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Southend-on-Sea City Council

Civic Centre
Southend-on-Sea

5 July 2023



I hereby summon you to attend the meeting of the Southend-on-Sea City Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, **Thursday, 13th July, 2023 at 6.30pm** for the transaction of the following business.

R Polkinghorne
Chief Executive

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Minutes of the Annual Council Meeting held Thursday, 11 May 2023 (Pages 3 - 4)**
- 7 Minutes of the Extraordinary Council meeting held Thursday, 18 May 2023 (Pages 5 - 6)**
- 8 Minutes of the Appointments Council held Thursday, 18 May 2023 (Pages 7 - 10)**
- 9 Leader of the Council - Update**
- 10 Petition - Zebra Crossing for Temple Sutton Primary School (Pages 11 - 12)**
- 11 Notice of Motion - Transition Planning for Children and Young People (Pages 13 - 14)**
- 12 Notice of Motion - Proportional Representation (Pages 15 - 16)**

- 13 Notice of Motion - Sheltered Housing (Pages 17 - 18)**
- 14 Notice of Motion - Idling around schools (Pages 19 - 20)**
- 15 Review of the Constitution and associated matters**
Report of Executive Director (Finance and Resources) to follow
- 16 Air Quality Action Plan 2023-2027 - Referred to Council (Pages 21 - 22)**
Minutes of Special Place Scrutiny Committee held 4th April 2023
- 17 Appointments to Committees, etc**

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 11th May, 2023
Place: Council Chamber - Civic Suite

6

Present: Councillor K Robinson (Chair)
Councillors B Beggs, M Berry, 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, N Folkard, D Garston, S George, I Gilbert, S Habermel, J Harland, L Hyde, D Jarvis, A Jones, D Jones, J Lamb, A Line, R McMullan, J Moyies, C Mulroney, K Murphy, M O'Connor, M Sadza, M Stafford, M Terry, S Wakefield, C Walker, N Ward, J Warren, P Wexham, R Woodley, S Aylen, C Campbell, O Carthey, G Leroy, R Longstaff, C Nevin and D Richardson

Start/End Time: 3.30 - 5.05 pm

1 Apologies for Absence

Apologies for absence were received from Councillors F Evans and D Nelson.

2 Declarations of Interest

There were no declarations of interest at this meeting.

3 Introduction of New and Returning Councillors

The Worshipful the Mayor welcomed to the meeting newly elected and returned Councillors who were elected at the Local Elections on 4th May 2023.

4 Election of Mayor for Municipal Year 2023/24

On the nomination of Councillor Nigel Folkard, seconded by Councillor James Courtenay and with the unanimous support of the Council:

Resolved:

That Councillor Stephen Habermel be appointed to the Office of Mayor of the City of Southend-on-Sea for the Municipal Year 2023/24.

5 Appointment of Mayor's Chaplain

The Worshipful the Mayor announced that he will be supported by Rev Claire Abraham during his year of office.

6 The Worshipful the Mayor's Charity

The Worshipful the Mayor announced that the Mayoral Charities for his year of office would be Havens Hospice and the Music Man Project.

7 Appreciation of Outgoing Mayor

Councillor Stephen George proposed and Councillor Aston Line seconded the motion having been supported by other speakers, it was unanimously:

Resolved:

That the best thanks of the Council be tendered to Councillor Kevin Robinson for the efficient and dignified manner in which he has performed the duties of the Office of Mayor during the past year, and for the ability and courtesy with which he has presided over the deliberations of this Council, and that as a token of the Council's appreciation of such service he be presented with a Past Mayor's Badge suitably inscribed and a Mayoral Album.

8 Election of Deputy Mayor for Municipal Year 2023/24

On the nomination of Councillor Tricia Cowdrey, seconded by Councillor Mike Stafford, and with the unanimous support of the Council:

Resolved:

That Councillor Ron Woodley be appointed to the Office of Deputy Mayor of the City of Southend-on-Sea for the Municipal Year 2023/24.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 18th May, 2023
Place: Council Chamber - Civic Suite

7

Present: Councillor S Habermel (Chair)
Councillors S Aylen, B Beggs, M Berry, M Borton, H Boyd, K Buck, S Buckley, L Burton, C Campbell, O Cartey, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, N Folkard, D Garston, S George, I Gilbert, J Harland, L Hyde, D Jarvis, A Jones, D Jones, J Lamb, G Leroy, A Line, R Longstaff, R McMullan, J Moyies, C Mulrone, D Nelson, C Nevin, M O'Connor, D Richardson, K Robinson, M Sadza, M Stafford, M Terry, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.30 pm - 6.45 pm

9 Apologies for Absence

Apologies for absence were received from Councillor K Murphy.

10 Declarations of Interest

There were no declarations of interest at this meeting.

11 Motion on Notice

The Worshipful the Mayor had agreed to call this Council meeting following a requisition by 7 Councillors, pursuant to Section 3 of Schedule 12 of the Local Government Act 1972, to consider the two matters referred to in the requisition and the associated motions. The Worshipful the Mayor was satisfied that these matters were legitimate subjects for the Council to debate.

The Worshipful the Mayor informed the Council that Councillor George has formally submitted his letter of resignation to the Chief Executive as Leader of the Council and therefore it was not necessary to deal with element one relating to the no confidence motion and removal of the Leader.

Therefore, a new Leader of the Council needed to be elected, as provided for in the Constitution.

A named vote was taken for the appointment of Leader of the Council.

For Councillor Cox:

Cllr S Aylen, Cllr B Beggs, Cllr H Boyd, Cllr K Buck, Cllr S Buckley, Cllr C Campbell, Cllr O Cartey, Cllr J Courtenay, Cllr T Cox, Cllr M Davidson, Cllr A Dear, Cllr F Evans, Cllr N Folkard, Cllr D Garston, Cllr S Habermel, Cllr J Harland, Cllr D Jarvis, Cllr D Jones, Cllr J Lamb, Cllr J Moyies, Cllr D Nelson, Cllr M Stafford, Cllr C Walker, Cllr J Warren and Cllr R Woodley (25)

For Councillor Cowan:

̄ Cllr M Berry, Cllr M Borton, Cllr L Burton, Cllr D Cowan, Cllr M Dent, Cllr S George, Cllr I Gilbert, Cllr L Hyde, Cllr A Jones, Cllr G Leroy, Cllr A Line, Cllr C Nevin, Cllr M O'Connor, Cllr D Richardson, Cllr K Robinson, Cllr M Sadza (16)

For Councillor Collins:

̄ Cllr P Collins, Cllr R McMullan, Cllr C Mulroney, Cllr P Wexham (4)

Abstentions:

̄ Cllr T Cowdrey, Cllr R Longstaff, Cllr M Terry, Cllr S Wakefield, Cllr N Ward (5)

Absent:

̄ Cllr K Murphy (1)

Resolved:

That Councillor T Cox be appointed Leader of the Council.

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 18th May, 2023
Place: Council Chamber - Civic Suite

8

Present: Councillor S Habermel (Chair)
Councillors S Aylen, B Beggs, M Berry, M Borton, H Boyd, K Buck, S Buckley, L Burton, C Campbell, O Cartey, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, N Folkard, D Garston, S George, I Gilbert, J Harland, L Hyde, D Jarvis, A Jones, D Jones, J Lamb, G Leroy, A Line, R Longstaff, R McMullan, J Moyies, C Mulrone, D Nelson, C Nevin, M O'Connor, D Richardson, K Robinson, M Sadza, M Stafford, M Terry, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 7.15 pm - 8.35 pm

12 **Apologies for Absence**

Apologies for absence were received from Councillor K Murphy.

13 **Declarations of Interest**

There were no declarations of interest at this meeting.

14 **Communications**

There were no communications from the Mayor.

15 **Administration for 2023/24 following May 2023 Local Authority Elections and associated matters**

The Council considered a report of the Executive Director (Finance and Resources) on the above matter.

Resolved:

1. That it be noted that, following the Local Elections on 4th May 2022, the make-up of the Council is as follows:

Conservative Group – 22
Labour Group – 16
Liberal Democrat Group – 4
Independent Group – 3
Residents' First Group - 3
Non-aligned / Green – 3

2. That the changes to the titles and responsibilities of Cabinet Members which have been made by the Leader of the Council as set out in the submitted report, be noted and that these changes be reflected in an amendment to Part 3 Schedule 1(a) of the Constitution.
3. That the appointments to the Cabinet (and substitutes) made by the Leader of the Council (including the arrangements for the Deputy Leader) as set out in List A, be noted.
4. That the appointments to the Cabinet Committee (and substitutes) made by the Leader of the Council as set out in List B, be noted.
5. That the eight Working Parties referred to in sections 3.1 to 3.8 of Part 3, Schedule 2 of the Constitution be replaced by new Working Parties with terms of reference to reflect the remit of the Cabinet Members.
6. That the revised terms of reference for the Corporate Parenting Group (Board) as set out at Appendix 1 to the submitted report, be approved.
7. That authority be delegated to the Chief Executive to confirm the appointments to the Working Parties, panels and forums etc in accordance with the nominations of the Group Leaders.
8. That the Council's Constitution, including the Scheme of Delegation in Part 3, Schedule 3, be endorsed.

16 Appointment of Councillors and Substitutes to Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee

Resolved:

That the Councillors set out in List C, as appended to the Minutes, be appointed as members and substitutes of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2023/24.

17 Appointment of Chairs and Vice-Chairs to Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee

The Worshipful the Mayor advised the Council that there had been more nominations for the positions of Chair and Vice-Chair on each of the Regulatory and Scrutiny Committees, Standards Committee and Audit Committee. A vote on each position was taken in accordance with Council Procedure Rule 13.

Resolved:

That the Councillors set out in List C, as appended to the Minutes, be appointed as Chairs and Vice-Chairs of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2023/24.

18 Appointment of Councillors and Substitutes to Working Parties, Panels, Forums, etc

This matter was dealt with under Minute 15 (Administration for 2023/24 following May 2023 Local Authority Elections and associated matters) above.

Resolved:

That it be noted that the Chief Executive has authority to confirm the appointments to Working Parties, Panels, Forums, etc following receipt of nominations from the Group Leaders.

19 Appointment of Chairs and Vice-Chairs of Working Parties, Panels, Forums, etc (save for Cabinet Working Parties, where the Chairs are appointed by the Leader)

Resolved:

That it be noted that the Chairs of Cabinet Working Parties will be appointed by the Leader of the Council and the Vice-Chairs will be elected at the first meeting of each Working Party.

20 Appointments to Outside Bodies

The Worshipful the Mayor advised the Council that there had been more nominations than there were positions on a number of the outside bodies. A vote on each position was taken in accordance with Council Procedure Rule 13.

Resolved:

That the Councillors indicated in List E, as appended to the minutes, be appointed to the outside bodies for the Municipal Year 2023/24.

21 Calendar of Meetings 2023/24

Resolved:

That the calendar of meetings for the Municipal Year 2023/24, approved.

Chair: _____

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Council – 13th July 2023

Petition: Installation of Zebra Crossing on Royston Avenue by the gates of Temple Sutton Primary School

Prayer of the Petition

We the undersigned request a zebra crossing install on Royston Avenue by the gates of Temple Sutton Primary school.

Title: Zebra Crossing for Temple Sutton Primary School

Your petitioners therefore request that the Council for Southend City will install the zebra crossing for the safety of the families.

Signatures: 193

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Notice of Motion:

Improved transition planning for children and young people with additional needs.

This Council is working within key pieces of legislation to ensure that children and young people (CYP) are supported to have a 'good transition' to adulthood through statutory responsibilities and good practice guidance.

It is important to build on the work done to support transitions for those young people in need of ongoing social care support into adulthood, where a clear pathway is being developed.

One cohort of CYP who could require care and support for transition may include those who have an EHCP; however, young people without an EHCP who may have assessments and reports from external professionals and have accessed the graduated offer also need to be considered.

Many children and young people approaching transition who have additional needs but who no longer receive a statutory service, or who are educated outside of the school environment will need their transition considered, and a recognised process to access support for a 'good transition' to facilitate reaching their full potential and long-term success. This could include considerations around how this group of young people are linked to the right individual who can co-ordinate this transition planning at the most effective time.

We know that around 500 CYP are electively home educated (EHE) with only 2.4% who have an EHCP and around 12% who EHE for some of the following reasons:

Dissatisfactions with school concerning bullying and SEND, school attendance, risk of sanctions/exclusion, medical reasons and those who chose not to give a reason.

This motion calls on Southend City Council to:

1. To ensure that assessments and diagnoses made by a recognised professional(s) in Health, Education and Social Care are included as valid evidence in formulating plans for children with additional needs, and, in particular in relation to an EHA or EHCP.
2. To clearly identify which professionals would be recognised and what qualifications are required.

3. To ensure that any EHA or EHCP informs a post 16 transition plan for young people to comply with legal requirements post 16 and reviewed at age 18 to link with any needed adult health or social care services.

4. To develop a clear business case which identifies appropriate resource to meet the needs of those young people who do not fall within statutory legislation around transitions who might experience some difficulties and or requirements for reasonable adjustments. This would include, amongst others, those previously known to social care or early help. Those not on school role, those in education other than schools and those with additional needs or identified barriers to education employment or training, who wouldn't be picked up by any other statutory process.

Proposed by:

Cllr Tricia Cowdrey

Seconded by:

Cllr Maxine Sadza

Notice of Motion to Full Council – Thursday 13th July 2023

Make votes matter by introducing Proportional Representation to the House of Commons

12

Southend-on-Sea City Council notes:

First Past the Post (FPTP) originated when land-owning aristocrats dominated Parliament and voting was restricted to property-owning men. Because of our outdated voting system, many thousands of residents in Southend-on-Sea cast votes which make absolutely no impact on the result of our national parliamentary elections.

In Europe, only the UK and authoritarian Belarus still use archaic single-round FPTP for general elections. Internationally, Proportional Representation (PR) is used to elect the parliaments of more than 80 countries. These countries tend to be more equal, freer and greener.

PR ensures all votes count, have equal value, and that seats won match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and protected characteristics of both local communities and of the nation.

MPs better reflecting the communities they represent in turn leads to improved decision-making, wider participation and increased levels of ownership of decisions taken.

PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. Fair, proportional votes also prevent 'wrong winner' elections such as occurred in 1951 and February 1974.

PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. Its use should now be extended to include Westminster.

Southend-on-Sea City Council therefore resolves:

To write to H.M. Government calling for a change in our outdated electoral laws and to enable Proportional Representation to be used for United Kingdom General Elections.

Proposer
Councillor Aston Line

Seconder
Councillor Matt Dent

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Council - 13th July 2023

Notice of Motion – Sheltered Accommodation

13

That council undertakes a review of its policy of placing under sixty in sheltered accommodation and independent living accommodation.

In resolve to return the age of tenants back to the age of over sixty.

Proposed: Cllr Nick ward

Seconded:

Cllr Stafford

Cllr Terry

Cllr Wakefield

Cllr Woodley

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DISCOURAGE VEHICLE IDLING AROUND SCHOOLS

The Royal College of Physicians estimate 40,000 deaths a year in the UK are linked to air pollution, with engine idling contributing to this. An idling engine can produce up to twice as many emissions as an engine in motion. This unnecessary source of pollution causes damage to our environment and is a particular issue outside our schools. Action must be taken to prevent and discourage vehicle idling.

14

Rule 123 of The Highway Code states that drivers must not leave a parked vehicle unattended with the engine running or leave a vehicle engine running unnecessarily while the vehicle is stationary on a public road.

Idling increases the amount of exhaust fumes in the air and these fumes contain a number of harmful gases including carbon dioxide, which is bad for the environment and contributes towards climate change, as well as a range of other harmful gases including nitrogen dioxide, carbon monoxide and hydrocarbons which are linked to asthma and other lung diseases.

Southend-on-Sea City Council notes:

Local authorities have the power under The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to issue a £20 fixed penalty notice (FPN) for emission offences and stationary idling if a motorist refuses to switch off their engine, regardless of the location

Idling is already prohibited by Rule 123 of The Highway Code, enforced by Section 42 of the Road Traffic Act 1998 and the Road Traffic (Vehicle Emissions) Regulations 2002.

While air pollution affects everyone, children and adolescents are particularly vulnerable because their bodies, organs and immune systems are still developing. Southend is one of the top ten worst Cities for pollution, it is the equivalent of smoking 157 cigarettes per year, that is just simply by breathing, this needs to change.

Southend-on-Sea City Council resolves to:

- Increase parking enforcement presence around schools with the express additional aim of encouraging motorists to switch their engines off while dropping off and picking up their children;
- Issue FPNs to those motorists who refuse to turn off their engines without good reason when requested by a Civil Enforcement Officer;
- Install anti-idling signs around schools to hammer home the message;
- Investigate the greater use of CCTV equipment and CCTV vehicles to assist enforcement;
- Expedite the rollout of "School Streets" at suitable locations as part of its efforts to encourage safer and healthier travel to and from school, while also helping to boost air quality levels;
- Work with schools to develop School Travel Plans which reduce the number of cars used on the school run through initiatives like 'walking buses' and car-pools

Proposed by:

Cllr Richardson Seconded by: Cllr Cowan

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Place Scrutiny Committee

Date: Tuesday, 4th April, 2023

Place: Committee Room 1 - Civic Suite

16

Present: Councillor J Courtenay (Chair)
Councillors J Warren (Vice-Chair), M Berry, M Borton, K Buck,
S Buckley, M Davidson, M Dent, L Hyde, D Jarvis, A Jones, J Moyies
and P Wexham

In Attendance: Councillors P Collins, C Mulroney, M Terry and S Wakefield (Cabinet
Members)
Councillor D Cowan
J Burr, K Ramkhelawon, E Georgeou, S Fox and T Row

Start/End Time: 6.30 pm - 8.45 pm

822 Apologies for Absence

Apologies for absence were received from Councillors Kelly (no substitute) and Woodley (no substitute).

823 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillors Collins, Mulroney, Terry and Wakefield (Cabinet Members) - Interest in the items referred direct; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011;

(ii) Councillor Borton – Minute No. 825 (Air Quality Action Plan 2023-2027) – Lars Davidson, who was mentioned in Schedule 2 of Appendix 2, was known to her as a member of the Labour Party; and

(iii) Councillor Anne Jones – Minute No. 825 (Air Quality Action Plan 2023-2027) – Husband works for a motor manufacturer and motor manufacturers and sales were mentioned in the report and debate.

824 Questions from Members of the Public

There were no questions from members of the public.

825 Air Quality Action Plan 2022-2027

The Committee considered Minute No. 821 of Cabinet, from its special meeting held on 4th April 2023, which had been referred direct to scrutiny, together with the report of the Executive Director (Neighbourhoods and Environment) presenting the Air Quality Management Plan (AQAP) 2023-27 for consideration.

The Committee debated the matter in some detail and asked a number of questions, which the Cabinet Member for Environment, Culture and Tourism and officers duly responded to.

In response to questions regarding the vocabulary, structure and content of the report and appendices, the Cabinet Member for Environment, Culture and Tourism gave assurances that the final version and future reports would be presented in a more user-friendly format.

Resolved:-

1. That the following decisions of Cabinet be noted:

“1. That the Air Quality Action Plan 2023-2027, set out at Appendix 1 for the Air Quality Management Area 2, set out at Appendix 2 to the submitted report, as amended to incorporate the views of the Environment, Culture and Tourism Working Party at its meeting held on 29 March 2023, be approved.

2. That the relevancy of air quality measures contained within the Air Quality Action Plan 2023-2027 to Air Quality Management Area 1 and the rest of the City of Southend, be acknowledged.”

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration. ||

Note: This is an Executive Function
Cabinet Member: Cllr Mulroney

Chair: _____