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SOUTHEND-ON-SEA CITY COUNCIL

Place Scrutiny Committee

Date: Monday, 5th June, 2023

Time: 6.30 pm

Place: Committee Room 1 - Civic Suite

Contact: Tim Row - Principal Democratic Services Officer

Email: committeesection@southend.gov.uk

A G E N D A

**** **Chair's Introduction**

1 **Apologies for Absence**

2 **Declarations of Interest**

3 **Questions from Members of the Public**

4 **Minutes of the meeting held on Monday, 13th March, 2023** attached
(pages 3 - 8)

5 **Minutes of the special meeting held on Tuesday 4th April, 2023**
attached (Pages 9 - 10)

**** **Items for Pre-Cabinet Scrutiny/Called-in from the Forward Plan**

6 **Site known as 'Land between Barge Pier Road and Ness Road' - Vehicle Movements**

Report of Executive Director (Neighbourhoods & Environment) attached
(Pages 11 - 14)

**** **Items Called-in/Referred Direct by Cabinet**

None

**** **Other Scrutiny Items**

7 **Work Programme Evaluation 2022/23**

Report of Executive Director (Finance & Resources) attached
(Pages 15 - 18)

TO: The Chair & Members of Place Scrutiny Committee:

Councillor R Woodley (Chair),

Councillors C Mulronev (Vice-Chair), M Berry, C Campbell, O Cartey, D Cowan,

A Dear, F Evans, I Gilbert, J Harland, L Hyde, A Jones, D Jones, K Robinson, M Terry,

C Walker and J Warren

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 13th March, 2023

Place: Committee Room 1 - Civic Suite

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Present: Councillor J Courtenay (Chair)
Councillors J Warren (Vice-Chair), M Berry, M Borton, K Buck,
S Buckley, T Cox*, M Dent, L Hyde, D Jarvis, A Jones, M Kelly,
J Moyies, N Ward and P Wexham
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillors S George, C Mulroney and S Wakefield (Cabinet Members)
J Burr, T Row, N Hoskins, S Fox and A Gibbons

Start/End Time: 6.30 pm - 7.05 pm

751 Chair's Announcement

The Chair welcomed everybody to the meeting and reminded everyone present of the standards conduct, behaviour and communication expected to be shown at the meeting.

752 Apologies for Absence

Apologies for absence were received from Councillors Berry (no substitute), Davidson (substitute: Councillor Cox) and Woodley (no substitute).

753 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillors George, Mulroney 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; and

(ii) Councillor Borton – Minute No. 756 (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.

754 Questions from Members of the Public

The Committee noted the responses from the Cabinet Member for Environment, Culture and Tourism to two questions from Mr Grubb and a question from Mr Webb. The Committee also noted the response for the Cabinet Member for Highways, Transport and Parking to a question from Mr Webb. As neither of the questioners were present at the meeting, copies of the written responses were sent to them.

755 Minutes of the meeting held on Monday, 30th January, 2023

Resolved:-

That the Minutes of the meeting held on Monday, 30th January 2023 be received, confirmed as a correct record and signed.

756 Air Quality Action Plan 2022-2027

The Leader and Cabinet Member for Environment, Culture and Tourism, withdrew this item to enable the Council's Environment, Culture and Tourism Working Party to consider issues raised in respect of the draft Air Quality Management Plan 2023-2027. The matter would be reported to a future or special meeting of the Cabinet and Place Scrutiny Committee in due course.

757 Proposed Community Infrastructure Levy

The Committee considered Minute No. 723 of Cabinet held on 21st February 2023, which had been call-in for scrutiny, together with the joint report of the Executive Director (Neighbourhoods and Environment) and Executive Director (Growth and Housing). This sought agreement to the expenditure of up to £1million from the Community Infrastructure Levy (CIL) Main Fund on enhancing cycle infrastructure within the city.

The Cabinet Member for Highways, Transport and Parking gave his assurances that the missing link from Shoebury Common to the Garrison would be investigated under phase 1 of the scheme and that any detailed proposals for improvements/additions to the cycle route network, including the proposed cycle route along the central reservation of Prittlewell Chase, Kennilworth Gardens and Blenheim Chase from Fairfax Drive to Belfairs Park, would be submitted to the Council's Traffic Regulation Working Party and Cabinet Committee for consideration.

Resolved:-

That the following recommendation of Cabinet be noted:

"1. That the 'Cycle Routes and Path Improvement Programme' CIL Main Fund application, set out at appendix A to the submitted report, together with the further details set out at Appendix A1 to A3 of the report, be noted.

2. That up to £1million from the CIL Main Fund to be spent on enhancing cycle infrastructure within the city, be approved.

3. That authority be delegated to the Director for Planning, in consultation with the Cabinet Member for Environment, Culture and Tourism, to take all necessary steps to ensure compliance with the objectives of the Community Infrastructure Levy Governance Framework when spending the sum approved under recommendation 2 above."

Note: This is a Council Function

Cabinet Members: Cllr Wakefield and Mulroney

758 Traffic Regulation Orders - Junction Protection

The Committee considered Minute No. 706 of Cabinet Committee held on 20th February 2023, which had been called-in to scrutiny, together with the report of the Executive Director (Neighbourhoods and the Environment) that sought approval of the commencement of consultation and implementation of the relevant traffic regulation orders in respect of the junction at Blatches Chase with Whitehouse Road. This would be included in the junction protection project schemes across the City. This matter had been referred to the Traffic Regulations Working Party and Cabinet Committee for determination as it crosses the boundary the two wards of Eastwood Park ward and St Laurence.

Resolved:

That the following decisions of Cabinet Committee be noted:

“1. That the Executive Director (Neighbourhoods & Environment) or Head of Traffic Management and Highways Network be authorised to undertake the statutory consultation and prepare the requisite traffic regulation order(s) for the introduction of the waiting restrictions for the proposed junction protection measures set out in the submitted report and, subject to there being no objections following statutory advertisement to confirm the appropriate traffic regulation order and implement the restrictions.

2. That, in the event any objections are received in response to the statutory consultation, the matter be referred to the Traffic Regulations Working Party and Cabinet Committee for determination.”

Note: This is an Executive function
Cabinet Member: Councillor Wakefield

759 School Streets (West Leigh School - Ronald Hill Grove)

The Committee considered Minute No. 707 of Cabinet Committee held on 20th February 2023, which had been called-in to scrutiny, together with the report of the Executive Director (Neighbourhoods and Environment). This sought approval of the commencement of the statutory consultation for the relevant traffic regulation order in respect of the Ronald Hill Grove (West Leigh School Street) proposals and the implementation of the scheme should the traffic regulation order be confirmed. This matter had been referred to the Traffic Regulations Working Party and Cabinet Committee for determination as it crosses the boundary of two or more electoral Wards in the City.

Resolved:-

That the following decisions of Cabinet Committee be noted:

“1. That the Executive Director (Neighbourhoods & Environment) or Head of Traffic Management and Highways Network be authorised to undertake the statutory consultation and prepare the requisite traffic regulation order(s) for the introduction of the Ronald Hill Grove (West Leigh School Street) scheme as set

out in the submitted report and, subject to there being no objections following statutory advertisement to confirm the appropriate traffic regulation order and implement the restrictions.

2. That, in the event any objections are received in response to the statutory consultation, the matter be referred to the Traffic Regulations Working Party and Cabinet Committee for determination.”

Note: This is an Executive function
Cabinet Member: Councillor Wakefield

760 Prittle Brook Greenway TRO (Traffic Regulation Order)

The Committee considered Minute No. 709 of Cabinet Committee held on 20th February 2023, which had been called-in to scrutiny, together with the report of the Executive Director (Neighbourhoods & Environment) that presented proposals for the conversion of existing pedestrian only footways to shared use cycle track at various locations as set out in the submitted report to improve the continuity of Prittle Brook Greenway cycle track.

The report also sought approval of the commencement of the statutory consultation and implementation of the relevant traffic regulation orders to support the scheme. This matter had been referred to the Traffic Regulations Working Party and Cabinet Committee for determination as it crosses the boundary of two or more electoral Wards in the City.

The Committee noted the assurances that had been given by the Council’s Head of Traffic Management and Highways Network:

(i) that the final designs and details of the widths of the shared use cycleway/footway would be brought back to the Traffic Regulations Working Party and Cabinet Committee prior to the statutory advertisement of any proposals; and
(ii) to investigate the possibility of providing appropriate markings on the pavement to advise pedestrians of the potential of cyclists as part of the improvements.

Resolved:-

That the following decisions of Cabinet Committee be noted:

“1. That the Executive Director (Neighbourhoods & Environment) or Head of Traffic Management and Highways Network be authorised to undertake the statutory consultation and prepare the requisite traffic regulation order(s) to support the improvements of the continuity of Prittle Brook Greenway cycle track scheme as set out in the submitted report and, subject to there being no objections following statutory advertisement to confirm the appropriate traffic regulation order and implement the restrictions.

2. That, in the event any objections are received in response to the statutory consultation, the matter be referred to the Traffic Regulations Working Party and Cabinet Committee for determination.”

Note: This is an Executive function
Cabinet Member: Councillor Wakefield

761 In-depth Scrutiny Project 2022/23 - Preparing Southend for the EV Revolution - Update

The Committee noted an oral update on the progress that had been made in respect of the in-depth scrutiny project entitled “Preparing Southend for the EV Revolution.”

Resolved:-

That the report be noted.

This is a Scrutiny function.

Chair: _____

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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

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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: _____

Meeting:	Cabinet
Date:	26 June 2023
Classification:	Part 1
Key Decision:	Yes
Title of Report:	Site known as ‘Land between Barge Pier Road and Ness Road’ – Vehicle movements
Report Author:	Neil Hoskins (Head of Civil Engineering)
Cabinet Member:	Cllr Kevin Buck (Cabinet Member for Highways, Transport & Parking)

1. Executive Summary

- 1.1. Following the motion and petition to Council on the 2nd March 2023, this report is to confirm that discussions have commenced with the site’s developer and are ongoing. These discussions are exploring options that may exist for the developer to transport the spoil by means other than the city’s road network

2. Purpose of Report

- 2.1 The purpose of this report is to update on the motion of the Opposition Councillors (“Opposition Business”), as moved at the meeting of the Council on the 2 March 2023, and the Petition presented to the same meeting of the Council, in terms of the legality and wider implications of what they propose.
- 2.2 Both the Opposition Business and the Petition relate to vehicle movements on the public highway associated with a development which has been granted planning permission at the site known as ‘Land between Barge Pier Road and Ness Road’ under the applications with Local Planning Authority reference numbers 22/01602/RES and 20/01227/OUTM.

3. Recommendations

- 3.1. That the Council notes that the Head of Civil Engineering and/or Director for Transport & Waste will continue discussions with the developer on the viability of moving earthworks material by means other than by road

4. Background

- 4.1. Councillor Nelson submitted a motion under opposition business for debate at Council on the 2 March 2023.
- 4.2. The motion read as follows:

“This Council resolves that:

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.*

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.”*

- 4.3. Following this Councillor Cowdrey proposed an amended motion to be debated at the same meeting of the Council. This read:

“This Council therefore resolves that:

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.”*

- 4.4. At the meeting of the Council on the 2 March 2023 a petition with 1292 signatures was considered on a closely related matter. The text for this petition was as follows:

“We the undersigned petition the council to Not allow over 85,000 earth moving trucks along the whole of the City's highways infrastructure and use other means, such as barges along the river Thames or the rail network. The Council is proposing to allow 120 earth moving trucks of 40/50 tonnes per day on our highway infrastructure, from the far west of the City's boundary to the far east, over a two-and-a-half-year period. This equals over 85,000 truck movements, between the hours of 8am and 6pm Monday to Friday and

between 8am and 1pm on a Saturday. No impact assessment has been carried out in terms of diesel exhaust fumes and the environmental impact around our children's schools, no impact assessment has been carried out on the vibration to the foundations of the residential homes throughout this route, no property surveying is proposed to check for damage and subsidence to any residential homes along the route. The proposed route is the A127, Prince Avenue, Priory Crescent, Eastern Avenue, Royal Artillery Way, Thorpe Hall Avenue (north and south of the railway), Thorpe Esplanade and Shoebury Common Road into Ness Road.”

4.5. Works Undertaken to date

4.5.1. Following the motion and the petition detailed above, the Head of Civil Engineering had an exploratory discussion (on the 24 April 2023) with the representatives of the developer about the prospect of moving the earthworks material by means other than by road transport.

4.5.2. The developer has agreed to consider the viability (technical as well as financial) of the request and provide a short note setting out their findings. This response is expected by the end of June 2023.

5. Financial Implications

5.1. None

6. Legal Implications

6.1. N/A

7. Carbon Impact

7.1. N/A

8. Equalities

8.1. N/A

9. Consultation

9.1. N/A

10. Appendices

10.1. None

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Meeting:	Place Scrutiny Committee, People Scrutiny Committee and Policy & Resources Scrutiny Committee
Date:	5 June 2023 6 June 2023 8 June 2023
Classification:	Part 1
Key Decision:	No
Title of Report:	Work Programme Evaluation 2022/23
Executive Director:	Finance & Resources
Report Author:	S. Tautz (Principal Democratic Services Officer)

1. Executive Summary

- 1.1. For the Committee to review the work that it carried out during the previous municipal year.

2. Recommendations

- 2.1. **That the Committee note the summary of the scrutiny work that it has undertaken during the 2022/23 municipal year.**
- 2.2. **That the completion of the in-depth scrutiny project undertaken for 2022/2, around the theme of ‘Preparing Southend for the EV Revolution’, be noted.**

3. Work Undertaken by the Scrutiny Committees 2022/23

- 3.1 Summaries of the work undertaken by each of the scrutiny committees during the 2022/23 municipal year are attached at Appendix 1(a)-(c) to this report.
- 3.2 The Committee is requested to note the summary of the work it has undertaken during 2022/23.

4. In-Depth Scrutiny Project 2022/23 - ‘Preparing Southend for the EV Revolution’

- 4.1 The in-depth scrutiny project undertaken on behalf of the Committee for 2022/23, has recently been completed.

- 4.2 The final report and recommendations arising from the completion of the in-depth scrutiny project is currently being finalised and will be presented to the Committee for consideration at its next meeting.

5. **Corporate Implications**

Contribution to the Southend 2050 Road Map

Becoming an excellent and high performing organisation.

Financial Implications

There are costs associated with the completion of the annual work programme for the Committee and the undertaking of in-depth scrutiny projects, although these are generally contained within existing resources.

Legal Implications

None

People Implications

None.

Property Implications

None

Consultation

As required for the completion of the annual work programme for the Committee and the undertaking of in-depth scrutiny projects

Equalities and Diversity Implications

None

Risk Assessment

None

6. **Background Papers**

None

7. **Appendices**

Appendix 1(a)-(c) – Work programme evaluation for each of the scrutiny committees for 2022/23

PLACE SCRUTINY COMMITTEE WORK PROGRAMME EVALUATION - 2022/23

During the 2022/23 municipal year, the Place Scrutiny Committee held **8** meetings and met on the following dates: 4 July 2022, 30 August 2022, 10 October 2022, 28 November 2022, 30 January 2023 and 13 March 2023. Special meetings of the Committee were held on 10 November 2022 and 4 April 2023.

During the year, the Committee undertook the following scrutiny work:

(a) Call-In/References from Cabinet

The Committee considered **32** reports that were called-in (18) from the Cabinet or referred directly (14) by the Cabinet for scrutiny. The Committee considered **6** reports that were called-in from the Cabinet Committee for scrutiny. During the year, the Annual Report and Provisional Resources Outturn for 2021/22 against the Delivery of the Southend 2050 Outcomes and Priorities, was called in to each of the scrutiny committees. In addition, the Finance and Corporate Performance Report for Period 4 of 2022/23 was referred directly to each of the scrutiny committees by the Cabinet, as was the annual review of the Corporate Risk Register.

Of the reports that were called-in from the Cabinet or referred directly by the Cabinet for scrutiny:

- The Committee referred **4** items back to the Cabinet for reconsideration during the year.
- The Committee referred **4** matters up to the Council for consideration in accordance with Procedure Rule 39 during the year.

(b) Forward Plan

The Committee considered **no** items called-in from the Cabinet forward plan during the year.

(c) Pre-Cabinet Scrutiny

The Committee considered **no** pre-Cabinet scrutiny items during the year.

The Council has agreed the introduction of pre-Cabinet scrutiny arrangements across the scrutiny function from the commencement of the 2023/24 municipal year.

(d) Scheduled Items

During the year, the following scheduled matters were considered at each meeting of the Committee (as appropriate):

- A total of **20** questions received from members of the public were responded to by the relevant Cabinet Members.
- In-Depth Scrutiny Project 2022/23 - A verbal update on the progress of the project was made to each meeting by the Chair of the Project Team.

In-Depth Scrutiny Project

An in-depth scrutiny project was undertaken on behalf of the Committee for 2022/23 on the theme of 'Preparing Southend-on-Sea for the Electric Vehicle Revolution,' which was agreed at

the meeting of the Committee on 4 July 2022 (Minute 86). A project plan and work programme for the in-depth scrutiny project were agreed at the meeting on 10 October 2022 (Minute 342). No additional topics were selected by the Committee for in-depth scrutiny activity during 2022/23.

The final report and recommendations arising from the in-depth scrutiny project are to be considered by at the meeting of the Committee on 3 July 2023 and, subject to the agreement of the report and recommendations, will then subsequently be considered by the Cabinet.

Other Matters

During the year, the Committee undertook the following other scrutiny work:

- Consideration of the final report and recommendations arising from the Joint In-Depth Scrutiny Project for 2022/23 (4 July 2022 (Minute 85) and 30 August 2022 (Minute 237)).
- Consideration of the summary of work for 2021/22 and the proposed In-Depth Scrutiny Project for 2022/23 (4 July 2022 (Minute 86)).