

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of The Council

**Date: Thursday, 25th November, 2021**

**Place: Council Chamber - Civic Suite**

**Present:** Councillor M Borton (Chair)  
Councillors K Robinson (Vice-Chair), J Beck, B Beggs, M Berry, H Boyd, A Bright, K Buck, S Buckley, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, 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, M Kelly, J Lamb, A Line, D McGlone, K Mitchell, A Moring, J Moyies, C Mulroney, D Nelson, C Nevin, L Salter, I Shead, M Terry, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

**Start/End Time:** 6.30 pm - 11.03 pm

### 462 Apologies for Absence

Apologies for absence were received from Councillors Stafford and Thompson.

### 463 Declarations of Interest

- Councillor Buck

#### **Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 324 (Update on Outstanding Schemes – No.335 Highwood Close) – non-pecuniary interest: lives in the road;

#### **Development Control Committee – 6<sup>th</sup> October 2021**

Application Ref No. 21/01491/FULH – 237 Prittlewell Chase, Westcliff-on-Sea – non-pecuniary interest: Has been contacted by residents in respect of the application;

- Councillor Buckley

#### **Development Control Committee – 6<sup>th</sup> October 2021**

Application No. 21/01701/FULH – 28 Fastnet, Eastwood – non-pecuniary interest: spoke to residents about the application but took no part in the decision;

- Councillor Burton

#### **People Scrutiny Committee – 5<sup>th</sup> October 2021**

Minute 374 (Independent SEND Peer Review) and Minute 375 (Children's Services Improvement Board) – non-pecuniary interest: Employed as a teacher at a school outside the Borough;

**Council – 25<sup>th</sup> November 2021**

Minute 486 (Opposition Business – Vecteo) – non-pecuniary interest:  
Employed as a teacher at a school outside the Borough;

- Councillor Courtenay

**Policy and Resources Scrutiny Committee – 7<sup>th</sup> October 2021**

Minute 400 (Selective Licensing) – Pecuniary interest: Owns property within the areas of designation for the Selective Licensing Scheme (withdrew);

- Councillor Cox

**Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 324 (Update on Outstanding Schemes – No. 215 Radar Close) – non-pecuniary interest: Colleague lives in the road;

- Councillor Dent

**Development Control Committee – 6<sup>th</sup> October 2021**

Application Ref No. 20/02156/AMDT – Seaway Car Park, Southend-on-Sea – non-pecuniary interest: Has corresponded with residents in respect of the application;

- Councillor F Evans

**Place Scrutiny Committee – 4<sup>th</sup> October 2021**

Minute 364 (Traffic Regulation Order Objection Report) – non-pecuniary interest: Friends live in Thorpe Bay Gardens;

- Councillor Folkard

**Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 323 (Traffic Regulation Order Objection Report – Junction protection in Hayes Barton) – non-pecuniary interest: lives in the road;

- Councillor Garne

**Policy and Resources Scrutiny Committee – 7<sup>th</sup> October 2021**

Minute 400 (Selective Licensing) – Non-pecuniary interest: partner of landlord not within the areas of designation for the Selective Licensing Scheme;

- Councillor D Garston

**Development Control Committee – 6<sup>th</sup> October 2021**

Application Ref No. 21/01323/FULH – 29 St Augustine's Avenue, Thorpe Bay – non-pecuniary interest: Owner of neighbouring property is known to him;

Application Ref No. 21/01491/FULH – 237 Prittlewell Chase, Westcliff-on-Sea – non-pecuniary interest: Has been contacted by residents in respect of the application;

- Councillor George

**Policy and Resources Scrutiny Committee – 7<sup>th</sup> October 2021**

Minute 400 (Selective Licensing) – non-pecuniary interest: Council's representative on the South Essex Alliance of Landlords and Residents (SEAL);

- Councillor Gilbert

**Development Control Committee – 6<sup>th</sup> October 2021**

Application Ref No. 21/01323/FULH – 29 St Augustine's Avenue, Thorpe Bay – Non-pecuniary interest: Owner of neighbouring property is known to him;

- Councillor Habermel

**Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 323 (Traffic Regulation Order Objection Report – Thorpe Bay Gardens) – Disqualifying non-pecuniary interest: family member lives in the section of road affected (withdrew);

**Policy and Resources Scrutiny Committee – 7<sup>th</sup> October 2021**

Minute 400 (Selective Licensing) – Non-pecuniary interest: Landlord of property not within the areas of designation for the Selective Licensing Scheme;

- Councillor Harp

**Health and Wellbeing Board – 8<sup>th</sup> September 2021**

Minute 291 – A Better Start Southend Update – Non-pecuniary interest: wife is employed by SAVS and he is a volunteer with SAVS; family friend employed in senior role at ABSS;

- Councillor Hooper

**Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 323 (Traffic Regulation Order Objection Report – Junction Protection in Eaton Road) – Non-pecuniary interest: lives in the road;

**People Scrutiny Committee – 5<sup>th</sup> October 2021**

Minute 374 (Independent SEND Peer Review) and Minute 375 (Children's Services Improvement Board) – non-pecuniary interest: Director of a not-for-profit company that works with young people;

- Councillor Jones

**Development Control Committee – 6<sup>th</sup> October 2021**

Application Ref No. 20/02156/AMDT – Seaway Car Park, Southend-on-Sea – Disqualifying non-pecuniary interest: Cabinet Member (withdrew);

- Councillor Moring

**Place Scrutiny Committee – 4<sup>th</sup> October 2021**

Minute 364 (Traffic Regulation Order Objection Report) – non-pecuniary interest: Lives in the vicinity of Thorpe Bay Gardens;

- Councillor Moyies

**Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 323 (Traffic Regulation Order Objection Report – Junction Protection in Malmsmead) – non-pecuniary interest: lives in the road;

- Councillor Mulroney

**Development Control Committee – 6<sup>th</sup> October 2021**

Application Ref No. 20/02156/AMDT – Seaway Car Park, Southend-on-Sea – Disqualifying non-pecuniary interest: Cabinet Member (withdrew);

- Councillor Nelson

**Place Scrutiny Committee – 4<sup>th</sup> October 2021**

Minute 364 (Traffic Regulation Objection Report) – non-pecuniary interest: Friends live in the vicinity of Thorpe Bay Gardens and currently lives in Radar Close;

- Councillor Nevin

**Health and Wellbeing Board – 8<sup>th</sup> September 2021**

Minute 287 – Pandemic Update and Minute 289 – ICS Boundary Progress Update – Non-pecuniary interests: Employed at external NHS Trust; previous employment at Broomfield and Southend Hospitals; family members employed at Mid and South Essex Trust hospitals and in the Trust's Estates Department; Group Director for Pathology at Mid and South Essex NHS Foundation Trust known through previous employment.

**Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 323 (Traffic Regulation Order Objection report – Junction Protection in Flemming Crescent) – non-pecuniary interest: Lives in the road;

**Council – 25<sup>th</sup> November 2021**

Minute 465 (Public Questions) – One of the public questioners is her employer;

- Councillor Salter

**Health and Wellbeing Board – 8<sup>th</sup> September 2021**

Minute 287 (Pandemic Updates) and Minute 289 (ICS Boundary Review Progress Update) – Non-pecuniary interest: Husband is a consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; Son-in-law is GP in the Borough;

- Councillor Wakefield

**Policy and Resources Scrutiny Committee – 7<sup>th</sup> October 2021**

Minute 400 (Selective Licensing) – non-pecuniary interest: Landlord of House in Multiple Occupation (HMO) property with the Borough;

- Councillor Woodley

**Cabinet Committee – 13<sup>th</sup> September 2021**

Minute 323 (Traffic Regulation Order Objection report – Thorpe Bay Gardens) – non-pecuniary interest: Resident of the Burges Estate;

Officer Interests

**Place Scrutiny Committee – 12<sup>th</sup> October 2021**

Mr A Lewis and Mr A Richards – Minute 405 (Internal Audit Report: Better Queensway Highways Scheme) – non-pecuniary interests: Members of the Board of Porters Place LLP.

**464 Communications**

(a) Minutes Silence

The Council remained silent for one minute as a mark of respect to Theo Steel, former Chair of the Business Partnership and Renaissance Southend, and Keith Holder, former Council Emergency Planning Officer, who both sadly passed away recently.

The Council meeting coincided with White Ribbon Day (25<sup>th</sup> November) and Members of the Council remembered those women who had lost their lives through violence.

(b) Women's Tour

On Thursday 7<sup>th</sup> October 2021 the stage four of the Women's Cycling Tour was hosted by Southend-on-Sea. The Worshipful the Mayor, on behalf of the Council, extended her thanks and appreciation to everyone involved for making this a successful event.

**465 Questions from Members of the Public**

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

**466 Questions from Members of the Council**

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

**467 Minutes of the Meeting of Council held on Thursday, 9 September 2021**

Resolved:

That the minutes of the meeting held on Thursday, 9<sup>th</sup> September 2021, be confirmed and signed as a correct record.

**468 Petition - Esplanade Gardens: Replacement of Paving Slabs with Tarmacadam**

Councillor Folkard presented a petition containing 26 signatures from residents objecting to the Council's proposals to replace paving slabs with tarmacadam in Esplanade Gardens.

Resolved:

That, in accordance with Council Procedure Rule 15.7 the petition be referred to the Cabinet Committee.

**469 Minutes of the meeting of Appointments and Disciplinary Committee held on Wednesday, 8 September 2021**

Resolved:

That the minutes of this meeting, be noted.

**470 Minutes of the meeting of Health and Wellbeing Board held on Wednesday, 8 September 2021**

Resolved:

That the minutes of this meeting, be noted.

**471 Minutes of the meeting of Cabinet Committee held on Monday, 13 September 2021**

Resolved:

That the minutes of this meeting, be noted.

**472 Minutes of the meeting of Cabinet held on Tuesday, 14 September 2021**

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minute 330 (Resourcing Better Outcomes Financial Report for July 2021) and Minute 341 (Regulatory of Investigatory Powers), be approved.

**473 Minutes of the meeting of Appointments and Disciplinary Committee held on Monday, 20 September 2021**

Resolved:

That the minutes of this meeting, be noted.

**474 Minutes of the meeting of Licensing Sub-Committee A held on Tuesday, 21 September 2021**

Resolved:

That the minutes of this meeting, be noted.

**475 Minutes of the meeting of Cabinet Committee held on Tuesday, 21 September 2021**

Resolved:

That the minutes of this meeting, be noted.

**476 Minutes of the meeting of Audit Committee held on Wednesday, 22 September 2021**

Minute 359 (Internal Audit Report: Better Queensway Highways Scheme) was considered in conjunction with Minute 405 of the Special Place Scrutiny Committee held on 12<sup>th</sup> October 2021.

Resolved:

That the minutes of this meeting, be noted.

**477 Minutes of the meeting of Place Scrutiny Committee held on Monday, 4 October 2021**

During consideration of Minute 364 (Traffic Regulation Order Objection Report) a motion to refer the matters relating to Thorpe Bay Gardens TRO and Crosby Road TRO back to Cabinet Committee was proposed and seconded.

Upon being put the vote, the motion to refer the matters back was carried.

Resolved:

That the minutes of this meeting be noted with Minute 364 (Thorpe Bay Gardens TRO and Crosby Road TRO) and the associated part of Cabinet Committee Minute 323, being referred back to Cabinet Committee.

**478 Minutes of the meeting of Appointments and Disciplinary Committee held on Tuesday, 5 October 2021**

Resolved:

That the minutes of this meeting, be noted.

**479 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 5 October 2021**

Resolved:

That the minutes of this meeting, be noted.

**480 Minutes of the meeting of Development Control Committee held on Wednesday, 6 October 2021**

Resolved:

That the minutes of this meeting, be noted.

**481 Minutes of the meeting of Appeals Committee B held on Thursday, 7 October 2021**

Resolved:

That the minutes of this meeting, be noted.

**482 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Thursday, 7 October 2021**

During consideration of Minute 400 (Selective Licensing) a motion to refer the matter back to Cabinet was proposed and seconded.

Upon being put to the vote, the motion to refer the matter back to Cabinet was carried.

Resolved:

That the minutes of this meeting be noted with Minute 400 (Selective Licensing) and the associated Cabinet Minute 333 being referred back to Cabinet.

**483 Minutes of the meeting of Special Place Scrutiny Committee held on Tuesday, 12 October 2021**

Minute 405 (internal Audit Report: Better Queensway Highways Scheme) was considered in conjunction with Minute 359 of the Audit Committee held on 22<sup>nd</sup> September 2021.

During consideration of Minute 405 and the Audit Committee Minute 359 (Internal Audit Report: Better Queensway Highways Scheme) two motions were moved and seconded to recommend to Cabinet that:

(1) The powers delegated to officers by Cabinet in relation to Better Queensway should cease; and

(2) The powers delegated to officers by Cabinet in relation to Better Queensway should not cease.

Upon being put to the vote:

The recommendation set out at (1) above was not carried.

The recommendation set out at (2) above was carried.

Resolved:

That the minutes of this meeting be noted with Cabinet being recommended not to cease the powers delegated to officers by Cabinet in relation to Better Queensway.

**484 Notice of Motion - Lock Car Park Gates to Borough's Parks**

The Notice of Motion submitted by Councillors Wakefield and Ward was withdrawn.



**485 Appointments to Committees, Outside Bodies etc.**

There were no changes to the appointments to Committees, etc.

**486 Opposition Business - Vecteo Contract Issues**

In accordance with Standing Order 19 the Conservative Group requested that that the Vecteo Contract issues be debated.

During consideration of the matter three amendments and one additional resolution were proposed by the Leader of the Council and duly seconded with the support of the Leader of the Conservative Group.

Accordingly, it was resolved that:

1. The decisions of Vecteo to appoint an Interim Managing Director (which occurred recently) and to commence the recruitment process for a permanent Managing Director be welcomed. These officers will be empowered to take control and resolve the numerous issues that have been created by the company since 1<sup>st</sup> September 2021 in delivering services to SEND children and vulnerable adults.

2. The terms of reference of an independent investigation by PricewaterhouseCoopers (PwC), which has already been commissioned into the delivery of the Contract by Vecteo, be sent to the shadow portfolio holders and to be amended if required.

Further, that the final report of PwC be submitted to the Audit Committee.

3. The current investigation being led by Internal Audit into the award of the Contract to Vecteo should also consider whether adequate safeguards, including risk assessments, were put in place to protect the vulnerable users of the services.

Further, that the final report of Internal Audit be submitted to the Audit Committee.

4: Two further steps be taken:

- (i) A customer satisfaction survey be commissioned to establish how the service is currently performing.
- (ii) A report on monitoring Vecteo's performance under the Contract be submitted to each ordinary meeting of the People Scrutiny Committee.

**Chair:** \_\_\_\_\_