SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 27th February, 2020 Place: Council Chamber - Civic Suite

Present: Councillor J Lamb (Chair)

Councillors M Flewitt (Deputy Chair), S Aylen, B Ayling, J Beck, M Borton, H Boyd, A Bright, K Buck, L Burton, D Burzotta, A Chalk, P Collins, D Cowan, T Cox, M Davidson, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, S Habermel,

T Harp, B Hooper, D Jarvis, A Jones, M Kelly, H McDonald,

D McGlone, K Mitchell, A Moring, C Mulroney, D Nelson, C Nevin, K Robinson, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, N Ward, C Walker, P Wexham, C Willis and R Woodley

Start/End Time: 6.30 - 11.00 pm

815 Apologies for Absence

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

816 Declarations of Interest

• Councillor Aylen

Development Control Committee – 11th December 2019

Minute 627 (19/01851/BC3 – Park Café, Belfairs Park, Eastwood Road North, Leigh-on-Sea) – non-pecuniary interest: lives in the vicinity;

Place Scrutiny Committee - 28th January 2020

Minute 744 (Update on Town Centre Strategy) – non-pecuniary interest: works in the area;

Councillor Ayling

Development Control Committee – 15th January 2020

Minute 673 – 18/02302/BC4M – Seaway Car Park – non-pecuniary interest: Had communication with the lease holder of 1-3 Herbert Grove and was an ex-employee on Seaway in 1962/63

Place Scrutiny Committee - 28th January 2020

Minute 745 (Unmet Demand Survey for Hackney Carriage & Private Hire) – Non-pecuniary interest: Previously worked as a cab driver;

Development Control Committee – 5th February 2020

Minute 795 (19/02134/FUL - Rear Of 1 Shoebury Avenue, Shoeburyness) – Non-Pecuniary Interest: The applicant is known to him – supplies his coal order;

Councillor Borton

Audit Committee – 15th January 2020

Minute 681 – Treasury Management Policy for 202021 – non-pecuniary interest: Non-executive Director of South Essex Homes;

Place Scrutiny Committee - 28th January 2020

Minute 747 (Southend Local Plan Update) – non-pecuniary interest: niece works at London Southend Airport;

People Scrutiny Committee – 29th January 2020

Minute 761 (Admission Arrangements) and Minute 762 (School Term Dates 2021/22) – Non-pecuniary interest: Governor at Milton Hall School;

Minute 763 (Additional Outcome Success Measures) – Non-pecuniary interest: EPUT mentioned under 'safe and well' – daughter is a ward manager at Basildon MHU;

Licensing Sub Committee C – 13th February 2020

Minute 804 (Revocation and Installation of Taxi Stand outside Southend Hospital) – Non-pecuniary interest: Uses bus stop at the hospital;

Councillor Buck

<u>Development Control Committee – 11th December 2019</u>

Minute 627 (19/01851/BC3 – Park Café, Belfairs Park, Eastwood Road North, Leigh-on-Sea: non-pecuniary interest: member of Belfairs Golf Club;

Cabinet Committee – 6th January 2020

Minute 637 (Requests for Traffic & Parking Items – Mountdale Gardens) – Non-pecuniary interest: Lives off Mountdale Gardens;

Minute 639 (Update of Traffic Flows, Oakwood Avenue) – Non-pecuniary interest: Lives nearby and regular user of the road;

Councillor Bright

Place Scrutiny Committee – 28th January 2020

Minute 744 (Update on Town Centre Strategy) - Non-pecuniary interest: Lives in the town centre;

Councillor Chalk

Development Control Committee – 5th February 2020

Minute 792 (19/02178/FULH - 112 Undercliff Gardens, Leigh-on-Sea) – Non-Pecuniary Interest: Lives close by to the development and knows the residents.

Councillor Collins

Cabinet Committee - 6th January 2020

Minute 639 (Update of Traffic Flows, Oakwood Avenue) – Non-pecuniary interest: Lives in Green Lane, which is mentioned in the report;

Councillor Cowan

Development Control Committee – 8th January 2020

Minute 651 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) Non-Pecuniary Interest: Has connections to the school adjacent to site.

Councillor Cox

Audit Committee - 15th January 2020

Minutes 681 (Treasury Management Policy), Minute 682 (Risk Management Update), Minute 683 (Counter-fraud and Investigation Directorate Quarterly Performance Report), Minute 684 (Internal Audit Service Quarterly Performance Report), Minute 685 (Audit Committee Assessment and Development Update) and Minute 686 (CIPFA Fraud and Corruption Tracker Summary Report) – non-pecuniary interests: Member of the Shareholder Board;

Place Scrutiny Committee – 28th January 2020

Minute 745 (Unmet Demand Survey for Hackney Carriage & Private Hire) – Non-pecuniary interest: Friends are taxi drivers;

• Councillor Davidson

Audit Committee – 15th January 2020

Minutes 681 (Treasury Management Policy), Minute 682 (Risk Management Update), Minute 683 (Counter-fraud and Investigation Directorate Quarterly Performance Report), Minute 684 (Internal Audit Service Quarterly Performance Report), Minute 685 (Audit Committee Assessment and Development Update) and Minute 686 (CIPFA Fraud and Corruption Tracker Summary Report) – non-pecuniary interests: Member of the Shareholder Board:

Minute 681 – Treasury Management Policy for 202021 – non-pecuniary interest: Non-executive Director of South Essex Homes;

Councillor Dear

Development Control Committee – 11th December 2019

Minute 627 (19/01851/BC3 - Park Café) — Non-Pecuniary interest: Is a member of Belfairs Golf Club and has held ward fund raising events at the restaurant.

Cabinet Committee – 6th January 2020

Minute 639 (Update of Traffic Flows, Oakwood Avenue) – Non-pecuniary interest: Lives in the general vicinity of Oakwood Road;

Cabinet Committee - 14th January 2020

Minute 659 – Permanent Vehicular Crossing (PVX) – Exceptional Circumstances Application(s) – non-pecuniary interest: applicant was known to him as a fellow Councillor and as a member of the Belfairs Golf Club:

Councillor Dent

Development Control Committee - 11th December 2019

Minute 626 (19/01593/FUL - 10 Cromer Road) — Disqualifying Non-Pecuniary Interest: Has entered an objection to the application (withdrew);

• Councillor F Evans

<u>Development Control Committee – 11th December 2019</u>

Minute 631 (19/01749/FUL - Haydon House, 10 Underwood Square) – Non-Pecuniary Interest: Is a close friend to a resident who lives close by.

<u>Cabinet Committee – 6th January 2020</u>

Minute 635 (Traffic Regulation Orders Objections and Amendments – Hadleigh Road Area) – Non-pecuniary interest: Governor at St Michaels School and Director of Belfairs Academy;

Development Control Committee – 5th February 2020

Minute 789 (19/02036/FUL - 228 Highlands Boulevard - Leigh-on-Sea) – Non-Pecuniary Interest: Lives close by.

• Councillor Flewitt

Cabinet Committee – 6th January 2020

Minute 637 (Request for Traffic and Parking Items – Vickers Road, Avro Road, Wilmot Road and Bristol Road) – non-pecuniary interest - lobbied by and for residents action on parking restrictions;

Development Control Committee – 8th January 2020

Minute 644 (19/01924/FULM – 277 Prince Avenue, Westcliff-on-Sea) – non-pecuniary interest: involved in lobbying and contact with residents;

Development Control Committee – 15th January 2020

Minute 673 (18/02302/BC4M – Seaway Car Park) – non-pecuniary interest: lobbied by groups and individuals;

Cabinet – 16th January 2020

Minute 693 (Housing and Regeneration Pipeline, including Acquisitions Programme Update) – non-pecuniary interest: Any reference to Lundy Close – lobbied for residents;

Minute 696 (Unmet Demand Survey for Hackney Carriage & Private Hire) – non-pecuniary interest: Complaint lodged as allegation made against my Group;

Minute 697 (Hamlet Court Road Conservation Designation) – non-pecuniary interest: written in support in the media;

Special People Scrutiny Committee - 20th January 2020

Minute 719 (Sexual Health Service) – non-pecuniary interest: Have written about the HIV issue;

Policy and Resources Scrutiny Committee - 30th January 2020

Minute 775 (Housing and Regeneration Pipeline, including Acquisitions Programme Update) – non-pecuniary interest: Any reference to Lundy Close – lobbied for residents;

<u> Development Control Committee – 5th February 2020</u>

Minute 791 (19/01840/FULH – 472 Woodgrange Drive, Southend-on-Sea) – non-pecuniary interest: Knows one of the objectors;

Council – 27th February 2020

Agenda Item 5 (Question from Mr Higgs) – non-pecuniary interest: has written on social media about the matter;

Councillor Garston

Development Control Committee – 5th February 2020

Minute 791 (19/01840/FULH - 472 Woodgrange Drive, Southend-on-Sea) – Non-Pecuniary Interest: The Neighbour is known to him.

Councillor Gilbert

Place Scrutiny Committee – 28th January 2020

Minute 744 (Update on Town Centre Strategy) - Non-pecuniary interest: Place of work is close to the town centre;

Councillor Habermel

Licensing Sub Committee C – 13th February 2020

Minute 804 (Revocation and Installation of Taxi Stand outside Southend Hospital) – Non-pecuniary interest: Family member works at the hospital;

Councillor Harp

Health & Wellbeing Board – 4th December 2019

Minute 617 (Shoebury Ambulance Station) – non-pecuniary interest: relative is an employee of the Ambulance Service;

Minute 619 (A Better Start Southend) – non-pecuniary interest: wife employed by SAVS and close friend is employed by Better Start Southend.

Special People Scrutiny Committee - 20th January 2020

Minute 718 (East of England Ambulance Trust – Shoebury Ambulance Station) – non-pecuniary interest: family friend and future relative is employee of EEAST.

Health and Wellbeing Board – 22nd January 2020

Minute 723 (Minutes of the meeting held 4th December 2019 – Reference to EEAST) – non-pecuniary interest – future relative and current friend is employee at EEAST mentioned in the minutes) and Minute 731 (ABSS) – non-pecuniary interest – personal friend is employed by Better Start;

Councillor Hooper

Cabinet Committee - 6th January 2020

Minute 635 (Traffic Regulation Orders Objections and Amendments – Hadleigh Road Area) – Non-pecuniary interest: Lives near Hadleigh Road;

People Scrutiny Committee – 29th January 2020

Minute 761 (Admission Arrangements) and Minute 762 (School Term Dates 2021/22) – Non-pecuniary interest: son attends Southend High School for Boys and works with schools as director of Blade Education working with volunteers;

Councillor Jarvis

<u> Development Control Committee – 11th December 2019</u>

Minute 628 (19/00254/BRCN_B - 39 Vanguard Way) – Disqualifying Non-Pecuniary Interest: The applicant is well known (withdrew).

• Councillor Jones

Development Control Committee – 11th December 2019

Minute 626 (19/01593/FUL - 10 Cromer Road) - Non-Pecuniary Interest: Lives in a neighbouring street.

Minute 627 (19/01851/BC3 - Park Café) — Disqualifying Non-Pecuniary Interest: A member of Southend Cabinet so cannot determine a Southend-on-Sea Borough Council Application.

Development Control Committee – 8th January 2020

Minute 645 (19/01807/BC3 - North Shoebury Open Space, Shoebury Common Road) and Minute 651 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) — Disqualifying Non-Pecuniary Interests: Cabinet Member

Councillor Kelly

People Scrutiny Committee – 20th January 2020

Minute 720 (Update on proposed changes to Clinical Commissioning Groups in Mid and South Essex – briefing) – non-pecuniary interest: works for EPUT:

Councillor McGlone

Development Control Committee - 8th January 2020

Minute 644(19/01924/FULM - 277 Prince Avenue, Westcliff-on-Sea) and Minute 651 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) – Non-Pecuniary Interest: Residents in vicinity known to him;

Councillor Mulroney

<u>Development Control Committee – 11th December 2019</u>

Minute 625 (19/01103/OUTM - 986 - 1000 London Road) and 10 (19/01749/FUL - Haydon House) — Non-Pecuniary Interest: Member of Leigh Town Council (Non-Planning).

Minute 627 (19/01851/BC3 - Park Café) - Disqualifying Non-Pecuniary Interest: A member of Southend Cabinet so cannot determine a Southend-on-Sea Borough Council Application.

Development Control Committee – 8th January 2020

Minute 646 (19/01646/FUL - West Leigh Baptist Church, Lymington Avenue) and Minute 648 (19/02074/FULH - 52 Tattersall Gardens) – Non-Pecuniary Interest: Member of Leigh Town Council (Non-Planning) Minute 645 (19/01807/BC3 - North Shoebury Open Space, Shoebury Common Road) and Minute 651 (19/02023/TPO - Land at Junction of Four Sisters Way and fronting Rayleigh Road) – Disqualifying Non-Pecuniary Interest: Cabinet Member;

<u>Development Control Committee – 5th February 2020</u>

Minute 789 (19/02036/FUL - 228 Highlands Boulevard - Leigh-on-Sea), Minute 792 (19/02178/FULH - 112 Undercliff Gardens, Leigh-on-Sea), Minute 793 (19/02179/FULH - 112 Undercliff Gardens, Leigh-on-Sea) and Minute 795 (19/02143/FUL - Development Land, Underwood Square, Leigh-on-Sea) – Non-Pecuniary Interest: A Non Planning Member of Leigh Town Council;

Councillor Nelson

Cabinet Committee - 6th January 2020

Minute 636 (Requests for Amendments to Parking Areas – Prittlewell Chase) – Non-pecuniary interest: Wife works at the hospital;

Councillor Nevin

Special People Scrutiny Committee - 20th January 2020

Minute 718 (East of England Ambulance Trust – Shoeburyness Ambulance Station) – non-pecuniary interest: step-sister works at Basildon Hospital; Minute 720 (CCG merger update) - non-pecuniary interest: NHS employee at external Trust; previous association at Southend and MEHT hospitals; sons work at MEHT; niece works at Basildon Hospital;

Place Scrutiny Committee – 28th January 2020

Minute 747 (Southend Local Plan Update) – non-pecuniary interest: Lives under the London Southend Airport flight path;

Councillor Salter

Special People Scrutiny Committee - 20th January 2020

Minute 719 (Sexual Health Service) and Minute 720 (CCG Merger update) – non-pecuniary interest: husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is GP in the borough;

Health and Wellbeing Board - 22nd January 2020

Minute 730 (5 Year STP Draft Plan) - non-pecuniary interest: husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is GP in the borough; daughter and son-in-law were medical students at UCL.

Councillor Terry

Cabinet Committee - 6th January 2020

Minute 636 (Requests for Amendments to Parking Areas – Eastern Esplanade and Arnold Avenue) – Non-pecuniary interest: Lives in the street and friends live in Arnold Avenue;

Minute 639 (Update of Traffic Flows, Oakwood Avenue) – Non-pecuniary interest: Lives in Eastern Esplanade, which is mentioned in the report;

Cabinet – 16th January 2020

Minute 694 (Airport Business Park) – non-pecuniary interest: Anchor tenant is client of employer;

Councillor Thompson

Development Control Committee – 8th January 2020

Minute 646 (19/01646/FUL - West Leigh Baptist Church, Lymington Avenue) – Non-Pecuniary Interest: Lives in the vicinity

Councillor Ward

Development Control Committee – 11th December 2019

Minute 631 (19/01749/FUL - Haydon House) - Non-Pecuniary Interest: Works for a company that has worked on this site in the past.

Development Control Committee – 15th January 2020

Minute 673 – 18/02302/BC4M – Seaway Car Park – non-pecuniary interest: is a guest house owner;

Development Control Committee – 5th February 2020

Minute 795 (19/02143/FUL – Development Land, Underwood Square) - Applicant is known to him and the company he works for has worked on the development in the past

Councillor Wakefield

Cabinet Committee - 6th January 2020

Minute 636 (Requests for Amendments to Parking Areas – Alexandra Road) – Non-pecuniary interest: Owns a business in Alexandra Road).

<u>Development Control Committee – 8th January 2020</u>

Minute 647 (19/01908/FUL - 6A Clifton Terrace) – Non-Pecuniary Interest: The person in the Coachouse is known to him;

<u>Development Control Committee – 5th February 2020</u>

Minute 788 (19/02134/FUL - Rear Of 1 Shoebury Avenue, Shoeburyness) – Non-Pecuniary Interest: Was involved in the development before becoming a member of Development Control Committee;

Councillor Walker

Development Control Committee – 11th December 2019

Minute 631 (19/01749/FUL - Haydon House) – Non-Pecuniary Interest: A friend lives in underwood square and a senior council officer lives in Lime Avenue.

Development Control Committee – 5th February 2020

Minute 795 (19/02143/FUL - Development Land, Underwood Square, Leigh-on-Sea) – Non-Pecuniary Interest: A retired officer of Southend-on-Sea Borough council lives in Lime Avenue and residents of Fairview Lodge are known to him:

• Councillor Wexham

Audit Committee - 15th January 2020

Minute 681 – Treasury Management Policy for 202021 – non-pecuniary interest: Non-executive Director of South Essex Homes;

Councillor Woodley

Place Scrutiny Committee - 28th January 2020

Minute 747 (Southend Local Plan Update) – non-pecuniary interest: daughter is a pilot at London Southend Airport;

All members of the Labour Group

Development Control Committee – 15th January 2020

Minute 647 (19/01908/FUL - 6A Clifton Terrace) – Non-Pecuniary Interest: Senior Employee of an Objector has links to the Labour Party;

817 Communications

Youth Mayor and Deputy Youth Mayor

The Worshipful the Mayor presented the badge of office to the new Youth Mayor, Eugene Vlas and the badge of office to the new Deputy Youth Mayor, Madi Faulkner-Hatt.

818 Questions from Members of the Council

The relevant Cabinet Members responded to written questions received from the public.

819 Questions from Members of the Public

The relevant Cabinet Members responded to written and supplementary questions received from Councillors.

Minutes of the meeting of Health and Wellbeing Board held on Wednesday, 4 December 2019

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Development Control Committee held on Wednesday, 11 December 2019

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Cabinet Committee held on Monday, 6 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Development Control Committee held on Wednesday, 8 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of General Purposes Committee held on Thursday, 9 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Cabinet Committee held on Tuesday, 14 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Development Control Committee held on Wednesday, 15 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Appeals Committee A held on Wednesday, 15 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Audit Committee held on Wednesday, 15 January 2020

Resolved:

That the minutes of this meeting be noted.

829 Minutes of the meeting of Cabinet held on Thursday, 16 January 2020

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 696, 698, 704 and 709, be approved.

830 Minutes of the special meeting of People Scrutiny Committee held on Monday, 20 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of Health and Wellbeing Board held on Wednesday, 22 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of the Appointments and Disciplinary Committee held on Tuesday, 28 January 2020

Resolved:

That the minutes of this meeting be noted.

833 Minutes of the meeting of Place Scrutiny Committee held on Tuesday, 28 January 2020

Resolved:

That the minutes of this meeting be noted.

Minutes of the meeting of People Scrutiny Committee held on Wednesday, 29 January 2020

Resolved:

That the minutes of this meeting be noted.

835 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Thursday, 30 January 2020

Resolved:

That the minutes of this meeting be noted.

836 Minutes of the meeting of Development Control Committee held on Wednesday, 5 February 2020

Resolved:

That the minutes of this meeting be noted.

837 Minutes of the meeting of Licensing Sub-Committee C held on Thursday, 13 February 2020

Resolved:

That the minutes of this meeting be noted.

838 Notice of Motion - Kent Elms Junction

Resolved:

That in accordance with Standing Order 8.4 the following Notice of Motion, be referred to the Cabinet Committee:

'The current eastbound lane configuration at Kent Elms Corner deploys a three lane into two lane setup and is causing drivers considerable concern and frustration.

There have been a number of near misses and anyone who has driven through this junction will know of the unnecessary trepidation that this experience brings through the short distance of travel before the outside and middle lanes converge.

A much better usage of this junction can be achieved by dedicating the near side lane into a left turn only and leaving the other two lanes to go straight ahead. A new configuration will allow an easier traffic flow thus removing any unnecessary congestion and improving the air quality in the immediate vicinity.

It is therefore proposed that this Council removes the third lane for eastbound traffic after the junction with the painting of a hatched area in that lane and repainting of the two straight ahead lanes (currently the middle and outside lane). No engineering costs will be required.'

Proposed: Cllr David McGlone Seconded: Cllr Steve Aylen

839 Notice of Motion - Seaways Car Park Development

Resolved:

That in accordance with Standing Order 8.4 the following Notice of Motion, be referred to the Cabinet and in the event that the Cabinet decision on 25th February 2020 relating to the same matter (Seaway Development) is called in to Policy and Resources Scrutiny Committee on 18th March 2020, the motion will also be referred to that Committee:

'Seaway Car Park Development

Any viable development on Seaway Car Park must support tourism and satisfy the seafront's parking needs. The proposed development by Turnstone Estates comprised a 1370 seat multiscreen cinema, 10 restaurants, an 80 bedroom hotel, bowling alley and an amusement centre.

Currently, there are 661 car parking spaces at Seaway Car Park. The proposals only contained provision for 555 car parking spaces. Turnstone Estates contract expired on the 17th January 2020.

At a meeting of Full Council in February 2019, both the now Leader and Deputy Leader of the Council are on record as saying that there would be no second extension and this was 'last chance saloon' for Turnstone Estates to get the required planning permission.

At the Development & Control Committee on the 15th January 2020, councillors deferred planning on the development citing concerns around parking and non-compliance of Council Policies.

This Council therefore resolves that it should:

1. Not provide a second extension to Turnstone Estates on their current contract as the Heads of Terms only allowed for an automatic extension upon refusal by the Development & Control Committee.

- 2. Re-tender the proposals.
- 3. Any new tender specification to include significantly more car park spaces and address all other concerns raised at the Development & Control Committee meeting on the 15th January 2020.'

Proposed By: Cllr Cox Seconded by: Cllr Buck

Supported by: Cllr Davidson, Cllr Boyd, Cllr Bright, Cllr Burzotta, Cllr Dear, Cllr Evans, Cllr Folkard, Cllr Garne, Cllr Garston, Cllr Habermel, Cllr Jarvis, Cllr McGlone, Cllr Moring, Cllr Nelson, Cllr Salter, Cllr Walker

840 Opposition Business - Seaway Car Park Development

The Opposition Business was withdrawn.

841 Draft Calendar of Meetings 2020/21 and 2021/22

Resolved:

That the draft calendar of meetings for 2020/21 and 2021/22, subject to further changes (including an additional cycle of meetings in the summer period), be approved/noted.

842 Council Procedure Rule 1.7 - Duration of Meetings

During consideration of Minute 775 and in accordance with Standing Order 1.7, the hour of 10.00pm having been reached the Council:

Resolved:

To continue for one further hour until 11.00pm.

Chair:	