

# SOUTHEND-ON-SEA CITY COUNCIL

## Meeting of The Council

**Date: Thursday, 2nd March, 2023**

**Place: Council Chamber - Civic Suite**

**Present:** Councillor K Robinson (Chair)  
Councillors S Habermel (Vice-Chair), B Beggs, M Borton, H Boyd, 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 Garston, S George, I Gilbert, J Harland, B Hooper, L Hyde, D Jarvis, A Jones, D Jones, M Kelly, J Lamb, A Line, R McMullan, K Mitchell, J Moyies, C Mulroney, K Murphy, D Nelson, M O'Connor, M Sadza, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren and R Woodley

**Start/End Time:** 6.30 - 10.55 pm

### 737 Apologies for Absence

Apologies for absence were received from Councillors Berry and Wexham.

### 738 Declarations of Interest

- **Councillor Berry**

**Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 643 (Use of Section 106 Contributions) – Southend City Council appointed Board member of Southend-on-Sea Forum Management Ltd which was mentioned during the debate on the basis that the Forum/Focal Point Gallery had submitted the planning application.

- **Councillor Borton**

**Licensing Committee – 17<sup>th</sup> October 2023**

Minute 542 (Revocation of Taxi Stand on Weston Road, Southend-on-Sea) – Husband is a blue badge holder.

**Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 644 (Grassland Management Policy) – Trustlinks was one of the charities supported by her during her Mayoral year (2021/22) which was mentioned during the debate.

**People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) – Daughter is one of the matrons at Basildon Mental Health Unit.

### **Council – 2<sup>nd</sup> March 2023**

Minute 741 (Question 3 from Councillor Cowan) – Is affected as a WASPI woman.

- **Councillor Buck**

### **Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 644 (Grassland Management Policy) – Allotment holder.

Minute 645 (Thorpe 20mph Neighbourhood) – Has had significant levels of contact from local residents on this matter.

- **Councillor Burton**

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 655 (Passenger Transport Services Performance Monitoring) – Employed as a teacher at a school outside Southend-on-Sea that has pupils that are resident within the City.

- **Councillor Cowdrey**

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) and Minute 658 (Social Care Arrangements for Adult Mental Health) – Employed as a registered social worker and is a member of the Mental Health Partnership Forum.

### **Council – 2<sup>nd</sup> March 2023**

Minute 741 (Question 3 from Councillor Cowan) – Is affected as a WASPI woman.

- **Councillor Dear**

### **Development Control Committee – 4<sup>th</sup> January 2023**

Application 22/01954/FULH (8a Woodberry Close, Leigh-on-Sea) – Had been contacted by the applicant for advice on the application and had been contacted by a number of neighbours in Woodberry Close (withdrew).

- **Councillor Dent**

### **Development Control Committee - 14<sup>th</sup> December 2022**

Planning Application Ref: 21/00220/FUL (613 to 619 and Garages to rear of 593 to 647 Southchurch Road) – Has received correspondence from residents of neighbouring properties with regard to the application and the planning process.

### **Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 645 (Thorpe 20mph Neighbourhood) – Has had contact from multiple local residents on this matter.

- **Councillor Keith Evans**

### **Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 644 (Grassland Management Policy) – Chair of Leigh Town Council and son works for Trustlinks both of which were mentioned during the debate.

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) and Minute 658 (Social Care Arrangements for Mental Health) – Family member is mentally handicapped; Employed by Essex County Council in the consideration of school appeals as member of Statutory Appeal Panel.

- **Councillor Folkard**

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 654 (Essex Partnership University NHS Trust) and Minute 654 (East of England Ambulance Service NHS Trust) – Relative employed at Broomfield Hospital.

- **Councillor Hyde**

### **Cabinet Committee – 21<sup>st</sup> December 2022**

Minute 593 (Thorpe 20mph Neighbourhood) – Runs a youth group in the Burges Estate.

### **Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 644 (Grassland Management Policy) – Allotment holder.

- **Councillor Hooper**

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) – Director of Blade Education, a not-for-profit company that works with local SEND children and MENCAP.

- **Councillor A Jones**

**Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 644 (Grassland Management Policy) – Mention of bus stop greening, son works in the Council's Strategic Transport Team and antisocial behaviour in Toledo Road was mentioned in the debate which is near to her property.

**People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 654 (East of England Ambulance Service NHS Trust) – Friend operates a private ambulance service.

- **Councillor Mitchell**

**Health and Wellbeing Board – 8<sup>th</sup> December 2023**

Minute 551 (A Better Start Southend (ABSS)) – ABSS is in partnership with Hamlet Court Road in Harmony Community Group – Chair of this group.

**People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) – Vice-Chair of Mid and South Essex Integrated Care Partnership.

**Council – 2nd March 2023**

Minute 741 (Question 3 from Councillor Cowan) – Is affected as a WASPI woman.

- **Councillor Moyies**

**Cabinet Committee – 21<sup>st</sup> December 2022**

Minute 593 (Thorpe 20mph Neighbourhood) – Has many friends living in the Burges Estate.

- **Councillor Mulroney**

**Development Control Committee – 14<sup>th</sup> December 2022**

Planning Application Ref: 22/01867/FUL (Peter Boat Car Park, High Street, Leigh-on-Sea) – Knows the owner of the property subject of the planning application.

**Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 646 (Thorpe 20mph Neighbourhood) – Mention of Leigh 20mph scheme which is located where she lives.

Minute 643 (Use of Section 106 Contributions) – Leigh Town Council was referred to.

### **Council – 2<sup>nd</sup> March 2023**

Minute 741 (Question 3 from Councillor Cowan) – Is affected as a WASPI woman.

- **Councillor Nelson**

### **Cabinet Committee – 21<sup>st</sup> December 2022**

Minute 593 (Thorpe 20mph Neighbourhood) – Family members live in the Burges Estate.

- **Councillor O'Connor**

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 654 (Essex Partnership University NHS Trust) – Family member has special educational needs and disabilities and is subject of an application for an Education, Health and Care Plan.

- **Councillor Robinson**

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) – EPUT is his employer.

- **Councillor Sadza**

### **Development Control Committee - 14<sup>th</sup> December 2022**

Planning Application Ref: 21/00220/FUL (613 to 619 and Garages to rear of 593 to 647 Southchurch Road) – Has received correspondence from residents of neighbouring properties with regard to the application and the planning process.

### **Cabinet Committee – 21<sup>st</sup> December 2022**

Minute 593 (Thorpe 20mph Neighbourhood) – A friend and member of the Labour Party lives in the Burges Estate.

### **People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) – Governor of EPUT.

### **Council – 2<sup>nd</sup> March 2023**

Minute 741 (Question 3 from Councillor Cowan) – Is affected as a WASPI woman.

- **Councillor Salter**

**Health and Wellbeing Board – 8<sup>th</sup> December 2023**

Minute 318 (Mental Health Urgent Care Department), Minute 317 (Developing the SEE Alliance Plan) and Minute 319 (Winter Plan/Actions) – Husband is a consultant surgeon at Southend Hospital; Daughter is a consultant at Basildon Hospital; Son-in-law is a GP in Southend-on-Sea.

**People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 653 (Essex Partnership University NHS Trust) and Minute 654 (East of England Ambulance Service NHS Trust) - Husband is a consultant surgeon at Southend Hospital; Daughter is a consultant at Basildon Hospital; Son-in-law is a GP in Southend-on-Sea.

- **Councillor Shead**

**Licensing Committee – 17<sup>th</sup> October 2023**

Minute 542 (Revocation of Taxi Stand on Weston Road, Southend-on-Sea) – Parents are blue badge holders.

**People Scrutiny Committee – 31<sup>st</sup> January 2023**

Minute 658 (Social Care Arrangements for Adult Mental Health) – Family member is in receipt of adult social care services in another local authority area.

- **Councillor Terry**

**Policy and Resources Scrutiny Committee – 2<sup>nd</sup> February 2023**

Minute 670 (Car Cruise PSPO) – Resident of area covered by the proposed PSPO.

- **Councillor Thompson**

**Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 643 (Use of Section 106 Contributions) – Southend City Council appointed board member of Southend-on-Sea Forum Management Ltd which was mentioned during the debate on the basis that the Forum/Focal Point Gallery had submitted the planning application.

- **Councillor Warren**

**Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 644 (Grassland Management Policy) – Allotment holder.

- **Councillor Ward**

**Development Control Committee – 14<sup>th</sup> December 2022**

– Planning Application Ref: 22/01867/FUL (Peter Boat Car Park, High Street, Leigh-on-Sea) – Knows the owner of the property subject of the planning application.

- **Councillor Woodley**

**Cabinet Committee – 21<sup>st</sup> December 2022**

Minute 593 (Thorpe 20mph Neighbourhood) – Lives in the Ward.

**Place Scrutiny Committee – 30<sup>th</sup> January 2023**

Minute 646 (Thorpe 20mph Neighbourhood) – Member of BERA which was mentioned during the debate and lives in the Ward.

**739 Communications**

(a) Mayor's Introduction

– Prior to consideration of the matters set out on the agenda, the Mayor outlined his expectations of the standard of conduct and behaviour to be shown at the meeting.

(b) Minute Silence

– The Council remained silent for one minute as a mark of respect to Alan Hurst, former Councillor, Leader of the Labour Group and Member of Parliament for Braintree, who sadly passed away recently.

**740 Questions from the Public**

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

**741 Questions from Councillors**

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

**742 Petition - To stop Over 85,000 Additional Trucks Using The City's Highways**

Councillor Woodley presented a petition containing 1292 signatures from residents to stop over 85,000 additional trucks using the City's highways.

Resolved:

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

**743 Petition - Save the Jazz Centre UK**

Councillor Cox presented a petition containing 500 signatures from residents to save the Jazz Centre UK.

Resolved:

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

**744 Minutes of the meeting of Licensing Committee held Monday, 17 October 2022**

Resolved:

That the minutes of this meeting be noted.

**745 Minutes of the meeting of Licensing Sub-Committee C held Monday, 5 December 2022**

Resolved:

That the minutes of this meeting be noted.

**746 Minutes of the meeting of Health and Wellbeing Board held Thursday, 8 December 2022**

Resolved:

That the minutes of this meeting be noted.

**747 Minutes of the meeting of Development Control Committee held Wednesday, 14 December 2022**

Resolved:

That the minutes of this meeting be noted.

**748 Minutes of the meeting of Cabinet Committee held Wednesday, 21 December 2022**

Resolved:

That the minutes of this meeting be noted.

**749 Minutes of the meeting of Development Control Committee held Wednesday, 4 January 2023**

Resolved:

That the minutes of this meeting be noted.



**750 Minutes of the meeting of Audit Committee held Wednesday, 11 January 2023 of Audit Committee**

Resolved:

That the minutes of this meeting be noted.

**751 Minutes of the meeting of Cabinet held Thursday, 12 January 2023**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 611 (Resourcing Better Outcomes Financial Performance), 622 (Community Infrastructure Levy), be approved.

**752 Minutes of the meeting of Appointments and Disciplinary Committee held Monday, 23 January 2023**

Resolved:

That the minutes of this meeting be noted.

**753 Minutes of the meeting of Place Scrutiny Committee held Monday, 30 January 2023**

On consideration of Minute 643 (Use of Section 106 Contributions) the Cabinet Member for Environment, Culture and Tourism undertook to provide more detailed information in future reports on the amount of money received and where/how the money has been allocated in respect to S106 contributions and Community Infrastructure Levy funds.

During consideration of Minute 644 (Grassland Management Policy) a requisition for a named vote having been made in accordance with Council Procedure Rule 12 to refer the matter back to Cabinet, the voting was as follows:

For reference back:

Cllrs Beggs, Boyd, Buck, Buckley, Courtenay, Cox, Davidson, Dear, F Evans, K Evans, Folkard, Garston, Habermel, Harland, Jarvis, D Jones, Lamb, Moyies, Nelson, Salter, Stafford, Walker, Warren and Woodley (24)

Against reference back:

Cllrs Borton, Burton, Collins, Cowan, Dent, Gilbert, Hooper, Hyde, A Jones, Kelly, Line, McMullan, Mitchell, Mulroney, Murphy, O'Connor, George, Sadza, Shead, Terry, Wakefield and Ward (22)

Abstention:

Cllrs Cowdrey and Robinson (2)

Absent:

Cllrs Berry, Thompson and Wexham (3).

The motion to refer the matter back to Cabinet was carried.

Resolved:

That the minutes of this meeting be noted and Minute 644 (Grassland Management Policy) be referred back to Cabinet with the recommendation 'to use a proportion of the climate change budget to plant wildflower seeds as part of the rewilding strategy.'

**754 Minutes of the meeting of People Scrutiny Committee held Tuesday, 31 January 2023**

Resolved:

That the minutes of this meeting be noted.

**755 Minutes of the meeting of Development Control Committee held Wednesday, 1 February 2023**

Resolved:

That the minutes of this meeting be noted.

**756 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday, 2 February 2023**

Resolved:

That the minutes of this meeting be noted.

**757 Minutes of the meeting of General Purposes Committee held Thursday, 9 February 2023**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 679 (Review of the Constitution) and 681 (Freedom of the City of Southend-on-Sea and Honorary Alderman Nominations), be approved.

**758 Minutes of the meeting of Standards Committee held Tuesday, 28 February 2023**

Resolved:

That the minutes of this meeting be noted.

**759 Review of the Constitution**

The Council considered a report of the Executive Director (Strategy, Change and Governance) presenting the revised Council Procedure Rules and the Overview and Scrutiny Procedure Rules. This matter was considered in conjunction with Minute 679 (Review of the Constitution) of the General Purposes Committee held 9 February 2023.

Resolved:

1. That the revised Overview and Scrutiny Procedure Rules and Council Procedure Rules, set out at Appendix A and B of the submitted report, be adopted for implementation at the beginning of the Municipal Year 2023/24.
2. That the Terms of Reference of the Independent Remuneration Panel, set out at Appendix C to the report, be approved.
3. That the Electoral Registration Officer (ERO) be authorised to appoint Deputy Electoral Registration Officers to carry out his powers and duties either in full or in part in accordance with Section 52(2) of the Representation of the People Act 1983.
4. That the Council's Constitution be amended accordingly (to include the transfer of the relevant provisions in the existing Council Procedure Rules to other parts of the Constitution as appropriate).

**760 Review of Committee Proportionality**

The Council considered a report of the Executive Director (Strategy, Change and Governance) presenting the results of the review of Committee proportionality, following the formation of the Residents First Group on the Council.

The list of changes to the appointments to Committees was circulated at the meeting.

Resolved:

1. That the adjustments to the allocation of places following the review of Committee proportionality, be noted.
2. That the revised appointments to the Committees required (circulated at the meeting), be approved.

**761 Draft Calendar of Meetings 2023/24**

Resolved:

That the draft Calendar of meetings 2023/24, be approved.

**762 Opposition Business - 85,000 soil HGV vehicle movements to Gunners Park development**

In accordance with Standing Order 19 the Conservative Group requested that the proposed 85,000 HGV vehicle movements to and from Gunners Park development be debated.

During consideration of the matter one amendment was proposed and seconded and a requisition for a named vote having been made in accordance with Council Procedure Rule 12 on the amendment, the voting was as follows:

For the amendment:

Cllrs Beggs, Boyd, Buck, Buckley, Courtenay, Cowan, Cowdrey, Cox, Davidson, Dear, Dent, F Evans, K Evans, Folkard, Garston, Habermel, Harland, Hyde, Jarvis, D Jones, Kelly, Lamb, Moyies, Nelson, Salter, Stafford, Walker, Ward, Warren and Woodley (30)

Against the amendment:

Cllrs Borton, Burton, Gilbert, Hooper, A Jones, Line, McMullan, Mitchell, Mulroney, O'Connor, George, Sadza and Terry (13)

Abstentions:

Cllrs Collins, Murphy, Robinson, Shead and Wakefield (5)

Absent:

Cllrs Berry, Thompson and Wexham (3).

The amendment to the opposition business proposal was carried.

The Opposition Business proposals as amended were then put to a named vote in accordance with Council Procedure Rule 12. The voting was as follows:

For:

Cllrs Beggs, Boyd, Buck, Buckley, Courtenay, Cowan, Cowdrey, Cox, Davidson, Dear, Dent, F Evans, K Evans, Folkard, Garston, Habermel, Harland, Hyde, Jarvis, D Jones, Kelly, Lamb, Moyies, Nelson, Salter, Stafford, Walker, Ward, Warren and Woodley (30)

Against:

Cllrs Borton, Burton, Collins, Gilbert, Hooper, A Jones, Line, McMullan, Mitchell, Mulroney, O'Connor, George, Sadza and Terry (14)

Abstentions:

Cllrs Murphy, Robinson, Shead and Wakefield (4)

Absent:

Cllrs Berry, Thompson and Wexham (3)

Accordingly, it was resolved:

That the Opposition Business proposals as amended set out below be referred to the Cabinet:

1. This Council believes either waterways or rail should be used to transport earth to the Gunners Park development site.
2. The Council will open negotiations with Bellway in order to look at delivering earth to the site by barge and/or by train.

*In the event that the options of the use of waterways or rail be ruled out, the following are undertaken prior to any final decision being made:*

3. This Council apply for a temporary Traffic Regulation Order for a weight restriction along Thorpe Hall Avenue to allow Anglian Water, as the body responsible for the maintenance, to do an engineering assessment to see if the sewage line in Thorpe Hall Avenue is robust enough to take the proposed additional 85,000 HGV vehicle movements.
4. Structural surveys are undertaken on house foundations along Thorpe Hall Avenue and all roads on the proposed route.

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