

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 10th March, 2022

Place: Council Chamber - Civic Suite

Present: Councillor M Borton (Chair)
Councillors B Beggs, M Berry, H Boyd, K Buck, S Buckley, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, M Dent, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, T Harp, B Hooper, D Jarvis, A Jones, D Jones, M Kelly, J Lamb, A Line, D McGlone, A Moring, C Mulrone, D Nelson, C Nevin, K Robinson, L Salter, I Shead, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.30 pm - 9.45 pm

804 Apologies for Absence

Apologies for absence were received from Councillors Dear, F Evans, Habermel, Mitchell, Moyies and Stafford.

805 Declarations of Interest

- **Councillor Beggs**

People Scrutiny Committee – 8th February 2022

Minute 674 (SEND Peer Review) – Non-pecuniary interest: Family member has special educational needs and disabilities;

- **Councillor Berry**

Development Control Committee – 9th February 2022

Application Ref. No. 20/00337/OUTM – Land at Fossets Farm, Sutton Road – Disclosable non-pecuniary interest: Is the Secretary of the “Fossetts for the People” campaign. (Attended the meeting as a Ward Councillor to present his objection to the application only but withdrew from the meeting after his objection had been presented to the Committee);

- **Councillor Buck**

Cabinet Committee – 4th January 2022

Minute 651 (Petition Report – Esplanade Gardens proposal to replace paving slabs with Tarmacadam) – Non-pecuniary interest: Contractor at the former Havens Hospice site, which was mentioned in the debate, is a contractor of his;

Place Scrutiny Committee – 7th February 2022

Minute 662 (DfT Tranche 2 – Active Travel Fund) – Non-pecuniary interest: Son attends Eastwood Academy which is mentioned in the report;

Minute 664 (20mph Neighbourhoods) – Non-pecuniary interest: Contacted by residents in respect of this matter;

- **Councillor Burton**

Cabinet – 13th January 2022

Minute 606 (SEND Peer Review) – Non-pecuniary interest: Teacher at a school outside the City;

People Scrutiny Committee – 8th February 2022

Minute 674 (SEND Peer Review) – Non-pecuniary interest: Teacher at a school outside the City;

- **Councillor Collins**

Cabinet Committee – 4th January 2022

Minute 649 (Minutes of the Meeting held on 13th September 2021) – Non-pecuniary interest: Lives in Green Lane which was mentioned in the debate;

Development Control Committee – 9th February 2022

Application Ref. No. 21/01453/FULH – 15 Leslie Road, Eastwood – Non-pecuniary interest: Had been in correspondence with residents in the area in respect of a previous application;

- **Councillor Cowan**

Development Control Committee – 5th January 2022

Application Ref No. 21/00061/UNAU_B – 193 Eastern Esplanade, Southend-on-Sea – Non-pecuniary interest: Rental property in the vicinity;

Place Scrutiny Committee – 7th February 2022

Minute 662 (DfT Tranche 2 – Active Travel Fund) – Non-pecuniary interest: Appointed Governor at Prince Avenue School, and has a child at a school which was mentioned in the report;

Minute 664 (20mph Neighbourhoods) – Non-pecuniary interest: Knows some of the public questioners;

Development Control Committee – 9th February 2022

Application Ref. No. 20/00337/OUTM – Non-pecuniary interest: Members of the “Fossetts for the People” campaign are known to him;

Standards Committee – 14th February 2022

Minute 700 (Compliant against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

Council – 10th March 2022

Minute 807 (Public Questions) – Non-pecuniary interest: Knows some of the public questioners;

- **Councillor Cowdrey**

Place Scrutiny Committee – 7th February 2022

Minute 662 (DfT Tranche 2 Active Travel Fund) – Non-pecuniary interest: son is a teacher at one of the schools mentioned in the report;

Standards Committee – 14th February 2022

Minute 700 (Compliant against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

- **Councillor Cox**

People Scrutiny Committee – 8th February 2022

Minute 674 (SEND Peer Review) – Non-pecuniary interest: Family member has special educational needs and disabilities and is in receipt of an Education, Health and Care Plan;

Standards Committee – 14th February 2022

Minute 700 (Compliant against a Councillor – Reference 20/012) – disqualifying non-pecuniary interest (withdrew);

- **Councillor Dear**

Licensing Sub-Committee B – 7th December 2021

Minute 745 (The Vine 149 Leigh Road – Application for the Variation of Premises Licence) – Non-pecuniary interest: One of the objectors is known to him as a fellow Councillor;

- **Councillor Dent**

Development Control Committee – 1st December 2021

Application Ref No: 21/01907/FUL – 208A York Road, Southend-on-Sea
– Non-pecuniary interest: Owns a property in the vicinity;

Place Scrutiny Committee – 7th February 2022

Minute 663 (Conservation Area Appraisals) – Non-pecuniary interest:
Lives in a conservation area;

Minute 664 (20mph Neighbourhoods) – Non-pecuniary interest:
Contacted by residents in respect of this matter;

Development Control Committee – 8th February 2022

Application Ref. No. 20/00337/OUTM – Land at Fossetts Farm, Sutton
Road – Non-pecuniary interest: Members of the “Fossetts Farm for the
People” campaign are known to him;

Application Ref. No. 21/01506/FUL – 12 Branksome Road, Southend-on-
Sea – Non-pecuniary interest: Has had contact from residents regarding
the application and some of the objectors are known to him;

- **Councillor F Evans**

Development Control Committee – 5th January 2022

Application Ref No. 21/02172 and 21/022173/LBC – 5-6 Clifftown
Parade, Southend-on-Sea – Disclosable non-pecuniary interest:
applicant was a close personal friend and had stayed at the hotel as a
paying guest (withdrew);

- **Councillor K Evans**

Place Scrutiny Committee – 7th February 2022

Minute 664 (20mph Neighbourhoods) – Non-pecuniary interest: Family
live in one of the roads affected by the proposals;

- **Councillor Folkard**

Place Scrutiny Committee – 7th February 2022

Minute 661 (Leisure Contract – Short Term Options Review) – Non-
pecuniary interest: Regular user of Council’s leisure facilities;

Licensing Sub-Committee B – 7th December 2021

Minute 745 (The Vine 149 Leigh Road – Application for the Variation of
Premises Licence) – Non-pecuniary interest: One of the objectors is
known to him as a fellow Councillor;

- **Councillor Hooper**

- **People Scrutiny Committee – 8th February 2022**

- Minute 674 (SEND Peer Review) – Non-pecuniary interest: Director of Blade Education, a not-for-profit company that works with local SEND children;

- **Standards Committee – 14th February 2022**

- Minute 700 (Compliant against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

- **Councillor Garston**

- **Council – 10th March 2022**

- Minute 807 (Public Questions) – Non-pecuniary interest: one of the public questioners is his son;

- **Councillor Jarvis**

- **Development Control Committee – 1st December 2021**

- Application Ref No: 21/01945/AMDT – 52 High Street, Leigh-on-Sea
Non-pecuniary interest: Objector is known to him;

- **Place Scrutiny Committee – 7th February 2022**

- Minute 663 (Conservation Area Appraisals) – Non-pecuniary interest: Lives in Shoebury Conservation Area but spoke on the item as Shadow Cabinet Member;

- **Councillor Jones**

- **Cabinet – 13th January 2022**

- Minute 607 (Ten Year Contract – Southend Care Ltd) – Non-pecuniary interest: Friends work for Southend Care Ltd;
 - Minute 609 (DfT Active Travel Fund Tranche 2 Grant Award) – Non-pecuniary interest: Son works in the passenger transport team;
 - Minute 618 (SO46 Report) – One of her sons works for SECTA and youngest son works for passenger transport team;

- **Place Scrutiny Committee – 7th February 2022**

- Minute 662 (DfT Tranche 2 Active Travel Fund) – Non-pecuniary interest: family member of Cycle UK and husband works in motor manufacturing industry which was mentioned during the debate;

Development Control Committee – 8th February 2022

Application Ref. No. 20/00337/OUTM – Land at Fossetts Farm, Sutton Road – Non-pecuniary interest: Disclosable non-pecuniary interest: Has attended meetings of the “Fossetts Farm for the People” campaign and appeared in photographs, etc with the campaign (withdrew);

- **Councillor Mitchell**

Development Control Committee – 1st December 2021

Application Ref No: 21/01945/AMDT – 52 High Street, Leigh-on-Sea - Non-pecuniary interest: Chaired a meeting of the Council’s Licensing Sub-Committee which considered an application for premises licence;

Development Control Committee – 5th January 2022

Application Ref No: 19/00158/UNAU_B – 21 Holland Road, Westcliff-on-Sea – Non-pecuniary interest: Has visited the site to view the premises and has been in correspondence with residents regarding the planning process;

Development Control Committee – 9th February 2022

Application Ref. No. 20/00337/OUTM – Land at Fossetts Farm, Sutton Road – Non-pecuniary interest: Disclosable non-pecuniary interest: Associated with the “Fossetts for the People” campaign group and has expressed views that the land should be used for 100% council housing (withdrew);

Licensing Sub-Committee B – 7th December 2021

Minute 745 (The Vine 149 Leigh Road – Application for the Variation of Premises Licence) – Non-pecuniary interest: One of the objectors is known to her as a fellow Councillor;

- **Councillor Moring**

Place Scrutiny Committee – 7th February 2022

Minute 664 (20mph Neighbourhoods) – Disqualifying Non-pecuniary interest: resident in one of the proposed roads/areas of the scheme (withdrew);

- **Councillor Mulroney**

Development Control Committee – 1st December 2021

Application Ref No. 21/01374/FUL – Unit 2, Leighcliff Building, Leigh Cliff Road, Leigh-on-Sea; Application Ref No. 21/01722/FUL – 137 Marine Parade, Leigh-on-Sea; Application Ref. No. 21/01945/AMDT – 52 High Street, Leigh-on-Sea – Non-pecuniary interests: Member of Leigh Town Council, non-participant in planning;

Development Control Committee – 5th January 2022

Application Ref. No. 20/01199/FULM – Roslin Hotel, Thorpe Esplanade, Southend-on-Sea – Non-pecuniary interest: Management of the hotel is known to her;

Cabinet – 13th January 2022

Minute 610 (Conservation Area Appraisals) – Non-pecuniary interest: Member of Leigh Society and Chair of Trustees of Leigh Heritage Centre;
Minute 611 (20mph Neighbourhoods) – Disqualifying Non-pecuniary interest: resident in one of the proposed roads/areas of the scheme (withdrew);

Place Scrutiny Committee – 7th February 2022

Minute 663 (Conservation Area Appraisals) – Non-pecuniary interest: Member of Leigh Society and Chair of Trustees of Leigh Heritage Centre;
Minute 664 (20mph Neighbourhoods) – Disqualifying Non-pecuniary interest: resident in one of the proposed roads/areas of the scheme (withdrew);

- **Councillor Nelson**

Place Scrutiny Committee – 7th February 2022

Minute 662 (DfT Tranche 2 Active Travel Fund) – Non-pecuniary interest: Member of Southend Wheelers and wife is a nurse at Southend Hospital;

- **Councillor Nevin**

Licensing Sub-Committee – 13th December 2021

Minute 748 (Mad Dogs and Englishmen Interior Ltd – Application to Vary a Premises Licence – Non-pecuniary interest: Licensee is known to her;

Cabinet – 13th January 2022

Minute 607 (Ten Year Contract – Southend Care Ltd) – Non-pecuniary interest: Essex County Council mentioned and ex mother-in-law receiving care outside this area; Employed at external National Health Service Trust and family members employed at Mid and South Essex Trust hospitals;

People Scrutiny Committee – 8th February 2022

Minute 675 (Community Children's Services – South-East Essex) – Non-pecuniary interest: Employed at external National Health Service Trust and family members employed at Mid and South Essex Trust hospitals;

- **Councillor Salter**

People Scrutiny Committee – 8th February 2022

Minute 675 (Community Children’s Services – South-East Essex) – Non-pecuniary interest: Husband is a consultant surgeon at Southend Hospital; Daughter is a consultant at Basildon Hospital; Son-in-law is a general practitioner in the City;

- **Councillor Shead**

Standards Committee – 14th February 2022

Minute 700 (Compliant against a Councillor – Reference 20/012) – Non-pecuniary interest: Knows the Councillor subject to the complaint as a fellow Councillor;

- **Councillor Terry**

Cabinet – 13th January 2022

Minute 611 (20mph Neighbourhoods) – Non-pecuniary interest: Member of Burgess Estate Residents Association;

- **Councillor Wakefield**

Development Control Committee – 1st December 2021

Application Ref No. 21/01813/FUL – 41 Alexandra Street, Southend-on-Sea – Pecuniary interest: owns the property (withdrew);
Application Ref. No. 21/01907/FUL – 208A York Road, Southend-on-Sea – Non-pecuniary interest: Owns an HMO;

Development Control Committee – 5th January 2022

Application Ref. No. 20/01199/FULM – Roslin Hotel, Thorpe Esplanade, Southend-on-Sea – Non-pecuniary interest: Known to people involved with the application;

- **Councillor Walker**

Development Control Committee – 5th January 2022

Application Ref. No. 20/01199/FULM - Roslin Hotel, Thorpe Esplanade, Southend-on-Sea – Non-pecuniary interest: Received support during his Mayoral Year;

- **Councillor Ward**

Development Control Committee – 5th January 2022

Application Ref. No. 20/01199/FULM - Roslin Hotel, Thorpe Esplanade, Southend-on-Sea – Non-pecuniary interest: Lives in the road;
Application Ref. No. 21/00061/UNAU_B – 193 Eastern Esplanade, Southend-on-Sea – Non-pecuniary interest: Lives in the road;

- **Councillor Warren**

Place Scrutiny Committee – 7th February 2022

Minute 664 (20mph Neighbourhoods) – Non-pecuniary interest: Office is located in one of the roads affected by the proposals;

- **Councillor Woodley**

Cabinet – 13th January 2022

Minute 611 (20mph Neighbourhoods) – Non-pecuniary interest: Thorpe Ward Councillor and Chair of Burges Estate Residents Association;

Place Scrutiny Committee – 7th February 2022

Minute 611 (20mph Neighbourhoods) – Non-pecuniary interest: Thorpe Ward Councillor and Chair of Burges Estate Residents Association and lives in one of the roads affected by the proposals. Councillor Woodley stated he was satisfied that his non-pecuniary interest was not a disqualifying interest (under paragraph 10.3 of the Members' Code of Conduct) and so he did not withdraw;

Standards Committee – 14th February 2022

All Councillors have a non-pecuniary interest in Minute 700 (Compliant against a Councillor – Reference 20/012) is so far as they know the Councillor subject to the complaint as a fellow Councillor;

806 Communications

(a) Welcome – Councillor Darryl Jones

The Worshipful the Mayor welcomed Councillor Darryl Jones, the newly elected Councillor for the Southchurch Ward.

(b) City Status

The Worshipful the Mayor informed Councillors that the Special Council meeting held on 1st March 2022 to confer city status on the Borough of Southend-on-Sea has been regarded as hugely successful and on behalf of the Council she thanked everyone associated with the preparations for their hard work.

807 Questions from Members of the Public

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

808 Questions from Members of the Council

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

809 Minutes of the Meeting held on Thursday, 9 December 2021

Resolved:

That the Minutes of the Meeting held on Thursday 9 December 2021 be confirmed as a correct record and signed.

810 Minutes of the meeting of Special Council held Tuesday, 25 January 2022

Resolved:

That the Minutes of the Meeting held on Tuesday 25 January 2022 be confirmed as a correct record and signed.

811 Minutes of the meeting of Special Council held Tuesday, 25 January 2022

Resolved:

That the Minutes of the Meeting held on Tuesday 25 January 2022 be confirmed as a correct record and signed.

812 Minutes of the Extraordinary Council held Thursday, 17 February 2022

Resolved:

That the Minutes of the extraordinary meeting held on Thursday 17 February 2022 be confirmed as a correct record and signed.

813 Minutes of the meeting of Development Control Committee held Wednesday, 1 December 2021

Resolved:

That the minutes of this meeting be noted.

814 Minutes of the meeting of Cabinet Committee held Tuesday, 4 January 2022

Resolved:

That the minutes of this meeting be noted.

815 Minutes of the meeting of Development Control Committee held Wednesday, 5 January 2022

Resolved:

That the minutes of this meeting be noted.

816 Minutes of the meeting of Audit Committee held Wednesday, 12 January 2022

Resolved:

That the minutes of this meeting be noted.

817 Minutes of the meeting of Cabinet held Thursday, 13 January 2022

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 602 (Resourcing Better Outcomes Financial Performance Report for November) be approved.

818 Minutes of the meeting of Appointments and Disciplinary Committee held Monday, 24 January 2022

Resolved:

That the minutes of this meeting be noted.

819 Minutes of the meeting of Cabinet held Monday, 24 January 2022

Resolved:

That the minutes of this meeting be noted.

820 Minutes of the meeting of Place Scrutiny Committee held Monday, 24 January 2022

Resolved:

That the minutes of this meeting be noted.

821 Minutes of the meeting of Place Scrutiny Committee held Monday, 7 February 2022

Resolved:

That the minutes of this meeting be noted.

822 Minutes of the meeting of People Scrutiny Committee held Tuesday, 8 February 2022

Resolved:

That the minutes of this meeting be noted.

823 Minutes of meeting Wednesday, 9 February 2022 of Development Control Committee

Resolved:

That the minutes of this meeting be noted.

824 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday, 10 February 2022

Resolved:

That the minutes of this meeting be noted.

825 Minutes of the meeting of Standards Committee held Monday, 14 February 2022

Resolved:

That the minutes of this meeting be noted.

826 Minutes of the meeting of Licensing Sub-Committee B held Tuesday, 7 December 2021

Resolved:

That the minutes of this meeting be noted.

827 Minutes of the meeting of Licensing Sub-Committee A held Monday, 13 December 2021

Resolved:

That the minutes of this meeting be noted.

828 Notice of Motion - Right to Food

Resolved:

That the Notice of Motion concerning the Right to Food be referred to the Housing and Communities Working Party.

829 **Appointment of External Auditor**

The Council considered a report of the Executive Director (Finance and Resources) summarising the options for the arrangements to appoint the External Auditors following the end of the current arrangements at the conclusion of the 2022/23 audit.

Resolved:

That the Council 'opt-in' to the Local Government Association (LGA) sector led body Public Sector Audit Appointments Ltd (PSAA) for the independent appointment of the Council's External Auditor, beginning with the audit for the financial year 2023/24.

830 **Changes to the Constitution**

This matter was withdrawn.

831 **Appointments to Committees, etc**

Resolved:

That the list of membership changes and appointments to Committees, etc, as appended to the minutes, be approved.

832 **Opposition Business - Building on the Greenbelt**

In accordance with Standing Order 19 the Conservative Group requested that their motion relating to building on the green belt be debated.

During consideration of the matter an amendment to the motion was proposed by the Cabinet Member for Environment, Culture, Tourism and Planning and duly seconded with the support of the Leader of the Conservative Group:

'Building on the Greenbelt

This Council notes the concerns that some residents have on possible option of building new homes on land designated as Green Belt shown in the recent Refining the Options consultation document.

Central Government has established a Standard Methodology (SM) which identifies a minimum annual housing need figure for each local authority area in the Country. Local Planning Authorities are then able to establish a "housing requirement figure" for their area, through the preparation of Local Plans, which shows the extent to which their identified housing need can be met, which includes the review and assessment of sustainable development and constraints such as the Green Belt.

This Council therefore resolves:

1. To note that local housing requirement figures are set by this Council through the preparation of a Local Plan which is subject to examination by an Inspector appointed by the Secretary of State.

2. To undertake its own housing needs assessment for the City as part of the preparation of a new Local Plan as required by Government.

3. To acknowledge that this Council can restrict development in the Green Belt in line with national policy subject to its review and appropriate consideration alongside other matters including development needs as part of the Local Plan process where its approach is found to be sound by an Inspector appointed by the Secretary of State.

4. To exercise its ability to restrict housing development in the Green Belt in line with national planning policy where the Local Plan process shows this to be a sound course of action as examined by a Planning Inspector appointed by the Secretary of State.'

It was resolved to adopt the amended motion as set out above.

Chair: _____