

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 13th October, 2016

Place: Committee Room 1 - Civic Suite

Present: Councillor B Ayling (Chair)
Councillors D Kenyon (Vice-Chair), B Arscott, D Burzotta, L Davies,
N Folkard, D Garston, J Garston*, I Gilbert, R Hadley, D McGlone,
C Mulrone, D Norman MBE, G Phillips, C Walker, J Ware-Lane and
R Woodley*

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Lamb, A Holland and M Flewitt (Executive Councillors)
Councillors Terry and Aylen
R Tinlin, J K Williams, F Abbott, S Leftley, J Chesterton, S Ford and
A Keating

Start/End Time: 18.30 – 21.00

359 Apologies for Absence

Apologies for absence were received from Councillor Stafford (substitute Cllr Woodley) and Councillor Butler (substitute Cllr J Garston).

360 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Lamb, Holland and Flewitt - interest in the referred item / called in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor Hadley – agenda item relating to Notice of Motion – Estate Agent Fees and Practices – non-pecuniary – private landlord;
- (c) Councillor D Garston - agenda item relating to Notice of Motion – Estate Agent Fees and Practices – non-pecuniary – private landlord;
- (d) Councillor J Garston - agenda item relating to Notice of Motion – Estate Agent Fees and Practices – non-pecuniary – private landlord;
- (e) Councillor Burzotta - agenda item relating to Notice of Motion – Estate Agent Fees and Practices – non-pecuniary – private landlord.

361 Questions from Members of the Public

Councillor Flewitt, the Executive Councillor for Housing, Planning and Public Protection Services responded to a written question from Mr Webb.

362 Minutes of the Meeting held on Thursday 14th July 2016

Resolved:-

That the Minutes of the Meeting held on Thursday, 14th July, 2016 be confirmed as a correct record and signed.

363 Monthly Performance Report

The Committee considered the Monthly Performance Report (MPR) covering the period to the end of August 2016.

In response to questions regarding CP 1.1 (score against BCS crimes), the Executive Councillor for Housing, Planning and Public Protection Services said that he would provide written clarification about the month's target / annual target figures.

In response to a query by Councillor Davies on CP 5.2 (measurement of satisfaction), the Chief Executive said that he would ask the Head of Customer Services to provide further details about the survey.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item

364 Notice of Motion - Estate Agent Fees and Practices

The Committee considered Minute 260 of Cabinet held on 20th September, 2016, which had been called in to scrutiny. This concerned the Notice of Motion on estate agent fees and practices which had been proposed by Cllr Davies and seconded by Cllr Callaghan.

During the discussion on this item, the Executive Councillor invited Members to forward any issues / questions they would like raised at the fact finding workshop.

Resolved:-

That the following decision of Cabinet be noted:-

"That a fact finding workshop be convened for stakeholders to identify specific issues that need to be addressed in relation to the private rented sector, with a view to action planning, collaboratively, on a way forward."

Note:- This is an Executive Function.

Executive Councillor – Flewitt

365 Better Queensway

The Committee considered Minute 261 of Cabinet held on 20th September, 2016, which had been called in to scrutiny, together with a report of the Corporate Director for Corporate Services providing an update on the work undertaken on the Better Queensway Project since the decision of Cabinet on 22nd September 2015.

In response to questions, the Corporate Director for People said that he would provide the statistics on the number of void properties on Queensway.

Resolved:-

That the following decisions of Cabinet be noted:-

1. That the work undertaken on the Better Queensway Project to date, be noted.
2. That progression to Phase 3 of the Project based on the latest option development attached at Appendix 1 to the submitted report, be approved.
3. That the use of the Council's Compulsory Purchase Powers continue to be investigated and that preparatory work be undertaken for the making of a Compulsory Purchase Order (CPO), which will be subject to a formal resolution of the Cabinet in the future.
4. That the Project should involve the demolition of the tower blocks and other flats (where the Council owns the freehold) within the Project area.
5. That Initial Demolition Notices under Section 138(a) and Schedule 5(A) of the Housing Act 1985 (as amended) be served on all secure tenants of houses and flats within the Project area.
6. That based on Appendix 1 to the report, an outline planning application for the Project be prepared and submitted.
7. That further work be undertaken on the preferred Joint Venture approach (through competitive dialogue) with a report being submitted to Cabinet to determine this matter and the selection of a development partner.
8. That delegated authority be given to the Section 151 Officer, in consultation with the Deputy Leader, to agree the terms of any proposed Leaseholder swaps.
9. That it be noted that further reports will also be needed to give approval to additional matters such as, land appropriation, CPO resolution and a decant policy for re-housing of tenants and leaseholders."

This is an Executive Function
Executive Councillors – Lamb and Holland

366 Quarter One Treasury Management Report 2016/17

The Committee considered Minute 262 of Cabinet held on 20th September, 2016, which had been called in to scrutiny, together with a report of the Corporate Director

for Corporate Services on the treasury management activity for the period from April 2016 to June 2016.

Resolved:-

That the following recommendations of Cabinet be noted:-

1. That the Quarter One Treasury Management Report for 2016/17, be approved.
2. That it be noted that 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 2016.
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 an average of £52.7m of investments were managed in-house. These earned £0.087m of interest during this three month period at an average rate of 0.66%. This is 0.30% over the average 7-day LIBID and 0.16% over the bank base rate.
5. That it be noted that an average of £22.6m of investments were managed by an external fund manager. These earned £0.060m of interest during this three month period at an average rate of 1.07%. This is 0.71% over the average 7-day LIBID and 0.57% over bank base rate.
6. That it be noted that an average of £13.6m was managed by two property fund managers. These earned £0.255m during this three month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 7.87%.
7. 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 the same level of £227.8m (HRA: £77.0m, GF: £150.8m) during the period from April to June 2016.
8. That it be noted that during the quarter the level of financing for 'invest to save' schemes increased from £3.21m to £4.61m."

Note:- This is a Council Function.
Executive Councillor – Moring

367 Information Governance - Senior Information Risk Owner (SIRO) Annual Report - 2015/16

The Committee considered Minute 264 of Cabinet held on 20th September, 2016, which had been called in to scrutiny, together with a report of the Corporate Director for Director for Corporate Services, Senior Information Risk Owner (SIRO), setting out the Information Governance work undertaken in 2015/16.

Resolved:-

That the following decision of Cabinet be noted:-

"That the SIRO's report on Information Governance in 2015/16 and the proposed work for 2016/17, be noted."

Note:- This is an Executive Function.

368 Annual Report - Comments, Compliments and Complaints - 2015/16

The Committee considered Minute 265 of Cabinet held on 20th September 2016, which had been referred to all 3 Scrutiny Committees and had also been called in to scrutiny, together with a report of the Corporate Director for Corporate Services. This presented the annual report on compliments and complaints received throughout the Council for 2015/16.

Resolved:-

That the following decision of Cabinet be noted:-

“That the Council’s performance in respect of compliments, comments and complaints for 2015-16 be noted.”

Note:- This is an Executive Function.
Executive Councillors – Lamb, Salter and Courtenay

369 Amendments to Senior Management & Departmental Arrangements

The Committee considered Minute 281 of Cabinet held on 20th September, 2016, which had been called in to scrutiny, together with a report of the Chief Executive proposing amendments to the senior management structures and departmental arrangements.

Resolved:-

That the following recommendations of Cabinet be noted:-

1. That the revisions to the senior management structure set out in the submitted report be approved.
2. That the Public Health function be incorporated within the Department for People as described in the report.
3. That employment titles are amended as described in the report and that an additional management level be introduced in order to provide additional leadership capacity and to support staff retention and succession planning.
4. That the detailed allocation of functions and implementation of other arrangements be delegated to the Chief Executive, in consultation with the Leader of the Council, subject to no substantive adverse response to consultations.
5. That appropriate amendments be made to the Constitution to reflect the new senior management structure once implemented.
6. That the Chief Executive develop proposals in respect of senior officer remuneration (including the new management level) to be considered by the Council's PRP Panel later in the year.”

Note:- This is a Council Function.
Executive Councillor – Lamb

370 Summary Reports to Scrutiny Committee

Further to Minute 10 of Council held on 21st May 2015, at which it was agreed that the Council nominees to four specific outside bodies should submit Summary Reports to every other ordinary meeting of the Scrutiny Committee, the Committee considered the following reports:-

- (a) Essex Fire Authority – Reports from Councillors Woodley, Ware-Lane and Holland;
- (b) Southend University Hospital – Report from Councillor Davidson;
- (c) Essex Police and Crime Panel – Report from Councillor Flewitt; and
- (d) Kent & Essex Inshore Fisheries & Conservation Authority – Councillor Lamb advised that unfortunately he was not at the last quarterly meeting of the IFCA due to illness and is unable to update the Committee at the current time, but will do so in his next report.

Resolved:-

That the Summary Reports be noted.

371 In depth scrutiny report - 'Control of personal debt and the advantages of employment'

The Committee considered a report of the Corporate Director for Corporate Services to seek approval to the draft report of the scrutiny project – 'Control of personal debt and the advantages of employment'.

Members felt that the study had been a worthwhile one and that the public need to be made aware about the issues of illegal loan sharks and suggested that the media department, South Essex Homes etc should use every opportunity to publicise the issue and for people to be very wary of them.

The Chief Executive said that officers would investigate whether the Essential Living Fund can be adjusted in some way to assist people with funeral costs and also to encourage the use of Credit Unions.

Resolved:-

1. That the report from the in depth scrutiny project, attached at Appendix 1 be agreed.
2. That the Chairman of the Scrutiny Committee be authorised to agree and final amendments to the report and in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), the report be submitted to the next Cabinet meeting.

Note:- This is a Scrutiny Function.

372 In depth scrutiny project - 'To investigate the case for additional enforcement resources for Southend'

Referring to Minute 110 of Place Scrutiny Cttee held 11th July 2016 and to Minute 153 of Policy & Resources Scrutiny Committee held on 14th July 2016, the Committee considered the proposed project plan for the joint scrutiny project – 'To

investigate the case for additional enforcement resources for Southend'. The project plan had been agreed at the Place Scrutiny Cttee meeting held on 10th July 2016.

With regard to sources of evidence for the review, it was felt that it would be beneficial for the project team to also speak to chairs of Resident Associations.

Resolved:-

That the project plan for the joint in-depth scrutiny project – 'To investigate the case for additional enforcement resources for Southend', be agreed.

Note:- This is a Scrutiny Function

Chairman: _____