

SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 15th December, 2022

Place: Council Chamber - Civic Suite

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

Start/End Time: 6.30 pm - 9.30 pm

566 Apologies for Absence

Apologies for absence were received from Councillors Berry, Buckley, Dear, Murphy, Shead and Thompson.

567 Declarations of Interest

- **Councillor Beggs**

People Scrutiny Committee – 29th November 2022

Minute 515 (SEND Strategy) – Family member has special educational needs and disabilities and is in receipt of an Education, Health and Care Plan.

Minute 518 (Children's Services Improvement Board) – Member of the Southend Adoption and Fostering Service Panel.

- **Councillor Borton**

Place Scrutiny Committee – 28th November 2022

Minute 504 (Parking Strategy), Minute 507 (Annual Parking and Enforcement Report 2021/22) and Minute 508 (Highways Update Report) – Husband is a blue badge holder.

Development Control Committee – 30th November 2022

Application Ref. No. 22/00611/FULM – Has spoke about possible development with residents of Sutton Road/Glenhurst Road.

- **Councillor Buck**

Development Control Committee – 2nd November 2022

Application Ref. No. 21/02305/FUL (The Trinity, 3 Trinity Avenue, Westcliff-on-Sea) – Regular benefactor to Off the Streets Charity (withdrew)

- **Councillor Burton**

Cabinet – 8th November 2022

Minute 458 (SEND Strategy) – works at a local school.

People Scrutiny Committee – 29th November 2022

Minute 519 (Passenger Transport Services – Performance Monitoring) – Employed as a teacher at a school outside Southend-on-Sea that has pupils that are resident within the City.

- **Councillor Cox**

Cabinet Committee – 7th November 2022

Minute 445 (Annual Parking and Enforcement Report 2021/22) – Daughter attends Richmond Primary School which was mentioned in the report.

Place Scrutiny Committee – 28th November 2022

Minute 507 (Annual Parking and Enforcement Report 2021/22) – Daughter attends Richmond Primary School which was mentioned in the report.

People Scrutiny Committee – 29th November 2022

Minute 515 (SEND Strategy) – Family member has special educational needs and disabilities and is in receipt of an Education, Health and Care Plan and family member is a pupil of Shoeburyness High School.

- **Councillor Cowdrey**

Development Control Committee – 12th October 2022

Application Ref No. 22/00507/FULH (36 Sutton Road, Southend-on-Sea) – Spoke on behalf of objectors to the application (withdrew from the meeting for this item after making a statement on the grounds of predetermination).

People Scrutiny Committee – 29th November 2022

Minutes 515 (SEND Strategy), 517 (Mid and South Essex Integrated Care System – Service Harmonisation Consultation) and Minute 519 (Passenger Transport Services – Performance Monitoring) – Employed as a social worker and practice educator at SEND school within Southend-on-Sea.
Minute 518 (Children’s Services Improvement Board) – Appointed member of the Council’s Fostering Panel.

- **Councillor Davidson**

Audit Committee – 23rd November 2022

All minutes in so far as they relate to South Essex Homes – Non-Executive Director on South Essex Homes.

- **Councillor Dear**

Development Control Committee – 30th November 2022

Application Ref. No.- 22/01808/AMDT – Has been contacted by one of the objectors to the application and has visited the site to view the bedroom room windows of the application site.

- **Councillor Dent**

Development Control Committee – 12th October 2022

Application Ref No. 22/00507/FULH (36 Sutton Road, Southend-on-Sea) – Has had correspondence with objectors to the application.

Development Control Committee – 2nd November 2022

TPO Reference No. TPO 5/2022 (Southchurch Hall Gardens, Southchurch Hall Close) – Has had conversations with neighbours regarding the matter.

Development Control Committee – 30th November 2022

TPO 05/2022 – Communications with residents.

- **Councillor Keith Evans**

People Scrutiny Committee – 29th November 2022

Minute 515 (SEND Strategy) – Family member is mentally handicapped.

- **Councillor Folkard**

People Scrutiny Committee – 29th November 2022

Minute 517 (Mid and South Essex Integrated Care System – Service Harmonisation Consultation) – Relative employed at Broomfield Hospital.

- **Councillor D Garston**

Development Control Committee – 12th October 2022

Application Ref. No. 22/00601/FULM (Memory House, 6-9 Marine Parade, Leigh-on-Sea) – Applicant is known to him.

- **Councillor George**

Cabinet – 8th November 2022

Minutes 468 and 469 (Minutes of the Shareholder Board held 12th October and 8th November relating to Porters Place LLP) – brother-in-law serves on the Board of Sanctuary Housing Association.

- **Councillor Hyde**

People Scrutiny Committee – 29th November 2022

Minute 518 (Children's Services Improvement Board) – Appointed member of the Council's Adoption Panel.

- **Councillor Hooper**

People Scrutiny Committee – 29th November 2022

Minute 515 (SEND Strategy) – Director of Blade Education, a not-for-profit company that works with local SEND children and MENCAP.

- **Councillor Jarvis**

Development Control Committee – 12th October 2022

Enforcement of Planning Control Ref. No. 20/00026/UNAU_B (79 The Drakes, Shoeburyness) – Has been a radio amateur for 66 years and a member of the Radio Society of Great Britain (withdrew from the meeting for this item after making a statement).

Development Control Committee – 2nd November 2022

Enforcement of Planning Control Reference No. 20/00156/UNAU_B (9 Gunnery House, 2 Chapel Road, Shoeburyness) – Owner/Occupier of Flat 1 at this address (withdrew).

- **Councillor A Jones**

Development Control Committee – 12th October 2022

Application Ref. No. 22/01214/BC3 (land adjacent to 85 Lundy Close, Eastwood) – Was a Cabinet Member when the decision to develop the site was approved (withdrew).

Application Ref. No. 22/01332/FUL (29A Ceylon Road, Westcliff-on-Sea) – Friend lives in the same road as the application site.

Development Control Committee – 2nd November 2022

Application Ref. No. 21/02305/FUL (The Trinity, 3 Trinity Avenue, Westcliff-on-Sea) – lives next door to a homeless facility.

Place Scrutiny Committee – 28th November 2022

Minute 504 (Parking Strategy), Minute 507 (Annual Parking and Enforcement Report 2021/22) and Minute 508 (Highways Update Report) – One of her sons works in Passenger Transport.

Development Control Committee – 30th November 2022

Application Ref. No. 22/01602/RES – Family work in river transport and railway which were both mentioned in the debate.

Policy and Resources Scrutiny Committee – 1st December 2022

Minute 535 (Resourcing Better Outcomes – Finance and Corporate Performance Report 2022/23 (Period 6)) – Family member employed by the Council (withdrew during the discussion of all matters related to officer pay).

- **Councillor Mitchell**

Cabinet – 8th November 2022

Minute 456 (Options for the procurement of the voluntary sector infrastructure contract) – Chair of Hamlet Court Road in Harmony which is in receipt of community investment board funds.

People Scrutiny Committee – 29th November 2022

Minute 516 (Annual Safeguarding Report) – Council's representative on the Board of Southend Association of Voluntary Services.

Minute 517 (Mid and South Essex Integrated Care System – Service Harmonisation Consultation) and Minute 519 (Passenger Transport Services – Performance Monitoring) – Close family member has SEN and learning difficulties.

- **Councillor Mulroney**

Development Control Committee – 12th October 2022

Application Ref. No. 22/01214/BC3 (land adjacent to 85 Lundy Close, Eastwood) – Cabinet Member (withdrew).

Development Control Committee – 30th November 2022

Application Ref. No. 22/01976/BC3 – Artist is known to her.

- **Councillor Nelson**

Cabinet Committee – 7th November 2022

Minute 445 (Annual Parking and Enforcement Report 2021/22) – Family are members of the Thorpe Bay Tennis Club in Thorpe Bay Gardens.

- **Councillor Sadza**

Development Control Committee – 12th October 2022

Application Ref. No. 22/01332/FUL (29A Ceylon Road, Westcliff-on-Sea) – Has been in correspondence with the neighbour to the application site.

Development Control Committee – 2nd November 2022

Application Ref. No. 22/01707/FUL (The Trinity, 3 Trinity Avenue, Westcliff-on-Sea) – Correspondence from residents.

- **Councillor Salter**

People Scrutiny Committee – 29th November 2022

Minute 517 (Mid and South Essex Integrated Care System – Service Harmonisation Consultation) – Husband is a consultant surgeon at Southend Hospital.

- **Councillor Shead**

People Scrutiny Committee – 29th November 2022

Minute 516 (Annual Safeguarding Report) – Family member has special needs and receives services from Essex County Council.

- **Councillor Wakefield**

Cabinet Committee – 7th November 2022

Minute 445 (Annual Parking and Enforcement Report 2021/22) – Some customers of his business are from Thorpe Bay Gardens.

Cabinet – 8th November 2022

Minutes 468 and 469 (Minutes of the Shareholder Board held 12th October and 8th November 2022 relating to Porters Place LLP and South Essex Homes) – Sanctuary Housing is one of his customers and a sub-contractor for South Essex Homes).

- **Councillor Ward**

Development Control Committee – 30th November 2022

Application Ref. No. 22/01976/BC3 – lives along Eastern Esplanade.

Officer Interests

Cabinet – 8th November 2022

A Richards – Minutes 468 and 469 (Minutes of the Shareholder Board held on 12th October and 8th November 2022 relating to Porters Place LLP) – Council appointed representative on the Porters Place LLP Board.

568 Communications

(a) Minutes Silence

– The Council remained silent for one minute as a mark of respect to Josephine Melville who died suddenly on 20th October 2022.

(b) Youth Mayor and Deputy Youth Mayor

– The Worshipful the Mayor presented the badge of office to the new Youth Mayor, Aila Chaudry and the new Deputy Youth Mayor, Thomas Cauchi.

569 Questions from Members of the Public

The relevant Executive Councillors responded to written questions received from the public.

570 Questions from Members of the Council

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

571 Minutes of the Meeting held Thursday, 20 October 2022

Resolved:-

That the Minutes of the Meeting held on Thursday, 20 October 2022, be confirmed as a correct record and signed.

572 Minutes of the meeting of Development Control Committee held Wednesday, 12 October 2022

Resolved:

That the minutes of this meeting, be noted.

573 Minutes of the meeting of Appointments and Disciplinary Committee held Thursday, 27 October 2022

Resolved:

That the minutes of this meeting, be noted.

574 Minutes of the meeting of Development Control Committee held Wednesday, 2 November 2022

Resolved:

That the minutes of this meeting, be noted.

575 Minutes of the meeting of Appeals Committee A held Monday, 7 November 2022

Resolved:

That the minutes of this meeting, be noted.

576 Minutes of the meeting of Cabinet Committee held Monday, 7 November 2022

Resolved:

That the minutes of this meeting, be noted.

577 Minutes of the meeting of Cabinet held Tuesday, 8 November 2022

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minute 453 (Resourcing Better Outcomes – Finance and Corporate Performance Report 2022/23 Period 6) and Minute 465 (Proposal to increase the allowances and fees for Southend in-house foster carers), be approved.

578 Minutes of the meeting of Special Place Scrutiny Committee held Thursday, 10 November 2022

Resolved:

That the minutes of this meeting, be noted.

579 Minutes of the meeting of Appointments and Disciplinary Committee held Thursday, 10 November 2022

Resolved:

That the minutes of this meeting, be noted.

580 Minutes of the meeting of Special Policy and Resources Scrutiny Committee held Tuesday, 15 November 2022

Resolved:

That the minutes of this meeting, be noted.

581 Minutes of the meeting of Audit Committee held Wednesday, 23 November 2022

Resolved:

That the minutes of this meeting, be noted.

582 Minutes of the meeting of Licensing Sub-Committee A held Monday, 28 November 2022

Resolved:

That the minutes of this meeting, be noted.

583 Minutes of the meeting of Place Scrutiny Committee held Monday, 28 November 2022

Resolved:

That the minutes of this meeting, be noted.

584 Minutes of the meeting of People Scrutiny Committee held Tuesday, 29 November 2022

On consideration of Minute 515 (SEND Strategy) the Cabinet Member for Children and Learning agreed to uphold the decision of the Scrutiny Committee to refer the matter back to Cabinet for reconsideration.

Resolved:

That the minutes of this meeting, be noted and that Minute 515 (SEND Strategy) be referred back to Cabinet.

585 Minutes of the meeting of Development Control Committee held Wednesday, 30 November 2022

Resolved:

That the minutes of this meeting, be noted.

586 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday, 1 December 2022

Resolved:

That the minutes of this meeting, be noted and that the recommendations contained in Minute 535 (Resourcing Better Outcomes – Cabinet Minute 453 refers), be approved.

587 Changes to the Constitution

The Council considered a report of the Executive Director (Strategy, Change and Governance) setting out a minor amendment to the terms of reference of the Licensing Committee.

Resolved:

That a minor amendment be made to the terms of reference of the Licensing Committee, as set out in Appendix 1 to the submitted report and that the Constitution be amended accordingly.

588 Local Council Tax Support Scheme 2023/24

The Council considered a report of the Executive Director (Finance and Resources) presenting the Local Council Tax Support Scheme for 2023/24.

Resolved:

That the current Local Council Tax Support Scheme be re-adopted for 2023/24.

589 Appointments to Committees, etc

There were no changes to the appointments to Committees, etc.

590 Opposition Business - Use of Section 106 Contributions

In accordance with Standing Order 19 the Conservative Group requested that the use of Section 106 contributions be debated.

During consideration of the matter one amendment was proposed and seconded as follows:

Amendment:

The Council continues to support the provision of public art through the established, policy and legal framework and the development control process. The policy framework for securing contributions- to public art will be considered as part of preparing the new Local Plan when all members and residents will be able to have input.

Upon being put to the vote, the amendment was not carried.

The Opposition Business proposals were then put to the vote and were carried.

Accordingly, it was resolved:

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

1. Never seek to use Development and Control as a means of implementing Council policy.

2. As the applicant of the planning applications relating to junction of Lynton Road and Thorpe Esplanade, Junction of Thorpe Hall Avenue and Burgess Road and land at Southchurch Park East in Lifstan Way, withdraw these planning applications.

3. Consult with members of this Council to reprovise spending on these art commissions to vital infrastructure projects.

Chair: _____