

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 10th October, 2016

Place: Committee Room 1 - Civic Suite

- Present:** Councillor K Robinson (Chair)
Councillors P Wexham (Vice-Chair), M Assenheim, A Bright, D Burzotta, T Callaghan, M Davidson, F Evans, N Folkard, J Garston, S Habermel, D Jarvis, D Kenyon, H McDonald, D McGlone, C Willis and R Woodley*
*Substitute in accordance with Council Procedure Rule 31.
- In Attendance:** Councillors T Cox, M Flewitt, A Holland and J Lamb (Executive Councillors)
Councillors B Arscott and A Jones
A Lewis, J K Williams, S Dolling, P Geraghty, D Patel, T MacGregor, P Mathieson, Mr M Thomas, J Martin and T Row
- Start/End Time:** 6.30 pm - 9.40 pm

322 Apologies for Absence

Apologies for absence were received from Councillor Terry (Substitute: Councillor Woodley).

323 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors Cox, Flewitt, Holland and Lamb (Executive Councillors) – 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;
- (b) Councillor Assenheim – Agenda Item No. 12 (Carriage and Wagon Shed Options) – Non-pecuniary interest: Member of the Shoeburyness Coastal Communities Committee;
- (c) Councillor Bright – Agenda Item No. 14 (Members Requests List (Request Ref No. 16/08 - Propose waiting restrictions in Thorpe Hall Close to protect driveway) – Non-pecuniary interest: Within his ward;
- (d) Councillor Bright – Agenda Item No. 15 (Petition Requesting Permit Parking Controls Southend East) – Non-pecuniary interest: Partly within his ward;
- (e) Councillor Cox – Agenda Item No. 12 (Carriage and Wagon Shed Options) – Non-pecuniary interest: Member of the Shoeburyness Coastal Communities Team;

- (f) Councillor Evans – Agenda Item No. 12 (Carriage and Wagon Shed Options) – Non-pecuniary interest: Member of the Leigh Coastal Communities Team;
- (g) Councillor J Garston – Agenda Item No. 8 (SCAAP) – Non-pecuniary interest: Lives in the central area of the town;
- (h) Councillor Holland – Agenda Item No. 7 (Interim Affordable Housing Policy) – Non-pecuniary interest: Son has worked on this item;
- (i) Councillor Jarvis – Agenda Item No. 12 (Carriage and Wagon Shed Options) – Non-pecuniary interest: Member of the Shoeburyness Coastal Communities Team;
- (j) Councillor Kenyon – Agenda Item No. 14 (Members Requests List (Request Ref No. 16/08 - Propose waiting restrictions in Thorpe Hall Close to protect driveway) – Non-pecuniary interest: Within his ward;
- (k) Councillor Lamb – Agenda Item No. 17 (Skills Development) – Non-pecuniary interest: Governor at the Southend Adult Community College;
- (l) Councillor McDonald – Agenda Item No. 15 (Petition Requesting Permit Parking Controls Southend East) – Non-pecuniary interest: Partly within her ward;
- (m) Councillor Wexham – Agenda Item No. 12 (Carriage and Wagon Shed Options) – Non-pecuniary interest: Member of the Leigh Coastal Communities Team;
- (n) Councillor Willis – Agenda Item No. 18 (In-depth scrutiny report - 20mph speed restrictions in residential streets) – Non-pecuniary interest: Member for Westborough Ward;
- (o) Councillor Woodley – Agenda Item No. 8 (SCAAP) – Non-pecuniary interest: Member of BERA who have commented on the document;
- (p) Councillor Woodley – Agenda Item No. 9 (Air Quality Management Area) – Non-pecuniary interest: Daughter is a pilot and flying instructor and uses Southend Airport.

324 Questions from Members of the Public

The Executive Councillor for Housing, Planning & Public Protection responded to two written questions from Mr Kearney.

325 Minutes of the Meeting held on Monday 11th July 2016

Resolved:-

That the Minutes of the Meeting held on Monday 11th July 2016 be received, confirmed as a correct record and signed.

326 Monthly Performance Report

The Committee considered the Monthly Performance Report (MPR) covering the period to end August 2016, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

327 Annual Report - Comments, Compliments and Complaints - 2015/16

The Committee considered Minute 265 of Cabinet held on 20th September 2016, which had been referred direct by Cabinet and called-in for scrutiny to all three scrutiny committees, together with the report of the Corporate Director for Corporate Services presenting the annual report on compliments and complaints received throughout the Council for 2015/16.

Resolved:-

That the following decision of Cabinet be noted:

“That the Council’s performance in respect of compliments, comments and complaints for 2015-16 be noted.”

Note: This is an Executive Function

Referred direct to all three scrutiny committees

Executive Councillors – Lamb, Salter and Courtenay

328 Interim Affordable Housing Policy

The Committee considered Minute 274 of Cabinet held on 20th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place outlining the proposed Interim Affordable Housing Policy.

Resolved:-

That the following recommendations of Cabinet be noted:

“1. That the “Interim Affordable Housing Policy (September 2016)” document attached at Appendix 2 to the submitted report, be approved as Corporate Policy.

2. That the Corporate Director for Place, in consultation with the Portfolio Holder for Housing, Planning and Public Protection, be authorised to make any minor amendments to the Interim Affordable Housing Policy to take into account the latest available evidence from the Strategic Housing Market Assessment or its equivalent successor.”

Note: This is a Council Function

Executive Councillor – Flewitt

The Committee considered Minute 275 of Cabinet held on 20th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place seeking agreement to the publication of the Southend Central Area Action Plan (SCAAP) for consultation. Minute 275 had been revised following the publication of the Digest, to include the following paragraph in the preamble:

“On consideration of the report the Corporate Director for Place confirmed that, outside of the SCAAP process, it was the intention to develop a parking strategy and a tourism strategy for submission to a future meeting of the Cabinet”.

Resolved:-

1. That the following recommendations of Cabinet be noted:

“1. That the Proposed Submission version of the SCAAP (set out in Appendix 1 to the submitted report) and associated Policies Map (set out in Appendix 2 to the report) be published for public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. That the response to the consultation comments received on earlier iterations of the SCAAP, as set out in the accompanying Consultation Statement in Appendix 3 to the report, be noted and endorsed.

3. That the SCAAP be submitted to the Secretary of State, prior to Examination in Public, under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

4. That the Corporate Director for Place, in consultation with the Executive Councillor, for Housing, Planning and Regulatory Services, in conjunction with the Local Development Framework Working Party (if necessary), be authorised to:

(a) approve and make amendments to the SCAAP that may result from, inter alia, analysis of the representations made following public consultation, recommendations of the Sustainability Appraisal and any additional evidence considered and then consult on these changes, if required, before they are submitted to the Secretary of State.

(b) agree and approve amendments that may be proposed by the Inspector during the Examination in Public process and to any further consultation that may be required as a result of this; and

(c) take all necessary steps to ensure compliance with the relevant statutory processes and procedures necessary for preparation and participation of the Council at the Examination in Public.”

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

Note: This is a Council Function
Executive Councillor – Flewitt

330 Air Quality Management Area

The Committee considered Minute 276 of Cabinet held on 20th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place proposing the declaration of an Air Quality Management Area following an assessment of the air quality at the junction of the A127, Hobblythick Lane and Rochford Road.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the outcome of the 2016 Local Air Quality Management Detailed Assessment for Southend-on-Sea Borough Council for nitrogen dioxide exceedences at the junction of A127, Rochford Road and Hobblythick Lane, be noted.

2. That the proposed Air Quality Management Area boundaries for nitrogen dioxide, detailed within Appendix 1 to the submitted report and the Air Quality Management Area Order 1 (Appendix 2 to the report) be declared and that an Order be made under the provisions of Section 83(1) of the Environment Act 1995 formally designating the area as an Air Quality Management Area.

3. That consultation be undertaken on the development of an Air Quality Action Plan, in line with Department for Environment, Food and Rural Affairs (DEFRA) guidance, and that following the completion of the consultation, the Corporate Director for Place, in consultation with the Portfolio Holder for Housing, Planning and Public protection, be authorised to finalise the plan for submission to DEFRA.

4. That an Air Quality Strategy be developed for the Borough.

5. That the funding position for this project, as set out in Section 6.2 of the report, be noted.”

Note: This is an Executive Function
Executive Councillor – Flewitt

331 Low Carbon Strategy

The Committee considered Minute 277 of Cabinet held on 20th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place presenting Southend on Sea Borough Council’s Low Carbon Energy and Sustainability Strategy 2015-2020, Annual Update Report.

Resolved:-

That the following decision of Cabinet be noted:

“That the Low Carbon Energy and Sustainability Annual Update Report be approved.”

Noted: This is an Executive Function
Executive Councillor – Holland

332 Joint Development Brief for Land at Fossets Way

The Committee considered Minute 278 of Cabinet held on 20th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place on the Development Brief for the land at Fossetts Way and its adoption as Corporate Policy.

In response to a question regarding the potential type of development at this site, the Head of Planning & Transport undertook to discuss with the landowners the inclusion of single storey dwellings within the range of building heights.

Resolved:-

That the following recommendations of Cabinet be noted:

“1. That the development brief, as set out in Appendix 1 to the submitted report, be adopted as corporate policy.

2. That the Corporate Director for Place, in consultation with the Portfolio Holder for Housing, Planning and Public Protection, be authorised to make any minor amendments to the wording of the document as required.”

Note: This is a Council Function
Executive Councillor – Flewitt

333 Carriage and Wagon Shed Options

The Committee considered Minute 279 of Cabinet held on 20th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place detailing the options for the future management and operation of the Carriage and Wagon Shed, Shoebury Garrison.

In response to a question regarding the ownership of the property, the Head of Enterprise, Tourism & Regeneration undertook to seek confirmation and inform Members accordingly.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That the Carriage and Wagon Shed be leased to the new Shoebury Coastal Community Interest Company as detailed in section 4 of the submitted report.

2. That the Corporate Director of Place be authorised to advertise the opportunity to develop and manage the building for the benefit of residents and visitors to the borough if the Shoebury Coastal Community Interest Company is unable to take on the lease of the building by 30th September 2017.

3. That the Corporate Director of Place be authorised to negotiate and agree terms of any lease associated with the Carriage and Wagon Shed in consultation with the Council's Asset Management and Legal Teams.

4. That the delivery of any fit-out of the Carriage and Wagon Shed, as set out in the Coastal Communities Funding application, be supported.

5. That the financial position, as set out in section 7.2 of the report, be noted.”

Note: This is an Executive Function
Executive Councillor – Holland

334 Minutes of the Local Development Framework Working Party held 6th September 2016

The Committee considered the Minutes of the meeting of the Southend-on-Sea Local Development Framework Working Party held on 6th September 2016 concerning proposals on new local listings.

In response to a question regarding the process for nominating local buildings for nationally listed status, the Executive Councillor for Housing, Planning & Public Protection undertook to provide clarification to Members.

Resolved:-

That the following decision of Cabinet be noted:

“That the following buildings be designated as locally listed buildings/structures:

- The Co-op building Sutton Road, Southend
- Westcliff Police Station, West Road
- Former Lloyds Bank, London Road, Westcliff
- Civic Centre fountain.”

Note: This is an Executive Function
Executive Councillor:- Flewitt

335 Members Requests List (Request Ref No. 16/08 - Propose waiting restrictions in Thorpe Hall Close to protect driveway)

The Committee considered Minute 251 of Cabinet Committee held on 19th September 2016, which had been called-in for scrutiny, together with the relevant excerpts from the report of the Corporate Director for Place regarding Member's Request ref no. 16/08 for the possible introduction of waiting restrictions in Thorpe Hall Close to protect a driveway.

Resolved:-

That the following decision of Cabinet Committee be noted:

“That no further action be taken in respect of the request and that it be removed from the list.”

Note:- This is an Executive Function
Executive Councillor: Cox

336 Petition Requesting Permit Parking Controls Southend East

The Committee considered Minute 253 of Cabinet Committee held on 19th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place which appraised Members of the receipt of a petition signed by 320 residents of the roads north of Southend East Railway Station requesting parking controls to deter all day parking by commuters.

Resolved:-

That the following decisions of Cabinet Committee be noted:

“1. That the petition be noted and the residents be thanked for taking the time to compile the petition.

2. That, in accordance with the agreed policy regarding parking management schemes, Ward Councillors be requested to undertake an informal consultation with residents of the wider area affected, including the area south of the railway, the results of which shall be reported back to the Traffic & Parking Working Party and Cabinet Committee for consideration.”

Note:- This is an Executive Function
Executive Councillor: Cox

337 Petition Requesting Amendment to Existing Parking Controls Shaftsbury Avenue

The Committee considered Minute 254 of Cabinet Committee held on 19th September 2016, which had been called-in for scrutiny, together with the report of the Corporate Director for Place which appraised Members of the receipt of a petition signed by 28 residents of Shaftsbury Avenue, requesting amendments to the existing waiting restrictions in the road between Lifstan Way and Warwick Road.

Resolved:-

That the following decisions of Cabinet Committee be noted:

“1. That the petition be noted and the residents be thanked for taking the time to compile the petition.

2. That the Corporate Director for Place be authorised to advertise the appropriate traffic regulation order and notices for the removal of the existing alternate monthly parking restriction in this section of road to increase parking availability and subject to there being no objections following statutory advertisement, to arrange for the order to be confirmed.”

Note:- This is an Executive Function
Executive Councillor: Councillor Cox

338 Skills Development

(This is a pre-Cabinet Scrutiny item.)

The Committee received a report by the Corporate Director for Place by way of pre-Cabinet scrutiny. This sought the Committee's views on the specific outcomes to be tackled in the Skills Strategy and Action Plan.

The Committee discussed the report in some detail, and whilst there was general consensus and support of the content of the draft strategy and action plan, the Head of Economy, Regeneration & Tourism informed the Committee that he would welcome any further comments from Members prior to its submission to Cabinet.

Resolved:-

That the Skills Strategy and Action Plan be noted and endorsed for submission to Cabinet for consideration at its meeting on 8th November 2016.

Note:- This is an Executive Function
Executive Councillor:- Holland

339 In-depth Scrutiny Report - 20mph Speed Restrictions in Residential Streets

The Committee considered a report by the Corporate Director for Corporate Services which sought formal approval to the draft final report and recommendations from the scrutiny project for 2015/16 entitled 20mph speed restrictions in residential streets.

Resolved:-

1. That the draft report and the recommendations from the in depth scrutiny project be endorsed for submission to Cabinet.
2. That the Chairman be authorised to agree any final amendments to the draft report.
3. That in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), to agree that the Chairman of the Project Team present the final report to a future Cabinet meeting.

Note:- This is a Scrutiny Function.

340 In-depth Scrutiny Project - 'To investigate the case for additional enforcement resources for Southend'

Further to Minute 110 of its meeting held on 11th July 2016 and Minute 153 of the meeting of the Policy & Resources Scrutiny Committee held on 14th July 2016, the Committee considered the project plan in relation to the agreed joint in-depth scrutiny project for 2016/17 entitled 'To investigate the case for additional enforcement resources for Southend'.

The Committee also received and oral update on the progress that had been made with the study to date

Resolved:-

That the project plan be agreed.

Note:- This is a Scrutiny Function.

Chairman: _____