

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 14th December, 2017

Place: Council Chamber - Civic Suite

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

Start/End Time: 6.30 - 10.00 pm

550 Apologies for Absence

Apologies for absence were received from Councillors Aylen, Chalk, Davies, Jones, Lamb and Van Looy.

551 Declarations of Interest

• Councillor Arscott

Development Control Committee – 8th November 2017

Minute 470: 1(7/01049/FULH - 54 Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: A resident of Undercliff Gardens is a friend;

Minute 472: (17/00664/FULM - Toomey Nissan, 831-837 London Road, Westcliff-on-Sea, SS0 9TE) – Non-pecuniary interest: An objector is known to him;

Minute 473: (17/01306/FULM - St Thomas More High School, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BW) – Non-pecuniary interest: School Governor at School within proposed academy led by St Thomas More High School;

People Scrutiny Committee – 28th November 2017

Minute 517: (Schools Progress Report) – Non-pecuniary interest: Governor at Our lady of Lourdes Catholic Primary School;

• Councillor Ayling

Cabinet – 7th November 2017

Minute 438: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he would not vote

Development Control Committee – 8th November 2017

Minute 474: (17/01464/FULM – Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ) – Non-pecuniary interest: Knows the applicant;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disqualifying interest: Had applied for a dispensation (withdrew from the meeting following his representation to the Committee). Also withdrew from the meeting of the Council when this matter was discussed;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended the Committee and Council meetings pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he would not vote at Council;

Minute 528: (Capital Monitoring for 2017/18 and Revised Capital Programme for 2017/18 to 2020/21) – Non-pecuniary interest: Member of Fellowship of the Saxon King, mentioned during debate;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Borton**

People Scrutiny Committee – 28th November 2017

Minute 517: (Schools Progress Report) – Non-pecuniary interest: Governor at Milton Hall School;

Council Agenda Item 25 (Local Council Tax Support Scheme 2018/19) – Non-pecuniary interest: Employed by DWP (at the Basildon Benefits Centre), which was mentioned in the debate;

- **Councillor Boyd**

Cabinet – 7th November 2017

Minute 438: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared she would not vote;

Development Control Committee – 8th November 2017

Minute 473: (17/01306/FULM - St Thomas More High School, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BW) – Non-pecuniary interest: Lives close to the school and residents of Arundel Gardens are known to her;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disclosable pecuniary interest: Had applied for a dispensation so withdrew from the Council meeting when this matter was discussed;

People Scrutiny Committee – 28th November 2017

Minute 517: (Schools Progress Report) – Non-pecuniary interest: Governor at Westcliff High School for Girls and South East Essex Academy Trust, South East Essex Teaching School Alliance;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared she would not vote;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Burzotta**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to him as political colleagues;

Place Scrutiny Committee – 27th November 2017

Minute 500: (Minutes of the meeting of the Conservation Working Party held on Tuesday 26th September 2107) – Pecuniary interest: Family commercial interest in Hamlet Court Road (withdrew);

- **Councillor Butler**

Standards Committee – 21st November 2017

Minutes 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to her as political colleagues;

- **Councillor Cox**

Cabinet Committee (Special Meeting) – 26th October 2017

Minute 429: (Permanent Vehicular Crossings (PVX) – Exceptional Circumstance Application(s) – Non-pecuniary interest in respect of Application Ref No. 17/00013: Works for Barking & Dagenham Council, which was mentioned in respect of this application.

Place Scrutiny Committee – 27th November 2017

Minutes 497, 498, 499, 500 and 504 – Disqualifying non-pecuniary interests; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Mother is a ‘Homes for Haringey’ tenant;

- **Councillor Callaghan**

Cabinet Committee – 2nd November 2017

Minute 433: (Objections to Traffic Regulation Orders – Lucy Road) – Non-pecuniary interest: Taxi Driver;

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of GMB;

- **Councillor Courtenay**

People Scrutiny Committee – 28th November 2017

Minutes 511, 512, 513, 514, 515 & 516 – Disqualifying non-pecuniary interests; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Endersby**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to her as political colleagues;

- **Councillor Evans**

Cabinet – 7th November 2017

Minute 438: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November but declared that she would not vote;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disclosable pecuniary interest: Had applied for a dispensation so withdrew from the meeting when this matter was discussed and Councillor Jarvis took the Chair;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November but declared that she would not vote;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Flewitt**

Cabinet – 7th November 2017

Minute 442: (Alternative Delivery Models – Governance Arrangements) – Non-pecuniary interest : Friends and family are tenants of South Essex Homes Ltd;
Minute 455: (Airport Business Park) – Non-pecuniary interest: Lives in the vicinity of London Southend Airport;

Development Control Committee – 8th November 2017

Minute 474: (17/01464/FULM – Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ) – Non-pecuniary interest: Lobbied on this application took no part in the determination;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: Sat in the meeting as an observer: Portfolio subject: Housing;

Place Scrutiny Committee – 27th November 2017

Minutes 497, 498, 499, 500 and 504 – Disqualifying non-pecuniary interests; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Policy & Resources Scrutiny Committee – 30th November 2017

Minutes 524, 525, 526, 527, 528, 529, 530, 531, 532, 533 and 538 – Disqualifying non-pecuniary interests; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Council Agenda Item No.20 (Notion of Motion – Caged Peafowl) – Non-pecuniary interest: Lobbied by a resident;

Council Agenda Item No.21 (Notion of Motion – UBER Licensing) – Non-pecuniary interest: Have a ward case, long term;

Council Agenda Item No.22 (Notion of Motion – Traveller Community) – Non-pecuniary interest: Have commented in media on various occasions;

Council Agenda Item No.23 (Notion of Motion – The Effects of Development in Leigh on Sea) – Non-pecuniary interest: Executive responsibility with current Portfolio;

- **Councillor Folkard**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: Council appointed rep on the SEAL organisation and the applicants are known to him as political colleagues;

- **Councillor D Garston**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disqualifying non-pecuniary interest: Son is one of the named Councillors (withdrew);

Development Control Committee – 8th November 2017

Minute 472: (17/00664/FULM - Toomey Nissan, 831-837 London Road, Westcliff-on-Sea, SS0 9TE) – Non-pecuniary interest: An objector is known to him;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Non-pecuniary interest: Trustee of Trust which owns a rented property in town but has no beneficial interest;

- **Councillor J Garston**

Cabinet – 7th November 2017

Minute 438: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he would not vote;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disclosable pecuniary interest: Had applied for a dispensation (withdrew);

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he would not vote;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Gilbert**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to him as political colleagues;

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of GMB;

- **Councillor Habermel**

Cabinet – 7th November 2017

Minute 438: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he would not vote;

Appeals Committee A – 14th November 2017

Minute 483: (Post 16 Education Transport Appeal – Pupil AI) – Disqualifying non-pecuniary interest: Knows the applicant (withdrew);

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disclosable pecuniary interest: Had applied for a dispensation (withdrew);

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November but declared he would not vote;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Hadley**

Cabinet – 7th November 2017

Minute 438: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November but declared he would not vote and would limit his contribution to speaking only;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disclosable pecuniary interest: Had applied for a dispensation (withdrew);

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he would not vote and would limit his contribution to speaking only;

Council Agenda No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Holland**

Cabinet – 7th November 2017

Minute 447: (Transport Review – Policy) – Non-pecuniary interest: President of Southend Stroke Club which uses the Council's passenger transport services;
Minute 448: (Transport Review – Delivery Models) – Non-pecuniary interest: President of Southend Stroke Club which uses the Council's passenger transport services;

Place Scrutiny Committee – 27th November 2017

Minutes 497, 498, 499, 500 and 504 – Disqualifying non-pecuniary interests; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Jarvis**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to him as political colleagues;

- **Councillor Lamb**

Policy & Resources Scrutiny Committee – 30th November 2017

Minutes 524, 525, 526, 527, 528, 529, 530, 531, 532, 533 and 538

– Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor McGlone**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to him as political colleagues;

- **Councillor McDonald**

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of Unison;

- **Councillor McMahon**

People Scrutiny Committee – 28th November 2017

Minute 512: (Comments, Compliments and Complaints) – Non-pecuniary interest: Professional advocate for vulnerable individuals who require social care;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Non-pecuniary interest: Co-founder HARP, mentioned in debate; mental health advocate – professional role
Minute 528: (Capital Monitoring for 2017/18 and Revised Capital Programme for 2017/18 to 2020/21) – Non-pecuniary interest: Founder member of the Saxon King Fellowship, mentioned during debate;

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of Unison;

- **Councillor Moring**

Policy & Resources Scrutiny Committee – 30th November 2017

Minutes 524, 525, 526, 527, 528, 529, 530, 531, 532, 533 and 538 – Disqualifying non-pecuniary interests; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Moyies**

Health & Wellbeing Board – 6th December 2017

Minute 543: (Sustainability and Transformation Partnership (STP) current position) – Non-pecuniary interest: Council appointed Governor at Essex Partnership University Trust (EPUT);

- **Councillor Mulroney**

Cabinet – 7th November 2017

Minute 438: (Compulsory Licensing Scheme & Rent Control) – Non-pecuniary interest: Relative lives in rented accommodation within the SEAL regime;

Minute 458: (Minutes of meeting of the Conservation Working Party held on 26th September 2017) – Non-pecuniary interest: Member of Leigh and Southend Societies;

Development Control Committee – 8th November 2017

Minute 469: (17/01379/FULH - 68 Pall Mall, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

Minute 470: 1(7/01049/FULH - 54 Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

Minute 474: (17/01464/FULM - Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

Minute 476: (17/00912/FUL - 109 - 111 Broadway, Leigh-on-Sea, Essex, SS9 1PE) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

Minute 477: (17/01460/FULH - 29 Hadleigh Road, Leigh-on-Sea, Essex, SS9 2DY) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

Place Scrutiny Committee – 27th November 2017

Minute 500: (Minutes of the meeting of the Conservation Working Party held on Tuesday 26th September 2107) – Non-pecuniary interest: Member of Leigh and Southend Societies;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Compulsory Licensing Scheme & Rent Control) – Non-pecuniary interest: Relative lives in rented accommodation within the SEAL regime;

Minute 528: (Capital Monitoring for 2017/18 and Revised Capital Programme for 2017/18 to 2020/21) – Non-pecuniary interest: Member of Fellowship of the Saxon King, mentioned during debate;

• Councillor Nevin

People Scrutiny Committee – 28th November 2017

Minute 518: (Scrutiny Committee – Updates) – Non-pecuniary interest: 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

Health & Wellbeing Board – 6th December 2017

Minute 543: (Sustainability and Transformation Partnership (STP) current position) – Non-pecuniary interest: 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of Unison;

- **Councillor Norman MBE**

Development Control Committee – 8th November 2017

Minute 473: (17/01306/FULM - St Thomas More High School, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BW) – Non-pecuniary interest: Governor at Westcliff High School for Boys.

- **Councillor Phillips**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non pecuniary interest: Lives within the West Leigh catchment area which was mentioned in the debate;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 533: (Council Procedure Rule 46 – Item 2.1) – Non-pecuniary interest: Son is an assistant leader at 3rd Chalkwell Bay Clubs (sailing etc);

- **Councillor Salter**

Cabinet – 7th November 2017

Minute 438: (Reference from Council – Compulsory Licensing Scheme and Rent Controls) – Disclosable Pecuniary Interest – private landlord in the borough (withdrew). However, following the dispensation agreed by the Standards Committee on 21st November 2017, remained in the room during the debate of this item at the Council meeting, but declared that she would not speak or vote;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disclosable pecuniary interest: Had applied for a dispensation (withdrew);

People Scrutiny Committee – 28th November 2017

Minutes 511, 512, 513, 514, 515, 516 and 518 - Disqualifying non-pecuniary interest: attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 518: (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;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared she would not speak or vote;

Health & Wellbeing Board – 6th December 2017

Minute 542: (Health and Wellbeing Strategy Refresh 2017-2021) – Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital and holds senior posts at the hospital; son-in-law is a GP; daughter is a doctor at Broomfield Hospital;

Minute 543: (Sustainability and Transformation Partnership (STP) current position) – Non-pecuniary interest: Husband is consultant surgeon at Southend

Hospital and holds senior posts at the hospital; son-in-law is a GP; daughter is a doctor at Broomfield Hospital;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Attended to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Terry**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to him as political colleagues;

People Scrutiny Committee – 28th November 2017

Minute 517: (Schools Progress Report) – Non-pecuniary interest: Partner is a teacher at a school locally;

- **Councillor Walker**

People Scrutiny Committee – 28th November 2017

Minute 517: (Schools Progress Report) – Non-pecuniary interest: Wife teaches part time at West Leigh Schools;

Health & Wellbeing Board – 6th December 2017

Minute 543: (Sustainability and Transformation Partnership (STP) current position) – Non-pecuniary interest: Daughter – nursing practice, Southend University Hospital;

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of Unite;

- **Councillor Ward**

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: withdrew from Council when this Minute was debated;

Agenda Item No. 5 (Question 9 from Councillor Callaghan to the Executive Councillor for Housing, Planning & Sustainability) – Non-pecuniary interest: A member of his family works for Randall Watts;

- **Councillor Ware-Lane**

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Non-pecuniary interest: The applicants are known to him as political colleagues;

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of GMB;

- **Councillor Waterworth**

Cabinet – 7th November 2017

Minute 438: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he did not intend to speak;

Standards Committee – 21st November 2017

Minute 492: (Requests for Dispensations) – Disclosable pecuniary interest: Had applied for a dispensation so withdrew from the meeting when this item was discussed;

Policy & Resources Scrutiny Committee – 30th November 2017

Minute 524: (Reference from Council, Thursday 19th October 2017 – Compulsory Licensing Scheme and Rent Control) – Disclosable pecuniary interest: attended Council pursuant to the dispensation agreed by the Standards Committee on 21st November 2017 but declared he did not intend to speak;

Council Agenda Item No. 5 (Question from Councillor Terry to the Leader of the Council) – Non-pecuniary interest: Attended pursuant to the dispensation agreed by the Standards Committee on 21st November 2017;

- **Councillor Willis**

Council Agenda Item No. 24 (Notice of Motion – Scrap the Cap) – Non-pecuniary interest: Member of Unite.

552 Communications

Presentation Ceramic Poppy

Councillor Holland presented to the Council a handmade ceramic poppy from the Poppy: Wave display.

Presentation of Gift from Representatives of Wenling City, China

Councillor Holland presented to the Council a gift from representatives of Wenling City, China.

Presentation of the Yule Log

Councillor Walker presented to the Council a Yule Log.

553 Questions from Members of the Public

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

554 Questions from Members of the Council

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

555 Minutes of the Meeting of Council held on Thursday 19th October 2017

Resolved:-

That the Minutes of the meeting held on Thursday 19th October 2017 be confirmed as a correct record and signed.

556 Minutes of the meeting of Licensing Sub-Committee A held on Monday, 16 October 2017

Resolved:

That the Minutes of this meeting be noted.

557 Minutes of the special meeting of Cabinet Committee held on Thursday, 26 October 2017

Resolved:

That the Minutes of this meeting be noted.

558 Minutes of the meeting of Cabinet Committee held on Thursday 2nd November 2017

Resolved:

That the Minutes of this meeting be noted.

559 Minutes of the meeting of Cabinet held on Tuesday, 7th November 2017

Resolved:

That the Minutes of this meeting be noted and the recommendations contained in Minutes 442, 443 and 444 be approved.

560 Minutes of the meeting of the Development Control Committee held on Wednesday, 8th November 2017

Resolved:

That the Minutes of this meeting be noted.

561 Minutes of the meeting of Appeals Committee A held on Tuesday, 14th November 2017

Resolved:

That the Minutes of this meeting be noted.

562 Minutes of the meeting of Licensing Sub Committee B held on Monday, 20th November 2017

Resolved:

That the Minutes of this meeting be noted.

563 Minutes of the meeting of the Standards Committee held on Tuesday, 21st November 2017

Resolved:

That the Minutes of this meeting be noted.

564 Minutes of the meeting of the Place Scrutiny Committee held on Monday, 27th November 2017

Resolved:

That the Minutes of this meeting be noted.

565 Minutes of the meeting of the People Scrutiny Committee held on Tuesday, 28th November 2017

Resolved:

That the Minutes of this meeting be noted.

566 Minutes of the meeting of the Policy & Resources Scrutiny Committee held on Thursday, 30th November 2017

Resolved:

That the Minutes of this meeting be noted and the recommendations contained in Minutes 527 and 528 be approved.

567 Minutes of the meeting of the Health & Wellbeing Board held on Wednesday, 6th December 2017

Resolved:

That the Minutes of this meeting be noted.

568 Minutes of the meeting of Licensing Sub Committee A held on Friday, 8th December 2017

Resolved:

That the Minutes of this meeting be noted.

569 Notice of Motion - Caged Peafowl

Resolved:

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

Caged Peafowl Birds

There are a number of peafowl caged at Chalkwell Park. These large birds are usually seen roaming free on large estates and zoological gardens, and I cannot recall another example where these birds are caged. The cage at Chalkwell Park is not nearly large enough, and as the photo shows, when the peacock displays his magnificent plumage there really is barely enough room for him to do so. These birds roam large estates and parks normally; there is no room for flight at all, and these birds can fly.

Aside from the smallness of their present enclosure, this is a sparsely decorated cage that is often dirty, and certainly gives every impression of neglect. These birds are often tormented by visitors and their pets, as if them being caged gives permission to this poor behaviour.

Earlier this summer two chicks were hatched. The peahen was trying to protect them, a difficult job in a small enclosure. One was killed by its sibling. The bowls for feeding and drinking are designed for adult birds, and are too high for chicks; how were the chicks meant to feed and drink?

A resident informed the Council about the chicks, and the dead one was removed. However, since the Council were unaware up to that point that there were chicks then clearly accusations of neglect are appropriate.

This cage is the last vestige of the menagerie that once housed many animals such as bears and chimpanzees. Nowadays this would not be allowed. This is a throwback to an era when animals were not treated with respect. That peafowl are still caged is a disgrace to the town, a town that prides itself as being cultured.

Motion to Council:

We call upon the Council to uphold the highest standards with regards to animal rights.

To this end we want the four peafowl housed in the Chalkwell Park menagerie to be moved to somewhere more suitable.

There have been offers of new homes, and we call upon the Council to fully investigate these. We urge the Council to expedite a move to a more humane home for the peafowl with utmost speed to end this example of animal cruelty.

Proposed by: Cllr Julian Ware-Lane

Seconded by: Cllr Charles Willis

570 Notice of Motion - UBER Licensing

Resolved:

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

UBER Licensing

Whilst this Council recognises the innovation of companies in the gig-economy like UBER, this Council, supports TFL in not re-licensing UBER's private hire license on public safety grounds. Uber have been found to have a number regulatory challenges in the administration of its business model, inadequate DBS checks, the non-reporting of a number of alleged sexual assaults and other offences committed by its drivers. It is known that drivers, who have previously had their licenses revoked by this Council, have subsequently be issued licenses by TfL to work for UBER in this town even though UBER do not have an operator's license to operate in Southend.

Even though it is a legal requirement for TFL and other regulators to be able to examine records and information held by UBER, the current 'greyball' technology used by UBER, prevents regulators from carrying out their duties.

This Council is also very concerned that a number of TFL licensed UBER drivers are currently operating around the Borough of Southend on Sea without having an operator's license. When UBER drivers, licenced by TFL, are working in Southend, they do not fall under the control of Southend Enforcement Officers and are unable to look into customer complaints and are unable to monitor vehicle or driving standards. We also acknowledge that local private hire driver standards are at a higher standard than those of TfL.

This Council also calls on the Government to update Taxi and Private Hire legislation so driver standards are uniformed across the country and Enforcement Officers are able to inspect all vehicles irrespective of what borough they have been licensed in. This Council also supports the introduction of national databases so authorities can check if a driver or operator has ever been refused or had a license revoked in another borough for failing the 'fit and proper' test.

Proposed: Cllr Terry

Seconded: Cllr Cox

571 Notice of Motion - Traveller Community

Resolved:

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

Traveller Community

The traveller community often visits the borough, and the local authority's immediate reaction is to seek police assistance to have them moved on.

Little attempt has been made to find somewhere where the travellers can stay within the borough.

Finding travellers a place to temporarily stay would stop the problem of them pitching up in public parks and other unsuitable open spaces. This may entail, of course, dialogue with our neighbouring local authorities and residents.

We condemn all bad behaviour and law-breaking and this should be punished as appropriate. However, we should not pre-judge.

The traveller community has also been the subject of some very unsavoury comments by some councillors.

This Council therefore:

1. Condemns any language that stigmatises or labels the traveller community.
2. Condemns every instance of race hate language, or support for race hate language.
3. Should encourage greater understanding and tolerance of all minority groups.
4. Welcomes all visitors to the Borough. This Borough aim is increase visitor numbers, to be a bigger tourist magnet. This local authority should not discriminate at all, nor should it pre-judge the motives of any visitor.
- 5, Should attempt to find somewhere for travellers to temporarily de-camp when they visit, thus ending the sight of caravans in our parks and open spaces.

(The traveller community includes a variety of peoples who prefer a nomadic lifestyle.)

Proposed by: Councillor Ware-Lane

Seconded by: Councillor Borton

572 Notice of Motion - The Effects of Development in Leigh-on-Sea

Resolved:

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

The effect of development on services in Leigh

All members are aware of the rapid growth in development in Leigh, especially in flatted development. These problems are spreading in the Borough, particularly to areas close to the C2C railway stations.

Members will also be aware of the current serious issues in Leigh relating to the school catchment areas, serious parking issues and strain on other services which spreads to other areas as well.

With this Government's push for housing this is set to continue. It is accepted that more housing is needed and more affordable housing but there comes a time when we have to think whether we can cope with any more.

In particular in Leigh:-

- Parking resulting from more development and the popularity as a shopping destination.
- The growing popularity of Leigh south of London Road (i.e. including parts of West Leigh and Chalkwell) for families with children. This reflects not only the popularity of the three primary schools, but also the ease of commuting to Docklands and the City.
- Doctors' surgeries. Waiting time for GP appointments is a national problem but it is particularly acute around Leigh because of the inward population drift associated with new flat developments.
- Bus services
- Pressure on utilities

Many of these will be familiar to other wards. This is not an anti-planning motion but a proper planning one, but we accept that each planning application must be treated on its merits in accordance with the rules and policy. But that does not mean that as a Council we cannot express our concern and seek help from Government to overcome this situation.

We believe Government should urgently consider ways of ensuring that communities are not lost or their cohesiveness impaired through overdevelopment and stress on services.

MOTION:

That this Council seeks advice from the Local Government Association and information from other Councils who may be suffering similar stresses, with a view to influencing Government to take a more pragmatic approach to development which directs housing development to where it can be assimilated and serviced properly without placing undue stress on local services and thereby inherently protecting areas which are becoming overdeveloped and over stressed.

Proposed by: Councillor Mulroney

Seconded by: Councillor Wexham

573 Notice of Motion - Scrap the Pay Cap

Resolved:

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

Scrap the Cap

Southend Borough Council notes that:

- For most workers in local government and schools, pay and other terms and conditions are determined by the National Joint Council (NJC) for local government services
- On average, across the country, NJC basic pay has fallen by 21% in real terms since 2010
- NJC workers had a three-year pay freeze from 2010-2012 and have received only 1% pay increase annually since then
- NJC pay is the lowest in the public sector
- Differentials in pay grades are being squeezed and distorted by bottom loaded NJC pay settlements needed to reflect the increased Statutory National Living Wage
- The likelihood of rising inflation following the vote to leave the European Union will worsen the current public sector pay inequality.

This Council therefore supports the NJC pay claim for 2018, submitted by Unite, UNISON and the GMB on behalf of council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector.

This Council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements. Council further notes the drastic ongoing cuts to local government funding and calls on the Government to provide all additional resources to ensure local authorities can fund a decent pay rise for NJC employees and the pay spine review.

This Council resolves to:

- Write to the LGA asking it to make urgent representations to Government to fund the NJC claim and the pay spine review;
- Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking the additional resources needed to fund a decent pay rise and the pay spine review;
- Write to local NJC union representatives to convey support for the pay claim
- and the pay spine review.

Proposed Cllr Cheryl Nevin
 Seconded Cllr Margaret Borton

574 Local Council Tax Support Scheme 2018/19

The Council considered a report of the Chief Executive on the above.

Resolved:

1. That the proposed changes to the current Local Council Tax Support Scheme be adopted for 2018/19.
2. That the administration changes be adopted for 2018/19.

575 Appointments to The Shareholder Board

Resolved:

That, subject to the inclusion of Councillors Gilbert and Willis as the Labour Group representatives, the appointments to The Shareholder Board be approved.

Chairman: _____