

## **SOUTHEND-ON-SEA BOROUGH COUNCIL**

### **Meeting of The Council**

**Date: Thursday, 21st February, 2019**

**Place: Council Chamber - Civic Suite**

Present: Councillor D Jarvis (Chair)  
Councillors A Holland (Deputy Chair), B Arscott, S Aylen, B Ayling, M Borton, H Boyd, A Bright, K Buck, S Buckley, L Burton, D Burzotta, T Byford, A Chalk, J Courtenay, T Cox, M Davidson, A Dear, M Dent, F Evans, M Flewitt, N Folkard, D Garne, D Garston, J Garston, I Gilbert, S Habermel, R Hadley, T Harp, A Jones, J Lamb, H McDonald, D McGlone, J McMahon, A Moring, C Mulrone, D Nelson, C Nevin, G Phillips, K Robinson, L Salter, M Stafford, M Terry, N Ward, C Walker, P Wexham, C Willis and R Woodley

\*Substitute in accordance with Council Procedure Rule 31.

In Attendance:

Start/End Time: 6.30 pm - 1.30 am

#### **717 Apologies for Absence**

#### **718 Declarations of Interest**

- **Councillor Arscott**

- **People Scrutiny Committee – 29<sup>th</sup> January 2019**

- Minute 661 - Schools Progress report – non-pecuniary – Governor at Our Lady of Lourdes Catholic Primary School (Assisi Trust);

- **Councillor Ayling**

- **Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

- Minute 668 - Proposed development of the Seaway Car Park – non-pecuniary interest – knows people involved with scheme;

- **Councillor Borton**

- **People Scrutiny Committee – 29<sup>th</sup> January 2019**

- Minute 653 - Draft General Fund Revenue Budget and Minute 658 - Revenue & Capital Monitoring – non-pecuniary – work for DWP, dealing with Universal Credit claimants;

- **Councillor Boyd**

- **People Scrutiny Committee – 29<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/ referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Disqualifying non-pecuniary interest in Minute 660 (Schools Progress Report); attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

**Council – 21<sup>st</sup> February 2019**

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Buck**

**Place Scrutiny Committee – 28<sup>th</sup> January 2019**

Minute 640 (Draft Capital Investment Programme 2019/20 to 2023/24) Items 6.3, 8.5 (Schools) and Appendix 1 page 3 – Non-pecuniary interest: Governor at Eastwood Academy;

Minute 641 (Draft General Fund Revenue Budget 2019/20) – Items 2.5, 5, 6 and 8.16 (Schools) - Non-pecuniary interest - Governor at Eastwood Academy and Appendix 9 – B3 – Non-pecuniary interest - Member of Belfairs Golf Club;

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 673 - Draft General Fund Revenue Budget – non-pecuniary interest – Governor at The Eastwood Academy.

- **Councillor Buckley**

**Cabinet Committee – 7<sup>th</sup> January 2019**

Minute 578 – Objections to traffic regulation orders – Non-pecuniary interest – has been lobbied as to all schemes for St Laurence Ward and attended the Working Party but was not called to speak;

**Development Control Committee – 9<sup>th</sup> January 2019**

Minute 586 (18/01963/FULM – Development Land at Priory Crescent) – Non-pecuniary interest: Has met with the management/staff of the store in recent weeks.

**Cabinet – 17<sup>th</sup> January 2019**

Minute 612 – Future Phases of Affordable Housing Development Programme – non-pecuniary interest – lobbied and discussed issues relating to Lundy Close;

**Policy & Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 674 - Future Phases of Affordable Housing Development Programme – non-pecuniary interest – lobbied and discussed issues relating to Lundy Close;

**Council – 21<sup>st</sup> February 2019**

Agenda Item 4 (Public Questions 3 and 4) – non-pecuniary interest – has been lobbied by local residents in respect of the Bell Junction improvement works;

- **Councillor Burton**

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 660 - Schools Progress report – non-pecuniary – Director of English and Maths at USP (formally SEEVIC) College and Southend schools are feeder schools;

- **Councillor Burzotta**

**Cabinet – 17<sup>th</sup> January 2019**

Minute 605 – Proposed development of the Seaway Car Park – Non-pecuniary interest – family owns a restaurant in the town centre;

**Policy & Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 668 - Proposed development of the Seaway Car Park – Non-pecuniary interest – family owns a restaurant in the town centre;

**Council – 21<sup>st</sup> February 2019**

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 2) – Non-pecuniary interest – family businesses across the borough;

- **Councillor Courtenay**

**Place Scrutiny Committee – 28<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

**Special Place Scrutiny Committee – 13<sup>th</sup> February 2019**

Disqualifying non-pecuniary interest in Minute 714 (Better Queensway Regeneration Project) and Minute 716 (Confidential App 2 to the Better Queensway Regeneration Project) – attended pursuant to the dispensation agreed at Council on 19<sup>th</sup> July 2012, under S.33 of the Localism Act 2011;

- **Councillor Cox**

**Cabinet – 17<sup>th</sup> January 2019**

Minute 605 (The proposed development of the Seaway Car Park) – Disclosable Pecuniary Interest – family member is employed by Stockvale and is a business involved in discussions with regard to the development and lobbying of Councillors (withdrew).

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/ referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;  
Minute 668 - Proposed development of the Seaway Car Park - Disclosable Pecuniary Interest – family member is employed by Stockvale and is a business involved in discussions with regard to the development and lobbying of Councillors (withdrew).

**Council – 21<sup>st</sup> February 2019**

Agenda Item 4 (Questions from the Public concerning the proposed development of Seaway Car Park) - Disclosable Pecuniary Interest – family member is employed by Stockvale and is a business involved in discussions with regard to the development and lobbying of Councillors (withdrew).

- **Councillor Davidson**

**Audit Committee – 16<sup>th</sup> January 2019**

Minute 594 (Treasury Management Policy 2019/20) – Non-pecuniary interest – Non-Executive Director of South Essex Homes;

**Special Place Scrutiny Committee – 13<sup>th</sup> February 2019**

Minute 714 (Better Queensway Regeneration Project) and Minute 716 (Confidential App 2 to the Better Queensway Regeneration Project) – non-pecuniary interest – Non-Executive Director of South Essex Homes Board.

- **Councillor Dear**

**Cabinet Committee – 7<sup>th</sup> January 2019**

Minute 579 – Petition requesting the closure of Oakwood Avenue and Shirley Road – non-pecuniary interest – lives in the general vicinity of Oakwood Avenue;

**Development Control Committee – 9<sup>th</sup> January 2019**

Minute 587 (18/01749/FUL – 112 Fairway, Leigh-on-Sea) Non-pecuniary interest: Lives on The Fairway.

- **Councillor Evans**

**Appeals Committee A – 12<sup>th</sup> February 2019**

Minute 709 (Education Transport Appeal – Pupil BI) – non-pecuniary interest – lives in close proximity to the appellant (Withdrew).

- **Councillor Flewitt**

**Cabinet Committee – 7<sup>th</sup> January 2019**

Minute 578 (Objections to Traffic Regulation Orders – Alton Gardens) – Pecuniary interest: Gives a financial contribution to St Stephens Church (withdrew);

**Development Control Committee – 9<sup>th</sup> January 2019**

Minute 586 – Development Land at Priory Crescent – Non-pecuniary interest – has been lobbied by residents and attended planning agents meeting (took no part in the decision);

**Cabinet – 17<sup>th</sup> January 2019**

Minute 612 (Future phases of Affordable Housing Development Programme) – non-pecuniary interest – lives in the vicinity of Lundy Close and knows individual residents and has been lobbied by some residents on the matter;

Minute 605 – proposed development of the Seaway Car Park – non-pecuniary interest – he has been informed that his employer acts for Deloitte. However, he is not a lawyer at his firm and in any event he has had no involvement with Deloitte in respect of this matter or generally.

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19<sup>th</sup> July 2012, under S.33 of the Localism Act 2011;

Minute 668 – proposed development of the Seaway Car Park – non-pecuniary interest – he has been informed that his employer acts for Deloitte. However, he is not a lawyer at his firm and in any event has had no involvement with Deloitte in respect of this matter or generally.

Minute 671 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting - non-pecuniary interest - friends and family are tenants of South Essex Homes matter (was not present for agenda item however);

Minute 674 - Future phases of Affordable Housing Development Programme – non-pecuniary interest – lives in the vicinity of Lundy Close and knows individual residents and has been lobbied by some residents on the matter (was not present for agenda item however);

**Licensing Sub Committee B – 11<sup>th</sup> February 2019**

Minute 696 – Mojo, 194 Leigh Road (application for review of premises licence) – non-pecuniary interest – chaired a meeting last year as the relevant Cabinet Member (took no part in the decision);

**Cabinet – 12<sup>th</sup> February 2019**

Minute 699 – Better Queensway Regeneration Project - non-pecuniary interest – he has been informed that his employer acts for Deloitte. However, he is not a lawyer at his firm and in any event he has had no involvement with Deloitte in respect of this matter or generally.

Minute 700 – HRA Budget 2019/20 and Rent Setting – non-pecuniary interest – friends and relatives are tenants of South Essex Homes;

**Special Place Scrutiny Committee – 13<sup>th</sup> February 2019**

Minutes 714 and 716 (Better Queensway Regeneration Project) – Non-pecuniary interest – he has been informed that his employer acts for

Deloitte. However, he is not a lawyer at his firm and in any event has had no involvement with Deloitte in respect of this matter or generally.

**Council – 21<sup>st</sup> February 2019**

Agenda Item 4 (Public Questions 3 and 4) – non-pecuniary interest – has been lobbied by local residents in respect of the Bell Junction improvement works;

Agenda Item 7 – Council Budget 2019/20 – Non-pecuniary interest – friends and family are tenants of South Essex Homes;

- **Councillor Folkard**

**Development Control Committee – 6<sup>th</sup> February 2019**

Minute 691 – Dawlea, Cliff Road, LOS – Disqualifying Non-Pecuniary interest – one of the residents is known to him (withdrew)

- **Councillor Garne**

**Council – 21<sup>st</sup> February 2019**

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor J Garston**

**Development Control Committee – 9<sup>th</sup> January 2019**

Minute 589 (18/02094/FUL – Clements House, 1279 London Road, Leigh-on-Sea) – Non-pecuniary interest: Is a client to the firm.

**Council – 21<sup>st</sup> February 2019**

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor D Garston**

**Development Control Committee – 12<sup>th</sup> December 2018**

Minute 560 (18/01352/FUL Henry Burgers) – Non-Pecuniary Interest: Mother of the applicant is a neighbour to him and a joint member of the resident's board.

**Development Control Committee – 9<sup>th</sup> January 2019**

Minute 588 (18/02048/FUL – Clements House, 1279 London Road, Leigh-on-Sea) – Non-pecuniary interest: Is a client of the firm.

Minute 590 (18/01527/AMDT – 11 Leigh Park Road, Leigh-on-Sea) – Non Pecuniary interest: Architect is known to him.

**Development Control Committee – 6<sup>th</sup> February 2019**

Minute 689 – Car Park at 27 Victoria Avenue, Southend-on-Sea – Non-pecuniary interest – Agent of objector is known to him;

- **Councillor Habermel**

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 661 - Scrutiny Committee updates - non-pecuniary – sister is a nurse at Southend Hospital; nephew is a physiotherapist based at Southend; brother is a paramedic with London Ambulance Service;

**Council – 21<sup>st</sup> February 2019**

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Hadley**

**Council – 21<sup>st</sup> February 2019**

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Harp**

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 661 - Scrutiny Committee updates - non-pecuniary – Chair of St Lukes PPG and member of PPG Forum;

- **Councillor Holland**

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 652 - Draft Capital Investment Programme; Minute 653 - Draft General Fund Revenue Budget; Minute 658 - Revenue & Capital Monitoring and Minute 659 - MPR – her son works for the Council and would withdraw if any relevant projects were discussed.

**Policy & Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 674 – Future phases of affordable housing development – Disqualifying non-pecuniary interest – son is involved with the project (withdrew)

**Cabinet – 12<sup>th</sup> February 2019**

Minutes 699 and 705 (Queensway Regeneration Project) – Disqualifying non-pecuniary interest – son is involved with the project (withdrew)

**Special Place Scrutiny Committee – 13<sup>th</sup> February 2019**

Minutes 714 and 716 (Queensway Regeneration Project) – Disqualifying non-pecuniary interest – son is involved with the project (withdrew)

**Council – 21<sup>st</sup> February 2019**

Agenda Item 24 (Pay Policy Statement) – non-pecuniary interest – son works for the Council;

- **Councillor Jones**

**Development Control Committee – 12<sup>th</sup> December 2018**

Minute 561(18/01812/FUL 258 Westborough Road) – Non-Pecuniary Interest: Relative lives nearby.

**Cabinet – 17<sup>th</sup> January 2019**

Minute 613 (Special Educational Needs and Disabilities Inspection) – non-pecuniary interest – member of Little Heroes Charity referred to in the report;

**Place Scrutiny Committee – 28<sup>th</sup> January 2019**

Minute 640 (Draft Capital Investment Programme 2019/20 to 2023/24) – Non-pecuniary interest: Son works for C2C and Southend Central Station was mentioned in the debate;

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 654 - SEND Inspection – non-pecuniary – member of organisation referred to in report.

- **Councillor Lamb**

**Place Scrutiny Committee – 28<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/ referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor McDonald**

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 678 - Employment Appeals – non-pecuniary interest - member of Unison, but not local branch consulted;

- **Councillor McGlone**

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 674 - Future phases of Affordable Housing Development Programme – non-pecuniary interest - lives in the vicinity of Lundy Close and knows individual residents;

**Special Place Scrutiny Committee – 13<sup>th</sup> February 2019**

Minutes 714 and 716 – Non-pecuniary interest – Non-Executive Director of South Essex Homes;

**Council – 21<sup>st</sup> February 2019**



Agenda Item 4 (Public Questions 3 and 4) – non-pecuniary interest – has been lobbied by local residents in respect of the Bell Junction improvement works;

- **Councillor McMahon**

**Cabinet – 12<sup>th</sup> February 2019**

Minute 699 – Better Queensway Regeneration Project – Non-pecuniary interest – formerly employed by Swan;

**Special Place Scrutiny Committee – 13<sup>th</sup> February 2019**

Minute 714 - Better Queensway Regeneration Project – Non-pecuniary interest – formerly employed by Swan;

- **Councillor Moring**

**Cabinet Committee – 7<sup>th</sup> January 2019**

Minute 579 (Petition Requesting Closure of Oakwood Avenue and Shirley Road) – Non-pecuniary interest: Mother owns a property in Briarwood Drive;

**Place Scrutiny Committee – 28<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Mulroney**

**Development Control Committee – 12<sup>th</sup> December 2018**

Minute 550 – 141 Broadway Leigh – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning)

Minute 560 (18/01352/FUL Henry Burgers) – Non-Pecuniary Interest: Member of Leigh Town Council (non-participant in planning).

**Development Control Committee – 8<sup>th</sup> January 2019**

Minute 588 – 1279 London Road – non-pecuniary interest: Member of Leigh Town Council (non-participant in planning)

**Cabinet – 17<sup>th</sup> January 2019**

Minute 605 (The proposed development of the Seaway Car Park) – non-pecuniary interest – member of Development Control Committee;

Minute 611 (Draft General Fund Revenue Budget) – non-pecuniary interest – member of Leigh Town Council;

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 668 - Proposed development of the Seaway Car Park – non-pecuniary interest – Member of Development Control Committee;

Minute 670 - Council Tax Base and Minute 673 – Draft General Fund Revenue Budget 2019/20 - non-pecuniary interest – member of Leigh Town Council;

**Development Control – 6<sup>th</sup> February 2019**

Minute 692 – 34 Percy Road, Leigh – non-pecuniary interest – Member of Leigh Town Council (non-participant in planning);

**Cabinet – 12<sup>th</sup> February 2019**

Minute 703 – General Fund Revenue Budget 2019/20 – non-pecuniary interest – Member of Leigh Town Council;

- **Councillor Nelson**

**Place Scrutiny Committee – 28<sup>th</sup> January 2019**

Minute 638 (Southend 2050 - Strategic Delivery Plans) – Non-pecuniary interest: Employer is a Member of Parliament.

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 661 - Scrutiny Committee updates - non-pecuniary – wife is a nurse at Southend Hospital;

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 669 -Brexit – disclosable non-pecuniary interest – employer is an MP (withdrew);

- **Councillor Nevin**

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 661 - Scrutiny Committee updates – mid and south Essex STP - non-pecuniary – Previous association at Southend & MEHT Hospitals; sons work at MEHT; sister works Basildon Hospital; work at NHS Trust outside this area;

- **Councillor Phillips**

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 653 - Draft General Fund Revenue Budget and Minute 657 - Corporate Risk Register – non-pecuniary – son works in Brexit team in Westminster civic service;

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 669 - Brexit - non-pecuniary interest – son works in Brexit team in Westminster civil service;

- **Councillor Salter**

**Health & Wellbeing Board – 23<sup>rd</sup> January 2019**

Minute 631 (NHS Long Term Plan) – non-pecuniary interest – husband is a Consultant Surgeon at Southend Hospital; daughter is a doctor at Basildon Hospital and son-in-law is a GP in the Borough;

**Place Scrutiny Committee – 28<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Disqualifying non-pecuniary interests in all the called-in/ referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 661 (Scrutiny Committee – updates) – non-pecuniary - husband is consultant Surgeon at Southend Hospital; son-in-law is GP in the Borough; daughter is a doctor at Basildon Hospital (was not present for agenda item however);

**Council – 21<sup>st</sup> February 2019**

Agenda Item 7 (Council Budget 2019/20: Budget Amendment 1) – declared an interest – private landlord;

- **Councillor Terry**

**Policy and Resources Scrutiny Committee – 30<sup>th</sup> January 2019**

Minute 668 - Proposed development of the Seaway Car Park – non-pecuniary interest – knows people involved with scheme; Fossetts Farm also mentioned – is SUFC season ticket holder;

- **Councillor Van Looy**

**Cabinet Committee – 7<sup>th</sup> January 2019**

Minute 578 (Objections to Traffic Regulation Orders – Holland Road) – Non-pecuniary interest: One of the residents is known to him;

- **Councillor Walker**

**Development Control Committee – 9<sup>th</sup> January 2019**

Minute 589 (18/02094/FUL – Clements House, 1279 London Road, Leigh-on-Sea) – Disqualifying non-pecuniary interest: Applicant is a relative.

**People Scrutiny Committee – 29<sup>th</sup> January 2019**

Minute 655 (St Mary's School) – non-pecuniary – Southend Boys & Girls Training Choirs rehearse at St Mary's School;

- **Councillor Willis**

**Cabinet Committee – 7<sup>th</sup> January 2019**

Minute 580 (Requests for Traffic Regulation Orders – Hadleigh Road) – Non-pecuniary interest: Wife works at a school in the Road.

- **Councillor Woodley**

**Audit Committee – 16<sup>th</sup> January 2019**

Minute 594 (Treasury Management Policy 2019/20) – Non-pecuniary interest – Non-Executive Director of South Essex Homes.

**719      Communications**

Councillor Ware-Lane

The Council stood for a one minute silence as a mark of respect to Councillor Julian Ware-Lane who had recently passed away.

## **720 Questions from the Public**

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

## **721 Questions from Councillors**

The relevant Cabinet Members responded to written and supplementary questions from Councillors Ayles, Burton, McDonald, Dent and J Garston.

## **722 Minutes of the Meeting held on Thursday 13th December 2018**

Resolved:-

That the Minutes of the Meeting held on Thursday 13<sup>th</sup> December 2018 be confirmed as a correct record and signed.

## **723 Council Budget 2019/20**

The Council considered a report of the Corporate Management Team which presented the Cabinet's revenue budget and Council Tax for 2019/20 financial year, together with Minutes 609, 610 and 611 of Cabinet held 17th January 2019 and Minutes 700 to 703 of Cabinet held on 12th February 2019, and Scrutiny Minutes 640, 641, 652, 653, 671, 672 and 673.

The Council suspended the relevant parts of Council Procedure Rule 10 to permit the extended budget speeches of the Leader of the Council and of the Leaders of the Opposition Groups.

In accordance with Council Procedure Rule 10.1(e) Councillors Gilbert, Woodley and Mulroney had submitted six amendments to the Budget.

The amendments were voted on by way of a named vote as required by law. The voting was as follows:-

### **Amendment 1: Selective Licensing**

For the amendment:

Cllrs Ayles, Burton, Burton, Chalk, Dent, Gilbert, Harp, Jones, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ward, Wexham, Willis and Woodley (18)

Against the amendment:

Cllrs Arscott, Ayles, Boyd, Bright, Buck, Buckley, Burzotta, Byford, Courtenay, Cox, Davidson, Dear, Evans, Flewitt, Folkard, D Garston, Holland, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter and Walker (25)

Abstentions:

Cllrs Garne, J Garston, Habermel, Hadley and Jarvis (5)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 1 was not carried.

### **Amendment 2: Swimming/street lighting, tables/chairs Licensing Fees**

For the amendment:

Cllrs Aylen, Ayling, Borton, Burton, Byford, Chalk, Dent, Gilbert, Harp, Jones, McDonald, Mulrone, Nevin, Robinson, Stafford, Terry, Ward, Wexham, Willis and Woodley (20)

Against the amendment:

Cllrs Arscott, Boyd, Bright, Buck, Buckley, Courtenay, Cox, Davidson, Dear, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter and Walker (26)

Abstentions:

Cllrs Burzotta and Jarvis (2)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 2 was not carried.

### **Amendment 3: Commercial Property Investment**

For the amendment:

Cllrs Arscott, Aylen, Ayling, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Holland, Jones, Lamb, McDonald, McGlone, McMahon, Moring, Mulrone, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (47)

Against the amendment:

None

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 3 was carried.

### **Amendment 4: Extra Care Home**

For the amendment:

Cllrs Ayling, Borton, Burton, Chalk, Dent, Gilbert, Harp, Jones, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ward, Wexham, Willis and Woodley (18)

Against the amendment:

Cllrs Arscott, Aylen, Boyd, Bright, Buck, Buckley, Burzotta, Byford, Courtenay, Cox, Davidson, Dear, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter and Walker (29)

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 4 was not carried.

#### **Amendment 5: Tylers Avenue Car Park**

For the amendment:

Cllrs Arscott, Aylen, Ayling, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Holland, Jones, Lamb, McDonald, McGlone, McMahon, Moring, Mulroney, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (47)

Against the amendment

None

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 5 was carried.

#### **Amendment 6: Community Safety Team, Parking Permits and Solar Panels**

For the amendment:

Cllrs Arscott, Aylen, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Jones, Lamb, McDonald, McGlone, McMahon, Moring, Mulroney, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (45)

Against the amendment:

Cllr Ayling (1)

Abstentions:

Cllrs Holland and Jarvis (2)

Absent:

Cllrs Norman and Van Looy (2)

Amendment 6 was carried.

The substantive budget proposals, as amended, were then voted on by way of a named vote as required by law. The voting was as follows:-

For the budget:

Cllrs Arscott, Aylen, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Cox, Davidson, Dear, Dent, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Harp, Holland, Jones, Lamb, McDonald, McGlone, McMahan, Moring, Mulroney, Nelson, Phillips, Robinson, Salter, Stafford, Terry, Walker, Ward, Wexham, Willis and Woodley (46)

Against the budget:

Cllr Ayling (1)

Abstentions:

Cllr Jarvis (1)

Absent:

Norman and Van Looy (2)

The Council Budget 2019/20 proposals were carried, as set out as follows (with amendments 3, 5 and 6 above):

Resolved:

With regard to the Housing Revenue Account Budget 2019/20 and rent setting:

1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Act 2016, be approved.
2. That an average rent increase of 4.86% on shared ownership properties, be approved.
3. That the proposed rent changes in 1 and 2 above be effective from 1 April 2019.
4. That the increase in garage rents by 2.5% to £11.70 per week for tenants (£14.04, being £11.70 plus VAT for non-tenants), with all variants on a standard garage receiving a proportionate increase, be approved.

5. That the South Essex Homes core management fee of £5,738,000 for 2019/20, be approved, with additional one-off funding also being made available of:

- £10,000 for the data cleansing, training and embedding of new data protection practices in compliance with General Data Protection Regulations (GDPR); and
- £140,000 to undertake a project to achieve better integration between the various ICT systems that the company uses, with the aim to achieve efficiencies going forward.

6. That the South Essex Homes proposals for average changes of 4% in service charges and 17% in heating charges, be approved.

7. That the following appropriations, be approved:

- £60,000 to the Repairs Contract Pensions earmarked reserve;
- £1,397,000 to the Major Repairs earmarked reserve; and
- £272,000 HRA to the Capital Investment earmarked reserve.

8. That, subject to 1 to 7 above, the HRA budget as set out in Appendix 1 to the submitted report to Cabinet on 12<sup>th</sup> February 2019, be approved.

9. That the value of the Council's capital allowance for 2019/20 be declared as £49.601M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

With regard to the Capital Programme 2019/20 to 2023/24:

10. That the current approved programme for 2019/20 to 2021/22 of £153.1m as set out in Appendix 1 to the Cabinet report on 12<sup>th</sup> February 2019, be noted.

11. That the Capital Investment Strategy for 2019/20 to 2023/24, as set out in Appendix 2 to the Cabinet report, be approved.

12. That the following be approved:

(i) New schemes and additions to the Capital Investment Programme for the period 2019/20 to 2023/24 totalling £14.5m for the General Fund and £20.8m for the Housing Revenue Account (Appendix 6 to the Cabinet report);

(ii) Schemes subject to external funding approval for the period 2019/20 to 2020/21 totalling £3.0m (Appendix 6 to the Cabinet report);

(iii) Schemes subject to viable business cases for the period 2019/20 to 2021/22 totalling £48.6m (Appendices 6 and 7 to the Cabinet report).

13. That the changes to the approved programme (Appendix 7 to the Cabinet report), be approved.

14. That it be noted that the approved Programme will result in a proposed Capital Investment Programme of £194.9m for 2019/20 to 2023/24, as set out



in Appendix 7 to the Cabinet report, of which £74.3m is supported by external funding and that the total programme increases to £246.5m if all business cases and external funding schemes are approved.

15. That, subject to the final Business Case sign off for the new care facility at Priory from the Deputy Chief Executive (People) and Strategic Director (Finance and Resources), in consultation with the Cabinet Member for Adults and Housing, the budget of £11.581m be moved to the main programme.

16. That it be noted that a final review has been undertaken on the 2018/19 projected outturn and that the results have been included in the Cabinet report.

17. That the proposed Capital Investment Programme for 2018/19 to 2023/24, as set out in Appendix 8 to the Cabinet report, be approved.

With regard to Treasury Management and Prudential Indicators 2019/20:

18. That the Treasury Management Policy Statement set out at Appendix 1 to the Cabinet report, be approved.

19. That the Treasury Management Strategy set out at Appendix 2 to the Cabinet report, be approved.

20. That the Annual Treasury Management Investment Strategy set out at Appendix 3 to the Cabinet report, be approved.

21. That the Minimum Revenue Provision (MRP) Policy set out at Appendix 5 to the Cabinet report, be approved.

22. That the prudential indicators set out at Appendix 6 to the Cabinet report, be approved.

23. That the operational boundary and authorised limits for borrowing for 2019/20 be set at £290m and £300m respectively as set out in Appendix 1 to the Cabinet report.

With regard to the General Fund Revenue Budget 2019/20:

In respect of 2018/19:

24. That the forecast outturn of £76.209 million, be noted.

25. That the appropriation of the sums from earmarked reserves totalling £14.283 million, as set out in detail in appendix 13 to the Cabinet report, be approved.

26. That the appropriation of the sums from earmarked reserves totalling £7.595 million, as set out in appendix 13 to the Cabinet report, be approved.

In respect of 2019/20 and later years:

27. That the Section 151 Officer's (Strategic Director of Finance and Resources) report on the robustness of the proposed budget, the adequacy of the Council's reserves and the Reserves Strategy, as set out in appendix 1 to the Cabinet report, be acknowledged.

28. That a General Fund net revenue budget for 2019/20 of £80.755 million, as set out in appendix 3 to the Cabinet report, and any required commencement of consultation, statutory or otherwise, be approved.

29. That a Council Tax increase of 4.49% for the Southend-on-Sea element of the Council Tax for 2019/20, being 2.99% for general use and 1.5% for Adult Social Care, be approved.

30. That it be noted that the 2019/20 revenue budget has been prepared on the basis of using £2.5 million from the Collection Fund for the core budget to allow for a smoothing of the budget gap across the next three financial years.

31. That the position of the Council's preceptors be noted as follows:

- Essex Police – approved Council Tax 14.16%;
- Essex Fire & Rescue Services – approved Council Tax increase of 2.94%;
- Leigh-on-Sea Town Council – approved precept increase of 1.73%.

32. That no Special Expenses be charged other than Leigh-on-Sea Town Council precept for 2019/20.

33. That the appropriation of the sums from earmarked reserves totalling £9.429 million, as set out in appendix 13 to the Cabinet report, be approved.

34. That the appropriation of the sums from earmarked reserves totalling £7.891 million, as set out in appendix 13 to the Cabinet report, be approved.

35. That the schools' budget and its relevant distribution as recommended by the Education Board and as set out in appendix 2 to the Cabinet report, be approved.

36. That the on-going budget investment required of £6.610 million (appendix 11 to the report) and the General Fund and Public Health budget reductions required of £4.363 million (appendix 12 to the report) and the subsequent individual service cash limits for 2019/20, as contained in appendices 3 to 10 of the Cabinet report, be approved.

37. That the one-off investment items, as set out in paragraph 5.28 and included within the appropriations set out in appendix 13 to the Cabinet report, be approved.

38. That the direction of travel for 2020/21 and beyond and in particular noting the need for the organisation to move to a longer term and outcome based budgeting approach, be approved.

39. That the revised Medium Term Financial Strategy up to 2023/24, set out in appendix 14 to the Cabinet report, be approved.

With regard to the Council Tax 2019/20:

40. That it be noted that on 17<sup>th</sup> January 2019 the Cabinet calculated the Council Tax Base 2019/20, as follows:

- (a) for the whole Council area as 53,424.44
- (b) for dwellings in those parts of its area to which a Parish precept relates (Leigh Town Council) as 8,839.09.

41. That the Council Tax requirement for the Council's own purposes for 2019/20 (excluding town/parish precepts) be determined as £80,755,429.

42. That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) £357,759,625 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by town/parish councils;

(b) -£276,582,571 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;

(c) £81,177,054 – Being the amount by which the aggregate of 42(a) above exceeds the aggregate at 42(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (including town/parish precepts);

(d) £1,389.44 – Being the amount at 42(c) above, divided by the Council Tax Base shown at 40(a) above, as the basic amount of its Council Tax for the year (including town/parish precepts);

(e) £421,625 – Being the aggregate amount of all special items (town/parish precepts) referred to in Section 34(1) of the Act as set out below:

Band A: 31.80; Band B: 37.10; Band C 42.40; Band D: 47.70; Band E: 58.30; Band F:68.90; Band G: 79.50; Band H: 95.40.

(f) £1,382.22 – Being the amount at 42(d) above less the result given by dividing the amount at 42(e) above by the Council Tax Base shown at 40(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Town/Parish precept relates.

43. That it be noted that Essex Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Act for each category of dwellings in the Council's area as indicated below:

Essex Police: Band A: 128.64; Band B: 150.08; Band C: 171.52; Band D: 192.96; Band E: 235.84; Band F: 278.72; Band G: 321.60; Band H: 385.92.

Essex Fire Authority: Band A: 48.30; Band B: 56.35; Band C: 64.40; Band D: 72.45; Band E: 88.55; Band F: 104.65; Band G: 120.75; Band H: 144.90.

44. That the Council, in accordance with Sections 30 and 36 of the Act, hereby sets the aggregate amounts shown below as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings:

Band A: 1,098.42; Band B: 1,281.49; Band C: 1,464.56; Band D: 1,647.63; Band E: 2,013.77; Band F: 2,379.91; Band G: 2,746.05; Band H: 3,295.26.

45. That the Council's basic amount of Council Tax for 2019/20 be determined as not excessive in accordance with the principles approved under Section 52ZB of the Act, and as shown in the calculation below:

(a) Percentage increase defined by the Secretary of State as constituting an excessive increase for 2019/20: 4.50%;

(b) Percentage increase in the Council's basic amount of Council Tax:

2018/19 amount: £1,322.82;

2019/20 amount: £1,382.22

Percentage increase: 4.49%

The figure at 45(b) is less than the figure at 45(a) above and therefore the Council's basic amount of Council Tax for 2019/20 is not excessive and no referendum is required.

46. That the amounts payable in each town/parish at each band, comprising aggregate sums derived from all precepts be as set out below:

Unparished area: Band A: 1,098.42; Band B: 1,281.49; Band C: 1,464.56; Band D: 1,647.63; Band E: 2,013.77; Band F: 2,379.91; Band G: 2,746.05; Band H: 3,295.26

Parished area: Band A: 1,130.22; Band B: 1,318.59; Band C: 1,506.96; Band D: 1,695.33; Band E: 2,072.07; Band F: 2,448.81; Band G: 2,825.55; Band H: 3,390.66

#### **724 Minutes of the meeting of Development Control Committee held Wednesday, 12 December 2018**

Resolved:

That the minutes of this meeting be noted.

#### **725 Minutes of the meeting of Appeals Committee A held Thursday, 20**

**December 2018**

Resolved:

That the minutes of this meeting be noted.

**726 Minutes of the meeting of Appeals Committee A held Monday, 7 January 2019**

Resolved:

That the minutes of this meeting be noted.

**727 Minutes of the meeting of Cabinet Committee held Monday, 7 January 2019**

Resolved:

That the minutes of this meeting be noted.

**728 Minutes of the meeting of Development Control Committee held Wednesday, 9 January 2019**

Resolved:

That the minutes of this meeting be noted.

**729 Minutes of the meeting of Audit Committee held Wednesday, 16 January 2019**

Resolved:

That the minutes of this meeting be noted.

**730 Minutes of the meeting of Cabinet held Thursday, 17 January 2019**

During consideration of Minute 619 (Employment Appeals) the Leader of the Council confirmed that the matter had been withdrawn and the recommendations would not be proceeded with.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 619 (Employment Appeals) not be proceeded with.

**731 Minutes of the meeting of Health and Wellbeing Board held Wednesday, 23 January 2019**

Resolved:

That the minutes of this meeting be noted.

**732 Minutes of the meeting of Place Scrutiny Committee held Monday, 28 January 2019**

Resolved:

That the minutes of this meeting be noted.

**733 Minutes of the meeting of People Scrutiny Committee held Tuesday 29th January 2019**

Resolved:

That the minutes of this meeting be noted.

**734 Minutes of the meeting of Policy and Resources Scrutiny Committee held Wednesday, 30 January 2019**

During consideration of Minute 668 (The Proposed Development of the Seaway Car Park) 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 Ayling, Dent, Harp, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ward, Wexham and Willis (12)

Against reference back:

Cllrs Arcott, Ayles, Borton, Boyd, Bright, Buck, Buckley, Burton, Burzotta, Byford, Chalk, Courtenay, Davidson, Dear, Evans, Flewitt, Folkard, Garne, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jones, Lamb, McGlone, McMahon, Moring, Nelson, Phillips, Salter, Walker and Woodley (34)

Abstentions:

Cllr Jarvis (1)

Absent:

Cllrs Cox, Norman and Van Looy (3)

The motion for reference back was not carried.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 668 (Proposed Development of the Seaway Car Park) be approved.

**735 Minutes of meeting of Development Control Committee held Wednesday, 6 February 2019**

Resolved:

That the minutes of this meeting be noted.

**736 Minutes of the meeting of Licensing Sub-Committee B held Monday, 11 February 2019**

Resolved:

That the minutes of this meeting be noted.

**737 Minutes of the meeting of Cabinet held Tuesday 12th February 2019**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 699 (Better Queensway Regeneration Project) be approved, subject to the following additional recommendations to Minute 699(5):

*(i) Any profit accruing from being the senior lender to the LLP be swiftly invested in affordable housing to rent (at or below Local Housing Allowance (LHA) rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;*

*(ii) Any surplus from the Better Queensway scheme returning to the Council be swiftly invested in affordable housing to rent (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;*

*(iii) That the Council's representatives on the Board of the LLP seek to actively maximise the current affordable housing to rent numbers (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the viability and deliverability of the scheme.*

**738 Minutes of the meeting of Appeals Committee A held Tuesday 12th February 2019**

Resolved:

That the minutes of this meeting be noted.

**739 Minutes of the meeting of Special Place Scrutiny Committee held Wednesday 13th February 2019**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 714 (Better Queensway Regeneration Project) be approved, subject to the following additional recommendations to Minute 714(5):

*(i) Any profit accruing from being the senior lender to the LLP be swiftly invested in affordable housing to rent (at or below Local Housing Allowance (LHA) rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;*

*(ii) Any surplus from the Better Queensway scheme returning to the Council be swiftly invested in affordable housing to rent (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;*

*(iii) That the Council's representatives on the Board of the LLP seek to actively maximise the current affordable housing to rent numbers (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the viability and deliverability of the scheme.*

#### **740 Pay Policy Statement**

The Council considered a report of the Director of Transformation presenting the Pay Policy Statement 2019/20 in the context of the Council's overall Reward Strategy.

Resolved:

That the Pay Policy Statement as recommended by the Senior Manager Pay Panel, be approved.

#### **741 Draft Calendar of Meetings 2019/20**

Resolved:

That the draft Calendar of Meetings for 2019/20 be noted and that the final calendar will be submitted to the Annual Council in May.

#### **742 Opposition Business: Queensway**

This matter was withdrawn.



**743 Appointments to Committees, Working Parties, etc**

Resolved:

That the following Councillors from the Labour Group be appointed to the Committees, Working Parties, etc listed below to replace Julian Ware-Lane:

People Scrutiny Committee – Cllr Robinson  
Biodiversity and Environmental Awareness Working Party – Cllr Nevin  
Conservation Working Party – Cllr Borton  
School Places Working Party – Cllr Nevin  
Corporate Parenting Group – Cllr Jones  
Corporate Parenting Members Sub Group – Cllr Jones  
LSCB/SAB Scrutiny Panel – Cllr Jones  
Children’s Services Improvement Board – Cllr Jones  
SACRE – Cllr McDonald

**744 Exclusion of the Public**

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below on the grounds that it involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**745 Better Queensway Regeneration Project - Confidential Matters**

During consideration of Minute 699 of Cabinet held 12<sup>th</sup> February 2019 and Minute 714 of the Special Place Scrutiny Committee held 13<sup>th</sup> February 2019 concerning the Better Queensway Regeneration Project the Council moved into Part 2 so that the confidential matters could be discussed. The Council moved back into Part 1 for the decision.

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