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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of The Council

Date: Thursday, 24th March, 2022
Place: Council Chamber - Civic Suite

Present: Councillor M Borton (Chair)
Councillors K Robinson (Vice-Chair), B Beggs, M Berry, H Boyd, K Buck, S Buckley, L Burton, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, I Gilbert, S Habermel, T Harp, B Hooper, A Jones, D Jones, M Kelly, J Lamb, A Line, D McGlone, K Mitchell, A Moring, J Moyies, C Mulroney, D Nelson, C Nevin, L Salter, I Shead, M Stafford, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.30 pm - 10.55 pm

861 **Apologies for Absence**

Apologies for absence were received from Councillors Collins, Courtenay, George and Jarvis.

862 **Declarations of Interest**

The following declarations of interest were made:

- **Councillor Beggs**

- **People Scrutiny Committee – 15th March 2022**

- Minute 794 (SEND Peer Review) - Family member has special educational needs and disabilities - non-pecuniary interest.

- **Councillor Buck**

- **Place Scrutiny Committee – 14th March 2022**

- Minute 786 (Waste Collection Contract) and 789 (Waste Collection Contract – Confidential Appendix) – Non-pecuniary interest: A client of his is a waste contractor within Rochford.

- **Councillor Burton**

- **People Scrutiny Committee – 15th March 2022**

- Minute 794 (SEND Peer Review) - Employed as a teacher at a school outside Southend-on-Sea - non-pecuniary interest.

- **Councillor Collins**

- **Cabinet – 22nd February 2022**

- Minute 726 (Parking Strategy and Parking Implementation Plan) – Non-pecuniary interest: Son is a blue badge holder and could be impacted by a future strategy;

- **Development Control Committee – 2nd March 2022**

- Application Ref. No. 21/92459/FUL (366 Rayleigh Road, Eastwood) – Non-pecuniary interest: Received representations and spoke about the application with residents;

- **Councillor Cowan**

- **Policy and Resources Scrutiny Committee – 16th March 2022**

- Minute 801 (PSPO Consultation) - Family members live within the area of designation of the existing Public Spaces Protection Order - non-pecuniary interest.

- **Councillor Cowdrey**

- **People Scrutiny Committee – 15th March 2022**

- Minute 794 (SEND Peer Review) – Is qualified social worker by profession; Has regular contact with local SEND Parent Carer Forum - non-pecuniary interests.

- **Councillor Cox**

- **Cabinet – 22nd February 2022**

- Minute 726 (Parking Strategy and Parking Implementation Plan) – Non-pecuniary interest: wife is a blue badge holder;

- **Standards Committee – 7th March 2022**

- Minute 770 (Complaint Against a Councillor – Reference 20/012) - disqualifying non-pecuniary interest (withdrew);

- **People Scrutiny Committee – 15th March 2022**

- Minute 794 (SEND Peer Review) - Family member has special educational needs and disabilities and is in receipt of an Education, Health and Care Plan - non-pecuniary interest.

- **Councillor Dent**

- **Policy and Resources Scrutiny Committee – 16th March 2022**

- Minute 801 (PSPO Consultation) - Lives within the area of designation of the existing Public Spaces Protection Order - non-pecuniary interest.

- **Councillor K Evans**

Cabinet – 22nd February 2022

Minute 723 (20 mph Neighbourhoods) – Non-pecuniary interest: Leigh Town Council Councillor;

Minute 724 (Outcome Success Measures Report) – Non-pecuniary interest: ex-serviceman and benefactor of the Salvation Army;

Minute 726 (Parking Strategy and Parking Implementation Plan) – Non-pecuniary interest: family member is a blue badge holder;

Minute 728 (Dog Control PSPO Variation) – Non-pecuniary interest: Dog owner;

People Scrutiny Committee – 15th March 2022

Minute 794 (SEND Peer Review) – Employed by Essex County Council in the consideration of school appeals as member of Statutory Appeal Panel - non-pecuniary interest;

- **Councillor Habermel**

Development Control Committee – 2nd March 2022

Enforcement of Planning Control Ref. No. 20/00009/UNAU_B (84-90 The Ridgeway, Westcliff-on-Sea) – Non-pecuniary interest: Rear garden of his property is on the other side of the railway in close proximity to the site (withdrew);

- **Councillor Harp**

Health and Wellbeing Board – 7th March 2022

Minute 775 (A Better Start Southend) – Non-pecuniary interest: family friend employed in senior role at ABSS;

- **Councillor Hooper**

People Scrutiny Committee – 15th March 2022

Minute 794 (SEND Peer Review) - Director of Blade Education, a not-for-profit company that works with local SEND children - non-pecuniary interest;

- **Councillor Jones**

Cabinet – 22nd February 2022

Minute 724 (Outcome Success Measures Report) – Non-pecuniary interest: Son works for SEGA3, HALO and PAVE team;

Council – 24th March 2022

Agenda Item 4 (public questions) – Non-pecuniary: son works in transport team referred to in the questions;

- **Councillor Moring**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Non-pecuniary interest: lives in one of the roads affected;

- **Councillor Moyies**

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 802 (City Council Branding) - Employed in the marketing industry - non-pecuniary interest.

- **Councillor Mulroney**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Disqualifying non-pecuniary interest: resident in one of the proposed roads/areas of the scheme (withdrew);

Development Control Committee – 2nd March 2022

Application Ref. No. 21/024/98/FUL (Flat 1 Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council, non-participant in planning;

- **Councillor Nelson**

Cabinet – 22nd February 2022

Minute 723 (20 mph Neighbourhoods) – Non-pecuniary interest: family member lives in an affected road;

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 802 (City Council Branding) - Employed in the marketing industry - non-pecuniary interest;

- **Councillor Nevin**

Cabinet – 22nd February 2022

Minute 727 (Corporate Risk Register) and Minute 732 (Adult Social Care Strategies) – Non-pecuniary interest: NHS Employee in external Trust and 2 sons and stepsister are NHS employees;

- **Councillor Terry**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Non-pecuniary interest: lay member of Burges Estate Residents Association (BERA);

Minute 733 (Innovation Resilience Fund Outline Business Case) – Non-pecuniary interest: lives on Eastern Esplanade;

Policy and Resources Scrutiny Committee – 16th March 2022

Minute 801 (PSPO Consultation) - Lives within the area of designation of the existing PSPO - non-pecuniary interest;

Standards Committee – 23rd March 2022

Minute 845 (Complaints against a Councillor – Reference 22/003 – Disqualifying non-pecuniary interest (withdrew))

- **Councillor Wakefield**

Development Control Committee – 2nd March 2022

Application Ref No. 21/02525/FUL (11 Wesley Road, Eastwood) – Non-pecuniary interest: Owns an HMO;

- **Councillor Walker**

Development Control Committee – 2nd March 2022

Application Ref. No. 21/92459/FUL (366 Rayleigh Road, Eastwood) – Non-pecuniary interest: Has been asked about the application by residents.

- **Councillor Woodley**

Cabinet – 22nd February 2022

Minute 723 (20mph Neighbourhoods) – Non-pecuniary interest: Thorpe Ward Councillor and Chair of Residents Association;

Standards Committee – 23rd March 2022

Minute 845 (Complaints against a Councillor – Reference 22/001 and 22/002 – Disqualifying non-pecuniary interest (withdrew))

Standards Committee – 7th March 2022

All Councillors have a non-pecuniary interest in Minute 770 (Complaint against a Councillor – Reference 20/012) is so far as they know the Councillor subject to the complaint as a fellow Councillor;

Standards Committee – 23rd March 2022

All Councillors have a non-pecuniary interest in Minute 845 (Complaints against a Councillor – Reference 22/001 and 22/002) is so far as they know the Councillor subject to the complaint as a fellow Councillor;

Officer Interests

Cabinet – 22nd March 2022

A Richards – Minutes 835 (Minutes of the meeting of the Shareholder Board) and 836 (Porters Place Southend-on-Sea LLP Budget/Final Reserved Matters Application Extension Request and LLP Final Statements Year End March 2021) – Non-pecuniary interest: Council appointed representative on the Porters Place LLP Board.

Place Scrutiny Committee – 22nd March 2022

A Richards - Minutes 840 (Minutes of the meeting of the Shareholder Board) and 841 (Porters Place LLP Budget/Final Reserved Matters Application Extension Request and LLP Final Statements Year End March 2021) – Non-pecuniary interest: Council appointed representative on the Porters Place LLP Board.

Appointments and Disciplinary Committee – 4th March 2022

G Gilbert – Minute 766 (Director of Legal – Interview) – Pecuniary interest (withdrew).

863 Communications

(a) Mike Grimwade – Minutes Silence

The Council remained silent for one minute as a mark of respect to Mike Grimwade, former Councillor, who sadly passed away recently.

(b) Covid Pandemic and Ukrainian Crisis

The Council took a moment to reflect on the Covid Pandemic over the last two years and the more recent Ukrainian crisis and for those persons who have sadly passed away.

(c) Mayoral Charities

The Council received an update on the Triathlon taking place on Sunday 27th March 2022 and the amounts raised for the Mayor's charities.

The Worshipful the Mayor extended her thanks and appreciation to those that have donated to the mayoral charities and wished Team Chalkwell the best of luck on Sunday.

864 Questions from Members of the Public

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

865 Questions from Members of the Council

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

866 Minutes of the meeting of Council held Thursday, 24 February 2022

Resolved:

That the minutes of the meeting held on Thursday, 24 February 2022 be confirmed as a correct record and signed.

867 Minutes of the meeting of Special Council held Tuesday, 1 March 2022

Resolved:

That the minutes of the meeting held on Tuesday, 1st March 2022 be confirmed as a correct record and signed.

868 Minutes of the meeting of Council held Thursday, 10 March 2022

Resolved:

That the Minutes of the Meeting held on Thursday, 10 March 2022 be confirmed as a correct record and signed.

869 Minutes of the meeting of Cabinet held Tuesday, 22 February 2022

Resolved:

That the minutes of this meeting be noted.

870 Minutes of the meeting of Development Control Committee held Wednesday, 2 March 2022

Resolved:

That the minutes of this meeting be noted.

871 Minutes of the meeting of Appointments and Disciplinary Committee held Friday, 4 March 2022

Resolved:

That the minutes of this meeting be noted.

872 Minutes of the meeting of Standards Committee held Monday, 7 March 2022

Resolved:

That the minutes of this meeting be noted.

873 Minutes of the meeting of Health and Wellbeing Board held Monday, 7 March 2022

Resolved:

That the minutes of this meeting be noted.

874 Minutes of the meeting of Special Cabinet held Monday, 14 March 2022

Resolved:

That the minutes of this meeting be noted.

875 Minutes of the meeting of Place Scrutiny Committee held Monday, 14 March 2022

During consideration of Minute 786 (Waste Collection Contract)) 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 Beggs, Boyd, Buckley, Cox, Davidson, Dear, F. Evans, K Evans, Folkard, Garne, Garston, Habermel, Lamb, McGlone, Moring, Moyies, Nelson, Salter, Walker, and Warren (20).

Against reference back:

Cllrs Berry, Burton, Cowan, Cowdrey, Dent, Gilbert, Harp, Hooper, A Jones, Kelly, Line, Mitchell, Mulroney, Nevin, Robinson, Shead, Stafford, Terry, Thompson, Wakefield, Ward, Wexham and Woodley (23)

Abstention:

Cllr Borton (Mayor) (1)

Absent:

Cllrs Buck, Collins, Courtenay, George, Jarvis, D Jones (6)

The motion to refer the matter back to Cabinet was not carried.

Resolved:

That the minutes of this meeting be noted.

876 Minutes of the meeting of People Scrutiny Committee held Tuesday, 15 March 2022

Resolved:

That the minutes of this meeting be noted.

877 Minutes of the meeting of Policy and Resources Scrutiny Committee held Wednesday, 16 March 2022

Resolved:

That the minutes of this meeting be noted

878 Minutes of the meeting of Special Cabinet held Tuesday, 22 March 2022

Resolved:

That the minutes of this meeting be noted

879 Minutes of the meeting of Special Place Scrutiny Committee held Tuesday, 22 March 2022

Resolved:

That the minutes of this meeting be noted.

880 Minutes of the meeting of Standards Committee held Wednesday, 23 March 2022

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 845 (New LGA Model Councillor Code of Conduct), be approved.

881 Changes to the Constitution

The Council considered a report of the Executive Director (Legal & Democratic Services) setting out minor amendments to Standing Orders 26 and 27 of the Constitution concerning the signing and sealing of documents.

Resolved:

That minor amendments be made to Standing Orders 26 and 27 as set out in Appendix 1 to the submitted report and that Part 4(a) of the Constitution be amended accordingly.

882 Draft Calendar of Meetings 2022/23

Resolved:

That the draft Calendar of Meetings for 2022/23, be approved.

883 Departure of John Williams, Executive Director (Legal & Democratic Services)

The Worshipful the Mayor informed Councillors that John Williams, Executive Director (Legal and Democratic Services) will be leaving the Council and this was his last Full Council meeting.

On behalf of the Council, I wish to express my appreciation and thanks to John for his sterling work and excellent service and wish him all the very best for the future.

884 Retiring Councillors

The Worshipful the Mayor extended her thanks and appreciation on behalf of the Council to Councillors Harp, Nevin and Moring who were not standing for re-election on 5th May 2022 and to those Councillors who were standing but may not be returned.

Chair: _____