

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

## **Meeting of Place Scrutiny Committee**

**Date: Monday, 29th January, 2018**

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

**Present:** Councillor K Robinson (Chair)  
Councillors P Wexham (Vice-Chair), H Boyd, A Bright, D Burzotta,  
T Callaghan, N Folkard, J Garston, R Hadley\*, D Jarvis, H McDonald,  
D McGlone, J Moyies, M Terry, J Ware-Lane and R Woodley\*  
\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillors J Lamb, A Holland, T Cox and M Flewitt (Executive  
Councillors)  
Councillor B Ayling, L Davies and I Gilbert  
A Lewis, J K Williams, C Robinson, E Cooney, S Dolling, P Geraghty,  
N Corrigan, I Ambrose, A Keating and T Row

**Start/End Time:** 6.30 p.m. - 9.50 p.m.

COUNCILLOR WEXHAM IN THE CHAIR

### **668 Apologies for Absence**

Apologies for absence were received from Councillors Habermel (Substitute: Councillor Hadley), Kenyon (no substitute) and Ward (Substitute: Councillor Woodley).

### **669 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillors Cox, Flewitt, Holland and Lamb (Executive Councillors) – Disqualifying non-pecuniary interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

(b) Councillor Bright – Agenda Item No. 8 (Adoption of SCAAP) – Non-pecuniary interest: Lives in the area affected by the SCAAP;

(c) Councillor Callaghan – Agenda Item No. 11 (Notice of Motion – UBER Licensing) – Non-pecuniary interest: Has been a Hackney Carriage driver;

(d) Councillor Flewitt – Agenda Item No. 11 (Notice of Motion – UBER Licensing) – 11 (Notice of Motion – UBER Licensing) – Non-pecuniary interest: Ward resident case (withdrew);

(e) Councillor J Garston – Agenda Item No. 8 (Adoption of SCAAP) – Non-pecuniary interest: Lives in the area affected by the SCAAP;

(f) Councillor Ware-Lane – Agenda Item No. 6 (Draft Fees & Charges 2018/19) – Non-pecuniary interest: Daughter is a Social Worker at Southend Borough Council;

(g) Councillor Woodley – Agenda Item No. 5 (Draft Capital Programme 2018/19 to 2021/22) – Non-pecuniary interest: Daughter is a pilot at Southend Airport which was mentioned in the debate in relation to the Parking Strategy.

**670 Questions from Members of the Public**

The Executive Councillor for Transport, Waste and Regulatory Services and the Executive Councillor for Culture, Tourism and the Economy responded to written questions from Mr David Webb.

Written responses to questions from Mr Phillip Miller, Mr Marc Miller, Mr Paul Thompson, Mr Steve Kearney, Mr Nayan Gandhi and Mr Alan Grubb were noted and will be sent to them as they were not present at the meeting.

**671 Minutes of the Meeting held on Monday, 27th November, 2017**

Resolved:-

That the Minutes of the Meeting held on Monday 27<sup>th</sup> November 2017 be received, confirmed as a correct record and signed.

**672 Draft Capital Programme 2018/19 to 2021/22**

The Committee considered Minute 647 of Cabinet held on 18th January 2018, which had been referred direct by Cabinet to all three Scrutiny Committees together with a report of the Corporate Management Team setting out the draft programme of capital projects for the period 2018/19 to 2021/22.

In response to a question regarding scheme C19 – New Artist Studios, the Executive Councillor for Culture Tourism and the Economy undertook to circulate a full breakdown of the costs of the works.

In response to a question regarding scheme C22 - Improve Footway Condition around Highway Trees, the Executive Councillor for Transport, Waste and Regulatory Services undertook to investigate arrangements to deal with fruit drop from highway trees. The Executive Councillor also gave his assurance that any trees that required removal would be subject to the Council's policy regarding replacement trees. Additionally, any fruiting trees that required removal would be replaced by trees that were beneficial to the natural environment.

In response to a question regarding scheme C23 - Manor Road Cliff Stabilisation, the Executive Councillor for Transport, Waste and Regulatory Services undertook to provide the precise (GPS) location of the area to be stabilised.

Resolved:-

That the following decisions of Cabinet be noted:-

- “1. That the current approved Programme for 2018/19 to 2020/21 of £166.5m, as set out in Appendix 1 to the submitted report, be noted.
2. That the changes to the approved Programme, as set out in Appendix 2 to the submitted report, be noted.
3. That the proposed new schemes and additions to the Capital Programme for the period 2018/19 to 2021/22 totalling £20.1m for the General Fund as set out in Appendices 6 and 7 to the submitted report, be endorsed.
4. That the proposed scheme subject to external funding approval for the period 2018/19 to 2021/22 totalling £19m as set out in Appendices 2 and 7 to the submitted report, be endorsed.
5. That it be noted that the proposed new schemes and additions, as set out in Appendices 6 and 7 to the submitted report, and other adjustments as set out in Appendix 2 to the report, will result in a proposed capital programme (excluding schemes subject to external funding approval) of £184.9m for 2018/19 to 2021/22.
6. That it be noted that of the total programme of £184.9m for the period 2018/19 to 2021/22, the level of external funding supporting this programme is £71.7.2m as set out in paragraph 7.1 of the submitted report.
7. That it be noted that a final review is being undertaken on the 2017/18 projected outturn and that the results will be included in the report to Cabinet on 13th February 2018.”

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.  
Executive Councillor:- Lamb

COUNCILLOR ROBINSON IN THE CHAIR

## **673 Fees & Charges 2018/19**

The Committee considered Minute 648 of Cabinet held on 18th January 2018, which had been referred direct by Cabinet to all three Scrutiny Committees together with a report of the Corporate Management Team detailing the fees and charges for services in 2018/19 included in the budget proposals for 2018/19.

In response to a question regarding the proposal to introduce pay and display parking charges in the section of Eastern Esplanade from number 65 Eastern Esplanade to Warwick Road, Southend, the Executive Councillor for Transport, Waste and Regulatory Services agreed to remove this proposal from the final budget proposals.

In response to questions regarding the proposed removal of the one hour tariff in some car parks, the Executive Councillor for Transport, Waste and Regulatory Services agreed to retain this tariff in the York Road, Tylers Avenue and Seaway Car Parks only.

In response to a question regarding the potential use of parking permits by the Samaritans in addition to the current use by registered carers, the Executive Councillor for Transport, Waste and Regulatory Services agreed to investigate the matter and provide a written response.

Resolved:-

That the following decisions of Cabinet be noted:-

“That, subject to the annual commuters car park charge (East Beach) being amended to £100, the proposed fees and charges for each Department as set out in the submitted report and appendices, be endorsed.”

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Executive Councillor:- Lamb

#### **674 Draft General Fund Revenue Budget 2018/19**

The Committee considered Minute 649 of Cabinet held on 18th January 2018, which had been referred direct by Cabinet to all three Scrutiny Committees, together with a report of the Corporate Management Team presenting the draft revenue budget for 2018/19.

In response to questions regarding the apparent increase in the 2017/18 Probable Outturn to 2018/19 Budget Income, as shown under “Other grants and reimbursements” and “Fees & Charges”, the Executive Councillor for Culture, Tourism and the Economy undertook to provide a written response which would be circulated to all Members of the Scrutiny Committee.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the 2018/19 draft revenue budget and any required commencement of consultation, statutory or otherwise, be approved.

2. That it be noted that the 2018/19 draft revenue budget has been prepared on the basis of a Council Tax increase of 4.49%, being 2.99% for general use and 1.5% for Adult Social Care.

3. That it be noted that the 2018/19 draft revenue budget has been prepared using the provisional local government finance settlement and that the outcome from the final settlement will need to be factored into the final budget proposals for Budget Cabinet and Budget Council.

4. That the 2018/19 draft revenue budget, as endorsed, be referred to all three Scrutiny Committees, Business sector and Voluntary sector to inform Cabinet, which will then recommend the Budget and Council Tax to Council.

5. That the schools budget position and the recommendations to the Education Board on 16th January 2018, as set out in Appendix 14 and 14(i) to the submitted

report, be noted and referred to People Scrutiny Committee and then to Cabinet and Council.

6. That the direction of travel for 2019/20 and beyond, as set out in section 15 of the submitted report, be endorsed.”

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Executive Councillor:- Lamb

## **675 Adoption of SCAAP**

The Committee considered Minute 650 of Cabinet held on 18th January 2018, which had been referred direct by Cabinet to the Scrutiny Committee, together with the report of the Deputy Chief Executive (Place) which recommended that the Council adopts the Southend Central Area Action Plan (SCAAP). If adopted the SCAAP would form part of the Southend Development Plan, providing a set of up-to-date local planning policies for positively managing development and would be used to assess development proposals within the Southend Central Area, including the Town Centre and Central Seafront.

Resolved:-

That the following recommendations of Cabinet be noted:

“1. That all the recommendations within the Inspector’s Report, as set out in Appendix 1 to the submitted report, and the revised version of the SCCAP, as set out in Appendix 2 to the report be approved.

2. That Council adopts the SCAAP as set out in Appendix 2 to the submitted report, in accordance with Planning Regulations.

3. That it be noted that the SCAAP Proposed Submission version, approved by Council for publication and submission in September 2016, has been amended as per:

(a) the main modifications recommended by the Inspector in his report and agreed for consultation under delegated authority in July 2017 (attached at Appendix 1 to the submitted report);

(b) the minor modifications agreed for consultation under delegated authority in July 2017 (attached at Appendix 3 to the submitted report); and

(c) the further minor modifications as set out in Appendix 4 of the submitted report.”

Note: This is a Council function

Executive Councillor: Councillor Flewitt

**676 Monthly Performance Report**

The Committee considered Minute 615 of Cabinet held on 9th January 2018 together with the Monthly Performance Report (MPR) covering the period to end November 2017, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

**677 Notice of Motion - Caged Peafowl**

The Committee considered Minute 610 of Cabinet held on 9th January 2018, which had been called in to Scrutiny. This concerned the Notice of Motion calling on the Council to move the caged peafowl in the Chalkwell menagerie to a more humane home. This had been proposed by Councillor Ware-Lane and seconded by Councillor Willis.

In response to a question about when an independent animal welfare charity would carry out an inspection, the Executive Councillor for Tourism, Culture and the Economy undertook to inform the Members of the Scrutiny Committee of the date(s) of the visit(s) from representatives as soon as it had been received.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That it be noted that the peafowl have been bred in captivity and are in space sufficient for them and are being cared for. They are regularly fed and watered, breeding and show no signs of distress and are in good health. The space that they occupy has been recently improved and the Council is considering further improvements to their surroundings.

2. That the Council continue to review the situation before coming to a decision about the future of the Peafowl and will take advice from independent animal welfare charities, i.e. RSPCA and RSPB.”

Note:- This is an Executive Function

Executive Councillor:- Holland.

**678 Notice of Motion - UBER Licensing**

The Committee considered Minute 611 of Cabinet held on 9th January 2018, which had been called in to Scrutiny. This concerned the Notice of Motion calling on the Council to support the Transport for London in not re-licensing UBER's private hire licence on public safety grounds and to urge Government to update legislation so driver standards are uniformed across the country. This had been proposed by Councillor Terry and seconded by Councillor Cox.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the Council supports Transport for London in not re-licensing UBER’s private hire licence on public safety grounds.

2. That the Council 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.

3. That the Council calls on the Government to introduce national databases so that Licensing Authorities can check if a driver or operator has ever been refused or had a licence revoked in another Borough for failing the ‘fit and proper’ test.

4. That it be noted that the Executive Member for Transport, Waste and Regulatory Services had recently met with the All Party Parliamentary Group to discuss the issues in relation to Taxi and Private Hire legislation.”

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

**679 Notice of Motion - Traveller Community**

The Committee considered Minute 612 of Cabinet held on 9th January 2018, which had been called in to Scrutiny. This concerned the Notice of Motion calling on the Council to support a number of courses of action in relation to the traveller community. This had been proposed by Councillor Ware-Lane and seconded by Councillor Borton.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That parts 1-4 of the motion be supported.

2. That in respect of part 5 of the motion it be noted that the most recent “Gypsy, Traveller and Travelling Showpeople Accommodation Assessment” found that there is no current or future need and therefore no action is required.”

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

**680 In-depth Scrutiny Project - Maximising the Use of Technology**

The Committee received an oral update on the progress that had been made in respect of the agreed in-depth Scrutiny study: Maximising the use of technology through the Smart Cities and Digital Futures agendas.

Resolved:-

That the update be noted.

Note:- This is a Scrutiny Function.

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