

# **SOUTHEND-ON-SEA BOROUGH COUNCIL**

## **Meeting of The Council**

**Date: Thursday, 22nd October, 2015**

**Place: Council Chamber - Civic Suite**

**Present:** The Worshipful the Mayor Councillor Moring  
Councillors Velmurugan, Arscott, Assenheim, Aylen, Ayling, Betson, Borton, Buckley, Butler, Byford, Callaghan, Courtenay, Cox, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, Folkard, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jones, Kenyon, Lamb, McGlone, McMahon, Moyies, Mulrone, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Van Looy, Walker, Ware-Lane, Waterworth, Willis and Woodley

**Start/End Time:** 6.30 - 10.20 pm

### **349 Councillor Graham Longley**

The Worshipful the Mayor informed Members that last Tuesday, as a result of an accident at home, Councillor Longley was admitted to Queen's Hospital in Romford.

On behalf of the Council, I would like to extend my best wishes to Councillor Longley and his family for a speedy recovery.

### **350 Apologies for Absence**

Apologies for absence were received from Councillors Jarvis, Longley and Ward.

### **351 Declarations of Interest**

- Councillor Assenheim

#### **Cabinet – 22<sup>nd</sup> September 2015**

Minute 260 – Review of ALMO – Non-pecuniary interest – Board Member of South Essex Homes;

#### **Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 341 – Review of ALMO (South Essex Homes) – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

#### **Full Council – 22<sup>nd</sup> October 2015**

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- Councillor Ayling

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(a) – 14/02050/FULM – Non-pecuniary interest – son is employed as a maintenance engineer at the school;

Minute 213(b) – 15/01129/AMDT – Non-pecuniary interest – Lives in the vicinity of the application site;

- Councillor Betson

**Audit Committee – 30<sup>th</sup> September 2015**

Minute 286 – Internal Audit Report Action Plans – Non-pecuniary interest – Employee of HMRC dealing with international trade;

Minute 288 – Internal Audit Services, Quarterly Performance Report – Non-pecuniary interest – Board Member of South Essex Homes & Member of Fostering Panel;

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minute 321 – School Admissions Arrangements – Non-pecuniary interest – School Governor at Heycroft School;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 341 – Review of ALMO (South Essex Homes) – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

**Full Council – 22<sup>nd</sup> October 2015**

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- Councillor Borton

**Appeals Committee A – 20<sup>th</sup> August 2015**

Minute 203 – Secondary School Transport Appeal (Pupil AG) – Non-pecuniary interest – works for DWP;

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Fellow Councillor (friend) lives in the road;

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minutes 321 – School Admission Arrangements and Minute 322 – Local Account of Adult Social Care – Non-pecuniary interest – School Governor at Milton Hall School and JobCentre Plus mentioned in the draft report – employer;

- Councillor Buckley

**Development Control – 2<sup>nd</sup> September 2015**

Minute 213(f) – 15/01112/FUL – Non-pecuniary interest – supported and lobbied for refusal;

**Cabinet Committee – 17<sup>th</sup> September 2015**

Minute 236 – New or amended traffic regulation orders (Harp House, 2 new Toucan crossings) – Non-pecuniary interest – supported and lobbied for better and safer crossing arrangements;

- Councillor Butler

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 341 – Review of ALMO (South Essex Homes) – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

**Full Council – 22<sup>nd</sup> October 2015**

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 15th January 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- Councillor Byford

**Development Control Committee – 5<sup>th</sup> August 2015**

Minute 197(a) – 15/00290/FUL – Non-pecuniary interest – relative works for Fairfield BMW;

- Councillor Callaghan

**Cabinet Committee – 17<sup>th</sup> September 2015**

Minute 231 – Petition – Residents Only Parking Zones for Redstock Road and adjoining streets/roads – Non-pecuniary interest – lives in the vicinity;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 341 – Review of ALMO (South Essex Homes) – Non-pecuniary interest – Board member South Essex Homes;

**Full Council – 22<sup>nd</sup> October 2015**

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – Non-pecuniary interest – Board member South Essex Homes

- Councillor Cox

**Cabinet Committee – 17<sup>th</sup> September 2015**

Minute 235 – Members Requests ref no: 15/13 – Non-pecuniary interest – Chair of Rochford & Southend East Conservative Association and the MP lives in Fermoy Road;

- Councillor Crystall

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(h) – 15/01024/FUL – Non-pecuniary interest – Friend lives in the road;

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Friend lives in the road;

**Development Control Committee – 7<sup>th</sup> October 2015**

Minute 297(d) – 15/01107/FUL – Leigh Society of which he is a member – Non-pecuniary interest;

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

Minute 308 (Surface Water Management Plan) and Minute 309 (Local Flood Risk Management Strategy) – Non-pecuniary interest - Lives within one of the designated areas;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 344 – Summary Reports to Scrutiny Committee – Non-pecuniary interest – Partner Governor at Southend Hospital;

- Councillor Davidson

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minute 322 – Local Account of Adult Social Care – Non-pecuniary interest – volunteer for Healthwatch Southend, member of Safe, Support Group for people with Asperger's and their families;

- Councillor Davies

**Development Control Committee – 5<sup>th</sup> August 2015**

Minute 197(c) – 15/00930/BC4 – Non-pecuniary interest – Lives in the vicinity of the application;

- Councillor Flewitt

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(f) – 15/01112/FUL – Non-pecuniary interest – supported and lobbied for refusal;

**Cabinet Committee – 17<sup>th</sup> September 2015**

Minute 236 – New or amended traffic regulation orders (Harp House, 2 new Toucan crossings) – Non-pecuniary interest – supported and lobbied for better and safer crossing arrangements;

**Audit Committee – 30<sup>th</sup> September 2015**

Minute 286 – Internal Audit Report Action Plans (Parking Management Schemes) – Non-pecuniary interest – PowerPoint submission in respect of this;

Minute 288 – Internal Audit Services, Quarterly Performance Report – Non-pecuniary interest – family and friends are tenants of South Essex Homes;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 333 (SEH Presentation), Minute 340 (Better Queensway), Minute 341 (Review of ALMO) and 342 (Housing Working Party Minutes) – Non-pecuniary interest – friends and family are tenants of SEH Ltd;

**Full Council – 22<sup>nd</sup> October 2015**

Agenda Item 26 – Notice of Motion (HIV Testing) – Non-pecuniary interest – worked with Halve It and association with Terrence Higgins Trust to raise awareness of good sexual health;

- Councillor Folkard

**Special People Scrutiny Committee – 7<sup>th</sup> September 2015**

Minute 224 – Primary Care Services in the St Luke's GP led Health Centre – Non-pecuniary interest – ambassador for the fund raising team at Southend University Hospital NHS Foundation Trust;

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minute 326 – Scrutiny Committee Updates – Non-pecuniary interest – Ambassador for fundraising team at Southend Hospital and on reading panel at Southend Hospital for information leaflets;

- Councillor D Garston

**Development Control Committee – 5<sup>th</sup> August 2015**

Minute 197(b) – 15/00155/FULM – Non-pecuniary interest – Knows the developer and son lives in Cliftown Parade;

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(a) – 14/02050/FULM – Non-pecuniary interest – Son owns property in the vicinity of the application site;

Minute 213(d) – 15/00955/BC4 – Non-pecuniary interest – son lives in road above the application site;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 342 – Minutes of Housing Working Party – non-pecuniary interest – private landlord owning one rented house in Southend;

- Councillor J Garston

**Licensing Sub Committee A – 24<sup>th</sup> July 2015**

Minute 190 – Oyster Creek, The Leas Shelter, Application for Grant of Premises Licence – Non-pecuniary interest – applicant's mother is known to him as a former Councillor;

**Cabinet Committee – 17<sup>th</sup> September 2015**

Minute 235 – Members Requests ref no: 15/13 – Non-pecuniary interest – MP lives in Fermoy Road;

Minute 236 – Requests for new or amended traffic regulation orders – Disclosable non-pecuniary interest (withdrew);

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

Minute 307 – Southend Central Area Action Plan (SCAAP) Preferred Approach Public Consultation – Non-pecuniary interest – lives within the

Clifftown Area which is referred to in the Plan;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 342 – Minutes of Housing Working Party – non-pecuniary interest – local landlord;

- Councillor Gilbert

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

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

- Councillor Hadley

**Licensing Sub Committee A – 24<sup>th</sup> July 2015**

Minute 190 – Oyster Creek, The Leas Shelter, Application for Grant of Premises Licence – Non-pecuniary interest – applicant's mother is known to him as a former Councillor;

- Councillor Holland

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 340 (Better Queensway) and Minute 342 (Housing Working Party Minutes) – Non-pecuniary interest – son works for SBC and involved in strategic housing and worked on the items (withdrew);

Minute 339 – Review of Council's Risk Management Policy – Non-pecuniary interest – member of ALARM, mentioned in the report;

- Councillor Jones

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

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

- Councillor Kenyon

**Licensing Sub Committee A – 24<sup>th</sup> July 2015**

Minute 190 – Oyster Creek, The Leas Shelter, Application for Grant of Premises Licence – Non-pecuniary interest – applicant's mother is known to him as a former Councillor;

**Licensing Committee – 3<sup>rd</sup> September 2015**

Minute 219 – Review of Hackney Carriage Fares – Non-pecuniary interest – brother-in-law is a taxi driver in the borough;

- Councillor Lamb

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

Minute 306 – The London Shipwreck 17<sup>th</sup> Century Cannons – Non-pecuniary interest – member of the London Shipwreck Trust;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 344 – Summary Reports to Scrutiny Committee – Non-pecuniary interest – Governor at Southend Hospital, on behalf of SAVS;

- Councillor Longley

**Appointments & Disciplinary Committee – 1<sup>st</sup> September 2015**

Minute 209 – Appointment of Head of Learning (Shortlisting) – Non-pecuniary interest – former member of staff at the same school as one of the applicants;

**Cabinet Committee – 17<sup>th</sup> September 2015**

Minute 229 – Objections to Traffic Regulation Orders – Various Locations – Non-pecuniary interest – lives in the vicinity;

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

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

- Councillor McGlone

**Licensing Sub-Committee B – 28<sup>th</sup> September 2015**

Minute 280 – 68 London Road – Application for the Grant of Premises Licence – Non-pecuniary interest – one of the resident objectors to the application who had subsequently withdrawn their objection was known to him;

- Councillor McMahon

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Fellow Councillor (friend) lives in the road;

**Audit Committee – 30<sup>th</sup> September 2015**

Minute 284 – BDO Annual Governance Report 2014/15 – Non-pecuniary interest – Employer is, in part, under contract to the Council;

- Councillor Moring

**Development Control Committee – 7<sup>th</sup> October 2015**

Minute 297(e) – 15/01066/FULH – Non-pecuniary interest – lives near the application;

- Councillor Moyies

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

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

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minute 317 (Turning Tides) and Minute 323 (Smoke Free Southend)  
Non-pecuniary interest – mother-in-law works with Turning Tides and in past he has undertaken consultancy work in the area;

- Councillor Mulroney

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(e) – 15/001085, Minute 213(g) – 15/01008, Minute 213(i) – 15/00869 – Non-pecuniary interest – Member of Leigh Town Council who were consultees;

**Cabinet Committee – 17<sup>th</sup> September 2015**

Minute 233 – Southsea Avenue – Non-pecuniary interest – resident of Southsea Avenue but not the affected part;

**Cabinet – 22<sup>nd</sup> September 2015**

Minute 270 – Surface Water Management Plan – Non-pecuniary interest – lives within one of the designated areas;

Minute 271 – Local Flood Risk Management Strategy – Non-pecuniary interest – lives within one of the designated areas;

**Development Control Committee – 7<sup>th</sup> October 2015**

Minute 297(d) – 15/01107 – Non-pecuniary interest – Member of Leigh Town Council and Leigh Society who were consultees;

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

Minute 308 (Surface Water Management Plan) and Minute 309 (Local Flood Risk Management Strategy) – Non-pecuniary interest – Lives within one of the designated areas;

- Councillor Nevin

**Special People Scrutiny Committee – 7<sup>th</sup> September 2015**

Minutes 223 (Health Services in Shoebury, 224 (Primary Care Services in the St Luke's GP led Health Centre) and 225 (Primary Care Strategy) – non-pecuniary interest – NHS employee in Trust outside area and previously at Mid Essex and Southend Acute Trusts and children work for Mid Essex Hospitals Trust (MEHT) at Broomfield Hospital;

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minute 322 (Local Account of Adult Social Care), Minute 323 (Smoke Free Southend), and Minute 326 (Scrutiny Committee Updates) – Non-pecuniary interest – NHS Employee at Bart's which supplies dental care to Southend & previous employee at Southend Hospital;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 344 – Summary Reports to Scrutiny Committee – Non-pecuniary interest – NHS employee at Bart's and previous employee at Southend, Mid-Essex and Colchester Hospitals;

- Councillor Norman MBE

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

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

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**



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

- Councillor Phillips

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

Minute 306 – The London Shipwreck – 17<sup>th</sup> Century Bronze Cannons – Non-pecuniary interest – trustee of the London Shipwreck Trust;

- Councillor Robinson

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Fellow Councillor (friend) lives in the road;

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minute 326 – Scrutiny Committee Updates – Non-pecuniary interest – NHS employee of Trust in Southend;

Minute 328 – Schools Progress Report – Non-pecuniary interest – parent of children at schools mentioned in report;

- Councillor Salter

**Special People Scrutiny Committee – 7<sup>th</sup> September 2015**

Minutes 223 (Health Services in Shoebury), 224 (Primary Care Services in the St Luke's GP led Health Centre) and 225 (Primary Care Strategy) – non-pecuniary interest – husband is Business Unit Director at Southend General Hospital for surgical services including oral surgery-urology and son-in-law is a GP in the borough;

**People Scrutiny Committee – 13<sup>th</sup> October 2015**

Minute 326 – Scrutiny Committee Updates – Non-pecuniary interest – husband is Business Unit Director at Southend Hospital for surgical services including oral surgery – urology;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 340 (Better Queensway), Minute 341 (Review of ALMO), Minute 342 (Housing Working Party Minutes) – Non-pecuniary interest – private landlord in the borough;

- Councillor Terry

**Cabinet – 22<sup>nd</sup> September 2015**

Minute 270 – Surface Water Management Plan – Non-pecuniary interest – lives in a flood risk area;

Minute 248 – Roots Hall & Fossets Farm CPO – Disclosable Non-Pecuniary Interest – season ticket holder (withdrew);

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

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

Minute 308 (Surface Water Management Plan) and Minute 309 (Local Flood Risk Management Strategy) – Non-pecuniary interest – Lives within one of the designated areas;

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

Minute 336 – Compulsory Purchase Order Authorities: Land at Roots Hall and Fossetts Farm – Disclosable Non-Pecuniary Interest – Season ticket holder at SUFC (withdrew);

- Councillor Velmurugan

**Special People Scrutiny Committee – 7<sup>th</sup> September 2015**

Minutes 223 (Health Services in Shoebury, 224 (Primary Care Services in the St Luke's GP led Health Centre) and 225 (Primary Care Strategy) – non-pecuniary interest – GP in the borough and Council representative on SEPT and Southend University Hospital NHS Foundation Trust;

**Development Control Committee – 7<sup>th</sup> October 2015**

Minute 297(h) – 15/01274/FUL – Non-pecuniary interest - daughter's house is in a nearby road;

- Councillor Van Looy

**Development Control Committee – 5<sup>th</sup> August 2015**

Minute 197(b) – 15/00155/FULM – Non-pecuniary interest – Friend lives next to the application site;

**Development Control Committee – 2<sup>nd</sup> September 2015**

Minute 213(d) – 15/00955/BC4 – Non-pecuniary interest – owner is known to him;

Minute 213(g) – 15/01008/FUL – Disqualifying Non-pecuniary interest (withdrew);

- Councillor Woodley

**Place Scrutiny Committee – 12<sup>th</sup> October 2015**

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

**Policy & Resources Scrutiny Committee – 15<sup>th</sup> October 2015**

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

**352 Presentation of Chains of Office to Youth Mayor and Deputy Youth Mayor**

The Worshipful the Mayor presented the chain of office to this year's Youth Mayor, Ms Sarah-Jane Glew, and the Chain of Office to this year's Deputy Youth Mayor, Ms Maise Riley.

**353 Questions from Members of the Public**

The relevant Executive Councillors responded to written questions received from members of the public.

**354 Questions from Members of the Council**

The relevant Executive Councillors responded to written questions received from Councillors Ayles, Cox, Courtenay, Assenheim, Flewitt and J Garston.

**355 Minutes of the Meeting held on Thursday 23rd July 2015**

Resolved:-

That the Minutes of the Meeting held on Thursday 23<sup>rd</sup> July 2015 be confirmed as a correct record and signed.

**356 Minutes of Licensing Sub Committee A held on Friday 24th July 2015**

Resolved:

That the minutes of this meeting be noted.

**357 Minutes of Development Control Committee held on Wednesday 5th August 2015**

Resolved:

That the minutes of this meeting be noted.

**358 Minutes of Appeals Committee A held on Thursday 20th August 2015**

Resolved:

That the minutes of this meeting be noted.

**359 Minutes of the Appointments & Disciplinary Committee held on Tuesday 1st September 2015**

Resolved:

That the minutes of this meeting be noted.

**360 Minutes of the meeting of Development Control Committee held on Wednesday 2nd September 2015**

Resolved:

That the minutes of this meeting be noted.

**361 Minutes of the meeting of Licensing Committee held on Thursday 3rd September 2015**

Resolved:

That the minutes of this meeting be noted.

**362 Minutes of the Special People Scrutiny Committee held on Monday 7th September 2015**

Resolved:

That the minutes of this meeting be noted.

**363 Minutes of the Cabinet Committee held on Thursday 17th September 2015**

Resolved:

That the minutes of this meeting be noted.

**364 Minutes of the Cabinet held on Tuesday 22nd September 2015**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 248, 250, 251, 252, 256, 261, 267 and 268, be adopted.

**365 Minutes of Licensing Sub Committee B held on Monday 28th September 2015**

Resolved:

That the minutes of this meeting be noted.

**366 Minutes of the Audit Committee held on Wednesday 30th September 2015**

Resolved:

That the minutes of this meeting be noted.

**367 Minutes of the Appointments & Disciplinary Committee held on Friday 2nd October 2015**

Resolved:

That the minutes of this meeting be noted.

**368 Minute of Development Control Committee held on Wednesday 7th October 2015**

Resolved:

That the minutes of this meeting be noted.

**369 Minutes of the Place Scrutiny Committee held on Monday 12th October 2015**

During consideration of Minute 305 (Beecroft and Central Museum Energy Project) a requisition for a named vote was made in accordance with Council Procedure Rule 12.1 to refer the matter back to Cabinet. The voting was as follows:-

For reference back:

Cllrs Arscott, Ayles, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, Phillips, Robertson, Salter, Velmurugan, Walker (22)

Against reference back:

Cllrs Assenheim, Ayles, Betson, Borton, Crystall, Davies, Endersby, Gilbert, Jones, Kenyon, McGlone, McMahon, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ware-Lane, Waterworth, Willis, Woodley (24)

Abstentions:

Cllr Callaghan, Moring (2)

Absent:

Cllr Jarvis, Longley, Ward (3)

Accordingly the motion to refer the matter back was lost.

During consideration of Minute 308 (Surface Water Management Plan) a requisition for a named vote was made in accordance with Council Procedure Rule 12.1 to refer the matter back to Cabinet. The voting was as follows:

For reference back:

Cllrs Arscott, Ayles, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, Phillips, Robertson, Salter, Velmurugan, Walker (22)

Against reference back:

Cllrs Assenheim, Ayles, Betson, Borton, Callaghan, Crystall, Davies, Endersby, Gilbert, Jones, Kenyon, McGlone, McMahon, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ware-Lane, Waterworth, Willis, Woodley (25)

Abstentions:

Cllr Moring (1)

Absent:

Cllr Jarvis, Longley, Ward (3)

Accordingly the motion to refer the matter back was lost.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 305, 307 and 308, be adopted.

Resolved:

That the minutes of this meeting be noted.

**371 Minutes of the Policy & Resources Scrutiny Committee held on Thursday 15th October 2015**

During consideration of Minute 341 (Review of ALMO – South Essex Homes) a requisition for a named vote was made in accordance with Council Procedure Rule 12.1 to refer the matter back to Cabinet for further consideration of the proposed length of the extension of the Management Agreement with South Essex Homes. The voting was as follows:-

For reference back:

Cllrs Arscott, Ayles, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Davies, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, Phillips, Robertson, Salter, Velmurugan, Walker (23)

Against reference back:

Cllrs Ayling, Borton, Crystall, Endersby, Gilbert, Jones, Kenyon, McMahon, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ware-Lane, Waterworth, Willis, Woodley (20)

Abstentions:

Cllrs Assenheim, Betson, Callaghan, McGlone and Moring (5)

Absent:

Cllrs Jarvis, Longley, Ward (3)

Accordingly it was resolved:

That the proposed length of the extension of the Management Agreement with South Essex Homes (Minute 341) be referred back to Cabinet for further consideration.

It was also resolved:

1. That minutes 331-335, 339-340 and 342-348 be noted and the recommendations contained in minutes 336 and 338 be adopted. Resolution 2 of Minute 336 is set out below:

“That the resolution made by the Council on 1<sup>st</sup> March 2012 to make a Compulsory Purchase Order in respect of land at Fossetts Farm be withdrawn as it is no longer required.”

2. That the recommendations contained in Minute 337 be adopted, subject to an amendment to Paragraph 6.4 of the submitted report (underlined) to read:

“Once terms are agreed in principle for a disposal of Public Open Space, the relevant officers and Executive Councillors for the land (Parks, Foreshore, Highway, Housing, etc) and for Corporate Services will be briefed to check that they are in principle supportive of the proposed disposal subject to advertisement. Ward members will be notified seven days before an advertisement is placed; this will not apply if Cabinet has endorsed the principle as members will already be aware.”

**372 Notice of Motion - Hazard Perception Test**

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“We call upon Members of Southend on Sea Borough Council, to support a request to write to Her Majesty’s Government with the following request, this being:

‘That consideration be given to include within the ‘Hazard Perception Test’, which is part of the Theory Test for the UK Driving License, a digital simulation of the road as visually perceived by users of other types of road transport, namely motorcycles and cycles. This may highlight the perspective(s) that may be misinterpreted by car drivers without experience of using motorcycles or pedal cycles in the mixed highway environment’

This request is to assist the reduction of incidents of an untoward nature involving these types of transport, with particular regard to Southend on Sea’s commitment to ‘Safe Sustainable Transport’ and the reduction of accidents, especially on our gateway roads into Southend, where unfortunately the combination of these types of transport, with low awareness of the others perception, does, on occasions, have untoward consequences.”

**373 Notice of Motion - Help to Refugees arriving in Europe**

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“This council recognises the plight of the refugees caught in the Syrian crisis and that this is a real tragedy and genuine help needs to be offered.

We support George Osborne, the Chancellor of the Exchequer, in looking at some of the overseas aid budget as a way of funding financial assistance to the many men, women and children affected and we request funding from the Overseas Aid Budget should this local authority be asked to offer assistance to any of the displaced men, women or children.”

**374 Notice of Motion - Printing and Distribution of Council Papers**

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“We the undersigned wish to put before the council a motion to rescind the decision of this council to stop the printing and distribution of hard copies of council papers.”

**375 Notice of Motion - HIV Testing**

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“That this Council:

- (i) recognises the importance of local action in co-ordinating and commissioning accessible and effective HIV testing to reach the undiagnosed and reduce the late HIV diagnosis. 107,800 people were living in the United Kingdom with HIV in 2013; 24% were unaware of their status; and 42% of people diagnosed with HIV in 2013 were diagnosed late (with a CD4 count  $<350\text{mm}^3$ ). Late diagnosis impacts on individual health, public health and health budgets;
- (ii) recognises that Southend-on-Sea has a high prevalence of HIV (over diagnosed per 1000 residents) and commits to strengthening its own provision of HIV testing services through working with local NHS partners, HIV charities and patient groups;
- (iii) recognises that late HIV diagnosis is a Public Health Outcomes Indicator in the Public Health Outcomes Framework and that, if diagnosed early, put on a clear treatment pathway and guaranteed access to antiretroviral therapy (ART), people living with HIV can expect to have a near normal life expectancy and live healthy and active lives; and
- (iv) recognises the volume and quality of public health and local government guidelines and performance indicators designed to support local authority implementation and monitoring of appropriate and effective testing guidelines.

Recognising the weight of evidence in favour of expanding local HIV testing services, Southend-on-Sea Borough Council:

- (i) resolves to:
  - act to halve the proportion of people diagnosed late with HIV (with a CD4 count  $<350\text{mm}^3$ ) in the Borough of Southend-on-Sea by 2020; and
  - act to halve the proportion of people living with undiagnosed HIV in the Borough by 2020.
- (ii) Further resolves to:
  - Ensure that rates of late diagnosed HIV are included as an indicator in its Joint Strategic Needs Assessment (JSNA); and
  - Ask the Director for Public Health to provide a report outlining what needs to be done locally in commissioning and provision of services in order to halve the late diagnosed and undiagnosed HIV by 2020.”



**376 Changes to the Constitution**

The Council considered a report of the Corporate Director for Corporate Services which recommended minor changes to the Council's Constitution.

Resolved:

1. That the specific delegations to Chief Officers in Section 4 of Part 3 Schedule 3 of the Constitution be amended as set out in Appendix 1 to the submitted report.
2. That the Special Schemes of Delegation in Section 5 of Part 3 Schedule 3 of the Constitution be amended as set out in Appendix 2 to the submitted report.
3. That the Contracts Procedure Rules in Part(g) of the Constitution be amended as set out in Appendix 3 to the submitted report.

**377 Changes to Membership of Committees, etc**

The Worshipful the Mayor informed Members that Councillors Aylen and Dr. Velmurugan had given notice of their resignation from the Independent Group. As a result Councillor Endersby had replaced Councillor Aylen as a member of the Place Scrutiny Committee.

**Chairman:** \_\_\_\_\_