

Public Document Pack

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 4th March, 2021
Place: Virtual Meeting via MS Teams

Present: Councillor J Lamb (Chair)
Councillors S Ayles, 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, A Dear, 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, 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 and R Woodley

Start/End Time: 6.30 - 11.03 pm

813 Apologies for Absence

Apologies for absence were received from Councillors Flewitt and Kelly.

814 Declarations of Interest

- **Councillor Ayling**

Development Control Committee – 6th January 2021

Minute 703 (20/01467/FUL) and Minute 704 (20/01518/AMDT) – Scout Hall, 52 High Street, Leigh-on-Sea – Non-pecuniary interest: Member of the Licensing Sub Committee which determined the application for premises licence at this property;

Development Control Committee – 3rd February 2021

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Had received correspondence regarding this application;

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Disclosable Pecuniary interest; Applicant and owner of the property (withdrew)

- **Councillor Beck**

Cabinet – 14th January 2021

Minute 733 (Better use of Children's Centres) – Non-pecuniary interest: Uses Children's Centres;

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to her as a fellow Councillor and one of the objectors to the application is known to her;

- **Councillor Borton;**

Development Control Committee- 9th December 2020

Application Ref. No. 20/01227/OUTM (Land between Barge Pier Road and Ness Road) – Non-pecuniary interest: The Labour Party office is located opposite the application site;

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to her as a fellow Councillor and one of the objectors to the application is known to me.”

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Had received correspondence regarding this application;

Council – 4th March 2021

Agenda Item 4 (public questions) – Non-pecuniary interest: Several of the questioners are known to her; reference to vaccinations in one of the questions – daughter works for EPUT;

- **Councillor Buck**

Cabinet Committee – 5th January 2021

Minute 693 (Notice of Motion – Kent Elms Junction) – Non-pecuniary interest: proposed the Notice of Motion as part of the initial consultation and has publicly voiced changed to the design of the junction;

Minute 694 (List of Top 50 Speeding Roads) – Non-pecuniary interest: Has publicly voiced the lack of action to date since the consideration of the report last year;

Cabinet – 14th January 2021

Minute 744 (Determined School Admission Arrangements) and Minute 745 (School Term Dates) – Non-pecuniary interest: Children at a school in the Borough and is a Governor of Eastwood Academy;

Place Scrutiny Committee – 1st February 2021

Minute 765 (Domestic Vehicle Parking Policy) – Non-pecuniary interest: Has been contacted and spoken to numerous residents regarding the policy;

- **Councillor Burton**

Appeals Committee B – 21st December 2020

Minutes 686, 687, 688 and 689 (School Transport Appeals) – Non-pecuniary interest: parent(s) live in his ward;

Development Control Committee, 3rd February 2021

Minute 791 (20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea (St Lukes Ward) – Non-Pecuniary interest: one of the objectors to the application is known to her;

- **Councillor Chalk**

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to her as a fellow Councillor;

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Had received correspondence regarding this application;

- **Councillor Collins**

Cabinet Committee – 5th January 2021

Minute 697 (Wren Avenue Petition) – Non-pecuniary interest: Gave advice to residents regarding the petition;

- **Councillor Cowan**

Development Control Committee- 9th December 2020

Application Ref. No. 20/01227/OUTM (Land between Barge Pier Road and Ness Road) – Non-pecuniary interest: The Labour Party office is located opposite the application site;

Application Ref. No. 20/01227 (Land between Barge Pier Road and Ness Road) – Non-pecuniary interest: Has given advice to residents on the planning process;

Application Ref. No. 20/01180/FUL (St Stephens Church, Alton Gardens) – Non-pecuniary interest: Donated/shared fundraising details for St Stephens Church prior to being elected as local ward Councillor;

Cabinet Committee – 5th January 2021

Minute 693 (Notice of Motion – Kent Elms Junction) – Non-pecuniary interest: Helped conduct various petitions in respect of Kent Elms Junction;

Minute 694 (List of Top 50 Speeding Roads) – Non-pecuniary interest: Has been involved with residents in respect of various roads listed;

Development Control Committee – 6th January 2021

Minute 703 (20/01467/FUL) and Minute 704 (20/01518/AMDT) – Scout Hall, 52 High Street, Leigh-on-Sea – Non-pecuniary interest: Member of the Licensing Sub Committee which determined the application for premises licence at this property;

Cabinet – 14th January 2021

Minute 733 (Better Use of Children’s Centres) – Non-pecuniary interest: School Governor at a school in the Borough;

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor and one of the objectors to the application is known to him;

Council – 4th March 2021

Agenda Item 4 (Public Questions) – Non-pecuniary interest: several of the questioners are known to him;

- **Councillor Cox**

Council – 4th March 2021

Agenda Item 5 (Questions from Councillors) – Non-pecuniary interest: daughter is in receipt of EHCP which was mentioned in the question/answer;

- **Councillor Davidson**

Audit Committee – 13th January 2021

Minute 719 (Counter Fraud & Investigation Team Quarterly Performance Report) – Non-pecuniary interest: Non-Executive Director of South Essex Homes;

- **Councillor Dear**

Development Control Committee – 3rd February 2021

Minute 784 (Application No. 20/00728/OUTM – The Old Vienna Restaurant, 162 Eastwood Road, Leigh-on-Sea) – Non-pecuniary interest: Has received numerous correspondence from resident regarding the application;

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

- **Councillor Dent**

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor and one of the objectors to the application is known to him;

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Had received correspondence regarding this application;

- **Councillor F Evans**

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to her as a fellow Councillor;

- **Councillor K Evans**

Place Scrutiny Committee – 1st February 2021

Minute 766 (SBC Tree Policy) – Non-pecuniary interest: Member of Leigh Town Council which is mentioned in the report;

- **Councillor Flewitt**

Health and Wellbeing Board – 2nd December 2020

Minute 645 (Sexual Health Service Update) – Non-pecuniary interest: took part in on-line consultation and have a long term interest in all related matters;

Minute 646 (SEND) – Non-pecuniary interest: supports a new charity in this matter and has attended presentations from the new charity;

Development Control Committee – 9th December 2020

Minute 660 (Application No. 20/01180/FUL – St Stephens Church, Alton Gardens) – Non-pecuniary interest: Long term involvement in the history of these applications and knows previous objectors;

Minute 663 (Application No. 20/01450/FUL – 93 Prince Avenue, Southend-on-Sea) – Non-pecuniary interest: Knows previous objectors and had pre DCC factual conversation with planning officers;

Cabinet Committee – 5th January 2021

Minute 693 (Notice of Motion – Kent Elms Junction) – Non-pecuniary interest: supported the Motion submitted by Councillor McGlone);

Minute 694 (List of Top 50 Speeding Roads) – Non-pecuniary interest: Commented on social media as to the St Laurence Ward roads on the list;

Minute 697 (Wren Avenue Petition) – Non-pecuniary interest: a friend lives in the road;

Development Control Committee – 6th January 2021

Minute 702 (Application No. 20/01612/OUT – 6 Crosby Road and 121-123 Crowstone Road, Westcliff-on-Sea) – Non-pecuniary interest: Knows the agent;

Cabinet – 14th January 2021

Minute 735 (Controlled Parking Zone Policy) – Non-pecuniary interest: has commented in social media on the matter;
Minute 738 (Highway Memorials Policy) – Non-pecuniary interest: has commented in social media on the matter;
Minute 739 (Updated Council Tree Policy) – Non-pecuniary interest: has commented in social media on the matter;

Place Scrutiny Committee – 1st February 2021

Minute 764 (Controlled Parking Zone Policy) – Non-pecuniary interest: has commented in social media on the matter;
Minute 766 (Updated Council Tree Policy) – Non-pecuniary interest: has commented in social media on the matter;

Development Control Committee – 3rd February 2021

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Knows the agenda and applicant and has also lobbied but took no part in the decision;
Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Knows the applicant and has commented upon the concerns from the decision and also seconded a Notice of Motion to Council this evening;

- **Councillor Garston**

Development Control Committee – 6th January 2021

Minute 707 (Application Ref No. 19/01687/FUL – Camelia Hotel, 176-178 Eastern Esplanade, Southend-on-Sea) – Non-pecuniary interest: Regular customer of the restaurant;

Cabinet Committee – 19th January 2021

Minute 757 (PVX Exceptional Circumstances Applications) – Disqualifying Non-pecuniary interest: Applicant/Agent is very well known to him and has discussed the applications with him (withdrew);

Development Control Committee – 3rd February 2021

Minute 784 (Application No. 20/00728/OUTM – The Old Vienna Restaurant, 162 Eastwood Road, Leigh-on-Sea) – Non-pecuniary interest: Developer is known to him;

Minute 786 (Application No. 20/00559/FUL – Leigh Park Road, Leigh-on-Sea) – Pecuniary interest: Application site backs on to his place of residence (withdrew);

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Son owns a property in the vicinity;

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

- **Cllr George**

Health and Wellbeing Board – 2nd December 2020

Minute 648 (A Better Start Southend) – Non-pecuniary interest: relative works for A Better Start Southend;

Development Control Committee, 3rd February 2021

Minute 791 (20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea (St Lukes Ward) – Non-Pecuniary interest: one of the objectors to the application is known to him;

- **Councillor Gilbert**

Cabinet – 14th January 2021

Minute 732 (In-Depth Scrutiny Report) – Non-pecuniary interest: Council appointee to the SAVS Board;

Development Control Committee, 3rd February 2021

Minute 791 (20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea (St Lukes Ward) – Non-Pecuniary interest: one of the objectors to the application is known to me.

Council – 4th March 2021

Agenda Item 4 (public questions) – Non-pecuniary interest: Several of the questioners are close associates;

- **Councillor Habermel**

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

- **Councillor Harp**

Health and Wellbeing Board – 2nd December 2020

Minute 648 (A Better Start Progress Update) – Non-pecuniary interest: Friend employed by A Better Start Southend;

Cabinet – 14th January 2021

Minute 732 (In-Depth Scrutiny Report) – Non-pecuniary interest: Volunteer with SAVS and wife is an employee of SAVS;

Minute 733 (Better Use of Children's Centres) – Non-pecuniary interest: Volunteer with SAVS and wife is an employee of SAVS;

- **Councillor Hooper**

Health and Wellbeing Board – 2nd December 2020

Minute 648 (A Better Start Progress Update) – Non-pecuniary interest: has undertaken work for and on behalf of A Better Start Southend;

- **Councillor Jarvis**

Development Control Committee – 3rd February 2021

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Had received correspondence regarding this application;

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

- **Councillor Jones**

Development Control Committee- 9th December 2020

Application Ref. No. 20/01227/OUTM (Land between Barge Pier Road and Ness Road) – Non-pecuniary interest: The Labour Party office is located opposite the application site;

Application Ref. No. 20/01227/OUTM (Land between Barge Pier Road and Ness Road) – Non-pecuniary interest: Cabinet Member with the responsibility for school placements;

Application Ref. No. 20/01641/BC3 (Garages Rear of 40, 42, 44 and 46 Anson Chase, Shoeburyness) – Non-pecuniary interest: Cabinet Member;

Cabinet – 14th January 2021

Minute 737 (Highway Enforcement Policy) – Non-pecuniary interest: Husband works in the motor industry;

Minute 744 (Determined School Admission Arrangements) and Minute 745 (School Term Dates) – Non-pecuniary interest: Has a child attending school in the Borough;

Development Control Committee – 3rd February 2021

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Disqualifying Non-pecuniary interest: Cabinet member with responsibility for children and corporate parenting (withdrew);

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor and one of the objectors to the application is known to her;

Council – 4th March 2021

Agenda Item 4 (public questions) – Non-pecuniary interest: Several of the questioners are known to her;

- **Councillor Lamb**

Cabinet – 14th January 2021

Minute 733 (Better Use of Children’s Centres) – Non-pecuniary interest: Trustee of SAVS;

- **Councillor McDonald**

Cabinet – 14th January 2021

Minute 747 (Notice of Motion – Street Prostitution in Southend) – Non-pecuniary interest: Volunteer with a local group supporting women who sell sex, work for a local charity for survivors of sexual violence and on the management committee of Nordic Model Now!

Development Control Committee, 3rd February 2021

Minute 791 (20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea (St Lukes Ward) – Non-Pecuniary interest: one of the objectors to the application is known to me;

- **Councillor Mitchell**

Development Control Committee - 9th December 2020

Application Ref. No. 20/01227/OUTM (Land between Barge Pier Road and Ness Road) – Non-pecuniary interest: The Labour Party office is located opposite the application site;

Cabinet – 14th January 2021

Minute 733 (Better use of Children’s Centres) – Non-pecuniary interest: Has previously been a manager of a Children’s Centre;

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: One of the objectors to the application is known to her;

- **Councillor Mulroney**

Development Control Committee- 9th December 2020

Application Ref. No. 20/01641/BC3 (Garages Rear of 40, 42, 44 and 46 Anson Chase, Shoeburyness) – Non-pecuniary interest: Cabinet Member;

Application Ref. No. 20/01332/FUL (Flat 1, 1 Leigh Park Road, Leigh-on-Sea) and Application Ref No. 20/01362/FULH (13 Fairleigh Drive, Leigh-on-Sea) – Non-pecuniary interests: Non-planning Member of Leigh Town Council;

Development Control Committee – 6th January 2021

Minute 703 (20/01467/FUL) and Minute 704 (20/01518/AMDT) – Scout Hall, 52 High Street, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council, non-participant in planning and attended the meeting of the Licensing Sub Committee, which determined the application for premises licence at this property, on behalf of residents;

Place Scrutiny Committee – 1st February 2021

Minute 766 (SBC Tree Policy) – Non-pecuniary interest: Member of Leigh Town Council which is mentioned in the report;

Development Control Committee – 3rd February 2021

Minute 785 (Application No. 20/01759/FULM – Former Car Wash, 120 Broadway, Leigh-on-Sea) and Minute 786 (Application No. 20/00559/FUL – Leigh Park Road, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council non-participant in planning);

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: CEO of the Applicant is known to her;

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

- **Councillor Nevin**

Cabinet Committee – 5th January 2021

Minute 695 (Traffic Regulation Orders (Waiting Restrictions – Miscellaneous Schemes) – Non-pecuniary interest: Aware of request but has had no direct involvement;

Development Control Committee, 3rd February 2021

Minute 784 (20/00728/OUTM – The Old Vienna Restaurant, 162 Eastwood Road) – Non-pecuniary interest: lives in the vicinity of the application;

Minute 791 (20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea (St Lukes Ward) – Non-Pecuniary interest: one of the objectors to the application is known to her;

- **Councillor Robinson**

Development Control Committee, 3rd February 2021

Minute 791 (20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea (St Lukes Ward) – Non-Pecuniary interest: one of the objectors to the application is known to him;

Council – 4th March 2021

Agenda Item 4 (public questions) – Non-pecuniary interest: reference to vaccinations in one of the questions – works for EPUT;

- **Councillor Salter**

Cabinet – 14th January 2021

Minute 732 (In-Depth Scrutiny Report) – Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital and son-in-law is GP in the Borough;

- **Councillor Shead**

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

- **Councillor Walker**

Development Control Committee- 9th December 2020

Application Ref. No. 20/01180/FUL (St Stephens Church, Alton Gardens) – Non-pecuniary interest: Used to attend the Church Hall regularly for LCM meetings;

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

Council – 4th March 2021

Agenda Item 4 (public questions) – Non-pecuniary interest: wife is a teacher has been working throughout the pandemic;

- **Councillor Ward**

Development Control Committee – 6th January 2021

Minute 707 (Application Ref No. 19/01687/FUL – Camelia Hotel, 176-178 Eastern Esplanade, Southend-on-Sea) – Pecuniary interest: Lives close to the application site and is an owner of a Guest House (withdrew);

Development Control Committee – 3rd February 2021

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: Had received correspondence regarding this application;

Minute 790 (Application No. 20/02080/FUL – 4 Merilies Close, Westcliff-on-Sea) – Non-pecuniary interest: Had received correspondence from another objector requesting to speak received in respect of this matter;

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

- **Councillor Wakefield**

Development Control Committee – 3rd February 2021

Minute 788 (Application No. 20/02016/FUL – 90 Caulfield Road, Shoeburyness) – Non-pecuniary interest: lives in the vicinity of the application;

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to him as a fellow Councillor;

All Councillors:

Development Control Committee – 3rd February 2021

Minute 791 (Application No. 20/01972/FULH – The Lodge by the Bridge, Eastern Avenue, Southend-on-Sea) – Non-pecuniary interest: Applicant is known to all Councillors as a fellow Councillor;

815 Communications

There were no communications from the Worshipful the Mayor for this meeting.

816 Questions from Members of the Public

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

817 Questions from Members of the Council

The relevant Executive Councillors responded to written and supplementary questions from Councillors.

818 Minutes of the meeting of Health and Wellbeing Board held on 2nd December 2020

Resolved:

That the minutes of this meeting, be noted.

819 Minutes of the meeting of Development Control Committee held on Wednesday, 9 December 2020

Resolved:

That the minutes of this meeting, be noted.

820 Minutes of the meeting of Appointments and Disciplinary Committee held on Monday, 14 December 2020

Resolved:

That the minutes of this meeting, be noted.

821 Minutes of Licensing Sub Committee A held on Monday, 14 December 2020

Resolved:

That the minutes of this meeting, be noted.

822 Minutes of the meeting of Appeals Committee A held on Wednesday, 16 December 2020

Resolved:

That the minutes of this meeting, be noted.

823 Minutes of the meeting of Appeals Committee B held on Monday, 21st December 2020

Resolved:

That the minutes of this meeting, be noted.

824 Minutes of the meeting of Cabinet Committee held on Tuesday, 5 January 2021

Resolved:

That the minutes of this meeting, be noted.

825 Minutes of the meeting of Development Control Committee held on Wednesday, 6 January 2021

Resolved:

That the minutes of this meeting, be noted.

826 Minutes of the meeting of Appointments and Disciplinary Committee held on Tuesday, 12 January 2021

Resolved:

That the minutes of this meeting, be noted.

827 Minutes of the meeting of Audit Committee held on Wednesday, 13 January 2021

Resolved:

That the minutes of this meeting, be noted.

828 Minutes of the meeting of Cabinet held on Thursday, 14 January 2021

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minutes 727 and 747, be approved.

829 Minutes of the meeting of Cabinet Committee held on Tuesday, 19 January 2021

Resolved:

That the minutes of this meeting, be noted.

830 Minutes of the meeting of Place Scrutiny Committee held on Monday, 1 February 2021

Resolved:

1. That the minutes of this meeting, be noted.
2. That Minute 765 and the associated Cabinet Minute 736 (Domestic Vehicle Crossing Policy), be referred back to Cabinet for further consideration.

831 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 2 February 2021

Resolved:

That the minutes of this meeting, be noted.

832 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Thursday, 4 February 2021

Resolved:

That the minutes of this meeting, be noted.

833 Minutes of the meeting of Development Control Committee held on Wednesday, 3 February 2021

Resolved:

That the minutes of this meeting, subject to the inclusion of Councillor Ayles as being in attendance, be noted.

834 Minutes of the meeting of Licensing Sub-Committee B held on Tuesday, 16 February 2021

Resolved:

That the minutes of this meeting, be noted.

835 Notice of Motion - Traffic Emissions Reduction in Southend-on-Sea

Resolved:

That the Notice of Motion be referred to the appropriate Working Party for consideration.

836 Notice of Motion - to Reduce Fuel Poverty in Southend-on-Sea

Resolved:

That the Notice of Motion be referred to the appropriate Working Party for consideration.

837 Notice of Motion - Sustainable Future Funding for Local Welfare Assistance

Resolved:

That the Notice of Motion be referred to the appropriate Working Party for consideration.

838 Notice of Motion - Government Levelling Up Fund

Resolved:

That the Notice of Motion be referred to the appropriate Working Party for consideration.

839 Notice of Motion - Development Control Committee Members Representation

Resolved:

That the Notice of Motion be referred to the appropriate Working Party for consideration.

840 Notice of Motion - Death Certificate Compassionate Fund

Resolved:

That the Notice of Motion be referred to the appropriate Working Party for consideration.

841 Notice of Motion - North-South Public Transport Service

Resolved:

That the Notice of Motion be referred to the appropriate Working Party for consideration.

Chair: _____

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Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Tuesday, 16th February, 2021
Place: Virtual Meeting via MS Teams

Minute Item

Present: Councillor H McDonald (Chair)
Councillors D Cowan and D McGlone

In Attendance: E Anakwue, T Row, A Penn and E Cook

Start/End Time: 10.00 am - 12.15 pm

797 Apologies for Absence

There were no apologies for absence.

798 Declarations of Interest

No interests were declared at the meeting.

799 Birdwood, 125 Leigh Road, Leigh on Sea SS9 1JH - Application for Grant of Premises Licence

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Jason Richard Rogers for the grant of a Premises Licence at Birdwood, 125 Leigh Road, Leigh-on-Sea, SS9 1JH.

The application was presented by Mr M Bell (21st Century Licensing) the applicants licensing consultant. Mr Rogers (applicant) was also in attendance and gave evidence.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, however, measures had been agreed between the Licensing Authority, Environmental Health and the Applicant, should the application be granted. These were included in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment).

Seven (7) representations were received from local residents, objecting to the application. Three (3) out of the seven residents withdrew their representation following communication with the applicants licensing consultant. Leigh-on-Sea Town Council had also submitted an objection to the application but also withdrew it after communication with the applicants licensing consultant. A further resident, Mr Ridgwell, also withdrew his representation after the publication of the Agenda. None of the objectors attended the meeting.

Their objections/representations related to concerns of noise and public nuisance, particularly the potential blocking of the footway by patrons using the outside area, the noise of patrons attending and leaving the premises, the disturbance caused by customers using the external areas, the nuisance caused by intoxicated

patrons and the potential for anti-social behaviour. The need for another licensed premises in the area was also questioned.

The need for licensed premises and the rationale for making the application are not matters for the sub-committee to consider. The sub-committee heard that there had been no record of incidents of crime and disorder at the premises over the last two years and that the police had not objected to the application. The sub-committee also heard that a revised plan illustrating the extent of the private outdoor space to the premises had been submitted to ensure consistency between licensing and planning consents. Furthermore, rope barriers would be installed to clearly mark the extent of the outside area and smokers would be encouraged to use the area fronting Leigh Road after 9.00 p.m.

On the basis of the evidence presented to it, the sub-committee did not consider that the promotion of the licensing objectives would be undermined by the granting of the application, subject to the imposition of conditions. The sub-committee therefore:

Resolved:-

1. That the application be granted subject to:
 - (i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment).
 - (ii) The conditions drawn from the Operating Schedule, together with the conditions agreed between the Licensing Authority, Environmental Health and the Applicant as set out in Appendix 2 to the report of the Executive Director (Neighbourhoods and Environment), subject to the amendment of Conditions 4 and 5 to now read as follows:

Condition 4

“There shall be no use of the outside areas between 21:00 and 09:00 the following day except by customers smoking at the front of the premises (Leigh Road). During those times the maximum capacity permitted within that area shall not exceed six persons. Waste receptacles shall be made available for smokers to use and the area swept of associated litter at the end of each trading session. Rope barriers, clearly marking the extent of the outside area, shall be in situ at all times the area is in use”

Condition 5

“Furniture in the external area not permanently fixed and shall be stored in an area not accessible by the public and not be available for use between 21.00 and 09:00 the following day.

- (iii) The following additional condition:

“Rope barriers, clearly marking the extent of the outside licensed areas, shall be in situ at all times the area is open for the provision of food and drink.”

2. That applicant’s intention to surrender the existing licence be noted.

Chair: _____