

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

## **Meeting of Place Scrutiny Committee**

**Date: Monday, 11th July, 2016**

**Place: Committee Room 1 - Civic Suite**

- Present:** Councillor K Robinson (Chair)  
Councillors P Wexham (Vice-Chair), S Habermel, F Evans,  
M Assenheim, J Garston, D Jarvis, C Willis, D Burzotta, M Davidson,  
N Folkard, M Terry, H McDonald and G Phillips\*  
\*Substitute in accordance with Council Procedure Rule 31.
- In Attendance:** Councillors S Aylen, T Byford, T Cox, M Flewitt and C Mulroney  
A Lewis, J K Williams, P Geraghty, D Patel, S Wheeler, M Sargood  
and T Row
- Start/End Time:** 6.30 pm - 8.40 pm

### **89 Apologies for Absence**

Apologies for absence were received from Councillors Bright (Substitute: Councillor Phillips) and Kenyon (no substitute).

### **90 Declarations of Interest**

The following interests were declared at the meeting:

- (a) Councillors Byford, Cox and Flewitt (Executive Councillors) – interests in all the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor Burzotta – Agenda Item No. 12 (Feed & Food Safety Service Plan 2016/17) – Pecuniary interest: Family establishments/restaurants in the Borough (withdrew);
- (c) Councillor Cox – Agenda Item No. 5 (Petition - Alcohol Free Zone Westcliff Library) – Non-pecuniary interest: DPPO in Shoeburyness referred to which includes the road where he lives;
- (d) Councillor J Garston – Agenda Item No. 18 (West Leigh Area – Report on Ward Councillor Consultation for Parking Controls) – Non-pecuniary interest: relatives live in one of the roads consulted;
- (e) Councillor Phillips Garston – Agenda Item No. 18 (West Leigh Area – Report on Ward Councillor Consultation for Parking Controls) – Disqualifying non-pecuniary interest: Lives in one of the roads consulted (withdrew);
- (f) Councillor Robinson – Agenda Item No. 5 (Petition - Alcohol Free Zone Westcliff Library) – Non-pecuniary interest: Ward Councillor and occasional user of the library;

(g) Councillor Wexham – Agenda Item No. 10 (Hackney Carriage Unmet Demand Survey) – Non-pecuniary interest: Son is a cabbie;

(h) Councillor Wexham – Agenda Item No. 18 (West Leigh Area – Report on Ward Councillor Consultation for Parking Controls) – Non-pecuniary interest: Acquainted with residents in the area consulted;

(i) Councillor Willis – Agenda Item No. 18 (West Leigh Area – Report on Ward Councillor Consultation for Parking Controls) – Non-pecuniary interest: Acquainted with someone who lives in one of the roads consulted.

#### **91 Questions from Members of the Public**

The Executive Councillor for Transport, Waste & Cleansing responded to two written questions from Mr David Webb.

#### **92 Minutes of the Meeting held on Monday 11th April 2016**

Resolved:-

That the Minutes of the Meeting held on Monday 11<sup>th</sup> April 2016 be received, confirmed as a correct record and signed.

#### **93 Petition - Alcohol Free Zone Westcliff Library**

The Committee considered Minute 44 of Cabinet held on 28<sup>th</sup> June 2016, which had been referred direct by Cabinet, concerning the petition comprising 775 signatures requesting the Council to introduce an Alcohol Free Zone around Westcliff Library on London Road, Westcliff on Sea.

Resolved:-

1. That the following decision of Cabinet be noted:

“That the matter be reviewed in 6 months to identify if there is sufficient evidence to prove the activities highlighted in the petition are of a persistent and continuing nature to warrant the making of a Designated Public Place Order.”

2. That in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note:- This is an Executive Function.

Executive Councillor:- Flewitt

#### **94 Petition - Playfootball Licensed Hours**

The Committee considered Minute 46 of Cabinet held on 28<sup>th</sup> June 2016, which had been referred direct by Cabinet, concerning a petition containing 33 signatures requesting the Council to reconsider the licensed hours of trade of PlayFootball in Prittlewell Chase.

Resolved:-

That the following decision of Cabinet be noted:

“1. That it be noted that the Council is unable to take any formal action in respect of the operating hours of the PlayFootball facility in Prittlewell Chase.

2. That the Council assists in facilitating mediation between PlayFootball and the local residents to improve the understanding of the concerns of each other and develop a voluntary code of conduct for use outside.”

Note:- This is an Executive Function.

Executive Councillor:- Flewitt

## **95 Corporate Plan and Annual Report - 2016**

The Committee considered Minute 49 of Cabinet held on 28th June 2016, which had been referred direct by Cabinet to all three Scrutiny Committees, together a report of the Chief Executive presenting the Council’s draft Corporate Plan and Annual Report for 2016.

Resolved:-

That the following recommendation of Cabinet be noted:

“That the draft Corporate Plan and Annual Report 2016 be approved.”

Note:- This is a Council Function

Executive Councillor:- Lamb

## **96 2015/16 Year End Performance Report**

The Committee considered Minute 50 of Cabinet held on 28<sup>th</sup> June 2016, which had been referred direct by Cabinet to all three Scrutiny Committees, together with a report of the Chief Executive detailing the end of year position of the Council’s corporate performance.

Resolved:-

That the following decision of Cabinet be noted:

“That the 2015/16 end of year position and accompanying analysis, be noted.”

Note:- This is an Executive Function

Executive Councillor:- Lamb

## **97 Information Management Strategy**

The Committee considered Minute 51 of Cabinet held on 28<sup>th</sup> June 2016, which had been referred direct by Cabinet to all three Scrutiny Committees, together with a report the Corporate Director for Corporate Services presenting the Council’s revised Information Management Strategy

Resolved:-

That the following decision of Cabinet be noted:

“That the Council’s Information Management Strategy, as set out at Appendix 1 to the submitted report, be approved.”

Note:- This is an Executive Function

Executive Councillor:- Lamb

## **98 Hackney Carriage Unmet Demand Survey**

The Committee considered Minute 58 of Cabinet held on 28<sup>th</sup> June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place presenting the conclusions of a Hackney Carriage Demand Study 2015 undertaken by CTS Traffic & Transportation on behalf of this Authority.

Resolved:

That the following decision of Cabinet be noted:

“That the authority maintains the current entry control and limit of 276 Hackney Carriages.”

Note:- This is a Council Function

Executive Councillor:- Flewitt

## **99 Preparation of New Southend Local Plan for Southend on Sea**

The Committee considered Minute 59 of Cabinet held on 28<sup>th</sup> June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place on the preparation of a new Local Plan for Southend on Sea.

Resolved:

That the following recommendations of Cabinet be noted:

“1. That the preparation of the new Southend-on-Sea Local Plan as a corporate priority, which will provide a positive planning framework to manage and guide regeneration and development in Southend on Sea over at least the next 15 year period, be approved.

2. That it be noted that preparation of a new Local Plan for Southend-on-Sea will include a financial and human resource commitment on behalf of the Council to facilitate delivery of a robust, long term strategic planning policy document, in a timely manner.

3. That it be noted that the new Southend-on-Sea Local Plan will replace, once adopted, the Core Strategy and associated local development documents, where indicated.

4. That a number of key evidence based documents be produced to support the preparation of the new Southend-on-Sea Local Plan, including an environmental constraints and green belt review at an early stage.

5. That the Corporate Director for Place, in consultation with the Executive Councillor for Housing, Planning and Public Protection, in conjunction with the LDF Working Party, be authorised to make the necessary amendments which may be required, and agree a draft Local Plan and associated documentation for all statutory public consultation under Regulation 18 of the Town and Country Planning Regulations (Local Planning) (England) 2012.”

Note:- This is a Council Function  
Executive Councillor:- Flewitt

#### **100 Feed and Food Safety Service Plan 2016/17**

The Committee considered Minute 61 of Cabinet held on 28th June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place presenting the Official Feed and Food Controls Service Plan 2016/17 required by the Food Standards Agency (FSA).

Resolved:

That the following recommendation of Cabinet be noted:

“That the Official Feed and Food Controls Service Plan 2016/17 set out in Appendix 1 to the submitted be approved.”

Note:- This is a Council Function  
Executive Councillor:- Flewitt

#### **101 Community Infrastructure Levy Financial Report 2015/16**

The Committee considered Minute 62 of Cabinet held on 28th June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place presenting the (CIL) Community Infrastructure Levy Annual Financial Report for the financial year 2015/16.

Resolved:

That the following recommendation of Cabinet be noted:

“That the content of the CIL Annual Financial Report 2015/16 be noted, and that the CIL receipts to date (except Leigh Town Council Neighbourhood Allocation and 5% administrative expenses) be carried forward to the next financial year (2017/18), when spending plans will be reviewed.”

Note:- This is a Council Function  
Executive Councillor:- Flewitt

## **102 Former Beecroft Art Gallery Building - Artist Studios Feasibility Study**

The Committee considered Minute 63 of Cabinet held on 28th June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place providing an update on the outcome of the feasibility study for using the Station Road, Westcliff building for artist studios and sought approval for further work to be undertaken.

Resolved:

That the following recommendations of Cabinet be noted:

- “1. That the potential for a viable business case to support the creation and management of artist studios within the former gallery building be acknowledged (by the Council acting as the Beecroft Art Gallery Trustees).
2. That the preparation of a formal bid to Arts Council England’s Capital Grant funds and other external funding sources to undertake the works, be approved (by the Council acting as Trustees).”

That the following decision of Cabinet be noted:

- “3. That a grant of £20k for the preparation of the bid be made to the Trust to be met from the Council’s contingency.”

Note:- The recommendations in 1 and 2 above constitute a Council Function. The decision in 3 above constitutes an Executive Function  
Executive Councillor:- Flewitt

## **103 Devolution**

The Committee considered Minute 64 of Cabinet held on 28th June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place outlining the recent activity in relation to the devolution negotiations.

Resolved:

That the following decisions of Cabinet be noted:

- “1. That the position and activity in relation to devolution negotiations, be noted.
2. That the emergence of the Thames Estuary 2050 Growth Commission, be noted.”

Note:- This is an Executive Function  
Executive Councillor:- Lamb

#### **104 Physical Activity Strategy**

The Committee considered Minute 65 of Cabinet held on 28th June 2016, which had been referred direct by Cabinet, together with a report of the Director of Public Health presenting the Southend-on-Sea Physical Activity Strategy 2016-2021.

Resolved:

That the following decision of Cabinet be noted:

“That the Southend-on-Sea Physical Activity Strategy 2016-2021 and associated action plan, be approved.”

Note:- This is an Executive Function  
Executive Councillors:-Salter/Holland

#### **105 Council Procedure Rule 46**

The Committee considered Minute 67 of Cabinet which had been referred to Scrutiny concerning actions taken under Council Procedure Rule 46.

Resolved:-

That the following decision of Cabinet be noted:-

“That the submitted report be noted.”

Note:- This is an Executive Function.  
Executive Councillor: As appropriate to the item.

#### **106 Objections to Traffic Regulation Orders – Various Locations**

The Committee considered Minute 37 of Cabinet Committee held on 16th June 2016, which had been referred direct by Cabinet Committee, together with a report of the Corporate Director for Place that appraised Members of the representations that had been received in response to the statutory consultation for proposed Traffic Regulation Orders in respect of various proposals within the Borough.

Resolved:

That the following decisions of Cabinet Committee be noted:

“1. That no further action be taken and that the Traffic Regulation Orders not be confirmed in respect of the following:

- The introduction of no waiting junction protection 11.00 a.m. to 12.00 noon Mondays to Fridays in Marcus Avenue;
- The introduction of no waiting junction protection at any time for 10m from Johnstone Road southwards; and

- The introduction of no waiting at any time in Burgess Terrace from March to October from 9.00 a.m. to 6.00 p.m. on the west side between Burgess Terrace and Thorpe Esplanade.

2. That the Corporate Director for Place be authorised to confirm the traffic regulation order as advertised for the introduction of no waiting in St James Avenue from 11.00 a.m. to 12.00 noon Monday's to Friday's and to arrange for the proposals to be implemented.”

Note:- This is an Executive Function  
Executive Councillor: Councillor Cox

**107 West Leigh Area – Report on Ward Councillor Consultation for Parking Controls**

The Committee considered Minute 38 of Cabinet Committee held on 16th June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place which appraised Members of the results of the consultation on parking controls in the West Leigh area, that had been undertaken by the Ward Councillors and, having considered the views of the Traffic & Parking Working Party, sought Members' approval on the appropriate way forward.

Resolved:

That the following decisions of Cabinet Committee be noted:

“1. That the Ward Councillors be thanked for their efforts in compiling the and distributing the questionnaires in relation to the consultation.

2. That no further action be taken in respect of this request on the basis that the outcome of the consultation does not meet minimum policy thresholds for formal public consultation.”

Note:- This is an Executive Function  
Executive Councillor: Councillor Cox

**108 Greenways - Residents' Permit Parking Scheme Update**

The Committee considered Minute 39 of Cabinet Committee held on 16th June 2016, which had been referred direct by Cabinet Committee, together with a report of the Corporate Director for Place concerning the Members' request for a resident's parking scheme in The Greenways. The report outlined the further consultation work that had been undertaken by the Ward Councillors and, having regard to the views of the Traffic & Parking Working Party, sought Members' approval to proceed with the implementation of the proposed scheme.

Resolved:

That the following decisions of Cabinet Committee be noted:



“1. That Officers comments as set out in paragraph 4.1 be noted and, recognising the safety of children and parents in the vicinity of the school, the Corporate Director for Place be authorised to advertise the necessary traffic regulation orders and notices for the introduction of a Residents’ Parking Scheme (RPS) in The Greenways, covering 8am to 5pm, Mondays to Fridays.

2. Subject to there being no objections received following statutory advertisement, the Corporate Director for Place be authorised to arrange for the orders to be sealed and the proposals implemented.

3. That all unresolved objections be referred to the Traffic & Parking Working Party and Cabinet Committee for consideration.”

Note:- This is an Executive Function  
Executive Councillor: Councillor Cox

**109 Temporary Traffic Management Measures - The Fairway, A127 and Bellhouse Lane**

The Committee considered Minute 40 of Cabinet Committee held on 16th June 2016, which had been referred direct by Cabinet Committee. This related to the traffic management measures to reduce, where possible, the impact on traffic flow as a result of the temporary closure of The Fairway to enable essential gas main replacement works due to be undertaken by National Grid commencing on 23<sup>rd</sup> July 2016 and scheduled to last for up to 18 weeks.

The Committee also received an oral report by the Head of Planning & Transport that informed Members of the procedures, constraints and safety impacts of temporary traffic control measures. He also explained that:

(i) the phasing of the traffic lights to increase the capacity of vehicle movements at the junctions affected for the duration of these works would be implemented at the commencement of these works and no traffic regulation orders were required. A separately signalled left turn from Bellhouse Lane into A127 would be incorporated subject to a “U-turn prohibition being implemented;

(ii) a temporary traffic regulation order prohibiting “U-turn” manoeuvres at the junction of the A127 with Bellhouse Lane had been advertised, following the completion of a safety audit of the proposal. This would be implemented as soon as possible, subject to there being no statutory objections; and

(iii) in terms of other measures to minimise the impact of the works, the existing variable message signage (VMS) to give advance warning. However, the situation would be kept under review.

The Executive Councillor for Transport, Waste & Cleansing undertook to hold an urgent meeting of the Traffic & Parking Working Party, to expedite matters where appropriate, should it be necessary.

Resolved:

1. That the following decision of Cabinet Committee be noted:

“That Officers be requested to investigate as a matter of extreme urgency, the phasing of the traffic control signals (traffic lights at the junctions of The Fairway and Bellhouse Lane with the A127, the possibility of introducing a traffic regulation to prohibit U turns at these junctions and any other appropriate measures to minimise the impact of the works on traffic congestion and disruption.”

2. That the update by the Council’s Head of Planning & Transport regarding the temporary traffic management measures be noted.

Note:- This is an Executive Function  
Executive Councillor: Councillor Cox

**110 Suggested in depth Scrutiny projects - 2016 / 17**

The Committee considered a report by the Corporate Director for Corporate Services concerning the possible in depth scrutiny project to be undertaken by the Scrutiny Committee in 2016/17. The report also attached some information about the work carried out by the Scrutiny Committees in the 2015/16 Municipal Year.

The Committee welcomed the Chairman’s suggestion for a joint in-depth study in conjunction with the Policy & Resources Scrutiny Committee to investigate the case for additional enforcement resources for Southend.

Resolved:

1. That the in-depth scrutiny project for 2016/17 be:

(i) To investigate the possibility of the Council increasing resources for enforcement activity including consideration of the Council employing its own PCSOs or financing the provision of additional “Specials” by the Police. In the context of “Specials” specific consideration should be given to whether financial support could be offered to such officers and how they would be dedicated to the Borough of Southend-on-Sea.

(ii) To consider how such PCSO’s or additional “Specials” could contribute to an improved level of service in connection with the enforcement of public protection, waste, graffiti, street scene etc..

2. That the in-depth study be a joint project with the Policy & Resources Scrutiny Committee (subject to that Committee is in agreement).

3. That the Council be requested to appoint a joint Working Party comprising 8 Members (proportionality to apply) which will manage the in depth project.

4. That officers proceed with background work in advance of the scope of the topic being fully developed.

5. That the information attached at Appendix 3 to the Report, the summary of work of the 3 Scrutiny Committees during 2015/2016, be noted.

Note:- This is a Scrutiny Function save for Resolution 3 above which is a Council function.

**111 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 28th June, 2016**

Resolved:

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 28th June, 2016 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

**112 Exclusion of the Public**

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**113 Waste Disposal - Contract Issues**

The Committee considered Minute 70 of Cabinet held on 28th June 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for Place on the this matter.

Resolved:

That the following decision of Cabinet be noted:

“That the submitted report be noted.”

Note:- This is an Executive Function  
Executive Councillor:- Cox

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