referred back by Place Scrutiny Committee held Monday, 30 January 2022)

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) concerning the removal of the post and rail at Southchurch Park Lake which had been referred back to the Cabinet by the Place Scrutiny Committee held on 30 January 2023.

Resolved:

That the replacement of the post and rail at Southchurch Park to the eastern section at a cost of £25,000 to be funded by Community Infrastructure Levy (£10,000), and £15,000 from the General Fund Revenue budget, be approved.

Reasons for decision:

To fund the replacement of the post and rail at Southchurch Park at a cost of £25,000.

Other options:

None

Note: This is an Executive Function

Not eligible for call-in as the matter has previously been the subject of call-in.

Cabinet Member: Cllr Mulroney

714 Notice of Motion - Webcasting (referred back by Policy and Resources Scrutiny Committee held Thursday, 2 February 2022)

The Cabinet considered a report of the Executive Director (Growth and Housing) concerning the Notice of Motion (webcasting) which had been referred back to the Cabinet by the Policy and Resources Scrutiny Committee held on 2 February 2023.

Resolved:

1. That officers continue to engage with the third-party provider Public-I to ensure that the viewers experience is acceptable.
2. That officers investigate feedback that remote viewers are unable to control the volume output on their device to a desired volume level.
3. That on completion of the review of using the Jubilee room for webcast meetings, the results be presented to the Corporate Matters and Performance Delivery Working Party.

Reasons for decision:

To continue to review the provision of webcasting in the Jubilee Room.

Other options:

None

Note: This is an Executive Function

Not eligible for call-in as the matter has previously been the subject of call-in.

Cabinet Member: Cllr George

715 LGA Corporate Peer Challenge and Action Plan

The Cabinet considered a report of the Chief Executive presenting the findings and recommendations of the Local Government Association (LGA) Corporate Peer Challenge, which took place from 11 – 14 October 2022.

Resolved:

1. That the LGA Corporate Peer Challenge findings and the nine recommendations, be noted.
2. That the steps to address the LGA's recommendations, as set out in the Action Plan at Appendix 1 to the submitted report, be approved.

Reasons for decision:

The LGA's Corporate Peer Challenge process independently validated the challenges that the Council faces. The recommendations provide the Council with an improvement focussed and tailored response to its needs. The recommendations further complement and add value to the Council's own performance and improvement plans.

Other options:

None

Note: This is an Executive Function

Cabinet Member: Cllr George

***Called-in to Policy & Resources Scrutiny Committee**

716 Corporate Risk Register

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the updated summary Corporate Risk Register.

Resolved:

That the updated summary Corporate Risk Register and the position at December 2022, set out in Appendix 1 to the submitted report, be noted.

Reasons for decision:

The Accounts and Audit Regulations 2015 require that a relevant authority must ensure it has a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives, ensures that the financial and operational management of the Council is effective and includes effective arrangements for the management of risk.

Other options:

None

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Collins

717 Treasury Management Report - Quarter Three 2022/23

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the treasury management activity for both quarter three and the period from April to December 2022.

Resolved:

1. That the quarter three treasury management report for 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 December 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 £2.395m of interest and income distributions for all investments were earned during this nine-month period at an average rate of 1.92%. This is 0.18% over the average SONIA rate (Sterling Overnight Index Average) and 0.12% over the average bank rate. Also, the value of the externally managed funds decreased by a net of £6.983 due to changes in the unit price, giving a combined overall return of -3.67%.

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 £347.3 (Housing Revenue Account (HRA); £74.2m, General Fund: £273.1m) during the period from April to December 2022 at an average rate of 3.46%.

6. That it be noted that the level of financing for 'invest to save' capital schemes decreased from £8.39m to 8.30m during the period from April to December 2022.

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

Cabinet Member: Cllr Collins

***Called-in to Policy & Resources Scrutiny Committee**

718 Greater Essex Devolution Proposal

The Cabinet considered a report of the Chief Executive setting out progress to date on conversations with Essex County Council and Thurrock Borough Council regarding the opportunities associated with devolution to Greater Essex (GE). The report also presented the Expression of Interest (EOI) for consideration which would be submitted by the three upper tier constituent authorities (Southend, Essex and Thurrock) to Government.

Resolved:

1. That the devolution Expression of Interest, set out at Appendix 2 to the submitted report, be approved for submission to Government to start the beginning of the process to discuss with government whether a devolution deal is suitable for Greater Essex and what elements of the framework would form part of a potential deal.
2. That the Leader, in consultation with the Chief Executive, be authorised to make amendments to the Expression of Interest, set out at appendix 2 to the submitted report, prior to its submission to Government.

Reasons for decision:

To approve the submission of the devolution Expression of Interest to government as a starting point for dialogue and discussion whether a devolution deal is suitable for Greater Essex and what elements of the framework would form part of a potential deal.

Other options:

Do nothing. There is no legal requirement for areas to enter into a deal with Government. However, not pursuing dialogue with Government means that Greater Essex has effectively ruled out devolution without fully understanding and considering its potential benefits and risks falling further behind the growing number of other areas nationally, and within Greater Essex, who are benefitting from devolution deals.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr George

719 SEND Strategy

The Cabinet considered a report of the Executive Director (Children and Public Health) presenting the revised version of the Southend SEND Strategy.

Resolved:

1. That the minutes of the Children, Learning and Inclusion Working Party held 19 January 2023, as set out at appendix 2 to the submitted report, be noted.
2. That the revised SEND Strategy, set out at appendix 1 to the report, be approved.
3. That it be noted that the Southend SEND Strategy, once approved, would cover the period April 2022 to March 2026.
4. That the Southend SEND Strategy be produced in a range of formats so that it is accessible to a range of audiences and can be shared in a variety of formats.

Reasons for decision:

It is widely acknowledged that SEND is a joint area responsibility encompassing partners from education, health and care and the children, young people and families they support and therefore a specific coproduced SEND Strategy outlining priorities for the next 3 years is recommended. Publishing the SEND Strategy was a recommendation of both the WSOA and the Peer Review.

Other options:

The SEND partnership could continue to operate without a formal published strategy or subsume the SEND Strategy into a wider Council Policy but this would not be deemed good practice and would not reflect that the SEND offer in Southend is delivered in partnership with other agencies and not solely by the Council.

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Cllr Burton

720 Tackling Poverty Strategy

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the draft Tackling Poverty Strategy for consideration.

Resolved:

That the Tackling Poverty Strategy 2023-2026, set out at appendix 2 to the submitted report, be approved.

Reasons for decision:

To adopt a robust strategic plan which clearly articulates the priorities for the Council to support its residents who are in poverty and those who are falling into poverty with the rise of the cost of living.

Other options:

None

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Cllr Gilbert and Cllr Mitchell

721 Housing and Pipeline Update

The Cabinet considered a report of the Executive Director (Growth and Housing) presenting an update on the work of the Housing Pipeline to date and details the future housing development opportunities across the city.

Resolved:

1. That the progress made on the Housing Pipeline to date, be noted.

2. That the Council undertakes due diligence regarding the potential allocation of capital funds for Afghan and Ukrainian resettlement purposes from the Department of Levelling Up, Housing and Communities (DLUHC) Local Authority Housing Fund (LAHF) and that authority be delegated to the Executive Director (Finance and Resources) and the Executive Director (Growth and Housing), in consultation with the Cabinet Member for Economic Recovery, Regeneration and Housing, to reach agreement about any bid decisions and to pursue actions set out in the submitted report.

3. That the use of both Denton Avenue site and Bradford Bury garage site for the development of Passivhaus pilot projects utilising existing Section 106 funds and Right to Buy funds, be approved.

4. That the next steps for the Housing Pipeline set out below, be approved:

- The development of a revolving investment fund to deliver the pipeline opportunities. The investment fund would work alongside other financing sources to deliver housing pipeline projects.
- Sale of the Thorpedene Campus site via auction to secure full, quick capital receipt and mitigate holding and demolition costs, with the capital receipt ringfenced to help fund future Housing Pipeline development opportunities.
- Sale of the Shorefield Gardens site via auction to secure a full, quick capital receipt with the capital receipt to be ringfenced to help fund future Housing Pipeline development opportunities.
- Use existing funds or funds received from site sales for detailed feasibility works, cost planning and design works for the Hamlet Court Road, the Cattery and Civic 2 sites.

Reasons for decision:

1. The need for housing of all sizes and tenures across the city is increasing as detailed in the South Essex Housing Needs Assessment, published in June 2022. The delivery and acceleration of the delivery of housing are key ASELA priority areas and the pipeline opportunities will contribute to the wider regional delivery and assist with future funding opportunities. The work of the housing pipeline including the acquisition of homes to be used for council housing and the development of new housing (including affordable housing) will look to alleviate some of this housing and homelessness pressure. The development of new housing in the city will also look to assist the council financially with increased council tax income and additional rent roll to the council's HRA.

2. The proposed development of Passivhaus pilots will be an opportunity for the Council to lead the delivery of sustainable housing in the city and contribute the ambitions of the council's Green City Action Plan and pledge to the Climate Emergency and help with progress towards net zero by 2030 through the development of new sustainable housing which will use significantly less energy and encourage more environmentally sustainable and healthy lifestyles.

3. The Council proceeding with capital grant allocation from DLUHC's LAHF will ensure arrivals on Afghan and Ukraine schemes are provided with sufficient longer-term accommodation whilst mitigating the expected increased pressures on council homelessness and housing services (subject to the financial due diligence and match funding considerations referenced above).

Other options:

1. Sell all sites within the Pipeline – Taking an approach of selling all sites would relinquish all control to third parties which may result in housing being built that would not meet the aspirations of the Council and may not guarantee the timely delivery of housing. The sale of selected sites will however be an important enabler.

2. The Council could develop all sites – Due to the identified constraints of the sites, sale will be a better option for some sites and the funds are required for the purpose of the investment fund to assist the financing of future development opportunities.

3. RP Partner/JV – Due to the scale of the sites included in Batch 1 of the housing pipeline, it has been determined that Council now has an enhanced development team skillset and can undertake the development in-house and a JV or partner approach is not necessary although closer working with local housing associations is being discussed at a regional level through ASELA and this may provide some interesting partnering and/or joint delivery opportunities.

4. Do Nothing – This would not result in future housing being built (including affordable housing) and therefore would not assist in the council housing pressures and would not improve the council's financial position. It would also leave the Council with the residual liabilities and costs.

Note: This is an Executive Function

Cabinet Member: Cllr Gilbert

***Called-in to Policy & Resources Scrutiny Committee**

722 Air Quality Action Plan 2022-2027

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the Air Quality Action Plan (AQAP) 2023-2027 for consideration.

Resolved:

That the Air Quality Action Plan 2023-2027, set out at appendix 1 to the submitted report, for the Air Quality Management Area 2 (appendix 2 to the report), Air Quality Management Area 1 (appendix 3 to the report) and across the City of Southend-on-Sea, be approved.

Reasons for decision:

The Council has a statutory duty to put in measures to improve local air quality through the development and implementation of an Air Quality Action Plan, to

reduce the impact on the health of those living and working within Southend-on-Sea.

Other options:

None. It is a statutory duty to adopt an Air Quality Action Plan where an Air Quality Management Area has been declared.

Note: This is an Executive Function

Cabinet Member: Cllr Mulroney

***Called-in to Place Scrutiny Committee**

723 **Proposed Community Infrastructure Levy**

The Cabinet considered a joint report of the Executive Director (Neighbourhoods and Environment) and Executive Director (Growth and Housing) seeking agreement to spend up to £1million from the Community Infrastructure Levy (CIL) Main Fund on enhancing cycle infrastructure within the city.

Recommended:

1. That the 'Cycle Routes and Path Improvement Programme' CIL Main Fund application, set out at appendix A to the submitted report, together with the further details set out at Appendix A1 to A3 of the report, be noted.
2. That up to £1million from the CIL Main Fund to be spent on enhancing cycle infrastructure within the city, be approved.
3. That authority be delegated to the Director for Planning, in consultation with the Cabinet Member for Environment, Culture and Tourism, to take all necessary steps to ensure compliance with the objectives of the Community Infrastructure Levy Governance Framework when spending the sum approved under resolution 2 above.

Reasons for recommendation:

1. The proposed works set out in the Cycle Infrastructure Improvement Programme fall with the definition of infrastructure that can be CIL funded in accordance with CIL Regulations 2010 (as amended) and the provision of cycling measures was evidenced as an infrastructure priority within the Southend IDP.
2. At a time when the financial position is particularly challenging and funding may not be available from other sources, CIL funding that has previously been secured from new development in the city can make a significant difference to the well-being of residents by delivering the infrastructure needed to support the development in the area.

Other options:

Not to spend up to £1million from the CIL Main Fund on improving and enhancing cycle infrastructure. Whilst other funding sources may become available at some point, there is no guarantee as to if this would occur, when it would take place and the sums provided.

Note: This is a Council Function
Cabinet Members: Cllr Wakefield and Mulroney
***Called-in to Place Scrutiny Committee**

724 Southend Adult Community College Annual Report

The Cabinet considered a report of the Executive Director (Growth and Housing) presenting an overview of the Southend Adult Community College achievements and performance for the academic year 2021/22 and outlines the priorities for the year ahead.

Resolved:

That the Southend Community College Annual Report 2021/22, set out at appendix 1 to the submitted report, be noted.

Reasons for decision:

To note the Southend Adult Community College Annual Report 2021/22.

Other options:

None

Note: This is an Executive Function
Eligible for call-in to: People Scrutiny Committee
Cabinet Member: Cllr Burton

725 SO46 Report

Resolved:

That the SO46 report, be noted.

Note: This is an Executive Function
Cabinet Member: Cllr Collins
***Called-in to Policy & Resources Scrutiny Committee**

726 Minutes of the Senior Managers Pay Panel held 17 January 2023

The Cabinet considered the recommendations of the Senior Managers Pay Panel held 17 January 2023.

Resolved:

1. That a pay award of £1925 per annum be applied to the Council's senior management grades for 2022/23.

2. That 1 day's additional annual leave be given to all senior management grades with effect from 1 April 2023.

Note: This is an Executive Function

Cabinet Member: Cllr George

***Called-in to Policy & Resources Scrutiny Committee**

Chair: _____