

Public Document Pack

Southend-on-Sea Borough Council

Department of the Chief Executive

John Williams - Director of Democratic & Legal Services

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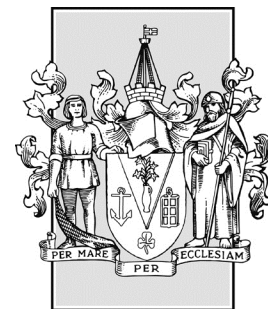
Fax: 01702 215994

Date: 14th July 2017

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Dear Councillor

Council – 20th July 2017

Supplementary Council Agenda Pack and Reservation of Minutes

I attach a copy of the supplementary pack containing the following items/minutes which were not available when the Council went to print.

Members will be reminded that Council Procedure Rule 7.4 was amended by the Council at its meeting held on 18th May 2017 and you therefore do not need to reserve any **black-lined minutes** (including those minutes that have been referred up to Council under Standing Order 39) as these will now be automatically available for debate.

However, I would remind Members that the reservation of any minute for debate (which are not **black-lined**) should be notified to the committeesection@southend.gov.uk by no later than noon on the day of the Council meeting.

Agenda No	Item
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| 25 | <u>Minutes of the meeting of Development Control Committee held on Wednesday 5th July 2017 (Pages 1 - 24) – Minutes attached</u> |
| 26 | <u>Minutes of the meeting of Appeals Committee B held Thursday 6th July 2017 (Pages 25 - 26) – Minutes attached.</u> |
| 27 | <u>Minutes of the meeting of Place Scrutiny Committee held Monday 10th July 2017 (Pages 27 - 32) – Minutes attached</u> |
| 28 | <u>Minutes of the meeting of People Scrutiny Committee held Tuesday 11th July 2017 (Pages 33 - 42) – Minutes attached</u> |
| 29 | <u>Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday 13th July 2017 (Pages 43 - 50) – Minutes attached</u> |

Robert Harris
Principal Democratic Services Officer
Legal & Democratic Services

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 5th July, 2017
Place: Committee Room 1 - Civic Suite

25

Present: Councillor F Waterworth (Chair)
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton,
H Boyd, S Buckley, M Butler*, J Garston, H McDonald, D McGlone*,
C Mulrone, D Norman MBE and C Walker
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: J K Williams, P Geraghty, K Waters, C Galforg, J Rowley, M Warren
and T Row

Start/End Time: 2.00 p.m. - 3.15 p.m.

119 Apologies for Absence

Apologies for absence were received from Councillors Callaghan, Folkard
Substitute: Councillor McGlone), Hadley (Substitue: Councillor Butler), Van Looy
and Ward.

120 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item No. 4: 16/01475/FULM - Grand Hotel,
Broadway, Leigh on Sea – Non-pecuniary interest: Acquainted with various
neighbours and business owners in the area;

(b) Councillor Arscott – Agenda Item No. 5: 16/02045/FULM - Rileys, 258 Leigh
Road. Leigh on Sea – Non-pecuniary interest: Acquainted with various
neighbours and business owners in the area;

(c) Councillor Arscott – Agenda Item No. 9: 17/00822/BC3M - Sacred Heart
Roman Catholic School, Windermere Road, Southend on Sea – Non-pecuniary
interest: Governor of Our Lady of Lourdes Catholic Primary School which is a
partner school with Sacred Heart Roman Catholic School;

(d) Councillor Boyd – Agenda Item No. 4: 16/01475/FULM - Grand Hotel,
Broadway, Leigh on Sea – Non-pecuniary interest: Owns a property in the
general vicinity;

(e) Councillor D Garston – Agenda Item No. 4: 16/01475/FULM - Grand Hotel,
Broadway, Leigh on Sea – Non-pecuniary interest: Lives in the general vicinity
and the premises was referred to by the objector in his address to the
Committee;

(f) Councillor J Garston – Agenda Item No. 4: 16/01475/FULM - Grand Hotel,
Broadway, Leigh on Sea – Non-pecuniary interest: Family member lives in the

general vicinity and the premises was referred to by the objector in his address to the Committee;

(g) Councillor Mulroney – Agenda Item No. 4: 16/01475/FULM - Grand Hotel, Broadway, Leigh on Sea – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning); and

(h) Councillor Mulroney – Agenda Item No. 5: 16/02045/FULM - Rileys, 258 Leigh Road. Leigh on Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning).

121 **Supplementary Report**

The Committee received a supplementary report by the Deputy Chief Executive (Place) that provided additional information on items referred to elsewhere on the Agenda.

- 122 **16/01475/FULM - Grand Hotel, Broadway, Leigh on Sea (Leigh Ward)**
Proposal: Convert existing hotel into mixed use comprising of basement wine bar and health club, ground floor restaurants and terrace, 19 self-contained flats on three floors, form new mansard roof and penthouse roof extension and three storey rear extension with mansard roof, external alterations, install extract/ventilation equipment and solar PV panels, layout parking, associated landscaping and form new vehicular access onto Broadway
Applicant: 460 Leisure Ltd
Agent: Mr Kieron Lilley

Mr O'Boyle, a local resident, spoke as an objector to the application. Mr Lilley, the Applicant's Agent responded.

Planning Permission REFUSED for the following reasons:

01 The development, by reason of the design, mass, scale, siting and size of the proposed fourth floor penthouse roof extension and the increased scale and detailed design of the enlarged mansard roof, would have a detrimental impact on and be significantly harmful to the character and appearance of the locally listed building and the Leigh Cliff Conservation Area more widely. The development is therefore considered to be unacceptable and contrary to the National Planning Policy Framework (2012), policies KP2 and CP4 of the Southend Core Strategy (2007), policies DM1, DM3 and DM5 of the Southend Development Management Document (2015) and the advice contained in the Design and Townscape Guide (2009).

02 The submission does not include a completed formal undertaking to secure an appropriate financial contribution to the provision of education facilities in the borough, to mitigate the demand for such facilities generated by the development proposed. The application is therefore unacceptable and contrary to the National Planning Policy Framework and Policies KP2, KP3 and CP6 of the Southend Core Strategy (2007).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing

those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application and therefore, the proposal is not considered to be sustainable development. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Informative

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.

- 123 16/02045/FULM - Rileys, 258 Leigh Road. Leigh on Sea (Leigh Ward)**
Proposal: Demolish existing building and erect 5 storey building incorporating 22 self-contained flats with balconies/terraces, layout parking and cycle stores at basement level, refuse store and amenity space.
Applicants: Property Generation Services Limited
Agent: Property Generation Services Limited

(a) DELEGATED to the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager of Planning & Building Control to GRANT PLANNING PERMISSION subject to completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to secure the provision of:

- a financial contribution for affordable housing of £187,485 (index-linked) in lieu of on-site provision, which is payable prior to occupation of the 7th dwelling
- a financial contribution towards secondary education provision of £40,315 (index-linked), specifically providing increased capacity at Futures Community College/Southchurch High School, which is payable prior to occupation of the 7th dwelling

(b) The Deputy Chief Executive (Place), Director of Planning and Transport or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

02 The development shall be carried out in accordance with the approved plans: 01 Site Location Plan; 02 Existing plans and elevations; 03 Proposed Site Plan & Parking Revision D; 05 Proposed Plans 0-3 Revision E; 06 Proposed fourth floor

and roof plan Revision B; Proposed elevations north and south revision C; Proposed elevations east and west revision C.

Reason: To ensure the development is carried out in accordance with the development plan.

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the lower ground floor (parking) slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening, fenestration, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the BLP and policies DM1 and DM3 of the Development Management DPD 2015

04 No construction works above the lower ground floor (parking) floor slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The development shall be implemented in full accordance with the approved details before it is occupied or brought into use.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and policies DM1 and DM3 of the Development Management DPD 2015.

05 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscaping of the site shall be managed in accordance with the approved plan in perpetuity.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

06 The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 03 for cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking spaces shall be permanently retained thereafter for the parking of occupiers to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

07 No construction works above lower ground floor slab level shall take place until details of 1.8m high balcony/terrace screens to the eastern and rear splayed elevation serving flats 2 and 3 on the second, third, fourth floor and the balustrade detailing for flats 1 and 2 on the fifth floor shall have been submitted to and approved in writing by the Local Planning Authority. The screens, as approved, shall be erected prior to first occupation of those units, and retained thereafter in perpetuity.

08 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

09 The development shall not be occupied until details of the secure, covered cycle parking spaces to serve the residential development and cycle parking spaces have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development and shall be permanently retained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

11 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details before the development is occupied and brought into use and be maintained as such thereafter. Those details shall include:

i) an investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;

ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;

iii) a timetable for its implementation; and

vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy 2007 and area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD 2015.

12 Details of any external lighting to be installed in the development shall be submitted to and approved in writing by the local planning authority before the development is occupied or brought into use. Development shall be carried out in accordance with the approved details before the development is occupied or brought into use. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the area, and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and with CP4 of the Core Strategy DPD1 and Policies DM1 of the Development Management DPD 2015.

13 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing prior to occupation of the development hereby approved by the Local Planning Authority and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy and Development Management Document policy DM2.

14 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time Sundays or Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be installed within the development or on the buildings hereby approved unless otherwise previously agreed in writing by the Local Planning Authority.

Reason: In order to protect the character and visual amenities of the development and surrounding area and airport safety in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

16 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 2 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' and the remaining 20 flats comply with building regulation part M4(2) 'accessible and adaptable dwellings'.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the

development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

02 The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

03 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to a financial contribution towards affordable housing and secondary education.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 14th July 2017 or an extension of this time as may be agreed by the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager (Planning & Building Control), the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not provide for affordable housing or education provision. As such, the proposal would be contrary to Policies KP2, KP3, CP6 and CP8.

124 17/00559/FULM - Asda, North Shoebury Road, Shoeburyness (Shoeburyness Ward)

Proposal: Demolish existing two lane shopping collection point to the side and install a five lane shopping collection point to the side and alter vehicular access and erect new canopy

Applicant: Asda Superstores Limited

Agent: Whittam Cox Architects

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be carried out in accordance with the approved plans PL_01A Site Location Plan; PL_02B Proposed external Drive Thru; PL_03 Existing click and Collect Canopy.

Reason: To ensure that the development is carried out in accordance with the policies within the Development Plan.

03 The development hereby approved shall be carried out in accordance with details on drawing PL_02 Revision with respect to the materials used before it is brought into use.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of surrounding locality. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) 2015 policies DM1 and DM3 and SPD1 (Design and Townscape Guide).

Informative

01 You are advised that as the proposed works will not result in the creation of internal floorspace in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

125 17/00584/FUL - 25 Britannia Road, Westcliff on Sea (Chalkwell Ward)
Proposal: Erect two storey dwellinghouse on land at rear (Amended Proposal)
Applicant: Mrs Linda Harrison
Agent: Mercer Planning Consultants Ltd

Mr Dayer, a local resident, spoke as an objector to the applicant. Mr Mercer, the Applicant's Agent, responded.

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

02 The development shall be carried out in accordance with the approved plans: P1000 Revision A; P1001 Revision A; P1002; P1003 Revision C; P1005; P1007; P1010; P1011; P1012; P1008; P1006; P1004 Revision A and P1009.

Reason: To ensure the development is carried out in accordance with the development plan.

03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, windows, doors, paving, and on any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details before it is occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with Policy DM1 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

04 The development shall not be occupied until 5 car parking spaces have been provided at the site in accordance with drawing P1001 Revision A, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies DM15 of the Council's Development Management DPD and CP3 of the Core Strategy DPD1.

05 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- ix. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

06 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction has been submitted to an approved in writing by the local planning authority. These protection measures shall be carried out in full as approved throughout the implementation of the development hereby approved.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2

(Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

07 A scheme detailing how at least 10% of the total energy needs of the dwellinghouse will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwellinghouse. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1), policy DM2 of the Development Management Document (DPD2).

08 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

09 The development hereby permitted shall not commence until details of surface water attenuation for the site, based on Sustainable Urban Drainage principles, have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is occupied unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with Policies KP2 and CP4 of the Core Strategy DPD1, DPD2 (Development Management) policy DM2 .

10 The development hereby approved shall be carried out in a manner to ensure the house complies with building regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policies DM1 and DM3 and SPD1 (Design and Townscape Guide).

12 Prior to occupation the development hereby approved the first floor windows in the flank elevations of the house hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policies DM1 and DM3 and advice contained within the Design and Townscape Guide SPD1.

Informative

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

126 17/00715/FUL - 70 Burdett Avenue, Westcliff on Sea (Milton Ward)
Proposal: Convert existing dwellinghouse (Class C3) to house in multiple occupation
Applicant: Mr and Mrs Dean
Agent: Design Associates

Planning Permission GRANTED subject to the following conditions:

01. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 01 Site and existing floorplans; 02 Revision A Location and proposed plans.

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

03. Before the occupation of the development hereby approved, details of the provision of cycle storage at this site shall be submitted to and approved by the local planning authority. The cycle parking shall subsequently be provided in accordance with the approved details prior to the first occupation of the development and be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

04. Before the occupation of the development hereby approved, details of the provision of refuse storage facilities at the site (including day-to-day refuse storage areas and day of collection storage areas as necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided prior to the occupation of the development and be retained in perpetuity thereafter.

Reason: To safeguard the amenities of the future occupants of the proposed HMO and adjoining properties in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

05. The building shall not be adapted to enable the formation of more than 5 bedrooms and it shall not be occupied by more than 8 persons at any one time.

Reason: To clarify the terms of the permission and enable the suitable consideration of any intensification of the use of the site.

Informatives

1. You are advised that as the proposed alterations to your property do not result in new floorspace and the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

2. Please refer to www.southend.gov.uk/hmollicence for further guidance with respect to the license requirements for a HMO.

127 17/00822/BC3M - Sacred Heart Roman Catholic School, Windermere Road, Southend on Sea (Kursaal Ward)

Proposal: Demolish existing PE store and erect a single storey rear extension to rear of main school building comprising of a PE store, extend existing classbase and alterations to existing playground to include sports tarmac surface area.

Applicant: Southend on Sea Borough Council

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be carried out in accordance with the approved plans 1489/0004 Site and Location Plan; 1489/002 Revision 2 Existing Site Plan; 1489/003 Revision 4 Proposed Plan; 1489/001 Existing and Proposed Elevations, Sections; 1489/005 Roof Plan.

Reason: To ensure that the development is carried out in accordance with the policies contained within the Development Plan.

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of surrounding locality. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) 2015 policy DM1 and SPD1 (Design and Townscape Guide)

04 The new play court shall be completed in accordance with the submitted materials specification received 13th June 2017 before it is brought into use unless otherwise agreed with the Local Planning Authority.

Reason: To ensure provision of adequate improvements to the quality of the sports facilities and to accord with Core Strategy policy CP7 of the Core Strategy DPD1.

05 Development shall not commence on any part of the site until the mitigation measures and recommendations as set out in the Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan carried out by Martin Dobson Associated reference G76 dated 12th June 2017 have been implemented in full. The development shall be implemented in accordance with the mitigation measures and recommendations unless otherwise agreed in writing by the local planning authority.

Reason: To protect the existing trees and in the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

06 Prior to installation of any external lighting, to illuminate the play court hereby approved, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting of the play court shall be installed only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, NPPF, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

07 The development hereby approved shall be carried out in accordance with the submitted Drainage Strategy carried out by Southend on Sea Borough Council dated 12.06.2017 before it is brought into use. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with Policies KP2 and CP4 of the Core Strategy DPD1, DPD2 (Development Management) policy DM2.

08 The proposed new sports and play area shall not be used outside the hours of 10.00 – 19.00.

Reason: To safeguard the amenities of nearby residential properties, in particular to protect the occupiers from noise and disturbance, in accordance with the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy CP4 and Development Management Document (2015) Policy DM1.

Informatives

1. You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

2. You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website http://www.southend.gov.uk/info/200011/building_control for further information.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

- 128 17/00562/BC3M - Multi-Storey Car Park, Victoria Avenue, Southend on Sea (Victoria Ward)**
Proposal: Demolish existing car park and erect multi storey car park
Applicant: Alan Richards
Agent: Michelle Fishlock

DEFERRED

- 129 16/02281/FULM - 177 London Road, Southend on Sea (Victoria Ward)**
Proposal: Demolish existing building, erect five storey building of 16 self-contained flats and two ground floor commercial units, layout parking, cycle and bin stores
Applicant: Green Turtle Cay Limited
Agent: DAP Architecture

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

02 The development shall be carried out in accordance with the approved plans: 703.200.01 Site and ground floor plan proposed; 1703.201.00 Third and Fourth Floor; 703.203.00 Site and roof plan proposed; 703.204.00 Streetscene and sections proposed; 703.205.00 Proposed elevations; 703.206.00 Proposed Site Waste Management Plan, 703.207.01 third and fourth plan; 703.001.00.

Reason: To ensure the development is carried out in accordance with the development plan.

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the floor slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening and fenestration, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy and Policies DM1 and DM3 of the Development Management DPD 2015

04 No construction works above the floor slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; external amenity areas minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The development shall be implemented in full accordance with the approved details before it is occupied or brought into use.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 and policies DM1 and DM3 of the Development Management DPD 2015.

05 The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 703.200.01 for 10 cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management 2015.

06 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policies DM1 and DM15 of the Development Management DPD 2015.

07 The development shall not be occupied until details of 16 secure, covered cycle parking spaces to serve the residential development and cycle parking spaces to serve the office floorspace have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development and shall be retained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

08 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interests of visual amenity and protecting the amenities of occupiers of neighbouring properties in accordance with policy KP2 and CP4 of the Core Strategy DPD1 and policies DM1 and DM3 of the Development Management DPD 2015.

09 Before the B1 (a) use hereby permitted is occupied, details of any extraction/ventilation equipment to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the use class B1 space is brought into use. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

10 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment installed at the site shall be at least 5dB(A) below the prevailing background at 3.5 metres from ground floor façades of the nearest noise sensitive property and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

11 The Class B1(a) use hereby permitted shall not be open to customers outside the following times: 07:00 to 23:00 hours.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers and to protect the character and amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

12 No deliveries or refuse collection shall be taken at or despatched from the Use Class B1 unit outside the hours of 07:00-19:00hours Mondays to Fridays and 08:00-13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

13 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of any land contamination present has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority.

The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in accordance with the approved remediation measures before the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and these shall be fully implemented before the site is occupied.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and Policies DM1 and DM14 of the Development Management DPD 2015.

14 No construction works shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works based on Sustainable Urban Drainage (SUDS) principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details before the development is occupied and brought into use and thereafter be managed in accordance with those details. Those details shall include:

i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to

demonstrate this. Infiltration features should be included where infiltration rates allow;

ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;

iii) a timetable for its implementation; and

vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy 2007 and Policy DM2 of the Development Management DPD 2015.

15 Details of any external lighting to be installed in the development shall be submitted to and approved in writing by the local planning authority before the development is occupied or the lighting is brought into use. The development shall be carried out in accordance with the approved details before the development is occupied or brought into use. No additional external lighting shall be installed on the site without the prior consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the area, and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and with CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

16 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing prior to occupation of the development hereby approved by the Local Planning Authority and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) policy DM2.

17 Demolition or construction works associated with this permission shall not take place outside 07:30hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no structures such as canopies, fences, shutters, loggias, trellises or satellite or radio antennae shall be installed within the development or on the buildings unless otherwise previously agreed in writing by the Local Planning Authority.

Reason: In order to protect the character and visual amenities of the development and surrounding area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

19 Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or adaptation of this legislation of for the time being maybe in force, the commercial floorspace hereby approved shall be used only for purposes falling within Use Class B1(a) and for no other purpose including any within Classes A1, A2, A3, A4, A5, B8, C3 or D1 of the Town and Country Planning (Use Classes) Order 1987 as amended (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force).

Reason: In order to retain B1 (a) employment floorspace and protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with Policies CP1, KP2 and CP4 of the Core Strategy DPD1 and Policies DM1, DM11 and DM3 of the Development Management DPD 2015.

20 Before it is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 2 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 14 flats comply with building regulation standards part M4(2) 'accessible and adaptable dwellings'.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

21 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework,

DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

Informatives

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

2. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

130 17/00638/DOV - Shoebury Garrison, Ness Road, Shoeburyness (Shoeburyness Ward)

Proposal: Modification of planning obligation dated 6 February 2004 (as amended) pursuant to application 00/00777/OUT, in particular clauses relating to sea wall works and drainage infrastructure.

Applicant: Avant Homes

DELEGATED to the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager for Planning and Building Control TO MODIFY THE SECTION 106 AGREEMENT dated 6th February 2004 to allow the revisions and additions set out in paragraph 1.4 and 3.9 of this report associated with sea wall works and drainage infrastructure.

131 17/00639/AD - Shoebury Garrison, Ness Road, Shoeburyness (Shoeburyness Ward)

Application for approval of details pursuant to condition 30 (details of sea wall repairs) of planning permission 00/00777/OUT dated 06/02/2004 [Revised application]

Applicant: Avant Homes

DELEGATED to the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager of Planning and Building Control to agree the details on the basis that 17128-SK103B, 'Specification – Hydraulic Grade

Asphalt', Shoebury Garrison Sea Wall Revetment Remedial Works', 'Hesselberg Hydro: Proposed works to repair revetment March 2017', together with the following previously approved documents satisfy the requirements of Condition 30:- 'Sea Wall and Defences Maintenance & Repair Works report dated November 2001' and 'Drainage and Flood Defence Strategy Concept Statement Revision 2 dated November 2001'. This recommendation is subject to completion of a Deed of Variation under Section 106 of The Town and Country Planning Act 1990 (as amended) to secure the provisions set out in paragraph 3.9 of this report.

Informatives:

1. Please note that the Deed of Variation completed pursuant to application 17/00638/DOV sets out the changes that have been agreed by the Council since 6th February 2004 in relation to the following documents, which formed part of the original Section 106 agreement:-

- Sea Wall and Defences Maintenance & Repair Works report dated November 2001
- Drainage and Flood Defence Strategy Concept Statement Revision 2 dated November 2001

2. This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to methodology and supervision associated with the coastal defence repairs.

- 132 17/00893/DOV5 - 32-36 Valkyrie Road, Westcliff on Sea (Milton Ward)**
Proposal: Modification of planning obligation (Section 106 agreement) associated with planning application 14/00914/FULM dated 3rd July 2015 to provide a financial contribution in lieu of on-site provision of affordable housing.
Applicant: Mr Dan Nyman of In Construction Services Ltd

DELEGATED to the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager for Planning and Building Control to AGREE A MODIFICATION OF THE PLANNING OBLIGATION dated 3rd July 2015 pursuant to planning application 14/00914/FULM to provide a financial contribution for affordable housing of £218,000 (index-linked) in lieu of on-site provision by 14th September 2017 (i.e. within 3 months of the date of this committee).

- 133 17/00784/BC3 - Barons Court Primary School And Nursery, Avenue Road, Westcliff on Sea (Milton Ward)**
Proposal: Render north, west and east elevations
Applicant: Barons Court Primary School
Agent: Neil Pointer (Southend on Sea Borough Council)

Planning permission GRANTED subject to the following conditions:

01. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02. With the exception of the render details the development hereby permitted shall be carried out in accordance with the following approved plans: 1508-A-001 Location and Site Plan; 1508-A-102 West Elevation; 1508-A-101 North Elevation; 1508-A-103 South Elevation; 1508-A-104 East Elevation; 1509-A-201 Render.

Reason: To ensure that the development is carried out in accordance with provisions of the Development Plan.

03. Notwithstanding the details shown on the plans hereby approved, the render to be used for the external elevations to the north, east and west of the existing building shall be in accordance with sample reference 32222 (beige colour) received by the local planning authority on the 24.05.2017.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of surrounding locality and in particular to preserve the character of the Milton Conservation Area. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) 2015 policies DM1, DM3 and DM5 and SPD1 (Design and Townscape Guide).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee B

Date: Thursday, 6th July, 2017

Place: Committee Room 6 - Civic Suite

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Present: Councillor G Phillips (Chair)
Councillors M Borton, D Kenyon, D McGlone, *R Hadley and
*B Arscott

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Mr R Harris

Start/End Time: 5.30 - 6.20 pm

134 Apologies for Absence

Apologies for absence were received from Councillors Folkard (substitute: Cllr Hadley), D Garston (substitute: Cllr Arscott) and Boyd (no substitute).

135 Declarations of Interest

There were no declarations of interest at this meeting.

136 Minutes of the Meeting held on Thursday 2nd February, 2017

Resolved:-

That the Minutes of the Meeting held on Thursday 2nd February 2017 be confirmed as a correct record and signed.

137 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 would involve 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.

138 Primary and Secondary School Transport - LR

The Committee considered a report of the Deputy Chief Executive (People), together with supporting correspondence from the parent of pupil LR, in connection with an application for home to school transport assistance.

Resolved:

That the appeal be granted and home to school transport assistance be provided.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 10th July, 2017
Place: Committee Room 1 - Civic Suite

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Present: Councillor K Robinson (Chair)
Councillors P Wexham (Vice-Chair), M Borton*, H Boyd, A Bright,
D Burzotta, T Callaghan, N Folkard, J Garston, S Habermel, D Jarvis,
D Kenyon, H McDonald, D McGlone, J Moyies, M Terry and N Ward
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors T Byford, T Cox, A Holland and J Lamb (Executive
Councillors)
Councillors I Gilbert, J McMahon and C Nevin
A Lewis, J K Williams, E Cooney, N Corrigan, S Crowther, S Dolling,
S May and T Row

Start/End Time: 6.30 p.m. - 9.10 p.m.

139 Apologies for Absence

Apologies for absence were received from Councillor Ware-Lane (Substitute:
Councillor Borton).

140 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors Byford, Cox, Holland and Lamb (Executive Councillors) – 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;
- (b) Councillor Borton – Agenda Item No. 9 (Growth Strategy) – Non-pecuniary interest: Works for the DWP and the Job Centre was mentioned in the debate;
- (c) Councillor Burzotta – Agenda Item No. 7 (Tourism Strategy) – Non-pecuniary interest: Family business in the Town Centre;
- (d) Councillors Cox and Jarvis – Agenda Item No. 7 (Tourism Strategy) – Non-pecuniary interest: Member of Shoeburyness Coastal Community Team;
- (e) Councillor Holland – Agenda Item No. 6 (In-depth Scrutiny Final Report – To investigate the case for additional enforcement resources for Southend – Non-pecuniary interest: Son is a Police Officer;
- (f) Councillor Holland – Agenda Item No. 7 (Tourism Strategy) – Non-pecuniary interest: Proposed Council appointee to the North Thames Fisheries Local Action Group Board;

(g) Councillor Jarvis – Agenda Item No. 11 (Museums Disposal Policy) – Non-pecuniary interest: Director of Pier Museum Trust;

(h) Councillor Lamb – Agenda Item No. 7 (Tourism Strategy) – Non-pecuniary interest: Director of Leigh Port Partnership; and

(i) Councillor Wexham – Agenda Item No. 7 (Tourism Strategy) – Non-pecuniary interest: Member of the North Thames Fisheries Local Action Group and Leigh Coastal Community Team.

141 Questions from Members of the Public

The Executive Councillor for Transport, Waste and Regulatory Services and the Executive Councillor for Culture, Tourism and the Economy responded to written questions from Mr Webb.

142 Minutes of the Meeting held on Monday, 10th April, 2017

Resolved:-

That the Minutes of the Meeting held on Monday, 10th April, 2017 be received, confirmed as a correct record and signed.

143 Monthly Performance Report (MPR)

The Committee considered the Monthly Performance Report (MPR) covering the period to end April 2017, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

144 In-depth Scrutiny Final Report - To investigate the case for additional enforcement resources for Southend

The Committee considered Minute 65 of the meeting of Cabinet held on 20th June 2017, which had been called-in to Scrutiny, together with the report of the Director of Legal & Democratic Services which presented the final report of the in depth scrutiny project – ‘To investigate the case for additional enforcement resources for Southend.’

Resolved:

1. That the following decision of Cabinet be noted:

“1. That the submitted report be noted.

2. That the proposals in the report be reviewed in the light of the cost implications.”

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

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

145 Tourism Strategy

The Committee considered Minute 21 of the meeting of Cabinet held on 20th June 2017, which had been called-in to Scrutiny, together with the report of the Deputy Chief Executive (Place) detailing progress with the development of Southend-on-Sea's Tourism.

Resolved:

That the following recommendation of Cabinet be noted:

“That the Destination Southend – 2017 Tourism Strategy, be adopted.” ||

Note: This is a Council function
Executive Councillor: Holland

146 Digital Strategy

The Committee considered Minute 22 of the meeting of Cabinet held on 20th June 2017, which had been called-in to Scrutiny, together with the report of the Deputy Chief Executive (Place), detailing the Council's strategic digital intentions for the next three years set out in the 'Digital Strategy 2017/20.'

Resolved:

That the following recommendations of Cabinet be noted:

“1. That the strategic direction contained within the 'Digital Strategy 2017/20', be approved. ||

2. That SMART proof of concept pilots be progressed across 2017/18.

3. That the £500,000 identified in the Council's Capital Programme 2018/19 be brought forward for use in 2017/18 for the creation of the Intelligence Hub.” ||

Note:- This is a Council Function
Executive Councillor: Byford

147 Growth Strategy

The Committee considered Minute 23 of the meeting of Cabinet held on 20th June 2017, which had been called-in to Scrutiny, together with the report of the Deputy Chief Executive (Place) on the development of an Economic Growth Strategy 2017-22.

In response to a question regarding the scale of the fishing industry in Leigh on Sea, the Director of Regeneration and Business Development undertook to circulate the information to Members of the Committee after the meeting.

Resolved:

That the following decision of Cabinet be noted:

“That, subject to the inclusion of Shoebury High Street and Ness Road in the list of retail/commercial areas (page 22 of the Strategy), the Economic Growth Strategy, be approved.”

Note: This is an Executive Function
Executive Councillor: Holland

148 Council Procedure Rule 46

The Committee considered Minute 27 of the meeting of Cabinet held on 20th June 2017, together with the report which summarised the actions taken in accordance with Council Procedure Rule 46.

Resolved:

That the submitted report be noted. ||

Note:- This is an Executive Function save that item no. 1.3 of the report requires a Council decision.
Executive Councillor:- As appropriate to the item.

149 Museums Disposal Policy

(This is a Pre-Cabinet Scrutiny item)

The Committee received a report by the Deputy Chief Executive (Place) by way of pre-Cabinet scrutiny.

Resolved:

That, subject to the inclusion of the following comments, the report be noted and endorsed for submission to Cabinet:

- a full itinerary of the items to be disposed of should be prepared and circulated to Members prior to disposal;
- any items to be disposed of should be offered to be returned to the donator in the first instance.

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

150 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June 2017

Resolved:

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June, 2017 be received and noted.

Note: This is a Scrutiny Function.

151 In depth Scrutiny projects - 2017/ 18

The Committee considered a report of the Chief Executive concerning the possible in depth scrutiny project to be undertaken by the Scrutiny Committee in 2017/18. The report also included some information about the work carried out by the Scrutiny Committee in the 2016/17 Municipal Year.

Resolved:

1. That the in-depth scrutiny project for 2017/18 be "Maximising the use of technology through the Smart Cities and Digital Futures agendas".

2. That it be noted that the following Members have been appointed to the Panel, which will manage the in-depth project – Councillors Bright, Callaghan, Folkard, J Garston, Kenyon, McDonald, McGlone, Moyies, and Robinson.

3. That the information attached at Appendix 3 to the Report, the summary of work of the 3 Scrutiny Committees during 2015/2016, be noted.

Note:- This is a Scrutiny Function

152 Exclusion of the Public

On the basis that the following confidential report of the Deputy Chief Executive (Place) entitled Gasworks Site had been withdrawn from the Agenda for this meeting, the Committee was not required to pass a resolution to exclude the public and press from the meeting.

153 Gasworks Site

The Committee was informed that this item was a matter for the Policy & Resources Scrutiny Committee not the Place Scrutiny Committee and on this basis the report had been withdrawn from the Agenda for this meeting. It had however, been added to the Agenda for the Policy and Resources Committee for consideration.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 11th July, 2017
Place: Council Chamber - Civic Suite

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Present: Councillor C Nevin (Chair)
Councillors L Davies (Vice-Chair), B Arscott, M Borton,
H Boyd, A Bright, S Buckley, M Butler, Cllr M A Chalk,
C Endersby, D Garston, S Habermel, A Jones, D McGlone*,
C Walker and P Wexham*
E Lusty and L Crabb (co-opted members)
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Courtenay, L Salter and J Lamb (Executive
Councillors)
F Abbott, J K Williams, S Leftley, A Atherton, B Martin,
J O'Loughlin, C Braun and A Keating

Start/End Time: 6.30 - 10.25 pm

154 Apologies for Absence

Apologies for absence were received from Councillor Phillips (substitute Cllr McGlone), Councillor Mulroney (substitute Cllr Wexham), Councillor Stafford (no substitute), E Feddon and N Ahmed (Youth Council observers).

155 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors Salter, Courtenay and Lamb - interest in 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 Salter – agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
- (c) Councillor Nevin - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
- (d) Councillor Nevin - agenda item relating to Scrutiny Committee – updates – non-pecuniary - Previous employee at Southend Hospital; NHS Employee at Barts; 2 children work at MEHT and sister works for the Department of Health;
- (e) Councillor Boyd - agenda items relating to – Grammar School Strategy; Provision of Secondary Places; School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, South East Essex Teaching School Alliance;
- (f) Councillor Boyd - agenda item relating to School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas

- referred to in Model A - withdrew from meeting during consideration of the item;
- (g) Councillor Jones - agenda items relating to – Secondary School Places; Council Procedure Rule 46 – non-pecuniary – child attends St Bernards School;
 - (h) Councillor Endersby – agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (i) Councillor Wexham - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (j) Councillor D Garston - agenda item relating to School Admission Arrangements – non-pecuniary - lives in area affected by proposals and also son has property in Leigh;
 - (k) Councillor Butler - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (l) Councillor Arscott - agenda item relating to Schools Progress report – non pecuniary – Governor at Our lady of Lourdes Catholic Primary School;
 - (m)Councillor Arscott - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals;
 - (n) Councillor Walker - agenda item relating to School Admission Arrangements – non-pecuniary – wife is teacher at West Leigh School;
 - (o) Councillor Bright - agenda item relating to School Admission Arrangements – non-pecuniary – uncle is on Board of Governors at West Leigh School;
 - (p) Councillor Chalk - agenda item relating to School Admission Arrangements – non-pecuniary – Governor at school in Borough;
 - (q) Councillor Lamb - agenda item relating to School Admission Arrangements – non-pecuniary – lives in area affected by proposals; Governor at West Leigh School;
 - (r) Ms E Lusty - agenda item relating to School Admission Arrangements – non-pecuniary – 2 younger children attend West Leigh schools; owns house in Chalkwell; child attends Southend High School for Boys.

156 Questions from Members of the Public

Councillor Courtenay, the Executive Councillor for Children & Learning responded to a written question from Mr Webb and Councillor Salter, the Executive Councillor for Health and Adult Social Care responded to a written question from Mr Webb.

157 Minutes of the Meeting held on Tuesday, 11th April, 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday, 11th April, 2017 be confirmed as a correct record and signed.

158 Minutes of Special Meeting held on Thursday, 6th April, 2017

Resolved:-

That the Minutes of the Special Meeting held on Thursday, 6th April 2017 be confirmed as a correct record and signed.

159 Southend University Hospital NHS Foundation Trust

Item DEFERRED.

160 Monthly Performance Report

The Committee considered Minute 66 of Cabinet held on 20th June 2017 which had been referred direct by Cabinet and also called in to Scrutiny, together with the Monthly Performance Report covering the period to end May 2017, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

161 In-depth Scrutiny Final Report - Alternative Provision: off site education provision for children & young people

The Committee considered Minute 64 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Legal & Democratic Services. This presented the final report of the in depth scrutiny project 'Alternative provision – off site education provision for children and young people.'

The Committee said that it would be useful to attach the 'Managed Move Policy' Document to the final report and also expressed appreciation to the Members and officers on the project team for their respective contributions to the review.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the report and recommendations from the in depth scrutiny project attached at Appendix 1 to the submitted report, be approved.

2. That it be noted that the approval of any recommendations with budget implications will require consideration as part of future years' budget processes prior to implementation.

3. That, as a number of the recommendations require a multi-agency oversight/response, the Health and Wellbeing Board be asked to

consider the report and ensure the actions are identified and monitored.”

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

162 School Admission Arrangements for Community Schools and coordinated admission scheme for academic year 2018/19

The Committee considered Minute 77 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) which sought views on the proposed pre-consultation and engagement of the relevant people in respect of the admission arrangements (including catchment areas) for community schools for the academic year 2019/20.

The Scrutiny Officer clarified that the report related to the admission scheme for academic year 2019/20 and not 2018/19 as stated in the heading of the report.

The following points of clarification were made by the Executive Councillor and officers during the discussion:-

- No change is not an option as firstly predications going forwards indicate oversubscription for catchment applications for West Leigh, Leigh North Street and Chalkwell schools, and secondly the current arrangements could be deemed to be unreasonable as a result;
- The Cabinet report outlines some draft proposals to provide a starting point but the purpose of pre consultation is to seek a wide range of views;
- Up to date data projections and accessible maps will be included as part of the pre consultation materials;
- Concerns of displacing siblings has been raised in comments received already and the pre consultation document will address these comments;
- The pre consultation and engagement (July – September 2017) will inform the proposals for the formal consultation, which will take place at some stage during the period between October 2017 – January 2018.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That a two level consultation with relevant people on the proposals for Admission Arrangements for community schools for the academic year 2019/20, be approved.

2. That the pre-consultation and engagement phase, from July 2017 through to September 2017, be approved.

3. That formal consultation in line with the Admissions Code 2014, from October to January 2018, be approved.

4. That consultation takes place with governing bodies of community schools on the published admission numbers for community infant, junior and primary schools for September 2018 (this might be earlier than usual in order to support the full consultation process - October to 31st January 2018), be approved.”

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

163 Grammar School (Strategy)

The Committee considered Minute 78 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) which detailed the proposals for a strategy to fulfil an ambition to enable more Southend residents to attend one of the four Grammar Schools in the borough.

Resolved:-

That the following decisions of Cabinet be noted:-

- “1. That the outline proposals for the Strategy, be noted.
2. That the types of actions set out in Appendix 1 to the submitted report which will form the basis of the Strategy, be approved.”

Note:- This is an Executive Function.
Executive Councillor: Courtenay

164 Provision of Secondary School Places

The Committee considered Minute 79 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) which detailed progress on the strategy for the provision of secondary places, as overseen by the School Places Working Party and sought consideration of the proposal for a Free School.

Resolved:-

That the following decisions of Cabinet be noted:-

- “1. That current progress be noted and that the progression of expansion projects to procurement stage at good and outstanding secondary schools for September 2018, namely Shoeburyness High School and St Thomas More High School, be approved.
2. That the continuation of expansion discussions with remaining Good and Outstanding Schools, namely Belfairs Academy, The Eastwood Academy and St Bernard’s High School to secure the remaining 60 places still required for September 2018, be approved.
3. That it be agreed that a free school is required for September 2019 for the required additional 180 places (this requires the identification of

council owned land to support any application to the Department of Education).“

Note: This is an Executive Function
Executive Councillor: Courtenay

165 Standing Order 46

The Committee considered Minute 86 of Cabinet held on 20th June 2017, which had been called in to Scrutiny, concerning actions taken under Council Procedure Rule 46.

Resolved:-

That the following decision of Cabinet be noted:-

“That the submitted report be noted.”

Note:- This is an Executive Function.
Executive Councillor: As appropriate to the item.

166 Parental Contributions for Children's Services

(This is a pre-Cabinet scrutiny item).

The Committee considered a report by the Deputy Chief Executive (People) by way of pre-Cabinet scrutiny. This informed the Committee of the option available to local authorities under the Children Act 1989 to charge for social care services provided to children and sought views on the concept of introducing a Local Authority Parental Charging Policy for Southend Children's Services, in line with S29 of the Children Act 1989.

Resolved:-

That the following views of the Committee should be included / addressed in any report to Cabinet on this matter:-

- Need more information / case studies on other local authorities which have considered / introduced this type of scheme and the uptake;
- Details of likely costs of introducing the scheme;
- Information on anticipated numbers who would be affected by the scheme;
- Information on charging criteria and threshold;
- The scheme should ensure there are no detrimental unintentional consequences on families.

Note:- This is an Executive Function.
Executive Councillor:- Courtenay

167 Schools Progress Report

The Committee received a report of the Deputy Chief Executive (People) which informed Members of the current position with regard to the performance of all schools, including those causing concern and updated on known Academy developments.

The Committee asked that their congratulations be forwarded to the schools which have recently received Ofsted inspection results, including Barons Court Primary School which has improved its judgement from Good to Outstanding and St Christopher's Academy which has been judged again as Outstanding. The Committee also asked that their congratulations be forwarded to primary schools in the borough for the improved KS2 data, above the national average.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.
Executive Councillor:- Courtenay

168 Scrutiny Committee - updates

The Committee received a report of the Chief Executive which updated Members on a number of scrutiny matters.

In response to a question, the Scrutiny Officer said that she would ask the CCG for an update position on the St Lukes primary care developments.

Resolved:-

That the report and actions taken be noted.

Note:- This is a Scrutiny Function

169 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June 2017

Resolved:

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June 2017 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

170 In depth Scrutiny projects - 2017/ 18

The Committee considered a report of the Chief Executive concerning the possible in depth scrutiny project to be undertaken by the Scrutiny Committee in 2017/18. The report also attached some information about

the work carried out by the Scrutiny Committee in the 2016/17 Municipal Year.

Resolved:-

1. That the in depth scrutiny project for 2017/18 will be – ‘Connecting communities to avoid isolation, including considering intergenerational issues’.
2. To note that the following Members have been appointed to the Panel, which will manage the in depth project – Councillor Nevin (Chairman), Councillors Boyd, Buckley, Butler, D Garston, Walker, Borton, Endersby and Davies.
3. To note the information attached at Appendix 3 to the Report, the summary of work of the 3 Scrutiny Committees during 2016 / 2017.

Note:- This is a Scrutiny Function.

171 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 items of business set out below, on the grounds that they would involve 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.

172 Provision of Secondary School Places in Southend September 2019: Proposed Free School Site

The Committee considered Minute 89 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) on the above.

Resolved:-

That the following decisions of Cabinet be noted:-

- “1. That the preferred site for a free school to support and strengthen an application made by a proven academy trust to the Department for Education (DfE), be approved.
2. That further legal advice be sought on the Council’s rights to terminate any tenancy agreement, to better understand the potential costs involved, and to assess the likelihood of entering into negotiations with the tenant and obtaining planning permission regarding change of use of the land.”

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

173 Standing Order 44.2

During consideration of agenda item 14 and upon the hour of 10 pm having been reached, the Committee agreed that the remaining items of business on the agenda should be dealt with at the meeting.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 13th July, 2017
Place: Committee Room 1 - Civic Suite

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Present: Councillor B Ayling (Chair)
Councillors D Kenyon (Vice-Chair), B Arscott, S Buckley*,
D Burzotta, M Davidson, N Folkard, D Garston, I Gilbert,
R Hadley, D McGlone, J McMahon, D Norman MBE,
M Stafford, C Walker, P Wexham and C Willis
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Lamb, A Holland, M Flewitt and A Moring
(Executive Councillors)
Councillor L Davies
A Griffin, J K Williams, F Abbott, J Ruffle, J Chesterton,
S Houlden and S Ford

Start/End Time: 6.30 - 8.45 pm

174 Apologies for Absence

Apologies for absence were received from Councillor Phillips (substitute Cllr Buckley).

175 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors Lamb, Holland, Moring & Flewitt - interest in 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 Holland – agenda item relating to in depth scrutiny report – non-pecuniary – son is a Police Officer;
- (c) Councillor McMahon – agenda item relating to MPR – non-pecuniary – co founder HARP, which was mentioned during discussion;
- (d) Councillor D Garston – agenda item relating to Housing Investment Company – non-pecuniary – owns one property to let;
- (e) Councillor Davidson – agenda item relating to Housing Investment Company — Disqualifying non-pecuniary interest - Board Member of South Essex Homes (was able to participate in the debate and vote by virtue of the dispensation agreed by the Standards Committee at its meeting held on 28th February 2017).

176 Questions from Members of the Public

Councillor Holland, the Executive Councillor for Culture, Tourism and the Economy responded to 2 written questions from Mr Webb.

177 Minutes of the Meeting held on Wednesday, 12th April, 2017

Resolved:-

That the Minutes of the Meeting held on Wednesday, 12th April, 2017 be confirmed as a correct record and signed.

178 Monthly Performance Report

The Committee considered Minute 66 of Cabinet held on 20th June 2017 which had been referred direct by Cabinet and also called in to Scrutiny, together with the Monthly Performance Report covering the period to end May 2017, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

179 In-depth Scrutiny Final Report - To investigate the case for additional enforcement resources for Southend

The Committee considered Minute 65 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Legal & Democratic Services. This presented the final report of the in depth scrutiny project - 'To investigate the case for additional enforcement resources for Southend.'

The Committee noted that this item had been referred to Council by the Place Scrutiny Committee at its meeting on 10th July 2017.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the submitted report be noted.

2. That the proposals in the report be reviewed in the light of the cost implications."

Note:- This is an Executive Function

Executive Councillor:- Holland

180 Corporate Plan & Annual Report: 2017

The Committee considered Minute 67 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Transformation which presented the Council's draft Corporate Plan and Annual Report 2017.

Resolved:-

That the following recommendation of Cabinet be noted:-

“That the Council’s draft Corporate Plan and Annual Report 2017, be approved.”

Note:- This is a Council Function

Executive Councillor:- Lamb

181 Annual Treasury Management Report - 2016/17

The Committee considered Minute 70 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Finance and Resources detailing the treasury activity for the period from April 2016 to March 2017 and reviewed performance against the Prudential Indicators for 2016/17.

Resolved:-

That the following recommendations of Cabinet be noted:-

“1. That the Annual Treasury Management Report for 2016/17 and the outturn Prudential Indicators for the period from April 2016 to March 2017, be approved.

2. That it be noted that the financing of capital expenditure of £48.475m has been funded in accordance with the schedule set out in Table 1 of Section 4 of the submitted report, with a reduced financing requirement of £6.639m.

3. That it be noted that Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2016/17.

4. That, in respect of the return on investment and borrowing, the following be noted:

(a) The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.

(b) £1.2m of interest was earned during the whole of 2016/17 at an average rate of 1.45%. This is 1.25% over the benchmark of the average 7 day LIBID (London Interbank Bid Rate) and 1.12% over the average bank base rate.

(c) An average of £50.1m of investments were managed in-house. These earned £0.27m of interest during the year at an average rate of 0.54%. This is 0.34% over the average 7 day LIBID and 0.21% over the average bank base rate.

(d) An average of £9.8m of investments were managed by our former external fund manager. These earned £0.14m of interest during the year at an average rate of 1.37%. This is 1.17% over the average 7 day LIBID and 1.04% over the average bank base rate.

(e) During September 2016 £22.7m was recalled from our former external fund manager and £15m was invested equally across two short dated bond funds and £5m was invested into an enhanced cash fund.

(f) An average of £7.9m was managed by two short dated bond fund managers. This earned £0.14m since it was invested from a combination of an increase in the value of the units and income distribution, giving a combined return of 1.78%.

(g) An average of £2.5m was managed by an enhanced cash fund manager. This earned £0.02m since it was invested at an average rate of 0.86%.

(h) An average of £14.9m was managed by two property fund managers. This earned £0.67m during the year from a combination of an increase in the value of the units and income distribution, giving a combined return of 4.49%.

(i) The level of borrowing from the Public Works Loan Board (PWLb) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, General Fund (GF): £150.8m) throughout 2016/17.

(j) The level of financing for 'invest to save' schemes increased from £3.21m to £7.90m by the end of 2016/17."

Note:- This is a Council Function
Executive Councillor:- Moring

182 Capital Outturn Report 2016/17

The Committee considered Minute 71 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Finance and Resources outlining the capital programme outturn for 2016/17 and sought approval for the relevant budget carry forwards, accelerated delivery requests and in-year amendments to the current approved programme.

Resolved:-

That the following recommendations of Cabinet be noted:-

"1. That it be noted that the expenditure on the capital programme for 2016/17 totalled £48.475m against a budget of £55.114m, a delivery of 88.0%.

2. That the relevant budget carry forwards and accelerated delivery requests totalling a net £5.363m, as set out in Appendices 1 and 2 to the submitted report, be approved.

3. That the virements, reprofiles and amendments and new external funding for schemes, as detailed in Appendices 3, 4 and 5 of the report, be noted.

4. That the relevant changes to the budget identified since the approved capital programme was set at Council on 23rd February 2017, as detailed in Appendix 6 to the report, be approved.

5. That it be noted that the above changes will result in an amended Capital Programme of £226.709m for the period 2017/18 to 2020/21, as detailed in Appendix 7 to the report.

6. That the re-profile of £2m from the 2018/19 HRA Future Programme budget into the 2017/18 financial year to enable the on-going programme of fire safety installation works to be accelerated, be approved.”

Note:- This is a Council Function
Executive Councillor:- Lamb

183 Revenue Outturn Report 2016/17

The Committee considered Minute 72 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Finance and Resources on the revenue outturn for 2016/17.

Resolved:-

That the following recommendations of Cabinet be noted:-

“1.That the revenue outturn for the General Fund and HRA for 2016/17, be noted.

2. That the appropriation of revenue funds to and from earmarked reserves, as set out in paragraph 4.6 (General Fund) and paragraph 5.4 (HRA) of the submitted report, be approved.”

Note:- This is a Council Function
Executive Councillor:- Lamb

184 Housing Investment Company

The Committee considered Minute 74 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a report of the Director of Finance and Resources setting out the key considerations, high level business case and the implementation plan for establishing a Housing Investment Company (HIC) for the Council.

Resolved:-

1. That the following decisions of Cabinet be noted:-

“1. That the establishment of a Council controlled, asset holding Housing Investment Company, be approved.

2. That the key actions within the Implementation Plan, be approved.

3. That External financial and legal advice be sought to support the key actions within the Implementation plan to ensure its timely delivery and that this one off cost is funded from the Council’s contingency budget.”

2. That in accordance with Council Procedure Rule 39 the matter be referred to Council for decision. ||

Note:- This is an Executive Function.

Executive Councillor:- Lamb/Flewitt

185 Standing Order 46

The Committee considered Minute 86 of Cabinet held on 20th June 2017, which had been called in to Scrutiny, concerning actions taken under Council Procedure Rule 46.

Resolved:-

That the following decision of Cabinet be noted:-

“That the submitted report be noted.”

Note:- This is an Executive Function.

Executive Councillor: As appropriate to the item.

186 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June 2017

Resolved:

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 20th June 2017 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

187 In depth Scrutiny projects - 2017/ 18

The Committee considered a report of the Chief Executive concerning the possible in depth scrutiny project to be undertaken by the Scrutiny Committee in 2017/18. The report also attached some information about the work carried out by the Scrutiny Committee in the 2016/17 Municipal Year.

The Committee determined that in 2017/18 it would like to continue with the project undertaken in 2016/17 on enforcement resources for Southend, as the topic is such an important one and the project had not reached a resolution. The project will look at the following issues in particular:-

- Enforcement face of the Council and will look at the information provided by Maldon Council in greater depth (enforcement support team);
- Costs;
- Continue discussions with Councils across Essex regarding Council Tax incentives.

Resolved:-

1. That the in depth scrutiny project for 2017/18 will be to continue with the project undertaken in 2016/17 on 'Enforcement resources for Southend (with particular focus on enforcement, costs, Council Tax incentives)'.
2. To note that the following Members have been appointed to the Panel, which will manage the in depth project – Councillor Ayling (Chairman), Councillors Arscott, Burzotta, Davidson, D Garston, Hadley, Gilbert, Willis and Stafford.
3. To note the information attached at Appendix 3 to the Report, the summary of work of the 3 Scrutiny Committees during 2016 / 2017.

Note:- This is a Scrutiny Function.

188 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 items of business set out below, on the grounds that they would involve 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.

189 Gas Works Site

The Chairman agreed to the addition of this item to the agenda for the meeting as an urgent item of business as the matter falls within the remit of the Committee and should have been placed on the agenda for the meeting.

The Committee considered Minute 88 of the meeting of Cabinet held on 20th June 2017, which had been called in to Scrutiny, together with a joint report of the Deputy Chief Executive (Place) and Director of Finance and Resources on the above. The Director of Legal & Democratic Services clarified that the matter was a Council Function.

Resolved:-

1. That the following recommendations of Cabinet be noted:-

“1. That the acquisition of the former Gasworks site, noting the strategic opportunities, the risks and the associated financial implications, be pursued.

2. That the use of the land, subject to planning, for parking in the short-medium term with a view to developing a scheme for part or all of the land in the medium-long term based on the strategic and development opportunities outlined in the submitted report, be approved.

3. That the authority to settle the terms and complete the transaction within the financial parameters as set out in sections 5 and 10.2 of the submitted report be delegated to the Deputy Chief Executive (Place) in consultation with the Leader of the Council and the Director of Finance and Resources.

4. That the impacts on other sites be noted and the reasons for the recommendations set out at sections 6 and 9 of the report, be approved.

5. That the financial implications and amendments required to the Capital Programme and use of reserves as set out in the report, be approved.

6. That any necessary procurement and planning activities to enable the remediation and development of the site to proceed in both the short-medium and medium-long term, be approved.”

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

Note:- This is a Council Function
Executive Councillor:- Holland

Chairman: _____