

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 20th April, 2017
Place: Council Chamber - Civic Suite

Present: Councillor J McMahon (Chair)
Councillors F Evans (Vice-Chair), S Ayles, B Ayling, M Borton, M Butler, I Gilbert, T Cox, C Endersby, J Moyies, N Folkard, D Garston, R Hadley, A Holland, A Jones, D Jarvis, C Mulroney, A Moring, S Buckley, S Habermel, N Ward, J Courtenay, M Terry, C Nevin, C Willis, B Arscott, C Walker, H Boyd, A Bright, T Callaghan, J Ware-Lane, D Burzotta, H McDonald, P Wexham, M Flewitt, J Garston, J Lamb, G Phillips, L Davies, T Byford, M Davidson, D McGlone, M Stafford, F Waterworth, R Woodley, K Robinson, D Norman MBE and L Salter

Start/End Time: 7.10 pm - 0.45 am

984 Apologies for Absence

Apologies for absence were received from Councillors Kenyon and Van Looy.

985 Declarations of Interest

- **Councillor Arscott**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Audit Committee – 29th March 2017

Minute 900 – Internal Audit Service Quarterly Performance Report – School Governor at Our Lady of Lourdes Catholic Primary School – Non-pecuniary interest.

People Scrutiny Committee – 11th April 2017

Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 964: School Term Dates 2018/19; Minute 969: Schools Progress report – non pecuniary – Governor at Our Lady of Lourdes Catholic Primary School;

Cabinet – 14th March 2017

Minute 863 – FLAG Report – non-pecuniary interest – Board member of North Thames Fisheries Local Action Group (FLAG);

- **Councillor Ayling**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Development Control Committee – 5th April 2017

Minute 919: 16/01901/FUL – 1 Mayfair Place, Southend-on-Sea, SS1 2FR - Non-pecuniary interest: Knows the applicant;

Minute 918: 16/02194/FULM – Shoeburyness High School, Caulfield Rd, Shoeburyness, SS3 9LL - Non-pecuniary interest: Son works in department at school;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 973: PCC Consultation – non-pecuniary interest: son is a Police Special;

- **Councillor Borton**

Cabinet Committee – 9th March 2017

Minute 847 (Additional Parking Spaces around the Seaway Car Park Area) – Non-pecuniary interest: Fellow Councillor lives in Pleasant Road;

People Scrutiny Committee – 11th April 2017

Minute 961: Future provision of secondary places in Southend; Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 969: School Progress report – non-pecuniary – Governor at Milton Hall School;

Minute 966: Scrutiny Committee updates – non-pecuniary – daughter nurse at Rochford Hospital;

Council – 20th April 2017

Notice of Motion – Muscular Dystrophy and Motability – non-pecuniary interest – employed by the DWP which was mentioned;

- **Councillor Boyd**

People Scrutiny Committee – 11th April 2017

Minute 961: Future provision of secondary places in Southend; Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 969: School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, south east Essex Teaching School Alliance;

- **Councillor Buckley**

Cabinet Committee – 9th March 2017

Minute 843 (Members Requests List – Reference No.16/01 – waiting restrictions or parking management scheme to deter airport parking in Rochford Road) – non-pecuniary interest – Frequently lobbied for some action and expressed views in local media and political literature and to officers;

- **Councillor Burzotta**

Place Scrutiny Committee – 10th April 2017

Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA - Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Butler**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Byford**

Cabinet Committee – 9th March 2017

Minute 842 (Objections to Traffic Regulation Orders – Various Locations: The Maze) – Non-pecuniary interest: Ward Councillor and has assisted residents in the road;

- **Councillor Callaghan**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Cabinet Committee – 9th March 2017

Minute 843 (Members' Request List: Request Reference No. 16/07 – Waiting Restrictions in Campfield Road) – Non-pecuniary interest: Knows the owner of a business in this location;

Minute 844 (Requests for Waiting Restrictions – Lucy Road) – Non-pecuniary interest: Taxi Driver;

Place Scrutiny Committee – 10th April 2017

Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Non-pecuniary interest: Friends are tenants of South Essex Homes Ltd;

- **Councillor Courtenay**

People Scrutiny Committee – 11th April 2017

Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Cox**

Place Scrutiny Committee – 10th April 2017

Interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Davidson**

- **Place Scrutiny Committee – 10th April 2017**

- Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Flewitt**

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: local resident lobbied me as to process and knows the applicants named agent;

- **Licensing Committee – 3rd March 2017**

- Minute 834 – Application to be recognised as a Taxi Drivers' Association – non-pecuniary interest – knows some of the taxi association officers and had discussed the recognition process;

- **Cabinet Committee – 9th March 2017**

- Minute 843 – Members Request List (Reference No.16/01 – waiting restrictions or a parking management scheme to deter airport parking in Rochford Road) – non-pecuniary interest – frequently lobbied for some action and expressed views in local media and political literature;

- Minute 847 – Additional Parking Spaces around the Seaway Car Park Area – non-pecuniary interest – Seafront traders known to me in Planning Portfolio;

- **Place Scrutiny Committee – 10th April 2017**

- Interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Non-pecuniary interest: Friends and family are tenants of South Essex Homes Ltd;

- **Policy & Resources Scrutiny Committee – 12th April 2017**

- Interests in all the called-in/referred items/consultation; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Minute 973 – Consultation Police and Fire & Rescue Collaboration Local Business Case – non-pecuniary interest – I have met and lobbied the PCC in connection with the Public Protection Portfolio;

- Minute 976: HRA - non-pecuniary interest: friends and family are tenants of South Essex Homes Ltd;

- Minute 979 – In-depth Scrutiny Report – non-pecuniary interest – had attended the project as a witness (Public Protection Portfolio);

Council – 20th April 2017

Public Questions – Taxi Licensing and Urber – non-pecuniary interest – long term piece of case work as to Urber licence and conventional sought licence from a local resident;

Petition – Whitehouse Road and Western approaches – non-pecuniary interest – lives in the vicinity and has lobbied and discussed need with officers over a few years.

- **Councillor Folkard**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor D Garston**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Minute 817: 16/01780/FULM - 1307 London Road, Leigh-on-Sea, Essex, SS9 2AD – Non-pecuniary interest: Owns a car in the garage at this location for restoration;

Development Control Committee – 5th April 2017

Minute 920: 17/00362/FUL – The Shore, 22-23 The Leas, Westcliff-on-Sea - Non-pecuniary interest: Neighbour is known to him.

- **Councillor J Garston**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Cabinet Committee – 9th March 2017

Minute 844 (Requests for Waiting Restrictions – Southchurch Avenue) – Pecuniary interest: Owns a property at this location (withdrew).

- **Councillor Gilbert**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Hadley**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Holland**

- **Cabinet – 14th March 2017**

- Minute 855 - HRA Development, Future Phases Update - Non-pecuniary interest : Son works for Council.

- **Place Scrutiny Committee – 10th April 2017**

- Interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Minute 949: Monthly Performance Report: page 37 item (d) – Non-pecuniary interest: Member of the Forum Board;

- Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Proposed Council appointee to the Board;

- **Policy & Resources Scrutiny – 12th April 2017**

- Minute 973 – Consultation – Police and Fire & Rescue Collaboration Local Business Case - Disqualifying non pecuniary interest: withdrew;

- Minute 976 – HRA Development Project – non-pecuniary interest – son works for Council;

- **Councillor Jones**

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- Minute 818: 16/02284/FULM - 30 Stephenson Road, Eastwood, Essex, SS9 5LY – Non-pecuniary interest: Son currently attends South Essex College;

- **People Scrutiny Committee – 11th April 2017**

- Minute 961: Future provision of secondary places in Southend; Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 969: School Progress report – non- pecuniary – parent of child attending school and Governor at Milton Hall School.

- **Councillor Lamb**

- **Cabinet – 14th March 2017**

- Minute 863 – FLAG Report – Non pecuniary interest : Director of Leigh Port Partnership.

- **Place Scrutiny Committee – 10th April 2017**

- Interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Director of Leigh Port Partnership;

- **Councillor McDonald**

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 973 – Consultation – Police and Fire & Rescue Collaboration Local Business Case – non-pecuniary interest – partner is a retired fire-fighter;

- **Councillor McGlone**

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA – non-pecuniary interest: Ward Councillor for St Laurence Ward;

- **Councillor McMahon**

Cabinet Committee – 9th March 2017

Minute 843 – Members Request List – non-pecuniary interest – supporter of St Mary’s Horse Refuge;

Place Scrutiny Committee – 10th April 2017

Minute 952 – Revocation of Pier Cycling Byelaw – non-pecuniary interest – Honorary member of the RNLI;

- **Councillor Moring**

Policy & Resources Scrutiny Committee – 12th April 2017

Interests in all the called-in/referred items/consultation; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Mulroney**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Minute 817: 16/01780/FULM - 1307 London Road, Leigh-on-Sea, Essex, SS9 2AD – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 819: 17/00071/FUL - 97 Salisbury Road, Leigh-on-Sea, Essex, SS9 2JN – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); and

Minute 825: 16/02283/FUL - 85 Herschell Road, Leigh-on-Sea, Essex, SS9 2PU – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning).

Cabinet – 14th March 2017

Minute 863– FLAG Report – Non-pecuniary Interest : Director of Leigh Port Partnership, Chairman of Leigh-on-Sea Town Council, Member of Leigh Coastal Communities Team and Leigh Society.

Development Control Committee – 5th April 2017

Minute 917: TPO 1/2017 – 29 Hadleigh Road, Leigh-on-Sea, SS9 2DY - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Place Scrutiny Committee – 10th April 2017

Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non-pecuniary Interest : Director of Leigh Port Partnership, Chairman of Leigh-on-Sea Town Council, Member of Leigh Coastal Communities Team and Leigh Society;

Council – 20th April 2017

Notice of Motion – Muscular Dystrophy and Motability – non-pecuniary interest – sister suffers from a disease linked to muscular dystrophy;

- **Councillor Nevin**

Special People Scrutiny Committee – 6th April 2017

Minute 929: Success Regime - non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area.

People Scrutiny Committee – 11th April 2017

Minute 965: Public Health Annual Report – non-pecuniary – niece works for Public Health England;

Minute 966: Scrutiny Committee updates – non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

- **Councillor Norman**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA - Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Salter**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Special People Scrutiny Committee – 6th April 2017

Minute 929: Success Regime – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;

People Scrutiny Committee – 11th April 2017

Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 966: Scrutiny Committee updates - non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;

- **Councillor Terry**

Place Scrutiny Committee – 10th April 2017

Minute 950 – FLAG – non-pecuniary interest – knows a number of people in the shellfish industry;

- **Councillor Van Looy**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Development Control Committee – 5th April 2017

Minute 919: 16/01901/FUL – 1 Mayfair Place, Southend-on-Sea, SS1 2FR - Non-pecuniary interest: Knows the applicant;

Place Scrutiny Committee – 10th April 2017

Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Contacts and friends in the fishing industry;

- **Councillor Walker**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Council – 20th April 2017

Notice of Motion – Muscular Dystrophy and Motability – non-pecuniary interest – Honorary Treasurer of the local muscular dystrophy branch;

- **Councillor Ware-Lane**

Special People Scrutiny Committee – 6th April 2017

Minute 929 – Mid and South Essex STP and Success Regime – non-pecuniary interest – daughter works at Southend University Hospital Trust;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA – non-pecuniary interest: daughter works for SEH;
Minute 973: PCC Consultation - Disqualifying non pecuniary interest: withdrew;

- **Councillor Waterworth**

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Wexham**

- **Cabinet – 14th March 2017**

- Minute 863 – FLAG Report - Non-pecuniary Interest – Director of Leigh Port Partnership;

- **Place Scrutiny Committee – 10th April 2017**

- Minute 950: North Thames Fisheries Local Action Group (FLAG) – Disqualifying non-pecuniary Interest – Director of Leigh Port Partnership (withdrew).

- Minute 973: PCC Consultation – non-pecuniary interest: son is a fireman;

- **Councillor Woodley**

- **Policy & Resources Scrutiny Committee – 12th April 2017**

- Minute 973: PCC Consultation - Disqualifying non pecuniary interest: withdrew;

986 Youth Mayor and Deputy Youth Mayor Appointments

The Worshipful the Mayor presented the chain of office to this year's Youth Mayor, Mr Edward Feddon, and the Chain of Office to this year's Deputy Youth Mayor, Ms Nadia Ahmed.

987 Communications

Minutes Silence – Westminster Terror Attack

The Council stood for a one minute silence as a mark of respect for all those affected by the Westminster Terror attack on 23rd March 2017.

Councillor Assenheim

The Council stood for a one minute silence in tribute to the memory of the late Councillor Mike Assenheim who passed away suddenly on 3rd April 2017.

988 Questions from Members of the Public

The relevant Executive Councillors responded to written questions received from Members of the Public.

989 Questions from Members of the Council

The relevant Executive Councillors responded to written questions received from Members of the Council.

990 Minutes of the special meeting held on Thursday, 23rd February 2017

Resolved:

That the minutes of this meeting be confirmed as a correct record and signed.

991 Minutes of the meeting held on Thursday, 23rd February 2017

Resolved:

That the minutes of this meeting be confirmed as a correct record and signed.

992 Minutes of the special meeting held on Tuesday 21st March 2017

Resolved:-

That the Minutes of this meeting be confirmed as a correct record and signed.

993 Petition - Increase Pedestrian Safety in Whitehouse Road

Councillor Mulroney presented a petition on behalf of local residents requesting the Council to increase pedestrian safety in Whitehouse Road.

Resolved:

That, in accordance with Council Procedure Rule 15.5, the petition be referred to Cabinet Committee.

994 Petition - Western Approaches Zebra Crossing Installation

Councillor Mulroney presented a petition on behalf of local residents requesting the Council to install a zebra crossing at Western Approaches.

Resolved:

That, in accordance with Council Procedure Rule 15.5, the petition be referred to Cabinet Committee.

995 Minutes of the meeting of Standards Committee held Tuesday, 28 February 2017

During consideration of Minute 809 (Committee on Standards in Public Life) the Executive Councillor for Corporate & Community Support Services agreed that an equality and diversity training session would be arranged for Members.

Resolved:

That the minutes of this meeting be noted.

996 Minutes of the meeting of Development Control held on Wednesday, 1st March 2017

Resolved:

That the minutes of this meeting be noted.

997 Minutes of the meeting of Licensing Committee held on Friday, 3rd March 2017

Resolved:

That the minutes of this meeting be noted.

998 Minutes of the meeting of Cabinet Committee held on Thursday, 9th March 2017

During consideration of Minute 843 (Members Request List) the Executive Councillor for Transport, Waste and Cleansing provided an assurance that in future reports concerning Members' requests for traffic management schemes would be published well in advance of the meetings of the Traffic & Parking Working Party and Cabinet Committee.

Resolved:

That the minutes of this meeting be noted.

999 Minutes of the meeting of Cabinet held on Tuesday, 14th March 2017

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 853, 860 and 864 be approved, subject to an amendment to Resolution 3 of Minute 855 (HRA Development) to read as follows:

'3. That an additional budget in the HRA Capital Programme of £2.755m be approved and be funded as set out in paragraph 6.2 of the report.'

1000 Minutes of the meeting of Special Cabinet held on Tuesday, 28th March 2017

Resolved:

That the minutes of this meeting be noted.

1001 Minutes of the Audit Committee held on Wednesday, 29th March 2017

Resolved:

That the minutes of this meeting be noted.

1002 Minutes of the meeting of Development Control Committee held on Wednesday, 5th April 2017

Resolved:

That the minutes of this meeting be noted, subject to a minor amendment to the resolution in Minute 917 (TPO 1/2017 – 29 Hadleigh Road) to read as follows:-

'That TPO 1/2017 at 29 Hadleigh Road, Leigh-on-Sea be confirmed, for the following reasons – the trees provide valuable contribution to the amenity of the area.

Informative: Further works to the trees will require the consent of the LPA.'

1003 Minutes of the Licensing Sub Committee B held on Thursday 6th April 2017

Resolved:

That the minutes of this meeting be noted.

1004 Minutes of the meeting of Special People Scrutiny Committee held on Thursday, 6th April 2017

Resolved:

That the minutes of this meeting be noted.

1005 Minutes of the meeting of Licensing Sub Committee A held on Friday, 7th April 2017

Resolved:

That the minutes of this meeting be noted.

1006 Minutes of the meeting of Place Scrutiny Committee held on Monday, 10th April 2017

Better Queensway Project

In moving the Minutes, the Executive Councillor for Transport, Waste and Cleansing proposed an amendment to recommendation (i) in Minute 951 (Better Queensway Project) relating to Transport (see resolution below). In response to questions about this amendment, the Executive Councillor:

(i) Provided an assurance that all relevant matters would be considered as part of the review of the road layout, including the status of the 'Deeping'; and

(ii) Confirmed that engagement and consultation with all Members and stakeholders would take place in connection with the Transport arrangements.

Revocation of Pier Cycling Byelaw

During consideration of Minute 952 (Revocation of Pier Cycling Byelaw) a requisition for a named vote was made in accordance with Council Procedure Rule 12(a) to refer the matter back to Cabinet. The voting was as follows:-

For reference back:

Cllrs Ayles, Ayling, Borton, Callaghan, Endersby, Gilbert, Jones, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ware-Lane, Willis and Woodley (16)

Against reference back:

Cllrs Arscott, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Moring, Moyies, Phillips, Salter, Walker, Waterworth (27)

Abstentions:

Cllr Davies and McMahon (2)

Absent:

Cllrs Kenyon, Norman MBE, Van Looy, Ward and Wexham (5)

The motion to refer the matter back was lost.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 951 and 952 be approved, subject to the deletion of recommendation (i) relating to Transport in Minute 951 to be replaced with the following words:-

‘Members note that the plan at appendix 2 is an indicative road transport layout of the regeneration area and that the final layout will be submitted to Cabinet for approval in the context of the overall Queensway scheme developed through the partnership. Members note that it is proposed to retain two lanes in each direction through the underpass.’

1007 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 11th April 2017

Resolved:

That the minutes of this meeting be noted.

1008 Minutes of the meeting of Policy & Resources Scrutiny Committee held on Wednesday, 12th April 2017

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 973 and 976 be approved.

1009 Notice of Motion - Muscular Dystrophy and Motability

Resolved:

That, in accordance with Council Procedure Rule 8.4, the following notice of motion be referred to Cabinet:

‘Muscular Dystrophy and Motability

Thousands of people have lost access to Motability vehicles through being switched from the Disability Living Allowance to the Personal Independence Payments since 2013. According to Muscular Dystrophy UK the number of people returning Motability vehicles is over 900 a week, in addition to the 51,000 people who have already returned their cars.

The number of people eligible for Motability funding has halved during the reassessment process. Of the 254,200 people who were eligible for Motability funding under DLA who were reassessed for PIP by 31 October 2016, 126,300 people have lost access.

Government-funded Motability cars, mobility scooters and electric wheelchairs are specially adapted for the individual needs of disabled people, and are vital for maintaining independence, social inclusion and overcoming problems of loneliness and being housebound.

Since a change in the rules , to qualify for the higher level of the mobility component of PIP, which is needed to get a Motability vehicle, a person must be unable to walk unaided for 20 metres, compared to the previous distance of 50 metres under the DLA assessment.

The Government has not been able to produce any evidence to support the use of the 20-metre rule, which was introduced by the DWP with no prior warning.

This change has been compounded by a lack of knowledge about the reliability criteria, which are included in the assessment to ensure that people can not only walk 20 metres, but do so safely and more than once in a short time period. However, many people being assessed do not know the rules about the reliability criteria, and are losing their vehicles as they can barely or unsafely walk 20 metres.

It is also not a question of being able to walk safely and unaided but also to walk without severe pain.

Statistics from the Ministry of Justice show that 65% of contested PIP awards have been won on appeal.

Muscular Dystrophy UK is calling for the DWP:

- to revert to the 50-metre rule
- and assessment providers Atos and Capita to ensure that all applicants are made aware of the reliability criteria and are prompted to consider them
- to ensure vehicles are not taken away until a final decision has been reached. The appeals process currently takes longer than the time allowed for people to return their cars.

That this Council supports the campaign by Muscular Dystrophy UK and requests the Borough's MPs to promote the changes requested by Muscular Dystrophy UK for the benefit of those who suffer from the disease (and other mobility diseases) and thus restore their ability to live as mobile and inclusive a life as is possible.

Proposed: Councillor Mulroney

Seconded: Councillor Gilbert

1010 Opposition Business - Planning Policy

The Worshipful the Mayor advised that under Council Procedure Rule 19, a minority group may request an item to be placed on the Council agenda for discussion and be treated as opposition business. The Independent Group had activated this procedure and requested that Planning Policy be debated. A debate took place but no motions were moved.

1011 Changes to Committee Appointments

Resolved:

That the following changes and appointments to Committees, be noted:

- Councillor Flewitt to replace Councillor Holland on the Conservation Working Party;
- Councillor D Norman MBE to be appointed as the Labour Group substitute on the Essex Fire Authority.

Chairman: _____