

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

23 October 2015

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, Thursday, 22nd October, 2015 for the transaction of the following business.

R Tinlin
Chief Executive & Town Clerk

A G E N D A

- 1 Councillor Graham Longley**
- 2 Apologies for Absence**
- 3 Declarations of Interest**
- 4 Presentation of Chains of Office to Youth Mayor and Deputy Youth Mayor**
- 5 Questions from Members of the Public (Pages 1 - 4)**
- 6 Questions from Members of the Council (Pages 5 - 10)**
- 7 Minutes of the Meeting held on Thursday 23rd July 2015 (Pages 11 - 28)**
Minutes attached.
- 8 Minutes of Licensing Sub Committee A held on Friday 24th July 2015 (Pages 29 - 32)**
Minutes attached.
- 9 Minutes of Development Control Committee held on Wednesday 5th August 2015 (Pages 33 - 40)**
Minutes attached.
- 10 Minutes of Appeals Committee A held on Thursday 20th August 2015 (Pages 41 - 42)**
Minutes attached.
- 11 Minutes of the Appointments & Disciplinary Committee held on Tuesday 1st September 2015 (Pages 43 - 44)**
Minutes attached.

- 12 Minutes of the meeting of Development Control Committee held on Wednesday 2nd September 2015 (Pages 45 - 72)**
Minutes attached.
- 13 Minutes of the meeting of Licensing Committee held on Thursday 3rd September 2015 (Pages 73 - 74)**
Minutes attached.
- 14 Minutes of the Special People Scrutiny Committee held on Monday 7th September 2015 (Pages 75 - 78)**
Minutes attached.
- 15 Minutes of the Cabinet Committee held on Thursday 17th September 2015 (Pages 79 - 88)**
Minutes attached.
- 16 Minutes of the Cabinet held on Tuesday 22nd September 2015 (Pages 89 - 110)**
Minutes attached.
- 17 Minutes of Licensing Sub Committee B held on Monday 28th September 2015 (Pages 111 - 112)**
Minutes attached.
- 18 Minutes of the Audit Committee held on Wednesday 30th September 2015 (Pages 113 - 116)**
Minutes attached.
- 19 Minutes of the Appointments & Disciplinary Committee held on Friday 2nd October 2015 (Pages 117 - 118)**
Minutes attached.
- 20 Minute of Development Control Committee held on Wednesday 7th October 2015 (Pages 119 - 130)**
Minutes attached.
- 21 Minutes of the Place Scrutiny Committee held on Monday 12th October 2015 (Pages 131 - 136)**
Minutes attached.
- 22 Minutes of the People Scrutiny Committee held on 13th October 2015 (Pages 137 - 144)**
Minutes attached.
- 23 Minutes of the Policy & Resources Scrutiny Committee held on Thursday 15th October 2015 (Pages 145 - 154)**
Minutes attached.
- 24 Notice of Motion - Hazard Perception Test (Pages 155 - 156)**
Notice of Motion attached.
- 25 Notice of Motion - Help to Refugees arriving in Europe (Pages 157 - 158)**
Notice of Motion attached.
- 26 Notice of Motion - Printing and Distribution of Council Papers (Pages 159 - 160)**
Notice of Motion attached.

27 Notice of Motion - HIV Testing (Pages 161 - 162)

Notice of Motion attached.

28 Changes to the Constitution (Pages 163 - 180)

Report of the Corporate Director for Corporate Services attached.

29 Changes to Membership of Committees, etc

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QUESTIONS FROM MEMBERS OF THE PUBLIC

Council Meeting – 22nd October 2015

Question 1 from Mr Webb to the Executive Councilor for Housing, Planning and Regulatory Services

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Question

If the recommendation is 50% of Southend homes to be affordable but Southend Council policy is only 20% of homes on developments 10 to 49 to be affordable. Increases to 30% for developments of more than 50. Does the portfolio holder think the Council policy will make an impact in the shortage of homes over the next 20 years whilst giving homes to residents outside Southend?

Answer

I'm unsure of where the 50% has been quoted from but the Core Strategy target to which the question refers to is in Policy CP8 Housing. The figure is 20% for proposals of 10 – 49 dwellings and 30% for proposals of 50 or more dwellings.

The Core Strategy was found sound at examination by an independent planning inspector. She accepted, from the evidence provided during the examination, that this figure was reasonable.

Of course there are other factors that influence delivery of housing such as the prevailing economic climate and Government policy.

The affordable housing policy in the Core Strategy will be reviewed as part of the scheduled local plan review as detailed in the Local Development Scheme, which is available on the Council's website, this will provide the opportunity to review the percentage figure and consider new evidence as well as changes to Government legislation and policy.

Question 2 from Mr Webb to the Executive Councillor for Community and Organisational Development

Question

The Assistant Chief Constable wrote to Essex Council's in August 2015 to tell them the force would no longer be able to deal with most incidents of anti-social behaviour, with the responsibility falling to the Council. Does the portfolio holder agree with this statement and what agencies, powers will the Council use to tackle antisocial crime on their own in Southend?

Answer

The Police have advised that the recent incident in Eastwood, where a man suffered knife injuries in Mansell Close, was not linked to anti-social behaviour, so should not be used as a reference point in relation to the consequences of police taking a different approach to calls for low-level anti-social behaviour.

The change to the Police's approach to low-level incidents must be framed by the significant cuts to policing and the changes to local policing that were widely reported in the media on Tuesday 6th October. Essex Police is quite simply unable to do everything for everyone when required to save £63 million over the next 5 years.

The changed approach to tackling anti-social behaviour should not be interpreted as a withdrawal from that area of business. The Police will be supported by data provided by Police headquarters, to identify repeat and vulnerable victims and will continue to work with partners to identify those situations where there is potential for serious harm, to people and communities. I have some reservations about the way that the announcement on ASB was handled by the Police, which I intend to follow up with the PCC and Chief Constable, as mentioned in my Police & Crime Panel report.

As has been the case in relation to recent problems in Sherwood Way, we will continue to work in partnership with the Police to utilise the full range of powers available to us in tackling anti-social behaviour wherever we can.

Question from Mr Thomas to the Executive Councillor for Health & Adult Social Care

Question

Does the cabinet holder agree that there is a need for a dual diagnosis worker here in Southend to plug a gap and to bring us in line with the rest of Essex and does he support my campaign for Southend to have one?

Answer

Dual diagnosis and the challenges it presents has been the subject of many of my own enquiries. I have personally championed the need for a full review of the mental health needs of the local population and a review of the current service provision. I would not want to pre-empt a study that we have invested in.

The Health and Well-being Board for Southend-on-Sea has recognised the importance of mental health and a number of key pieces of work are underway. This work includes an in depth mental health needs assessment which has been commissioned by the Council to gain an understanding of the number of people with a mental health problem in Southend, which will also look at those with a dual diagnosis.

Locally the Clinical Commissioning Group has just held a well-attended mental health summit on crisis care.

In addition all seven Essex Clinical Commissioning Groups with Essex County Council, Thurrock Council and Southend-on-Sea Borough Council, together with the mental health service providers have been involved in a strategic review of mental health services across Essex.

We have also reviewed the mental health and wellbeing of children in our area along with Essex and Thurrock. We will also be looking further at prevention strategies and recovery plans.

The health system in Southend will be discussing all of this information about mental health and mental health services in early December, and a fully connected strategy will start to be put in place in 2016.

These pieces of work will identify the key issues relating to people with a dual diagnosis, and the services available. Once the findings of this work are understood we will be better informed about the needs of people with a dual diagnosis and what further support is required.

We must remember that we are operating in an environment which means the Council needs to cut its expenditure by £32m over the next three years, the hospital and our local CCG also have financial challenges. Nevertheless, mental health has never been higher on the agenda than it is now.

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QUESTIONS FROM MEMBERS OF THE COUNCIL

Questions – Council 22nd October 2015

Question 1 from Councillor Aylen to the Executive Councillor for Public Protection, Waste & Transport

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Question

An injunction was brought in to prevent cruising in Southend at a substantial cost in money and time of officers and requiring redirection of police force personnel to enforce.

As well as seriously affecting the tourism economy of the town, was this action taken to reduce traffic injuries?

Answer

The issue of cruising was brought to the attention of the Council following a large unauthorised event in August 2015 in which huge numbers congregated along Western Esplanade. The behaviour displayed included inconsiderate parking, dangerous driving, and static burning of tyres etc. where members of the public were visiting Southend. There was an obvious risk of safety to visitors and residents including traffic injuries.

We are not aware of any negative impact to the town's tourism business by the injunction. Unauthorised events involving cars racing on the highway did spark complaints from our tourism businesses. We welcome motor vehicle events that have been properly arranged and authorised.

Question 2 from Councillor Aylen to the Executive Councillor for Public Protection, Waste & Transport

Question

At a previous Council meeting the Cabinet Holder for highways was questioned on why the bridge at Kent Elms junction was to be removed. The response was that it was not DDA compliant. When asked why, the reply was an officer said so.

Could the portfolio holder confirm why the bridge is not DDA compliant and therefore needs to be removed, thus giving a clear mandate to proceed and confidence to the Councillors and residents around the A127?

Answer

The bridge is not compliant with the current DDA standard, however that is not the reason it is being removed; it is being removed to accommodate the additional carriageway widening necessary to ensure the enhanced performance of the junction.

The bridge is not DDA compliant because of the presence of steps and the omission of a ramp. To ensure that the footbridge was able to conform to current standards significant improvements would be required to ensure its compliance and this would result in ramp lengths of approximately 116m in length.

There is insufficient space within the highway boundary to accommodate ramps of such lengths along pedestrian desire lines.

Question 1 from Councillor Cox to the Leader of the Council

Question

On the 2nd September, a press release was issued by the Council informing that the Leader of the Council was meeting Community Groups to discuss the future direction of the Council. Can I ask the Leader why there was only one public meeting as part of his plan to 'engage with large numbers of the community'?

Answer

There have been more than one meeting and there are more planned.

Question 2 from Councillor Cox to the Leader of the Council

Question

Could the Leader of the Council confirm that treating members of this Council like 'Mushrooms' violate the Local Code of Governance that has just recently been passed by Cabinet?

Answer

At Policy & Resources Scrutiny Committee, I was asked a question about the need to notify ward councillors when advertisements are placed for the proposed disposal of open space. I am quite happy to incorporate such a reference in the relevant Appendix of the Corporate Asset Management Strategy as recommended in the pre-Cabinet Scrutiny process. In fact with this addition and the other proposals for introducing site notices and advertising on the Council's website, we are going significantly beyond the statutory requirements. This is all consistent with this Administration's philosophy of openness, transparency and meaningful consultation before taking decisions.

When your colleague referred to treating Members like 'mushrooms in the dark' I thought she was quoting the Conservative group's policy and I am surprised by your reaction to the light-hearted comment I made in response.

Question 1 from Councillor Courtenay to the Leader of the Council

Could the Executive Councillor provide the Council with an update on the implementation of the Leader's commitment announced during his budget speech, in February 2015, to provide every resident with an Advantage Card and assuming the delivery of these cards is not imminent, at what point will this commitment be fulfilled?

Answer

It is the aspiration of this Administration to provide every resident with an 'Advantage Card', however achieving this needs to be considered alongside the other Council priorities at this time of severe Conservative government funding cuts.

The Council is currently working with its new leisure provider Fusion Lifestyle to roll out the Advantage Card in pilot areas within Southend on Sea.

Fusion Lifestyle will be presenting a proposal to the Council that will initially target areas within St Luke's Ward. The cost of issuing an Advantage Card to every resident in the borough has to be considered in terms of benefits and the savings that may be accrued in delivering health and wellbeing. This can only be ascertained by reviewing and monitoring the initial pilot scheme.

Following the outcome of pilot reviews this scheme may then be rolled out across the borough.

Question 2 from Councillor Courtenay to the Leader of the Council

I am delighted that the Leader of the Council listened to the outcry at the lack of public consultation into the Blenheim Park Pavilion proposals and withdrew/deferred the relevant Cabinet paper until such time that sufficient public consultation had taken place.

I would like to suggest to the portfolio holder that the way of undertaking the required public consultation is to hold a public meeting, something he refused to do at the last meeting of Full Council. So I ask again, will the portfolio holder provide me with the date and time of the Southend Council run/facilitated meeting I have called for, to inform the residents of Blenheim Park ward about the proposals? If you are unable to do so, please provide an update as to how the Administration is proposing to proceed, as residents of Blenheim Park are now in limbo.

Answer

The proposal from Catholic United Football Club to construct football changing and club house facilities will not proceed unless the support is gained from all three of the Blenheim Park Councillors and a report will be brought back to a future meeting of the Cabinet on the matter.

Question 1 from Councillor Assenheim to the Leader of the Council

Question

Can the Leader please confirm the amount of borrowings by this administration to borrowings of the previous Administration and how much financing this has currently saved?

Answer

In 2014/15 the previous administration were planning to borrow £30 million, this administration did not take out any borrowings in 2014/15 and financing costs were £1 million lower than budgeted. In 2015/16 the previous administration were planning to borrow £23 million, so far this year this administration has only financed invest to save schemes. The forecast outturn for financing costs in 2015/16 is approximately £1.5 million lower than the budget based on the previous administration's borrowing plans. Therefore, this administration is £53 million below the previous administration's planned borrowing levels and has so far saved £2.5 million on financing costs in the Council's revenue budget.

Question 2 from Councillor Assenheim to the Leader of the Council

Question

Given that all Members have mail boxes here at the Civic Centre is it now time to save money and cease the delivery courier service to Members homes and that they should be notified by email or phone to collect reports and documentation from their boxes, except in extreme circumstances?

Answer

As you know, the Council is addressing the move to modern ways of working by making use of new technology. On 22nd September 2015, the Cabinet received a report on this subject and details of the stages of the project.

Paragraph 4.6 of that report made it clear that there are no plans to cease the general production and distribution of hard copy of agendas and reports in the short term. Therefore we will still need to use the courier service to distribute papers to Members at certain times and the cost of this is generally less than using the post system.

Of course, offering the facility to collect papers at the Civic Centre is an even cheaper option and this will be investigated as part of the next stage of the project. However, there is nothing to stop any Member from picking up their committee papers from the officers instead of having these delivered.

Question from Councillor Flewitt to the Executive Councillor for Housing, Planning & Regulatory Services

Question

What was the result of the vote taken upon the Conservative members of the Housing Working Party motion to extend the South Essex Homes Limited licence for 10 years?

Answer

Questions were raised at the Housing Working Party meeting on the 16th September about why the proposal was to extend the management agreement with South Essex Homes for 3 years only. Accordingly, the Working Party recommended that a supplementary report should be prepared for Council on this issue. No formal motions were moved at the Working Party and the recommendations made by the Working Party to Cabinet were agreed without a vote.

Question 1 from Councillor Jonathan Garston to the Leader of the Council

Question

In reference to Planning Application 15/00418/AMDT, the Shelter at Western Esplanade, what progress has been taken to ensure that as promised at the Committee, “This structure will be on site for under a year”, that a more permanent solution will be installed which is less obtrusive to neighbours in this residential area and could the leader confirm if he feels the permanent solution agreed under application 15/00858/BC4 meets the objectives of Leas shelter development brief?

Answer

Planning Application 15/00418/ADMT was the application dealing with the temporary installation of a structure to house ventilation equipment on the roof or the premises for no more than 12 months. Condition 4 of the planning permission requires the structure to be removed and the roof made good within 12 months from 3 June 2015. The tenant is liaising with the relevant officers and the Council’s engineers in relation to the cliff works through its designers and engineers to ensure that this condition is met before June 2016.

The permanent solution which is to conceal the ventilation and extraction equipment beneath the ground to the rear of the premises is as sympathetic to the design of the premises and to the adjacent open space as is reasonably practical and has planning permission under reference 15/00858/BC4 and so yes, I am of the view that the solution meets the objectives of the shelter development brief.

Question 2 from Councillor Jonathan Garston to the Executive Councillor for Executive Councillor for Housing, Planning & Regulatory Services

Question

Please can I ask the portfolio holder when a plan for the Landscaping for the Cliffs project at Clifton Drive will be available?

Answer

The landscape plan will be part of a planning application being submitted in the near future.

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 23rd July, 2015

Place: Council Chamber, Civic Centre, Southend-on-Sea

Present:

The Worshipful the Mayor, Cllr A J Moring
Cllr B C Arscott, Cllr M Assenheim, Cllr S T Ayles, Cllr B Ayling, Cllr M A Betson, Cllr M L Borton, Cllr S Buckley, Cllr M Butler, Cllr T K Byford, Cllr T Callaghan, Cllr J I Courtenay, Cllr A Crystall, M W Davidson, Cllr L Davies, Cllr C J Endersby, Cllr M F Evans, Cllr M A Flewitt, Cllr D A Garston, Cllr J M Garston, Cllr I D Gilbert, Cllr S J Habermel, Cllr R E Hadley, Cllr A E Holland, Cllr D J Jarvis, Cllr A P Jones, Cllr D G Kenyon, Cllr J L Lamb, Cllr G E Longley, D C McGlone, Cllr J McMahon, Cllr J W Moyies, Cllr C A Mulrone, Cllr C J Nevin, Cllr D A Norman MBE, Cllr G A F Phillips, Cllr I T Robertson, Cllr K R Robinson, Cllr L P Salter, Cllr M Stafford, Cllr M W Terry, Cllr P R Van Looy, Cllr M Velmurugan, Cllr C W Walker, Cllr N D Ward, Cllr J G S Ware-Lane, Cllr F Waterworth, C A Willis and Cllr R A Woodley

Start/End Time: 18.30/23.45

**** **Part I**

159 Apologies for absence.

Apologies for absence were received from Councillors Cox and Folkard.

160 Tribute

The Council stood in silent tribute in the memory of former Councillor, Mr Colin George, who recently passed away.

161 Declarations of Interest

- Councillor Arscott

Cabinet Committee – 25th June 2015

Minute 90 – One Way Traffic Flows Southsea Avenue and Leighville Grove – Non-pecuniary interest – Acquainted with residents in Southsea Avenue;

- Councillor Assenheim –

Development Control Committee – 3rd June 2015

Minute 22(x) - 14/00914/FULM – Non-pecuniary interest – family known to him;

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant's parent is a former Councillor known to him;

People Scrutiny Committee – 14th July 2015

Minute 134 – Older People Joint SBC/CCG Commissioning Strategy – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015,

under S.33 of the Localism Act 2011 to participate in the debate and vote;
Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote

- Councillor Ayling

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of Council’s Housing Responsibilities – Non-pecuniary interest – private landlord, let to family member;

- Councillor Betson

Audit Committee – 24th June 2015

Minute 65 – South Essex Homes Annual Governance Statement 2014/15 and Supporting Reports – Disqualifying non-pecuniary interest – Board Member 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 19th February 2015, under S.33 of the Localism Act 2011);

Relevant Minutes in so far as they relate to HMRC – Non-pecuniary interest – Employee of HMRC dealing with international trade;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote

- Councillor Borton

Development Control Committee – 3rd June 2015

Minute 22(e) - 15/00418/AMDT - Non-pecuniary interest – Applicant’s parent is a former Councillor known to her;

Minute 22(v) - 15/00397/FUL – Non-pecuniary interest – Councillor Willis lives in the vicinity of the application

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 156 – Digital Strategy (Minute 4 of People Management, Accommodation and Digital Strategy Working Party) – Non-pecuniary interest – DwP and JobCentre Plus mentioned – her employer;

Cabinet Committee – 25th June 2015

Minute 83 – Petition: Rochester Drive Area – Non-pecuniary interest – lives in the road;

- Councillor Buckley

Development Control Committee – 3rd June 2015

Minute 22(s) – 15/00568/FUL – Non-pecuniary interest – gave advice as to opposing application to residents;

Audit Committee – 24th June 2015

Minute 65 – South Essex Homes: Annual Governance Statement 2014/15 and Supporting Reports - Non-pecuniary interest – friends are tenants of South Essex Homes Ltd;

Cabinet Committee – 25th June 2015

Minute 85 – Non-pecuniary interest – Gave advice re: Collins Way & Western Approaches to residents and lobbied as to highway changes; lives in the vicinity;

- Councillor Byford

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

- Councillor Callaghan

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing responsibilities – Disqualifying Non-pecuniary interest – Board Member South Essex Homes;

- Councillor Crystall

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

- Councillor Davidson

People Scrutiny Committee – 14th July 2015

Minute 139 – Scrutiny Committee Updates – Non-pecuniary interest – volunteer for Healthwatch Southend;

- Councillor Davies

Development Control Committee – 3rd June 2015

Minute 22(g) – 14/01462/FULM – Non-pecuniary interest – lives in the ward and within vicinity of the application;

People Scrutiny Committee – 14th July 2015

Minute 142 – Schools Progress Report – Non-pecuniary interest – formerly taught at Cecil Jones HS;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – worked at night shelter/HARP;

- Councillor Evans

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to her;

- Councillor Flewitt

Development Control Committee – 3rd June 2015

Minute 22(s) – 15/00568/FUL – Non-pecuniary interest – gave advice as to opposing application to residents;

Audit Committee – 24th June 2015

Minute 65 – South Essex Homes: Annual Governance Statement 2014/15 and Supporting Reports - Non-pecuniary interest – friends and family are tenants of South Essex Homes Ltd;

Cabinet Committee – 25th June 2015

Minute 85 – Non-pecuniary interest – Gave advice re: Collins Way & Western Approaches to residents and lobbied as to highway changes; lives in the vicinity;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of Council’s Housing Responsibilities – Non-pecuniary interest – friend, family tenants of SEH Ltd;

Council – 23rd July 2015

Councillor Questions – Question from Cllr Aylen – Non-pecuniary interest – sits as a JP;

- Councillor Folkard

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

- Councillor D Garston

Development Control Committee – 3rd June 2015

Minute 22(b) – 15/00155/FULM – Non-pecuniary interest – knows the applicant;
Minute 22(g) – 14/01462/FULM – Non-pecuniary interest – sons have rented property in the vicinity of the application;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 – Non-pecuniary interest – Objector and Applicant known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council’s Housing Responsibilities – Non-pecuniary interest – private landlord owning one rented house in Southend;

- Councillor J Garston

Cabinet Committee – 25th June 2015

Minute 84 – Petition: Salisbury Road – Non-pecuniary interest – brother lives in the road;

Minute 86 – Requests for TRO's (Western Esplanade) – Non-pecuniary interest – Acquainted with a former Councillor who is connected with the adjacent property;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 – Non-pecuniary interest – Objector and Applicant known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities – Non-pecuniary interest – local landlord;

- Councillor Gilbert

Policy & Resources Scrutiny Committee – 16th July 2015

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

- Councillor Hadley

Development Control Committee – 3rd June 2015

Minute 22(d) – 15/00312/FULH – Disclosable non-pecuniary interest – knows the applicant (withdrew);

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 – Non-pecuniary interest – Member of the Licensing Sub Committee appointed to consider the licensing application in respect of these premises (withdrew);

- Councillor Holland

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities – Non-pecuniary interest – son works for SBC and involved in strategic housing;

- Councillor Jones

Development Control Committee – 8th July 2015

Minute 110(d) – 15/00521/FULM – Non-pecuniary interest – Executive Councillor for Children & Learning regarding s.106 contributions to education which were referred to;

People Scrutiny Committee – 14th July 2015

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

Minute 142 – Schools Progress Report – Non-pecuniary interest – parent of primary school child;

- Councillor Lamb

Development Control Committee- 8th July 2015

Minute 110(d) – 15/00521/FULM – Non-pecuniary interest – knows head teacher of the school adjacent to the application site;

- Councillor Longley

Cabinet Committee – 25th June 2015

Minute 85 – Members Request No. 15/05 – Non-pecuniary interest – lives in one of the roads that may be affected by the proposals;

Place Scrutiny Committee – 13th July 2015

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

People Scrutiny Committee – 14th July 2015

Minute 135 & 141 - Delaware & Priory Update – Non-pecuniary interest – Vice-Chair of Board of Governors, Southend Adult Community College which provides training to staff;

Policy & Resources Scrutiny Committee – 16th July 2015

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

- Councillor McMahon

Development Control Committee – 3rd June 2015

Minute 22(g) - 14/01462/FULM – Non-pecuniary interest – lives within vicinity of the application (within several hundred metres);

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a former Councillor known to her;

Minute 22(v) – 15/00397/FUL – Non-pecuniary interest – Councillor Willis lives in the vicinity of the application;

Audit Committee

Minute 65 – South Essex Homes Annual Governance Statement 2014/15 and Supporting Reports – Non-pecuniary interest – former Board Member of South Essex Homes;

Development Control Committee – 8th July 2015

Minute 110(i) – 14/01117/AMDT – Non-pecuniary interest – Occasional advocate for the residents of Chalkwell Lodge;

Development Control Committee – 8th July 2015

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant's parent is a former Councillor known to him;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities & Minute 149 – Monthly Performance Report – Non-pecuniary interest – cofounder of HARP; night shelter worker; former governor YMCA and worked as part of the street pastor team;

- Councillor Moyies

People Scrutiny Committee – 14th July 2015

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

- Councillor Mulroney

Development Control Committee – 3rd June 2015

Minute 22(t) – 15/00537/FULH - non-pecuniary interest – Member of Leigh Town Council and Leigh Society who were consultees and objector is known to me;

Cabinet Committee – 25th June 2015

Minute 90 – Southsea Avenue - non-pecuniary interest – Resident of Southsea Avenue but not the affected part;

Development Control Committee – 8th July 2015

Minute 110(h) – 15/00740/FULH - non-pecuniary interest – Member of Leigh Town Council who were a consultee;

- Councillor Nevin

People Scrutiny Committee – 14th July 2015

Minute 134 – Older People Joint SBC/CCG Commissioning Strategy – Non-pecuniary interest – NHS employee, Trust outside area of strategy;

Policy & Resources Scrutiny Committee – 16th July 2015

Minute 148 – Overview of the Council's Housing Responsibilities – Non-pecuniary interest – night shelter volunteer;

- Councillor Norman MBE

Cabinet Committee – 25th June 2015

Minute 81 – Petition regarding provision of a school crossing patrol and enforcement activity at Darlinghurst School – Non-pecuniary interest – wife is a governor and 2 grandchildren attend the school;

Place Scrutiny Committee – 13th July 2015

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

Policy & Resources Scrutiny Committee – 16th July 2015

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

- Councillor Robertson

People Scrutiny Committee – 14th July 2015

Minute 139 – Scrutiny Committee Updates – Non-pecuniary interest – wife is a consultant in homeopathy and complimentary medicine;

- Councillor Robinson

Development Control Committee – 8th June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant's parent is a

former Councillor known to him;

Minute 22(v) – 15/00397/FUL – Non-pecuniary interest – Councillor Willis lives in the vicinity of the application;

People Scrutiny Committee – 14th July 2015

Minute 134 – Older People Joint SBC/CCG Commissioning Strategy – Non-pecuniary interest – NHS employee of Trust in Southend, job description outside scope;

Minute 142 – Schools Progress Report – Non-pecuniary interest – parent of children at Chase HS and Cecil Jones College;

- Councillor Salter

Southend Health & Wellbeing Board

Minute 97 (minutes of last meeting), Minute 100, Minute 101 and Minute 102 – Non-pecuniary interest – Husband is a Business Unit Director at Southend General Hospital for surgical services including oral surgery – urology and son-in-law is a GP in the borough;

Development Control Committee – 8th July 2015

Minute 110(a) – 15/00315/FUL – Non-pecuniary interest – Son-in-law works at Highlands Surgery which is next door to the application site;

People Scrutiny Committee – 14th July 2015

Minute 139 – Scrutiny Committee Updates – Non-pecuniary interest – husband is Business Unit Director at Southend General Hospital for surgical services including oral surgery – urology and son-in-law is a GP in the borough;

- Councillor Terry

Cabinet – 23rd June 2015

Minute 57 – Roots Hall CPO – Non-pecuniary interest – season ticket holder, Southend United FC;

Minute 60 – Provision of Secondary School Places – Non-pecuniary interest – wife is a teacher at Futures College;

Place Scrutiny Committee – 13th July 2015

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

- Councillor Van Looy

Development Control Committee – 3rd June 2015

Minute 23(a) – 15/00003/UNAU_B – Non-pecuniary interest – lives in Arlington Road;

Cabinet Committee – 25th June 2015

Minute 81 – Petition: Manchester Drive – Non-pecuniary interest – relative lives in Manchester Drive;

Development Control Committee – 8th July 2015

Minute 110(a) – 15/00315/FUL – Non-pecuniary interest – Friend lives in Sydney Road;

- Councillor Walker

Development Control Committee – 3rd June 2015

Minute 22(e) – 15/00418/AMDT – Non-pecuniary interest – applicant’s parent is a former Councillor known to him;

Development Control Committee – 8th July 2015

Minute 110(d) – 15/00521/FULM – Non-pecuniary interest – knows head teacher of the school adjacent to the application site;

Minute 110(f) – 15/00858/BC4 - non-pecuniary interest – Applicant’s parent is a former Councillor known to him;

- Councillor Willis

Southend Health & Wellbeing Board – 29th June 2015

Minute 97 – Minutes of last meeting in reference to pharmaceutical needs assessment – non-pecuniary interest – employed by Royal Pharmaceutical Society;

- Councillor Ward

Development Control Committee – 8th July 2015

Minute 110(g) – 14/01649/FUL – Non-pecuniary interest – Owns a bed and breakfast accommodation in Eastern Esplanade;

- Councillor Ware-Lane

Place Scrutiny Committee – 13th July 2015

Minute 121 – Blenheim Park Pavilion Proposal – Non-pecuniary interest – sits on the Executive of Southend Borough & District Football Combination and has refereed Catholic United many times;

- Councillor Woodley

Cabinet Committee – 25th June 2015

Minute 80 – Objections to TRO’s – Non-pecuniary interest – acquainted with public speaker;

Place Scrutiny Committee – 13th July 2015

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

People Scrutiny Committee – 14th July 2015

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

Policy & Resources Scrutiny Committee – 16th July 2015

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

Agenda Item 22 – Review of Members’ Allowances

All Members of the Council have an interest in the above item which needs to be declared. However, on 11th July 2012 the Standards Committee granted a dispensation to all Members to participate in the debate and vote on Members’ Allowances and this was endorsed at Council on 19th July 2012.

Officer Declarations of Interest

- Andrew Lewis

Cabinet – 23rd June 2015

Minute 46 – Blenheim Park Pavilion Proposal – Non-pecuniary interest – Chairman of Leigh Dynamo YFC and lives in the road adjacent to Wellstead Gardens;

Place Scrutiny Committee

Minute 121 – Blenheim Park Pavilion Proposal – Non-pecuniary interest - Chairman of Leigh Dynamo YFC and lives in the road adjacent to Wellstead Gardens;

162 Questions from Members of the Public.

The relevant Executive Councillors responded to written questions received from Members of the Public.

163 Questions from Members of the Council.

The relevant Executive Councillors responded to written questions received from Councillors Hadley, Ayles, Assenheim, Buckley and McMahon.

164 Petition - To remove taxi rank in Campfield Road, outside the Health Centre

Councillor Hadley presented a petition on behalf of local residents requesting the removal of the taxi rank in Campfield Road, opposite the Health Centre.

Resolved:

That in accordance with Council Procedure Rule 15.5 the petition be referred to Cabinet Committee.

***Referred to:- Cabinet Committee**

165 Petition - Residents only Parking Zones for Redstock Road and adjoining streets/roads

Councillor Norman MBE presented a petition on behalf of local residents requesting residents only parking zones in Redstock Road and adjoining streets/roads.

Resolved:

That in accordance with Council Procedure Rule 15.5 the petition be referred to Cabinet Committee.

***Referred to:- Cabinet Committee**

166 Petition - Traffic Calming Measures in Tunbridge Road and Penhurst Avenue

Councillor Norman MBE presented a petition on behalf of local residents requesting traffic calming measures in Tunbridge Road and Penhurst Avenue.

Resolved:

That in accordance with Council Procedure Rule 15.5 the petition be referred to Cabinet Committee.

***Referred to:- Cabinet Committee**

167 Minutes of the Meeting held on Thursday, 14th May, 2015

Resolved:

That the minutes of the meeting held on 14th May 2015 be confirmed and signed as a correct record.

168 Minutes of the Meeting held on Thursday, 21st May, 2015

Resolved:

That the minutes of the meeting held on 21st May 2015 be confirmed and signed as a correct record.

169 Minutes of the Meeting of Development Control Committee held on Wednesday, 3rd June, 2015

Resolved:

That the minutes of this meeting be noted.

170 Minutes of the Meeting of Appeals Committee A held on Monday, 15th June, 2015

Resolved:

That the minutes of this meeting be noted.

171 Minutes of the Meeting of The Cabinet held on Tuesday, 23rd June, 2015

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 36, 38, 40, 41, 44, 47, 48, 50, 51 and 52 be adopted.

172 Minutes of the Meeting of Audit Committee held on Wednesday, 24th June, 2015

Resolved:

That the minutes of this meeting be noted.

173 Minutes of the Meeting of Cabinet Committee held on Thursday, 25th June, 2015

Resolved:

That the minutes of this meeting be noted.

174 Minutes of the Meeting of Licensing Sub-Committee A held on Thursday, 25th June, 2015

Resolved:

That the minutes of this meeting be noted.

175 Minutes of the Meeting of Southend Health and Wellbeing Board held on Monday, 29th June, 2015

Resolved:

That the minutes of this meeting be noted.

176 Minutes of the Meeting of Licensing Sub-Committee B held on Monday, 6th July, 2015

Resolved:

That the minutes of this meeting be noted.

177 Minutes of the Meeting of Development Control Committee held on Wednesday, 8th July, 2015

Resolved:

That the minutes of this meeting be noted.

178 Minutes of the Meeting of Place Scrutiny Committee held on Monday, 13th July, 2015

Resolved:

That the minutes of this meeting be noted and the recommendation contained in Minute 119, be adopted.

179 Minutes of the Meeting of People Scrutiny Committee held on Tuesday, 14th July, 2015

Resolved:

That the minutes of this meeting, with the exception of Minute 141 which was dealt with under Part II, be noted and the recommendations contained in Minute 135, be adopted.

180 Minutes of the Meeting of Policy and Resources Scrutiny Committee held on Thursday, 16th July, 2015

Resolved:

That the minutes of this meeting be noted.

181 Review of Members Allowances

The Council considered a report of the Corporate Director for Corporate Services which presented the recommendations of the Joint Independent Remuneration Panel (JIRP) on Members' allowances for the Council.

In accordance with Council Procedure Rule 10.1 a number of amendments were proposed to the recommendations as follows:

Amendment 1a and 1b: The Special Responsibility Allowance for Executive Members remains at the current level of £10,841. The Members' Allowances Scheme be amended to make it clear that the two Deputy Leaders will each

receive a Deputy Leader Allowance and an Executive Member allowance on a pro-rata basis to reflect the arrangements in place.

Amendment 2: The Basic Allowance would not include the cost of printing cartridges and paper.

Amendment 3: A 1% increase to the basic allowance for all Members.

Amendment 4: No change to any SRA, except for Executive Councillors.

A requisition for a named vote was made in accordance with Council Procedure Rule 12.1 for each amendment. The voting was as follows:-

Amendments 1a & 1b:

For the amendments:

Cllrs Arscott, Assenheim, Aylen, Ayling, Betson, Borton, Buckley, Butler, Byford, Callaghan, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Anne Jones, Kenyon, Lamb, Longley, McGlone, McMahon, Moyies, Mulrone, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Walker, Ward, Ware-Lane, Waterworth, Willis and Woodley (45)

Against the amendments:

Cllr Courtenay (1)

Abstentions:

Cllr Velmurugan and the Worshipful the Mayor (2)

Absent:

Cllrs Cox, Folkard and Van Looy (3)

Amendment motions 1a and 1b were carried.

Amendment 2:

For the amendment:

Cllrs Arscott, Assenheim, Aylen, Ayling, Buckley, Butler, Byford, Crystall, Davidson, Endersby, Evans, Flewitt, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Kenyon, Lamb, Phillips, Robertson, Salter, Stafford, Walker (25)

Against the amendment:

Cllrs Betson, Borton, Callaghan, Courtenay, Gilbert, Anne Jones, Longley, McGlone, Mulrone, Nevin, Norman MBE, Robinson, Terry, Ward, Ware-Lane, Waterworth, Willis and Woodley (18)

Abstentions:

Cllrs Davies, McMahon, Moyies, Velmurugan and the Worshipful the Mayor (5)

Absent:

Cllrs Cox, Folkard and Van Looy (3)

Amendment motion 2 was carried.

Amendment 3:

For the amendment:

Cllrs Ayling, McGlone, Walker, Waterworth (4)

Against the amendment:

Cllrs Arscott, Assenheim, Ayles, Betson, Borton, Buckley, Butler, Byford, Callaghan, Courtenay, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, Longley, McMahon, Moyies, Mulroney, Nevin, Norman, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Ward, Ware-Lane, Willis and Woodley (41)

Abstentions:

Cllr Velmurugan and the Worshipful the Mayor Cllr (2)

Absent:

Cllrs Cox, Folkard, D Garston and Van Looy (4)

Amendment motion 3 was not carried.

Amendment 4:

For the amendment:

Cllrs Arscott, Assenheim, Ayles, Ayling, Buckley, Byford, Callaghan, Crystall, Endersby, Evans, Habermel, Kenyon, McGlone, Stafford, Walker, Ward, Waterworth (17)

Against the amendment:

Cllrs Betson, Borton, Butler, Courtenay, Davidson, Davies, Flewitt, J Garston, Gilbert, Hadley, Holland, Jarvis, Jones, Lamb, Longley, McMahon, Moyies, Mulroney, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Terry, Ware-Lane, Willis and Woodley (28)

Abstentions:

Cllr Velmurugan and The Worshipful the Mayor (2)

Absent:

Cllrs Cox, Folkard, D Garston and Van Looy (4)

Amendment motion 4 was not carried.

The recommendations of the Joint Independent Remuneration Panel (subject to amendments 1(a), 1(b) and 2 above) were then voted on by way of a named vote, as follows:

For the recommendations:

Cllrs Arscott, Assenheim, Ayles, Ayling, Betson, Borton, Buckley, Butler, Byford, Callaghan, Crystall, Davidson, Endersby, Evans, Flewitt, J Garston, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, McGlone, Moyies, Mulroney, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Walker, Ward, Ware-Lane, Waterworth, Willis (39)

Against the recommendations:

Cllrs Courtenay and Woodley (2)

Abstentions:

Cllrs Davies, Gilbert, Longley, McMahon, Velmurugan and the Worshipful the Mayor (6)

Absent:

Cllrs Cox, Folkard, D Garston, Van Looy (4)

Accordingly, the recommendations of the Joint Independent Remuneration Panel were carried with the amendments (1(a), 1(b) and 2 above) as follows:

Resolved:

1. That the Basic Allowance remains at £8,673 which would include the cost of postage, stationery and minor items of office equipment (but not printing cartridges and paper).

2. That the revised Special Responsibility, Mayoral and Co-optees Allowances set out in paragraphs 29-84 of the JIRP be approved, subject to:

(a) The Special Responsibility Allowance for Executive Members remaining at the current level of £10,841; and

(b) The Members' Allowances Scheme being amended to make it clear that the two Deputy Leaders will each receive a Deputy Leader Allowance and an Executive Member allowance on a pro-rata basis to reflect the arrangements in place.

3. That subject to the inclusion of the HMRC approved mileage payments in relation to motorcycles and bicycles (paragraph 88 of the JIRP report), the existing provisions in the Members' Allowances Scheme with regard to travelling and subsistence allowances, be reaffirmed.

4. That the existing provisions in the Members' Allowances Scheme with regard to the Dependants' Carers' Allowance be reaffirmed.

5. That the following indices be applied to the remuneration and allowances paid to Members of the Council:

(a) Basic Allowance, Special Responsibility and Co-optees Allowances to be indexed by reference to the National Joint Committee pay settlement for Council officers from the start of the Municipal Year;

(b) Mileage allowances to be updated by reference to the rates which apply to Council officers (HMRC rates);

(c) Subsistence allowances to be updated by reference to the schemes which apply to Council officers.

(d) Basic "sitters" allowance be adjusted to the national minimum wage applicable to the age of the carer.

6. That the existing Members' Allowances Scheme be revoked and that the new Members' Allowances Scheme, as set out in Appendix 2 to the submitted report, as amended above, be approved and implemented on 1st August 2015.

182 The Local Authorities (Standing Orders) (England) Regulations 2015

The Council considered a report of the Corporate Director for Corporate Services which proposed minor changes to the Constitution to comply with the requirements of the Local Authorities (Standing Orders) (England) Regulations 2015 ("the 2015 Regulations") regarding dismissal procedures for the Head of Paid Service, Chief Finance Officer and Monitoring Officer.

Resolved:

1. That the changes to the Officer Employment Procedure Rules set out in Appendix 1 to the submitted report, to comply with the requirements of the Local Authorities (Standing Orders) (England) Regulations 2015 be approved and that Part 4(h) of the Constitution be amended accordingly.
2. That a new Disciplinary Advisory Panel be established as required by the 2015 Regulations comprising the two Independent Persons who have been appointed under S.28(7) of the Localism Act 2011 with the terms of reference set out in Appendix 2 to the submitted report and that Part 3, Schedule 2 of the Constitution be amended by the addition of a new paragraph 9.7.
3. That consequential changes to the following parts of the Constitution as set out in Appendix 3 to the submitted report be approved:
 - (a) Part Article 4 - The role of the Full Council;
 - (b) Section 6.5.3 of Part 3 Schedule 2 - The terms of reference of the Appointments and Disciplinary Committee; and
 - (c) Such other changes as the Head of Legal & Democratic Services deems necessary to ensure compliance with the 2015 Regulations.

183 Revised Contracts Procedure Rules and Financial Procedure Rules

The Council considered a report of the Corporate Director for Corporate Services which recommended revised Contracts Procedure Rules (CPR's) and Financial Procedure Rules (FPR's).

Resolved:

1. That the revised Contract Procedure Rules set out in Appendix 1 to the submitted report be approved and that Part 4(g) of the Constitution be amended accordingly.
2. That the revised Financial Procedure Rules set out in Appendix 2 to the submitted report be approved and that Part 4(f) of the Constitution be amended accordingly.
3. That the consequential amendment to the Scheme of Delegation to Officers set out in Section 3.3 of the submitted report be approved and that Part 3 of Schedule 3 of the Constitution be amended accordingly.

184 Changes to Membership of Committees, Working Parties, etc

Resolved:

That the appointments to Committees, Working Parties, and other bodies as circulated at the meeting, be approved.

185 Council Procedure Rule 1.7

During consideration of Agenda Item 23 (Review of Members' Allowances) the hour of 11.00pm having been reached, the Council:

Resolved:

That the remaining business on the agenda be proceeded with.

186 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 involves 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.

****** Part II**

187 Minute 141 of People Scrutiny Committee held 14th July 2015

The Council considered Minute 141 (Delaware & Priory Update - Confidential Appendix) in private session.

Upon a requisition for a named vote in accordance with Council Procedure Rule 12.1, a recorded vote was taken to note Minute 141 (Delaware & Priory Update - Confidential Appendix), the voting was as follows:

To note the Minute:

Cllrs Arscott, Assenheim, Ayling, Betson, Borton, Buckley, Callaghan, Courtenay, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, J M Garston, Gilbert, Habermel, Hadley, Holland, Anne Jones, Longley, McGlone, McMahon, Moyies, Mulroney, Nevin, Norman MBE, Robertson, Robinson, Terry, Walker, Ware-Lane, Waterworth, Willis, Woodley (35)

Abstentions:

Cllrs Jarvis, Lamb and Phillips (3)

Absent:

Cllrs Aylen, Butler, Byford, Cox, Folkard, D Garston, Kenyon, Salter, Stafford, Van

Looy, Ward (11)

No Vote:

Cllrs Velmurugan and the Worshipful the Mayor, Cllr Moring (2)

The motion to note the minute was carried.

Resolved:

That Minute 141 of People Scrutiny Committee held 14th July 2015 be noted.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Friday, 24th July, 2015

Place: Civic Centre, Civic Suite, Committee Room 4a

8

Present: Councillor C Mulroney (Chairman)
Councillors R Hadley and D G Kenyon

In Attendance: Mr R Harris, Ms T O'Connell and Mr A Smith (External Legal Advisor)

Start/End Time: 09.30am/11.45am
adjourned at 11.45 and reconvened at 14.00/17.45

****** Part I**

188 Apologies and substitutions.

There were no apologies for absence at this meeting.

189 Declarations of interest.

The following Members declared interests as indicated:

(a) Councillor Hadley - Agenda Item 3 (Oyster Creek) - Non-pecuniary interest - applicant's mother is known to him as a former Councillor;

(b) Councillor J Garston - Agenda Item 3 (Oyster Creek) - Non-pecuniary interest - applicant's mother is known to him as a former Councillor;

(c) Councillor Kenyon - Agenda Item 3 (Oyster Creek) - applicant's mother is known to him as a former Councillor in his former role as an officer of the Council.

190 Oyster Creek, The Leas Shelter, Southend-on-Sea, Essex - Application for the Grant of Premises Licence

The sub-committee received a report of the Corporate Director for Place concerning an application that had been made by Ms Antonia Waite for the grant of a Premises Licence at Oyster Creek, The Leas Shelter, Southend-on-Sea, Essex.

The application was presented by Mr Paul West, the applicant's Licensing Consultant. The Applicant, Ms Waite, was also in attendance at the meeting.

The sub-committee noted that no objections to the application had been received from any of the Responsible Authorities. 13 representations had however, been received from local residents, 2 of which were in favour of the application. Mr J Garston spoke on behalf of himself and 1 other objector who was unable to attend. The objectors' concerns essentially related to two of the licensing objectives, namely the prevention of public nuisance and the prevention of crime and disorder.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The Sub Committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy and considered the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, as they related to this application.

Whilst the sub-committee was mindful of the residents' concerns, no objections had been received from any of the Responsible Authorities.

It was noted that the Applicant had been granted a number of Temporary Event Notices in the current year and no complaints had been received from residents or the Responsible Authorities.

The sub-committee felt that the conditions attached to the report of the Corporate Director for Place would be sufficient to address the concerns of the residents.

In view of this and on the basis of the evidence presented to them, the sub-committee did not consider the promotion of the licensing objectives would be undermined by the granting of this application.

It was therefore:-

Resolved:

That the application for the grant of a premises licence in respect of Oyster Creek, The Leas Shelter, Southend-on-Sea, Essex, be granted, subject to:-

1. The Mandatory Conditions set out in Appendix 1 to the report of the Corporate Director for Place;
2. The Conditions drawn from the Operating Schedule set out in Appendix 2 to the report of the Corporate Director for Place, with the following amendments:
 - (i) Condition 10 is deleted;
 - (ii) Condition 11 be amended to refer to Condition 18 not 15;
 - (iii) Condition 23 be amended to 'The maximum capacity of the external area is limited to 35 persons.'

191 Temporary Event Notice Subject to Objection Notice from the Responsible Authorities - Southend On Sea Beach (East of Sealife Centre), Eastern Esplanade, Southend-On-Sea, Essex, SS1 2ER

The sub-committee received a report of the Corporate Director for Place concerning an application that had been made by Mr Michael Mansaray for the grant of a Temporary Event Notice (TEN) made under Section 100 of the Licensing Act 2003 in respect of Southend-on-Sea Beach (East of the Sealife Centre), Eastern Esplanade, Southend-on-Sea, Essex.

The application was presented by Mr Mansaray (Event organiser) who was supported by Mr Soloman. The applicant sought the TEN for the following:

- a) An event held on the beach located eastwards of the Sea Life Centre on Eastern Esplanade;
- b) The licensable activity applied for is regulated entertainment from 10:00 hours to 19:00 hours Saturday 1st August 2015;
- c) The maximum number of people listed as attending the event is to be 400.

The Sub-Committee noted that objections had been received from two of the Responsible Authorities, namely Essex Police and Southend Council's Environmental Protection Team. Their concerns related to public nuisance and

public safety.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The Sub Committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy and considered the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, as they related to this application.

In view of this and on the basis of the evidence presented to them, the sub-committee considered that the applicant had failed to address the licensing objectives of public safety and public nuisance, for the following reasons:

- a) Inadequate planning for the event;
- b) Lack of an effective management plan;
- c) The number of people attending the event are likely to exceed the maximum numbers permitted for a TEN (499);
- d) Lack of effective stewarding for the event;
- e) Uncertainty as to the location of the event with no defined area specified;
- f) Potential noise nuisance;

It was therefore:-

Resolved:

That the application for a Temporary Event Notice made by Mr Mansaray for Southend-on-Sea Beach, East of Sealife Centre, Eastern Esplande, Southend-on-Sea, Essex, be refused, and a Counter Notice be issued to prevent the temporary event taking place.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 5th August, 2015

Place: Jubilee Room, Civic Centre, Southend-on-Sea

Present: Councillor A Crystall (Chairman),
Councillors M Assenheim (Vice-Chairman), B Ayling, M L Borton, M
Butler, T K Byford, L Davies*, M F Evans, N J Folkard, D A Garston, R E
Hadley, A P Jones*, D C McGlone, K R Robinson, P R Van Looy, C W
Walker, N D Ward

(*Substitute in accordance with Council Procedure Rule 31)

In Attendance: Councillor S T Aylen
J K Williams, D Hermitage, C Galforg, A Tastsoglou, D Skinner, T Row

Start/End Time: 2.00 p.m./3.20 p.m.

**** **Part I**

192 Apologies and substitutions.

Apologies for absence were received from Councillors T Callaghan (Substitute Councillor Davies) and J McMahon (Substitute: Councillor Jones).

193 Declarations of interest.

The following interests were declared at the meeting:

- (i) Councillor Byford - 15/00290/FUL - Non-pecuniary interest: Relative works for Fairfield BMW;
- (ii) Councillor Davies - 15/00930/BC4 - Non-pecuniary interest: Lives in the vicinity of the application;
- (iii) Councillor D A Garston - 15/00155/FULM - Non-pecuniary interest; Knows the developer and son lives in Cliftown Parade;
- (iv) Councillor Van Looy - 15/00155/FULM - Non-pecuniary interest: Friend lives next to the application site.

194 Minutes of the Meeting held on Wednesday, 3rd June, 2015

Resolved:

That the Minutes of the meeting held on Wednesday 3rd June 2015 be received, confirmed as a correct record and signed.

195 Minutes of the Meeting held on Wednesday, 8th July, 2015

Resolved:

That the Minutes of the meeting held on Wednesday 8th July 2015 be received, confirmed as a correct record and signed.

196 Supplementary Report

The Committee received a supplementary report by the Corporate Director for Place that provided additional information on items referred to elsewhere on the Agenda.

197 Reports on Planning Applications

The Committee received reports of the Corporate Director for Place which reported on applications which had been deposited with the Council.

The decision of the Committee in relation to each application is set out below:-

(a) Eastwood Park Ward

15/00290/FUL

Form vehicular crossover onto Hazelwood Grove
Fairfield BMW, Arterial Road, Leigh-on-Sea, SS9 4XX
Fairfield Garage (Leigh-on-Sea)
Brook Radley

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than 3 (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 and details: 1266/14/02 Rev A

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

03 The development hereby approved shall be fitted with lowerable security bollards as shown on plan 1266/14/02A prior to its first use and shall be used for egress/exit from the site only.

Reason: To define the scope of this permission with regards to highway safety, efficiency and the general amenities of the area in accordance with Policies KP2 and CP3 of the Core Strategy DPD1

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.

(b) Milton Ward

15/00155/FULM

Demolish existing building, erect 5 storey building comprising 24 self-contained flats with ground floor restaurant and basement parking, layout amenity area,

refuse and cycle storage and landscaping, form new vehicular access onto Western Esplanade.

The Esplanade Public House, Western Esplanade, Southend-on-Sea
Mr CG Pettersson, Redab Commercial Ltd
Stagg Architects Limited

Planning Permission REFUSED for the following reasons:

01 The development, as a result of its scale, mass and detailed design, is considered to have an unacceptable impact on the Streetscene and the character of the area. The development is therefore considered to be contrary to policies KP2 and CP4 of the Core Strategy, together with DM1, DM2, DM4 and DM6 and the Design and Townscape Guide and SPD 1 Design and Townscape Guide 2009.

02 The proposed development fails to provide a sustainable housing mix in terms of provision of affordable housing and would fail to contribute to the creation of a sustainable and balanced community. The proposal is therefore considered to be contrary to the National Planning Policy Framework, Policy CP8 of the Core Strategy DPD1 and policy DM7 of the Development Management DPD.

03 In the absence of a signed legal agreement, the proposed development fails to:- i) provide an effective means of enforcing/delivering a Travel Plan; ii) provide for a satisfactory provision of public art iii) provide affordable housing based on local need iv) provide for replacement tree planting and vi) provide for a satisfactory method of servicing the development. As such, the proposal would not make a satisfactory contribution towards the quality of the built environment within the vicinity of the site, would result in service vehicles blocking the highway to the detriment of highway safety and is likely to place increased pressure on public services and infrastructure to the detriment of the general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4, CP6 and CP8 of the Core Strategy, Policies DM1, DM7 and DM15 of the DM DPD the Design and Townscape Guide (2009)

(c) Kursaal Ward
15/00930/BC4

Layout external raised decked area with Aluminium framed, glazed enclosure and part retractable roof.

Bourgee Restaurant, 1 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER
Mr James Welling (Bourgee Ltd)
Mr Andrew Smith (RDD)

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: 1.1.05 D, 02.02.02 B, 02.02.03 B, 0.02 A, 1.106 B, 0.04, 0.05 and 01.01.09 B

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

03 No development shall take place until samples of the materials to be used on all the external elevations and details of the design of the frame and any other supporting structures required as part of this development have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

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 the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

04 Notwithstanding the Town and Country Planning (Control of Advertisements) Regulations 2007, no adverts shall be affixed to the glazed structures hereby approved.

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 the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

05 No external lighting shall be installed at the site unless a scheme of lighting has first been submitted to and approved in writing by the Local Planning Authority.

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 the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

06 The finished floor level of the proposed outdoor seating area should be no lower than existing floor levels (whichever is lower) unless otherwise approved in writing by the Local Planning Authority.

Reason: To minimise the potential impacts of flooding which the dwelling is at risk of, in accordance with National Planning Policy Framework 2012 and Core Strategy Policy KP2.

07 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.

(d) Prittlewell

15/00954/AMDT

Application to vary condition 02 (approved plans) to amend height of garage of planning permission 14/01691/FULH dated 30th December 2014.

47 Earls Hall Avenue, Southend-on-Sea, Essex, SS2 6PB

Mrs Lindsay Furness

Planning Permission REFUSED for the following reasons:

01 The garage, by reason of the increased roof height and the orientation of the gable roof would be out of the context with the surrounding area and will appear incongruous in the streetscene to the detriment of the character and appearance of the area contrary to National Planning Policy Framework, Core Strategy Policies KP2 and CP4, the Design and Townscape Guide, 2009 (SPD1) and Development Management DPD Policy DM1.

Resolved:

That ENFORCEMENT ACTION be AUTHORISED to either demolish and remove all associated materials and debris from the site or build the garage in accordance with approved plans submitted with planning application Ref No.: 14/01691/FULH dated 31st December.

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three months compliance period is reasonable in these circumstances.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

(e) Milton Ward

15/01070/DOV

Deed of Variation

Modification of planning obligation (Section 106 agreement) dated 17/04/2014 pursuant to application 13/00438/FULM allowed on appeal dated 17/12/2014 to vary the requirement to provide affordable housing.

British Heart Foundation, 3 - 5 High Street, Southend-on-Sea, Essex SS1 1JE

David Jarman (Hobbs Parker)

DELEGATED to the Corporate Director for Place Head of Planning and Transport or the Group Manager for Planning and Building Control to GRANT A MODIFICATION OF THE PLANNING OBLIGATION dated 17th April 2014 pursuant to application 13/00438/FULM allowed on appeal to provide a commuted sum payment for affordable housing of £187,914 in lieu of on-site provision.

(f) Belfairs Ward

15/00979/FULH

Erect two storey side extension (Amended Proposal)

1 Great Hays, Leigh-on-Sea, Essex, SS9 4RR

Mr R. Cherry

Mr A. Collinson (New World Designers)

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: 2545/2/36A

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

03 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of materials that match the materials used in the construction of the existing dwelling.

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 the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

Reason for decision: In this case, the Committee concluded that the proposed extension would not cause planning harm to the neighbourhood.

(g) Shoeburyness Ward

15/01090/FULH

Demolish existing single storey rear extension, erect new single storey rear extension.

104 Waking Avenue, Shoeburyness, Southend-on-Sea, Essex, SS3 9BB

Mr & Mrs Lord

Mr N. Kenney (The Draughtsman)

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: Location Plan and WA/NAK/01

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

03 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of materials that match the materials used in the construction of the existing dwelling.

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 the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, 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.

198 Enforcement of Planning Control

The Committee received a report of the Corporate Director for Place which reported on alleged breach of planning control.

(a) Victoria Ward

EN/15/00134/UNAU_B

Without planning permission installed PVC framed windows to front elevation at first floor level

17A West Street Southend on Sea Essex SS2 6HH

Resolved:

That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised windows at first floor level in the front elevation. This is because of the detriment to the historic and visual character and amenities of the Conservation Area, contrary to the NPPF, policy DM1 of the emerging Development Management DPD, policy C4 of the Borough Local Plan, Policies KP2 and CP4 of the Core Strategy, and advice contained within the Design and Townscape Guide (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three months compliance period is reasonable in these circumstances.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Thursday, 20th August, 2015

Place: Civic Centre, Civic Suite, Executive Boardroom

10

Present: Councillor Ayling (Chairman),
Councillors Borton (Vice-Chairman), *Arscott and Robertson

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Mr J Gray and Mr R Harris.

Start/End Time: 10.00/*15.15

*The Committee stood adjourned and reconvened on 28th August 2015.
The adjourned meeting started at 10.00am and finished at 11.00am.

**** Part I

199 Apologies and substitutions.

Apologies for absence were received from Councillors D Garston (substitute: Cllr Arscott), Crystall and Callaghan (no substitutes).

200 Declarations of interest.

Councillor Borton - Agenda Item 5 - non-pecuniary interest - works for DWP.

201 Minutes of the Meeting held on Monday, 15th June, 2015

Resolved:

That the minutes of the meeting held on 15th June 2015 be confirmed and signed as a correct record.

202 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 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.

**** Part II

203 Secondary School Transport Appeal - Pupil AG

The Committee considered a report of the Corporate Director Children & Learning, together with supporting correspondence from the parent of pupil AG, in connection with an application for home to school transport assistance.

Resolved:

That the appeal be allowed and home to school transport assistance be granted for the remainder of the current school year and the 2015/2016 school year by reason of extenuating circumstances.

204 Appeal Against Redundancy - Employee LL

The Committee considered an appeal against redundancy submitted by employee LL. The Council's case was presented by SH, supported by SM. CC and SP were called as witnesses by the Council and responded to questions.

The appellant, LL, was in attendance and presented their case, supported by DP (GMB Union).

Having considered all the evidence and submissions made, the Committee:

Resolved:

That the appeal not be upheld.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Appointments and Disciplinary Committee

Date: Tuesday, 1st September, 2015

Place: Civic 1, Victoria Avenue, Committee Room 6

11

Present: Cllr R A Woodley (Chairman)
*Cllr B Ayling, Cllr A E Holland, Cllr J L Lamb, Cllr G E Longley, *Cllr A Jones (Executive Councillor for Children & Learning) and Cllr L P Salter

Substitute in accordance with Council Procedure Rule 31.

(Note: Councillor Jones was also in attendance in her capacity as the relevant Executive Councillor).

In Attendance: Mr R Tinlin, Ms J Ruffle and Mr S Leftley.

Also in attendance: Mr S Guest (SOLACE)

Start/End Time: 16.55/17.45

**** **Part I**

205 Appointment of Chairman

Councillors Woodley, Jones and Longley were delayed and were not able to be present for the scheduled start of the meeting. The Members in attendance considered who should Chair the meeting in the absence of the Chairman until he was able to attend.

Resolved:

That Councillor Lamb be appointed Chairman for the commencement of the meeting until such time that the Chairman was able to be present.

COUNCILLOR LAMB IN THE CHAIR

206 Apologies and substitutions.

Apologies for absence were received from Councillors Assenheim (substitute: Cllr Ayling) and Gilbert (substitute: Cllr Jones).

COUNCILLOR WOODLEY IN THE CHAIR

207 Declarations of interest.

Councillor Longley - Agenda Item 5 (Appointment of Head of Learning - shortlisting) - Non-pecuniary interest - former member of staff at the same school as one of the applicants.

208 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 involves 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.

****** Part II**

209 Appointment of Head of Learning (shortlisting)

The Committee considered candidates for shortlisting for the post of Head of Learning.

Resolved:

The Committee agreed a shortlist of four candidates for the post of Head of Learning, as set out below:

BM/KM/JL/AH

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 2nd September, 2015

Place: Jubilee Room, Civic Centre, Southend-on-Sea

12

Present: Councillor A Crystall (Chairman),
Councillors B Ayling, M L Borton, M Butler, T K Byford, T Callaghan, M F
Evans, N J Folkard, D A Garston, R E Hadley, D C McGlone, J McMahon,
K R Robinson, P R Van Looy, M Velmurugan, C W Walker, N D Ward*
(*Substitute in accordance with Council Procedure Rule 31)

In Attendance: Councillor Buckley
J K Williams, P Geraghty, D Hermitage, P McIntosh, I Harrison, M Warren,
T Row

Start/End Time: 2.00 p.m./4.10 p.m.

****** Part I**

210 Apologies and substitutions.

Apologies for absence were received from Councillor M Assenheim (Substitute: Councillor Ward).

211 Declarations of interest.

The following interests were declared at the meeting:

- (a) Councillor Ayling – 14/02050/FULM – Non-pecuniary interest: Son is employed as a maintenance engineer at the school;
- (b) Councillor Ayling – 15/01129/AMDT – Non-pecuniary interest: Lives in the vicinity of the application site;
- (c) Councillor Crystall – 15/01024/FUL – Non-pecuniary interest: Friend lives in the road;
- (d) Councillor Crystall – 15/00869/FUL – Non-pecuniary interest: Friend lives in the road;
- (e) Councillor Borton – 15/00869/FUL – Non-pecuniary interest: Fellow Councillor (friend) lives in the road;
- (f) Councillor D Garston – 14/02050/FULM – Non-pecuniary interest: Son owns property in the vicinity of the application site;
- (g) Councillor D Garston – 15/00955/BC4 – Non-pecuniary interest: Son lives in road above the application site;

(h) Councillor McMahon – 15/00869/FUL – Non-pecuniary interest: Fellow Councillor (friend) lives in the road;

(i) Councillor Robinson – 15/00869/FUL – Non-pecuniary interest: Fellow Councillor (friend) lives in the road;

(j) Councillor Van Looy – 15/00955/BC4 – Non-pecuniary interest: Owner is known to him

(k) Councillor Van Looy – 15/01008/FUL – Disqualifying non-pecuniary interest (withdrew).

212 Supplementary Reports

The Committee received a supplementary report by the Corporate Director for Place that provided additional information on items referred to elsewhere on the Agenda.

213 Reports on Planning Applications

The Committee received reports of the Corporate Director for Place which reported on applications which had been deposited with the Council.

The decision of the Committee in relation to each application is set out below:-

(a) West Shoebury Ward

14/02050/FULM

Erect single storey extension to East elevation to form workshop, alter first floor East elevation, install 15no lampposts and retain four security cameras. (Part Retrospective)

Shoeburyness High School, Caulfield Road, Shoeburyness, Southend-on-Sea, Essex, SS3 9LL

Shoeburyness High School

Nick Kenney (The Draughtsman)

Mr Paye, a local resident, spoke as an objector to the application.

(a) Planning Permission REFUSED for the following reasons:

01 The lighting columns, by virtue of their excessive number and visual prominence cause the east boundary of the site to have a cluttered appearance that detracts from the character of the site and the surrounding area. It is therefore considered that the proposal is contrary to the National Planning Policy Framework, Core Strategy policies KP2 and CP4 and policy DM1 of the Council's Development Management DPD.

02 It has not been demonstrated to the satisfaction of the Local Planning Authority that the lighting that has been installed at the site does not cause harm to the amenities of neighbouring residents by way of light pollution. It is therefore considered that it has not been demonstrated that the proposal is in accordance with the National Planning Policy Framework, Core Strategy policies KP2 and CP4 and policy DM1 of the Council's Development Management DPD.

03 The proposed development would result in a loss of car parking at the

application site and would result in additional on-street parking in an area of parking stress, to the detriment of the movement of traffic and highway safety contrary to policy DM15 of the Council's Development Management DPD and policy KP2 of the Council's Core Strategy.

You are advised that as the proposed extensions 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.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

(b) Resolved: That ENFORCEMENT ACTION be AUTHORISED to require the removal of fifteen lighting columns along with all associated materials and debris on the grounds that they are visually harmful and detrimental to the amenities of adjacent residents contrary to the NPPF, policies KP2 and CP4 of the Council's Core Strategy (DPD1) and policy DM1 of the Council's Development Management DPD.

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three month compliance period for the removal of the lighting columns is reasonable in these circumstances.

(b) St. Lukes Ward
15/01129/AMDT

Application to vary and remove conditions; Variation of condition 02 (amended drawing numbers), condition 03 (parking spaces), condition 04, (hard and soft landscaping), condition 06 (bicycle secure parking), conditions 15, 16 and 17 (contaminated land) condition 20 (surface water drainage scheme) and condition 24 (odour management system). Removal of condition 11 (Fire water tanks and public art), condition 13 (Highway works), condition 29 (pedestrian crossing) and condition 14 (travel plan); demolish existing buildings, erect waste transfer station and ancillary buildings, form vehicle wash area, replacement fuel farm, cycle

parking shelter, bunds and acoustic barrier/fence, extend existing weighbridge, layout parking and carry out associated works (Minor Material Amendment to Planning Permission 13/00055/BC3M dated 30/04/2013)

Cory Environmental Cleansing Depot, Eastern Avenue, Southend-on-Sea, Essex, SS2 4BU

Mr O. Diamond (Veolia)

Mr B. Searle (Amec Foster Wheller)

Mr Wood, a local resident, spoke as an objector to the application. Mr Bowers, the Project Manager, responded.

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of the original decision (30 April 2013).

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers:
37272/A/CVD/001/A, 37272/A/CVD/002/A, 37272/A/CVD/003/B,
37272/A/CVD/004/A, 37272/A/CVD/012/A, 37272/A/CVD/013/A,
37272/A/CVD/014/A, 37272/A/CVD/026/G, 37272/A/CVD/027/A,
37272/A/CVD/029/A, 37272/A/CVD/030/A, 37272/A/CVD/031/A, 21507/100 A,
21507/101 A, A034/01/012, A034/01/012 and 3602530 (7 Plans)

Reason: In the interests of residential amenity and general environmental quality, in the interests of sustainability, amenity and highways efficiency and safety, in the interests of visual amenity in accordance with DPD1 (Core Strategy) policies KP1, KP2, CP1, CP3, CP4, CP6, DPD2 (Development Management) policies DM1, DM2, DM14 and DM15 and SPD1 (Design and Townscape Guide).

03 Thirty Six (36) car parking space(s) shall be provided in accordance with plan 37272/A/CVD/003/B prior to first use of the building(s) hereby approved and shall thereafter be permanently retained for the parking of vehicles of people working in the building or calling there for business purposes unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking and turning provision is provided for people using the development in the interests of amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM15 and SPD1 (Design and Townscape Guide).

04 All hard and soft landscape works shall be carried out in accordance with the approved details submitted in accordance with 37272/A/CVD/012/A. The works shall be completed within the first planting season following practical completion of

the development or in accordance with a programme submitted to and approved by the Local Planning Authority.

If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the Local environment and biodiversity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide)

05 No part of the development shall be occupied until 20 secure, covered bicycle parking spaces have been provided in accordance with plans 37272/A/CVD/003/B and 37272/A/CVD/031/A and the spaces shall be permanently maintained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM15 and SPD1 (Design and Townscape Guide).

06 Demolition or construction works shall not take place outside 07.30 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and general environmental quality in accordance with, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management) policy DM1.

07 The hardstanding shown on the approved plans shall be installed prior to first occupation of the development and shall be permanently maintained thereafter. The condition of the hardstanding should be reviewed on a 6 monthly basis and any hardstanding which is in a poor state of repair should be replaced unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that any contamination is 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.

08 No burning of construction or demolition waste is to take place on the site.

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

09 No lighting shall be installed at the site other than in accordance with the Lighting Plan Short Statement and plan 37272/A/CVD/027/A unless otherwise agreed in writing by the Local Planning Authority.

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

10 Prior to first use of the buildings hereby approved photovoltaic cells shall be installed along the south facing roof of the WTS in accordance with details set out in the Renewable Energy Statement dated August 2012 and submitted with the application and shown on the roof plan drawing 37272/A/CVD/014/A and on elevation drawing 37272/A/CVD/004/A. The cells shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with DPD1 (Core Strategy) policy KP2 and CP4, and DPD2 (Development Management) Policy DM2 and SPD1 (Design and Townscape Guide).

11 The use of the development hereby approved shall not commence until a Travel Plan has been submitted to and agreed in writing by the local planning authority, the Travel Plan shall be implemented in accordance with the approved details.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2, CP3 and CP4, and DPD2 (Development Management) Policy DM15 and SPD1 (Design and Townscape Guide).

12 Prior to the commencement of the development hereby approved remediation verification details to demonstrate that the remediation works that have occurred at the site have adequately mitigated the land contamination risk shall be submitted to and approved in writing by the Local Planning Authority. This shall include further soil tests where necessary to demonstrate that the land is suitably clear of contaminants. In the event that the remediation strategy as undertaken is considered insufficient, further remediation work shall be carried out to the satisfaction of the local planning authority including identifying any requirements for monitoring of pollutant linkages, maintenance and arrangements for contingency action. These requirements shall relate to hardstanding and groundwater in the west of the site in the vicinity of the former fuel tanks only.

Reason: To protect and prevent pollution of the water environment and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM14.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this contamination shall be dealt with and obtained written approval from the local

planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent pollution of the water environment and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM14.

14 No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to the water environment.

Reason: To prevent the mobilisation of contaminants within the made ground and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2.

15 The Waste Transfer Station building hereby approved shall not be put to use until the surface water drainage strategy (Southend Central Depot: Drainage Strategy prepared by Amex Foster Wheeler and dated July 2015) has been fully implemented.

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2.

16 The roller shutter doors to the Waste Transfer building shall be kept closed at all times except when vehicles are entering and exiting the building.

Reason: To prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

17 The level of noise emitted from the site shall not exceed 55dB between 07:00-23:00 Monday to Saturday as determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:1997.

Reason: To prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

18 The rating noise level of the noise emitted from the odour control plant, including the flue termination, shall not exceed the existing background noise level at night (23:00-07:00hrs) determined to be 32dB by more than 10dB. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:1997.

Reason: To protect and prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

19 An odour management system as described in the submitted Air Quality Assessment dated June 2015 shall be installed to the Waste Transfer building, prior to first use of that building and shall remain operational thereafter.

Reason: To prevent pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

20 No building demolition shall take place until the buildings have been inspected by an ecologist to identify evidence of bird breeding activity. If such activity is found, works shall be delayed until young birds have fledged.

Reason: To minimise the risk of disturbance to nesting birds in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4.

21 The "Recommendations" set out in section 5.2 paragraphs 5.2.1 - , 5.2.3 of the submitted Extended Phase 1 Habitat Survey Report dated February 2012, shall be fully implemented during the demolition and construction phase of the development, and the Enhancement and Management requirements set out at paragraph 5.2.4 shall be implemented prior to first use of the WTS building, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the risk of disturbance to protected wildlife and to enhance the biodiversity of the site in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4.

22 The "Recommendations" set out at section 10.2 of the Executive Summary, contained within the Site Investigation (Interpretive Report) prepared by Amec Environmental and Infrastructure U.K dated August 2012 shall be implemented during construction and following first occupation of the WTS building as appropriate.

Reason: To ensure that the development does not cause pollution in accordance with DPD1 (Core Strategy) 2007 policy KP2.

23 The existing boundary treatment along the eastern boundary of the site (with Aldi) shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

24. Prior to their installation, details of the appearance and materials of the acoustic screens shall be submitted to an approved in writing by the Local Planning Authority. The acoustic screens shall be coloured dark green unless otherwise approved by the Local Planning Authority. The approved screens shall be installed prior to the first use of the Waste Transfer Station and shall be permanently retained.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1.

25 Prior to the formation of the bunds that are shown on the plans at the East boundary of the site (referred to as "Top Soil Stock Piles on plan 215075/100A), details of the proposed maximum height, gradients and soft landscaping of the bunds shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

26. No noise shall be generated by the use of the vehicle Wash Area that is shown on the approved plans that exceeds a sound rating level of LWA 90dB.

Reason: To protect the amenities of neighbouring residents in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4 and DPD2 (Development Management) policy DM1.

27. Prior to the commencement of the development hereby approved, details of the colour and acoustic performance of the materials to be used in the construction of the Waste Transfer Station building shall be submitted to and approved in writing by the Local Planning Authority. The cladding used on the walls of the Waste Transfer Station building shall be coloured dark green unless otherwise approved by the Local Planning Authority. The Waste Transfer Station shall only be erected using the approved materials.

Reason: To safeguard the visual amenities of the area and the amenities of neighbouring residential properties in accordance with Policy DM1 of the Development Management Document.

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

Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil .

(c) Victoria Ward
15/00803/BC4M

Demolish existing College building, Phase 1: Erect four storey block of 56 flats

fronting Carnarvon Road, layout 56 car parking spaces together with associated amenity space landscaping and bin stores; Phase 2: Erect 4 and 5 storey blocks of 102 flats on the southern section of the site, layout 102 car parking spaces and raised courtyard garden, bin stores and landscaping.

Former College Building, Carnarvon Road, Southend-on-Sea, Essex.

(Dranton (Carnarvon) Limited

(David Godden) Hollybrook Homes

(a) DELEGATED to the Corporate Director for Place, Head 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 seek the following:

- Overall 30% Affordable Housing (47 units including 16 rented and 31 shared ownership units) (16 rented) in phase 1 and (31 shared ownership units) in Phase 2
- Contribution of £10k - for traffic surveys/controlled parking
- Travel Plan and Travel Packs
- Scheme of Public art

(b) The Corporate Director for Place, Head 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 begin not later than 3 (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:

A341_P_010 A341_P_020, A341_P_030, A341_P_040, A341_P_041A,
A341_P_042, A341_P_043, A341_P_044, A341_P_045, A341_P_046,
A341_P_047, A341_P_050, A341_P_051, A341_P_052, A341_P_053,
A341_P_054, A341_P_055, A341_P_056, A341_P_057, A341_P_060,

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

03 No development of either Phase of the development (excluding demolition) shall take place until samples of the materials to be used on all the external elevations of that Phase, including balconies, fenestration, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area, steps and podium amenity area for that Phase of the development have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

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 the area. This is as set out in Core Strategy 2007 policy KP2 and CP4, DMDPD policy DM1 and SPD1 (Design and Townscape Guide).

04 No development of either Phase shall be occupied until parking for that phase of the development (56 spaces for Phase 1 and 102 spaces for Phase 2) together with vehicular accesses from the adjacent highway have been provided in accordance with the approved plans the parking spaces and vehicular access shall be permanently reserved for the parking of residents and visitors to the residential units

Reason: To ensure that satisfactory off-street car parking and turning provision is provided for people using the development in the interests of amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DMDPD policy DM15 and SPD1 (Design and Townscape Guide).

05 No part of a particular phase of the development shall be occupied until space has been laid out within the site for cycle parking to serve that phase (56 spaces for Phase 1 102 spaces for Phase 2) in accordance with the approved plans. The cycle stores shall be permanently reserved for the parking of cycles of occupiers and callers to the premises and not used for any other purposes, whether or not permitted by the Town and Country Planning (General Permitted Development Order) 2015 (or any other Order amending, revoking or re-enacting that Order).

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance DPD1 (Core Strategy) 2007 policy KP2, DM DPD policy DM15 and SPD1 (Design and Townscape Guide).

06 No development of either Phase of the development (excluding demolition) shall take place until full details of both hard and soft landscape works for that phase have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved unless otherwise agreed in writing by the local planning authority. These details shall include, for example:-

- (i.) proposed finished levels or contours;
- (ii.) means of enclosure;
- (iii.) car parking layouts;
- (iv.) other vehicle and pedestrian access and circulation areas;
- (v.) hard surfacing materials;
- (vi.) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- (vii.) proposed and existing functional services above and below ground (e.g. drainage power;
- (viii.) communications cables, pipelines etc. indicating lines, manholes, supports.);
- (ix.) retained historic landscape features and proposals for restoration, where relevant.

Reason: To ensure that the development is satisfactory in terms of its appearance

and that it makes a positive contribution to the local environment and biodiversity in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

07 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority for each phase before occupation of the development within that phase, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

08 Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Part 16 to those Orders unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies policy CP4 of the Core Strategy DPD1.

09 No development shall take place (excluding demolition) for either phase of the development until details of a sustainable drainage system to serve that phase of the development has been submitted to and approved by the Local Planning Authority and no building hereby permitted shall be occupied until the sustainable drainage system for the relevant phase of the development has been completed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of sustainable drainage in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DMDPD policy DM2.

10 The sustainability measures set out in the Energy Statement by BBS dated 15th April 2015 and shown on the plans hereby approved shall be implemented during each phase of the development and brought into use on first occupation of the phase of the development to which it relates, development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with, DPD1 (Core Strategy) policy KP2 and CP4, DMDPD policy DM2 and SPD1 (Design and Townscape Guide).

11 No meter boxes shall be installed on the front elevation of the premises.

Reason: In the interests of the visual amenity in accordance with Policy CP4 of the Core Strategy DPD1.

12 Prior to installation details of any mechanical extraction, ventilation or air conditioning plant, together with any mitigation measures, shall be submitted to and approved by the Local Planning Authority With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

13 During construction deliveries and collections shall take place only between the hours of 08:00-19:00hrs Monday to Friday; and 08:00-13:00hrs Saturday; with no deliveries on Sundays or Bank Holidays.

Reason: To protect the amenities of the surrounding occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

14 Construction of the development shall be undertaken in accordance with details set out in a construction management Plan, which shall be submitted to and approved in writing by the local planning authority prior to commencement. Following approval of the plan, each phase shall be completed in accordance with the plan before the next phase commences unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of surrounding occupiers from undue noise and disturbance in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

15 Construction shall not take place outside the following hours 8am – 6pm Monday to Friday, 8am – 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of surrounding occupiers from undue noise and disturbance in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy H5 of the Borough Local Plan, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

16 During Construction and Demolition there shall be no burning of waste material on the site.

Reason: To protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy H5 of the Borough Local Plan, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

17 Any external lighting within the development shall be directed, sited and

screened so as not to cause detrimental intrusion of light into the proposed and existing residential properties.

Reason: To protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy H5 of the Borough Local Plan, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

18 Decontamination:

(a) Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(b) Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

(c) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 19a. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable.

Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 19b.

(d) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme shall be compiled to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must both be submitted to and approved in

writing by the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority. Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

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.

19 Prior to first occupation of the development a waste management plan and service plan for the development shall be submitted to and agreed by the Local Planning Authority, 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 DMDPD Policy DM14 .

20 Prior to commencement of Phase 2 of the development details of the design and materials of the podium and car park gates shall be submitted to and approved by the Local Planning Authority, the development shall be carried out in accordance with the approved details.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by the 9th September 2015, the Corporate Director for Place, Head of Planning & Transport or Group Manager of Planning Control & Building Control, be authorised to refuse planning permission for the application on the grounds of failure to comply with Policy CP6 and CP8 of the Core Strategy and the NPPF.

21. No development of either Phase of the development shall take place until details of the following for each phase have been submitted to and approved by the Local Planning Authority the development shall be carried out in accordance with the following details: Balcony detailing including the decorative approach to balustrade, window and door details, including product details, brick detailing including ribbed stacked bonding and perforated brickwork including exact locations, signage and exterior lighting, details of entrance feature to block A, feature arch and entrances to podium.

22. Prior to first occupation of the development a scheme of public art shall be installed in accordance with details which have first been submitted to and approved by the LPA. The scheme shall generally accord with the unnumbered "Indicative proposal for Public Art Scheme at Carnarvon Road Southend on Sea" plan submitted by Proctor and Matthews and shall include a minimum of 10 balconies unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the provision of public art and in the interests of visual amenity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DMDPD policy DM1 and SPD1 (Design and Townscape Guide).

(c) In the event that the planning obligation referred to in part (a) above has not been completed by the 18th October 2015, the Corporate Director for Place, Head of Planning & Transport or Group Manager Development Control and Building Control be authorised to refuse planning permission for the application on the ground of failure to comply with Policy CP6 and Cp8 of the Core Strategy and the NPPF.

Informatives

1 '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 construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215810 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ'.

2 'Unless reliably verified records are to hand certifying that an asbestos survey has previously been undertaken and that no asbestos was installed, or has been removed and disposed of by specialist contractor, the applicant is advised to commission an asbestos survey with any recommendations arising therefrom being complied with prior to the commencement of demolition'.

3 CIL

Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil .

4 S106

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 Affordable Housing, Controlled Parking Contribution, Travel Plan and Public Art.

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

(d) Milton Ward
15/00955/BC4

Demolish existing restaurant, erect two storey building with basement and terraces to south and west elevations, re-position steps and associated landscaping
Fishermans Wharf, Western Esplanade, Southend-on-Sea, Essex, SS1 1EE
Fishermans Wharf
Peter Emptage Architects

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: 13774:P21:A; 13774:P20:A; 13774:P13:M; 13774:P15:B; 13774:P16:B; 13774:P17:A; 13774:P22; 13774:P12:H; 13774:P14:H; 13774:P18:D.

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

03 No development shall take place until details including samples of the materials to be used on the external elevations including roofing, glazing, glazing system, balcony fascia's, balustrades, balcony construction, service doors, ; boundary treatments and hard surfaces have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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 this part of the Clifftown Conservation Area. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) 2015 policies DM1 and DM5, and SPD1 (Design and Townscape Guide)

04 No development shall commence until full details of both hard and soft landscape works for the new development have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority. These details shall include, for example: proposed finished levels or contours; means of enclosure; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or storage units).

Soft landscape works shall include details of existing trees and shrubs to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established and measures to enhance biodiversity

within the site. If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the Local environment and biodiversity in accordance with NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide]

05 All hard and soft landscape works shall be carried out in accordance with the approved details submitted in accordance with condition 04 and 05. The works shall be completed within the first planting season following completion of the development shall be carried out within the first planting season following first occupation of the development or in accordance with a programme submitted to and approved by the Local Planning Authority

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the Local environment and biodiversity in accordance with NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide).

06 No development shall commence until the recommendations of the Haydens Aboricultural Consultants Report dated 12th June 2015, have been submitted to and agreed in writing by the local planning authority including a detailed Aboricultural Method Statement, Tree Protection Plan with the following information fencing type, piling, ground protection measures, access facilitation pruning specification, project phasing and an auditable monitoring schedule.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C14, and SPD1 (Design and Townscape Guide).

07 Prior to demolition of the existing building a method statement, prepared by a chartered structural or civil engineer, to demonstrate how the surrounding land will be stabilised during and following demolition, together with a timetable for the works shall be submitted to and approved by the Local Planning Authority; demolition shall only be carried out in accordance with the approved method statement and must be completed in its entirety.

Reason: To ensure the demolition does not adversely affect stability of the surrounding land and to protect the character and appearance of the surrounding area in accordance with DPD1 (Core Strategy) policies KP2 and CP4 and SPD1 (Design and Townscape Guide).

08 No percussive piling shall take place in freezing conditions: i.e. when the air temperature is below 0°C or when snow cover is greater than 50%.

Reason: to minimise the risk of disturbance to the wintering bird interest of the

SSSI at a time when the birds are already subject to a high level of stress due to weather conditions.

09 Prior to the use of the development hereby by approved, a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to the restaurant in the adoption and implementation of the travel plan, identifying sustainable transport modes including cycling and modes of public transport shall be submitted to and agreed in writing by the local planning authority. At the end of each year the Travel Plan shall be monitored for the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must be implemented in full accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy KP2, CP3 and CP4, DPD2 (Development Management) policy DM15, and SPD1 (Design and Townscape Guide).

10 No development shall take place until a Construction Environmental Management Plan has been submitted to and approved by the local planning authority. The Plan shall include the following details:

- (a) Programme of works;
- (b) Code of practice;
- (c) 24 hour emergency contact number;
- (d) Hours of building works and measures taken to ensure satisfactory access and movement within the site taking into consideration any existing occupiers;
- (e) Lorry routing and traffic management (including control of delivery of materials);
- (f) Control of noise;
- (g) Control of dust;
- (h) Site waste management;
- (i) Details of the local sourcing of material;
- (j) Measures to prevent pollution of ground and surface water;
- (k) Measures to protect areas of vegetation and wildlife within the vicinity of the development during construction works;
- (l) Compliance with legal consents relating to nature conservation specifically protected species;
- (m) Details of how the Construction Environmental Management Plan will be monitored on site

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with NPPF, DPD1 (Core Strategy) 2007 policies KP2 and CP4; and DPD2 (Development Management Document) 2015 policy DM1.

11 Notwithstanding the submitted information, prior to first occupation of the restaurant hereby approved, a Servicing Management Strategy for shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter, servicing of the site shall only take place in accordance with the agreed Strategy.

Reason: Interests of amenity and highway efficiency and safety in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) 2015, and SPD1 (Design and Townscape Guide).

12 No part of the development shall be occupied until bicycle parking spaces have been provided externally to the restaurant in accordance with plans and details which shall have been previously submitted to and agreed by the Local Planning Authority and the bicycle parking spaces shall be permanently maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory secure bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) 2015 and SPD1 (Design and Townscape Guide).

13 If, during the course of development, any archaeological findings are located on site. A written report of the investigation and findings must be produced, showing that the archaeological/ geological. Copies of the written report of the investigation and findings shall be submitted to and approved in writing by the local planning authority.

Reason: To avoid damage to archaeological/ geological remains on site as set out in NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policies DM1 and DM5 and SPD1 (Design and Townscape Guide).

14 Prior to installation of any external lighting, 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 shall be installed only in accordance with the approved scheme.

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

15 No signs(s) or advertisements(s) shall be displayed within the application site without the express consent of the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 or any equivalent provision in any statutory revoking and re-enacting those Regulations.

Reason: In the interests of visual amenity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) and SPD1 (Design and Townscape Guide).

16 Before any development commences details of existing and proposed levels on the land and in relation to adjoining land shall be submitted to and approved by the local planning authority. The development shall be constructed at the level indicated on the approved drawings.

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

17 The development hereby permitted shall be carried out in accordance with details of renewable energy on drawing 13774:P12H and the energy statement carried out by Brontide Consulting June 2015 prior to the occupation of the development hereby approved, unless otherwise agreed in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

18 No development shall take place until details of the implementation, adoption, maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the local planning authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation and 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 effective operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2.

Informative

Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/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

(e) Leigh Ward
15/01085/FUL

Change of use from General Industry (Class B2) to Dwelling House (Class C3), demolish existing rear extension, erect first floor front extension, alter roof, elevations and install vehicle turntable to front
Rear of 75 Cranleigh Drive, Leigh-on-Sea, Essex, SS9 1SX
Mr Alan and Daniel Green And Pilgrim

WITHDRAWN

(f) St Laurence Ward
15/01112/FUL

Application for change of use from Florist Shop (Class A1) to Hot Food Takeaway (Class A5) and Install Extract Ducting To Rear Roof (Amended Proposal)
Dereks Florist, 5 Manners Corner, Manners Way, Southend-on-Sea, Essex, SS2 6QR
Mrs Tamanna Begum
Daryl McCarthy

Planning Permission REFUSED for the following reason:

01 Insufficient information has been submitted to demonstrate that the extract/ventilation equipment would be acceptable in terms of amenity to nearby residential occupiers. The proposal fails to demonstrate that it would not have an adverse impact of the amenities of adjoining occupants and would be contrary to Core Strategy DPD1 Policy KP2 and CP4, Development Management Document DPD2 Policy DM1 and guidance contained within the National Planning Policy Framework.

(g) Leigh Ward
15/01008/FUL

Demolish existing dwelling house, erect three storey building comprising seven self-contained flats with balconies at first and second floor, layout parking, bin and cycle stores and form new vehicular crossover onto Leigh Hall Road (Amended Proposal)
1028 London Road, Leigh-on-Sea, Essex, SS9 3ND
Mr Jonathan Simon
APS Designs Ltd

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: 01, 02, 03, 04, 05, 06 and 07.

Reason: 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 balconies, fenestration, undercroft area, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area and steps have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

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 7 car parking and 7 cycle parking spaces have been provided on hardstandings within the curtilage of the site, 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, including those of all roof terraces and the public realm proposals, have been submitted to and approved in writing by the local planning authority and 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. These details shall include, for example:-

- (i.) proposed finished levels or contours;
- (ii.) means of enclosure, including any gates to the car parks;
- (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.)

This shall include details of details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established, details of measures to enhance biodiversity within the site and tree protection measures to be employed during demolition and construction.

Reason: In the interests of visual amenity and the amenities of occupiers and to

ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

06 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 landscape management plan shall be implemented out as approved.

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

07 A scheme detailing how at least 10% of the total energy needs of the dwellinghouses 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).

08 Prior to the commencement of the development hereby approved, details of the siting and appearance of the cycle and refuse store shall be submitted to and agreed in writing by the Local Planning Authority. The proposed development shall then be carried out in accordance with the approved details and the refuse and cycle store shall be provided prior to the occupation of any flats at the site.

Reason: In order to protect the character and visual amenities of the area and the environment for residents in accordance with policy DM1 of the Council's Development Management DPD and Policies KP2 and CP4 of the Core Strategy DPD1.

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

Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil .

(h) West Leigh Ward
15/01024/FUL

Demolish existing dwelling and erect two semi-detached dwellings, layout parking to front and amenity space to the rear (Amended Proposal)
34 Percy Road, Leigh-on-Sea, Essex, SS9 2LA
Mrs H Collins
Knight Gratrix Architects

Planning Permission REFUSED for the following reasons:

01 The proposed development by reason of its scale, bulk, mass, detailed design and materials would appear incongruous and out of keeping within the streetscene to the detriment of the appearance and character and appearance of the area and represent overdevelopment of the site contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Core Strategy; Policy DM1 of the Development Management Document DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1).

02 The proposed development due to its height and position in relation to neighbouring properties nos. 39 and 41 Westleigh Avenue would result in an overbearing dominant form and result loss of privacy through unmitigated overlooking contrary to the National Planning Policy Framework, Policy CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide.

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.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

(i) West Leigh Ward
15/00869/FULH

Demolish existing garage, erect single storey rear extension and two storey side extension.

50 Vernon Road, Leigh-on-Sea, Essex, SS9 2NG
Mr & Mrs Smith
Trudys Architectural Consultants

Planning Permission REFUSED for the following reason:

01 The proposed development due to the unsatisfactory design and insubordinate scale of the two storey side extension would represent an incongruous and visually harmful addition that would be detrimental to the character and appearance of the existing dwelling and the streetscene, contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, Development Management DPD Policy DM1 and advice contained within the adopted Design and Townscape Guide (SPD1).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

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 might also be CIL liable.

(j) Eastwood Park Ward

15/01081/FULH

Form hipped to gable roof, erect rear roof extension and front dormer to form habitable accommodation in the roof (Amended Proposal)

82 Belgrave Road, Eastwood, Essex, SS9 5EL

Mrs M Daley

Mr Alex Collinson

Planning Permission REFUSED for the following reasons:

01 The first floor rear extension, by reason of its size, unsatisfactory design and failure to integrate with the existing building, would be detrimental to the appearance of the existing dwelling and the character of the area and contrary to the NPPF, Policy DM1 of the Development Management DPD and KP2 and CP4 of the Core Strategy and advice contained within the adopted Design and Townscape Guide (SPD1).

02 The proposed dormer to the front elevation of the dwelling due to its size and overall design would result in an incongruous feature which would be detrimental to

and out of keeping with the character and appearance of the existing building and the character and appearance of the locality contrary to guidance contained within the NPPF, Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management DPD and the Design and Townscape Guide, 2009 (SPD1).

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

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.

214 Enforcement of Planning Control

The Committee received a report of the Corporate Director for Place which reported on alleged breaches of planning control.

(a) Victoria Ward

EN/15/00119/UNAU-B

Without planning permission, the erection of a single-storey wooden outbuilding to the rear of the residential property.

31a Chelmsford Avenue, Southend-on-Sea, Essex SS2 6JG

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the single-storey wooden outbuilding constructed to the rear of the property on the grounds that the unauthorised development is detrimental to the character and visual amenities of the area by reason of its excessive scale and bulk and detrimental to the residential amenities by reason of being overbearing and causing an unreasonable sense of enclosure and loss of outlook contrary to the National Planning Policy Framework (NPPF), Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design & Townscape Guide (SPD1).

The authorised enforcement action shall include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of

proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, the necessary remedial works would probably require quotes to be obtained and contractors to be engaged so a compliance period of 3 months is considered reasonable.

(b) West Shoebury Ward
EN/14/00182/UNAU-B

Without planning permission, the erection of a single-storey garage building.
6 Leitrim Avenue, Shoeburyness, Essex SS3 0HD

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the single-storey garage extension on the grounds that the unauthorised development is detrimental to the character and amenities of the area by reason of unsightliness in that its scale, design and forward projection with respect to the Maplin Way frontage results in an incongruous and misaligned addition contrary to the National Planning Policy Framework (NPPF) Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

The authorised enforcement action shall include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, the necessary remedial works would probably require quotes to be obtained and contractors to be engaged so a compliance period of 3 months is considered reasonable.

215 Audio/Microphone System

During the course of the meeting, the Committee expressed their dissatisfaction with the functionality of the microphone system in the Jubilee Room which was not fit for purpose.

Resolved:

That the microphone system in the Jubilee Room be rectified immediately to ensure that it is fully functioning by the next meeting and that future meetings of the Development Control Committee be held in either the Jubilee Room or Committee Room 4a with a fully operational audio/microphone system.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Committee

Date: Thursday, 3rd September, 2015

Place: Committee Room 4, Civic 1, Victoria Avenue

Present: Councillor McMahon (Chairman)
Councillors Mulroney (Vice-Chairman), Borton, Buckley, Butler, Byford,
Hadley, Jarvis, Kenyon, McGlone and Phillips

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In Attendance: Mr R Harris, Mr P Tremayne, Mr A Burns, Mr A Penn and Mr L Coombs

Start/End Time: 10.00am/10.40am.

**** **Part I**

216 Apologies and substitutions.

Apologies for absence were received from Councillor Ayling (no substitute).

217 Declarations of interest.

Councillor Kenyon - Agenda Item 4 (Review of Hackney Carriage Fares) - Non-pecuniary interest - brother-in-law is a taxi driver in the borough.

218 Minutes of the Meeting held on Monday, 20th April, 2015

Resolved:

That the minutes of the meeting held on 20th April 2015 be confirmed and signed as a correct record.

219 Review of Hackney Carriage Fares

The Committee considered a report of the Corporate Director for Place which sought approval to the application from Southend Licensed Taxi Drivers Association for an increase in the Hackney Carriage and Private Hire Vehicle fares and charges and other associated amendments.

Two representatives of the SLTDA attended the meeting to provide a brief overview of the reasons for the request to increase the fares.

The Committee asked a number of questions which were responded to by the SLTDA representatives and officers.

Resolved:

1. That the revised fare chart set out at Appendix 3 to the submitted report, subject to consideration of any objections for the statutory advertisement of the proposals, be approved.

2. That any changes to the fare and extra charges structure be duly advertised, implementing the public consultation process. Any objections will be heard and considered by the Licensing Committee.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Monday, 7th September, 2015

Place: (Special Meeting) Jubilee Room, Civic 1

Present: Councillor L P Salter (Chairman),
Councillor R E Hadley (Vice-Chairman), Councillors B Ayling, M A Batson,
M L Borton, S Buckley, M Butler, N J Folkard, D C McGlone, C J Nevin, G
A F Phillips* and I T Robertson
Dr P Chisnell, Mr J Cooke and Ms A Semmence (co-opted members)
(*Substitute in accordance with Council Procedure Rule 31)

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In Attendance: Councillors B C Arscott, M F Evans, M A Flewitt, I D Gilbert, J L Lamb, J
W Moyies, M W Terry and Dr M Velmurugan
R Tinlin, D Simon, F Abbott, S Leftley and Dr Atherton
Youth Council observer – I Genius
M Craig, J Skinner, P Illett, R Shaw, S Parker and I Ross (NHS Southend
CCG) and C Barnes (NHS England)

Start/End Time: 18.00 / 20.40

**** **Part I**

220 Apologies and substitutions.

Apologies for absence were received from Councillor M Assenheim (no substitute),
Councillor M W Davidson (substitute Cllr G A F Phillips), Councillor C J Endersby
(substitute Cllr P R Van-Looy sent apologies), Councillor M Stafford (no substitute),
Councillor K R Robinson (no substitute) and Mr V Copeland and Ms A Clarke (co-
opted members).

221 Declarations of interest.

The following interests were declared at the meeting:

- (a) Councillor Salter – agenda items relating to – primary care strategy; health services in Shoebury; urgent care centre - non-pecuniary - husband is Business Unit Director at Southend General Hospital for surgical services including oral surgery - urology; son-in-law is GP in Borough;
- (b) Dr Chisnell - agenda items relating to - primary care strategy; health services in Shoebury; urgent care centre - non-pecuniary – freelance locum GP;
- (c) Councillor Nevin - agenda items relating to - primary care strategy; health services in Shoebury; urgent care centre - non-pecuniary – NHS employee in Trust outside area & previously at Mid Essex & Southend Acute Trusts; children work for Mid Essex Hospitals Trust (MEHT) at Broomfield Hospital;
- (d) Councillor Dr Velmurugan - agenda items relating to - primary care strategy; health services in Shoebury; urgent care centre - non-pecuniary – GP in Borough and Council representative on SEPT and Southend University Hospital NHS Foundation Trust;
- (e) Councillor Folkard – agenda item relating to urgent care centre – non-pecuniary – ambassador for the fund raising team at Southend University Hospital NHS Foundation Trust.

222 Questions from Members of the Public.

Councillor Moyies, the Executive Councillor for Health & Adult Social Care responded to 2 written questions received from Mr Ali and to a written question received from Mr Webb.

223 Health Services in Shoebury

The Committee received a presentation from Melanie Craig, Chief Officer, NHS Southend CCG which covered some overarching issues of 'the NHS and who does what' following changes brought in by the Health & Social Care Act 2012 and how the Primary Care Strategy has been developed. The CCG had attended the Scrutiny Committee on 2nd December 2014 to discuss the Strategy (Minute 430 refers) and had received an update at the meeting on 14th April 2015 (Minute 811 refers).

Ms Craig outlined the plans for improving primary care services in Shoeburyness, the options for a new primary care centre and next steps and responded to a number of questions:-

- Services provided in Shoebury and at Thorpedene Clinic - are seeking to increase the capacity of services locally and the hospital is very keen to increase provision of phlebotomy services and physiotherapy assessment.
- Parking in area is problematic – will be a thorough options appraisal undertaken for the sites being considered for the new centre.
- Views of local people – survey undertaken by the Residents Association and the CCG held a public meeting in May which had been positive.
- Assurances about future health services in Shoebury – the current building has reached end of working life and the proposal will be considered at the CCG's meeting in March 2016. A business case will be developed and finalised in partnership with NHS England which will include a definitive location.

Resolved:-

That the update on the options for a new primary care centre in Shoebury be noted.

Note:- This is a Scrutiny Function.

224 Primary care services in the St Luke's GP led Health Centre

With reference to the meeting held on 14th July 2015 (Minute 139 refers), Ms Craig outlined the plans for improving primary care services in St Lukes. NHS Southend CCG is currently consulting on proposals for the walk in service and the St Luke's GP practice.

Ms Craig gave a detailed presentation on the urgent care services consultation and the Committee asked a number of detailed questions which were responded to.

Resolved:-

That the views of the Committee on the Urgent Care Services Consultation on 3 specific consultation questions, as set out below, be forwarded to NHS Southend CCG:

Views on the preferred option 3 – i.e. that when the current contract for the walk-in service at St Lukes ends, a new service will be developed and be co-located with A&E at Southend Hospital.

The Committee had the following comments:

(a) Parking at the hospital – ease of parking and cost – the extra patients attending A&E will place additional strain on residents / local roads. There needs to be radical solution – the example of the ‘Park and Ride’ at Canterbury was mentioned by one Councillor.

(b) Recognise that the new service will be open 24 hours day, 365 days a year which is an improvement on the current provision, but the proposed waiting time will be 4 hour standard rather than the current 2 hour standard at St Lukes which is a concern.

(c) Clarify that new service is for people attending A&E who do not have a ‘major condition’ who can be seen by GP or nurse.

(d) Local pharmacies are an excellent and often underused resource. At the hospital, consider if an independent pharmacy company could be located at hospital.

(e) The layout internally of the urgent care centre needs to allow for privacy and dignity of patients.

(f) Staffing numbers – hope the new service will give resilience.

(g) Booking a GP appointment whilst at new service – welcome this ambition.

(h) Need media campaign / education programme about change. Also need to promote use of other alternatives available, such as NHS 111 and out of hour’s services.

Q15 – new and permanent premises for GP practice at St Luke’s Health Centre

The Committee had the following comments:

(a) Needs to be adequate parking provided at new location.

(b) Very helpful if there are good public transport links.

(c) Pleased that as part of plans, intend to build in growth in the patient list.

(d) Welcome the assurances that the new GP service will offer 7 day opening and will be fully open during core hours and some evening extended opening and will offer appointments at weekends.

Q16 – health services to be delivered from new premises

The following services were mentioned specifically:

- Phlebotomy services
- Physiotherapy assessment

Note:- This is a Scrutiny Function.

225 Update on Primary Care Strategy

The Committee received a presentation from Ms Craig on improving capacity in GP practices and sustainability for the future, as follows:

(a) Implementing plans to develop a number of initiatives, such as the Babylon app, which is currently being piloted in Southend at 2 local practices.

(b) Improving the quality of primary medical services to residents of care homes. The proposal is to commission a stand-alone GP practice for care home patients

which will be a pilot service for 12 months from November and it will be a fully mobile service.

(c) Improving the quality of primary and community care service to elderly complex care patients (primary care hub) – to be centrally located if possible.

(d) Co-commissioning primary medical services with NHS England.

Ms Barnes and Ms Craig responded to the following questions from the Committee:-

- Funding and role of pharmacists – have sign-posting, prescribing role, NHS England provide funding.

- GP APMS and GMS contracts and GP appointments – CCG are currently undertaking a survey of appointment availability etc. in practices and the Clinical Executive will consider the results.

On behalf of the Committee, the Chairman thanked Ms Craig and colleagues for attending the meeting and for their detailed updates on a number of issues.

Resolved:-

That the updates be noted.

Note:- This is a Scrutiny Function.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 17th September, 2015

Place: Jubilee Room, Civic 1, Victoria Avenue, Southend

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Present: Councillor M W Terry (Chairman),
Councillors D A Norman MBE (Vice-Chairman) and G E Longley

In Attendance: Councillors M Assenheim, T K Byford, T Callaghan, J I Courtenay, T Cox,
A Crystall, J M Garston, J L Lamb, J McMahon, M Stafford, L P Salter, C
W Walker
P Geraghty, Z Ali, C Hindle-Terry, T Row

Start/End Time: 6.00 p.m./9.25 p.m.

**** **Part I**

226 Apologies and substitutions.

There were no apologies for absence.

227 Declarations of interest.

The following interests were declared at the meeting:

(a) Councillor Callaghan - Agenda item no. 6 (Petition - Residents only Parking Zones for Redstock Road and adjoining streets/roads) - Non-pecuniary interest: Lives in the vicinity;

(b) Councillor Cox - Agenda Item 10 (Request ref no. 15/13) - Non-pecuniary interest: Chair of Rochford & Southend East Conservative Association and the MP lives in Fermoy Road;

(c) Councillor J Garston - Agenda item No. 10 (Request ref no. 15/13) - Non-pecuniary interest: MP lives in Fermoy Road;

(d) Councillor J Garston - Agenda item no. 11 (Broadway West) - Disclosable non-pecuniary interest (withdrew);

(e) Councillor Longley - Agenda item no. 4 (The Maze) - Non-pecuniary interest;

(e) Mr T Row - Agenda item no. 5 (Petition Requesting Parking Controls - Benvenue Avenue) - Non-pecuniary interest: knows someone who lives in the road.

228 Minutes of the Meeting held on Thursday, 25th June, 2015

Resolved:

That, subject to the amendment of Minute 78(b) as detailed below, the Minutes of the meeting held on Thursday, 25th June 2015 be received, confirmed as a correct record and signed:

"(b) Councillor J Garston - Agenda Item No. 8 - Petition: Salisbury Road - Non-pecuniary interest: Brother lives in the road."

229 Objections to Traffic Regulation Orders – Various Locations

The Cabinet Committee received a report of the Corporate Director for Place that appraised Members of the representations that had been received in response to the statutory consultation for proposed Traffic Regulation Orders in respect of various proposals at several locations across the Borough.

The report also sought the Cabinet Committee's approval on the way forward, after having considered the views of the Traffic & Parking Working Party the Traffic & Parking Working Party following consideration of all the representations that had been received in writing and at the meeting.

Resolved:

That the Corporate Director for Place be authorised to confirm the traffic regulation orders in respect of the locations listed in Appendix 1 of the report as advertised without amendments.

Reason for Decision

The proposals aim to improve the operation of the existing parking controls to contribute to highway safety and to reduce congestion.

Other Options

Do nothing - highway safety could be compromised and congestion could increase.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

230 Petition Requesting Parking Controls - Benvenue Avenue

The Cabinet Committee received a report of the Corporate Director for Place concerning a petition comprising 31 signatures from the residents in Benvenue Avenue. The petition sought the introduction of parking controls between 08:15 and 9:15 and 14:30 to 15:30 term time only in the road which had an access to the Heycroft Primary School. Having considered the views of the Traffic & Parking Working Party, it was:

Resolved:

1. That the petition be noted
2. That any proposals be deferred pending the outcome of the strategic approach to reduce speed, improve road safety and address parking issues within residential areas.

Reasons for Decision

To reflect the request from residents while meeting the aspirations of Members to adopt area wide measures.

Other Options

Agree to the request. Dealing with issues in individual locations tends to displace rather than resolve parking. Officer time is then utilised in resolving issues in other roads that have been created by addressing one road or problem.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

231 Petition - Residents only Parking Zones for Redstock Road and adjoining streets/roads

The Cabinet Committee received a report of the Corporate Director for Place concerning a petition comprising 60 signatures requesting the possible introduction of resident only parking controls.

Resolved:

1. That the petition be noted.
2. That officers assist Ward Councillors to identify a suitable geographical area and appropriate questions to enable Members to undertake a survey of residents in accordance with the Parking Management Scheme policy.
3. That, in the event that the requisite numbers of residents respond to the survey and the majority of respondents support the suggestion, the Corporate Director for Place be authorised to commence the formal process for the introduction of a Permit Parking Area.

Reasons for Decision

To reflect the request from residents.

Other Options

Take no further action. The Council is required to consider petitions related to parking controls. While budgets may be limited, undertaking the associated surveys will ensure a prioritisation of works is targeted at areas where support for controls is evident.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

232 Petition - Traffic Calming Measures in Tunbridge Road and Penhurst Avenue

The Cabinet Committee received a report of the Corporate Director for Place concerning a petition comprising 73 signatures requesting an amendment to the current junction layout at Carnarvon Road and Victoria Avenue to accommodate a right turn manoeuvre into Victoria Avenue from Carnarvon Road.

Resolved:

1. That the petition be noted.
2. That it be noted that investigations are being undertaken with regard to the existing manoeuvres and traffic flows at this location as part of development potential on the west side of Victoria Avenue.
3. Upon completion of the investigation and designs have been created, the Corporate Director be authorised to advertise any required Traffic Regulation Order amendments relating to traffic flow.
4. In the event that no objections are received to the proposals, the Corporate Director for Place be authorised to confirm the Traffic Regulation Order(s).

Reasons for Decision

To gather information related to the traffic movements and create an appropriate proposal designed to manage the anticipated traffic flows.

Other Options

Take no further action. The Council will be investigating traffic flows at this location and as such, the petitioners request can be considered.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

233 Leighville Grove and Southsea Avenue

Further to Minute 90 of its last meeting, the Cabinet Committee received a report of the Corporate Director for Place concerning the introduction of one way traffic flows in Leighville Grove and Southsea Avenue and part day/part week waiting restrictions in Southsea Avenue. Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the Corporate Director for Place be authorised to advertise the relevant amendments to the traffic regulation orders to introduce one way traffic flows as follows, and subject to there being no objections received following statutory advertisement, to arrange for the order to be confirmed:

Leighville Grove - southbound
Southsea Avenue - northbound

2. That the Corporate Director for Place be authorised to make the necessary order to give permanent effect to the current experimental waiting restrictions in Southsea Drive.

Reasons for Decision

To mitigate for likelihood of traffic flows being impeded, to improve safety or increase parking availability.

Other Options

Take no further action. Significant time has been allocated to this project since 2013 and while the majority of residents support proposals, several Committee meetings have resulted in further information being required. To take no action would negatively impact on the purpose of consultations as resident support is evident.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

234 Outcome of Consultation on a Residents' Parking Scheme in Queensway East Area

The Cabinet Committee received a report of the Corporate Director for Place that appraised Members of the outcomes of a recent consultation on a possible residents' only parking scheme in the roads bounding Queensway, Southchurch Road and Southchurch Avenue (the Queensway East Area).

Resolved:

1. That the outcomes of the public consultation be noted.
2. That the Corporate Director for Place be authorised to advertise the proposals in accordance with statutory requirements. The times of operation of the scheme to be 9.00 a.m. to 9.00 p.m. daily to account for the variation in non-residential parking.
3. That, subject to there being no objections received to the statutory notices, the Corporate Director be authorised to confirm the necessary orders and implement the scheme.

Reasons for Decision

To improve parking priority for residents, to improve highway safety and to reduce congestion, which were the concerns leading to the proposals.

Other Options

Do nothing. This option prevents the opportunity to make improvements to the existing restrictions in the area.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

***235 Members' Requests List**

The Cabinet Committee received a report of the Corporate Director for Place that appraised Members of the requests received from Members of the Council together with officers' recommendations relating to those requests.

Resolved:

1. That the Corporate Director for Place be authorised to advertise the necessary traffic regulation orders as appropriate in relation to the following proposals and, subject to there being no objections received following statutory advertisement, to arrange for the orders to be sealed and the proposals implemented:

15/06 - Installation of pedestrian crossing, North Shoebury Road near to Shoebury Park;

15/12 - Introduction of 24 hour waiting restriction on north side and waiting restriction operating from 1pm to 3pm Monday to Friday. in Burges Road between Thorpe Hall Avenue and Colbert Avenue;

15/24 - Introduction of 24 hour waiting restriction in Colbert Avenue on east and north side by bend.

2. That no further action be taken in respect of the following requests for the reasons stated in the report and that the request be removed from the list:

14/20 - Provision of waiting restrictions in Riviera Drive, eastern extremity;

14/24 - Increase existing 5m of junction protection Cottesmore Gardens, Quorn Gardens, and Tattersall Gardens, junctions with Western Road;

14/38 - Introduction of waiting restrictions Eastern Close;

14/44 - Introduction of yellow lines to help improve visibility at a busy entrance/exit to a commercial parking forecourt (Woodgrove Walk);

14/45 - Removal of waiting restrictions 22 to 46 The Fairway;

15/13 - Introduction of waiting restriction operating from 11am to noon in St James Avenue and Marcus Avenue between Fermoy to Johnstone Road and removal of existing waiting restriction in Fermoy Road, Marcus Avenue to St James Avenue on alternating sides to provide staggered parking to compensate for new waiting restrictions;

15/17 - Provision of bollards in Byfield to prevent footway parking.

3. That request Ref No. 14/15 regarding the widening of the pedestrian refuge Ness Road, Shoeburyness be retained on the list and clarification of the matter be investigated.

4. That the following requests be investigated as part of area wide measures being considered by the Traffic & Parking Working Party:

14/23 - Provision of 1 hour parking prohibition and junction protection in Dale Road, Dynevor Gardens, Crescent Road and Western Road with longer term request to treat all of area (Tattersall Gardens to Hadleigh Road – South of London Road);

15/09 - Amendment of traffic flow in Westcliff Parade to one-way, east to west.

5. That the following requests be retained on the list for investigation:

15/01 - Amend priority North, South and Central Avenues;

15/07 - Installation of a pedestrian crossing in Elmsleigh Drive near Rayleigh Drive;

15/08 - Hardening of verge at eastern end of Riviera Drive;

15/10 - Introduction of double yellow lines along the length of the wall opposite 26-30 Ashes Road;

15/14 - Introduction of resident parking controls in Station Avenue but exclude flats at northern extremity;

15/15 - Provision of waiting restrictions, Rayleigh Road to protect driveways;

15/16 - Provision of limited waiting parking restrictions, to deter non-residents parking in Brooklands Avenue and Eastwood Park;

15/18 - Formalisation of parking areas in and around Saxon Gardens, Delaware Crescent, Blyth Avenue and Bunters Avenue;

15/19 - Introduction of one way traffic flow in Saxon Gardens;

15/20 - Extension of double yellow lines at the junction of Church Road with Ness Road;

15/22 - Traffic management in Campfield Road and Ness Road;

15/23 - Introduction of double yellow lines on Delaware Road at Delaware Crescent.

6. That the request ref no. 15/21 regarding the speeds of vehicles in Bunters Avenue be considered as part of the in-depth scrutiny project being undertaken by the Place Scrutiny Committee into 20mph speed limits in residential streets and that a T-sign be added to the street name board at Bunters Avenue to indicate the road is a cul-de-sac.

Reasons for Decision:

To provide a rationalised and consistent management and decision making process for all formal requests for highways and traffic management improvements by Ward Councillors via the Traffic and Parking Working Party & Cabinet Committee.

Other Options

Each request needs to be considered on its individual merits and their impact on public safety, traffic flows or parking and wider impact on the surrounding network. Members may consider taking no further action if they feel it is appropriate.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

***Called in to:- Place Scrutiny Committee**

236 Requests for New or Amended Traffic Regulation Orders

The Cabinet Committee received a report of the Corporate Director for Place that sought Members' approval to authorise the advertisement of the amendments and/or new waiting restrictions at the locations indicated in Appendix 1 to the report, in accordance with the statutory processes and, subject to there being no objections received following statutory advertisement, to arrange for the relevant orders to be sealed and implement the proposals.

The Cabinet Committee also received a supplementary request that had been received, the details of which were circulated at the meeting.

Resolved:

1. That following recommendations of officers in respect of the requests as set out in Appendix 1 to the report of the Corporate Director for Place be approved and that the Corporate Director for Place be authorised to advertise any necessary traffic regulation orders as appropriate in relation to the following proposals and, subject to there being no objections received following statutory advertisement, to arrange for the orders to be sealed and the proposals implemented:

West Road, Westcliff-on-Sea - installation of a pedestrian crossing near Westborough Road;

Harp House Roundabout - installation of 2 Toucan crossings and carriageway widening to the airport access road;

Shoebury Library, Leisure Centre and Youth Centre - introduction of waiting restrictions in car parks;

Western Road - reduction of junction protection near tom property at 124 Western Road and other locations where an excessive length is provided;

Broadway West - amendment of existing parking bay layout to accommodate vehicular access created as part of a development.

2. That the Corporate Director for Place, in consultation with the relevant portfolio holders be authorised, to determine the timing and length of any waiting restrictions in the car parks of the Shoebury Library, Leisure Centre and Youth Centre.

Reasons for Decision

To mitigate for likelihood of traffic flows being impeded, to improve safety or increase parking availability.

Other Options

Each request needs to be considered on its individual merits and their impact on public safety, traffic flows or parking and wider impact on the surrounding network. Members may consider taking no further action if they feel it is appropriate.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

237 Traffic Regulation Orders - Suspension of Works

The Cabinet Committee received a report of the Corporate Director for Place that sought Members' support to the suspension of all works related to Traffic Regulation Orders for up to 16 weeks until the completion of a Borough-wide inventory and updating of software to capture all current Traffic Regulation Orders in plan form ,along with consolidation of all amendments undertaken since 2006. This would exclude any works related to Parking Schemes as these have been digitised.

Resolved:

That the request to suspend all works to Traffic Regulation Orders related to waiting restrictions be endorsed.

Reason for Decision

To allow the efficient completion of data capture and entry resulting in correct information.

Other Options

Continue amending existing TRO's while the project is on-going. This significantly introduces the risk that the completed project could include out of date or inaccurate information.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

***238 Members Requests List**

The Cabinet Committee reconsidered Minute 701 of its meeting held on 12th March 2015 in respect of Members Request ref no. 14/45(b), which sought the removal of the speed cushions in Bournemouth Park Road. This matter had been referred back for re-consideration by the Place Scrutiny Committee at its meeting on 13th April 2015 (Minute 794 refers). The Cabinet Committee had before it the

relevant extract from report of the Corporate Director for Place and the excerpts from the Minutes.

Resolved:

That consideration of the request be deferred pending the outcome of the in-depth scrutiny project regarding the introduction of 20mph in residential streets.

Note:- This is an Executive Function

Not eligible for call-in as this matter has previously been subject to the call-in procedure.

Executive Councillor: Councillor Terry

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Cabinet

Date: Tuesday, 22nd September, 2015

Place: Jubilee Room, Civic Centre, Southend-on-Sea

16

Present: Councillor R A Woodley (Chairman)
Councillors I D Gilbert, A P Jones, J W Moyies, D A Norman MBE, M W Terry

In Attendance: R Tinlin, J K Williams, S Leftley, A Lewis, A Atherton, J Chesterton, T MacGregor, V Holliday, G Henesy, F Abbott, A Keating and C Gamble

Also Present: Councillors Assenheim, Courtenay, Crystall, Folkard, Habermel, Holland, Lamb, Mulroney and Salter

Start/End Time: 14:00/15:55

****** Part I**

239 Apologies for absence.

An apology for absence was received from Councillor Longley.

240 Declarations of interest.

(a) Councillor Assenheim – Review of ALMO – South Essex Homes – Board Member of South Essex Homes – non-pecuniary interest

(b) Councillor Terry – Surface Water Management Plan – Lives in a flood risk area – non-pecuniary interest

(c) Councillor Terry – Roots Hall & Fossetts Farm CPO – Southend United FC season ticket holder – disclosable non-pecuniary interest – withdrew

241 Minutes of the Meeting held on Tuesday, 23rd June, 2015

Resolved:-

That the Minutes of the Meeting held on Tuesday 23rd June 2015 be confirmed as a correct record and signed.

242 Pre-Cabinet Scrutiny Items

- Corporate Asset Management Strategy 2015-2025
- Transport Asset Management Plan

243 Petition - To remove taxi rank in Campfield Road, outside the Health Centre

At the meeting of Council held on 23rd July 2015, Councillor Hadley presented a petition, on behalf of residents, requesting the Council to remove the taxi rank directly outside the Health Centre on Campfield Road.

(The petition had been referred to Cabinet in accordance with Council Procedure Rule 15.6).

Resolved:-

1. That a review of the Campfield Road Taxi Rank be included in the forthcoming Taxi Rank Review for Southend, due to be undertaken during 2015/16.
2. That the Health Centre management be approached to review the dedicated parking facilities currently in place at the Centre.

Reason for Decision

To respond to the petition.

Other Options

None.

Note:- This is an Executive Function.
Eligible for call-in to Place Scrutiny Committee.
Executive Councillor:- Terry.

***244 In depth scrutiny report – How the Council assists and excites individuals and community groups to achieve healthier lifestyles**

The Cabinet considered a report of the Corporate Director for Corporate Services presenting the final report of the in-depth scrutiny project 'How the Council assists and excites individuals and community groups to achieve healthier lifestyles'.

Resolved:-

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 approval of any recommendations with budget implications will require consideration as part of future years' budget processes prior to implementation.
3. That the Action Plan update, attached at Appendix 2 to the submitted report, be noted.

Reason for Decision

To encourage healthier lifestyles across the Borough.

Other Options

None.

Note:- This is an Executive Function.
Eligible for call-in to People Scrutiny Committee.
Executive Councillor:- Moyies

***Called in to:- People Scrutiny Committee**

245 Monthly Performance Report - July 2015

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function.
Referred direct to all three Scrutiny Committees.
Executive Councillor:- As appropriate to the item.

***Referred to:- People Scrutiny Committee**

***Referred to:- Place Scrutiny Committee**

***Referred to:- Policy and Resources Scrutiny Committee**

246 Annual Report – Comments, Compliments and Complaints

The Cabinet considered a report of the Corporate Director for Corporate Services presenting the annual report on comments, compliments and complaints received throughout the Council for 2014/15.

Resolved:-

That the performance in respect of compliments, comments and complaints for 2014/15 be noted.

Reason for Decision

To inform Members of the comments, compliments and complaints received throughout the Council.

Other Options

None.

Note:- This is an Executive Function
Referred direct to all three Scrutiny Committees
Executive Councillors:- Woodley, Moyies and Jones

***Referred to:- People Scrutiny Committee**

***Referred to:- Place Scrutiny Committee**

***Referred to:- Policy and Resources Scrutiny Committee**

247 Digital Strategy – Moving Towards Paperless Meetings

The Cabinet considered a report of the Corporate Director for Corporate Services updating Members on the implementation of the Digital Strategy as regards Members ICT and the move towards paperless meetings.

In answer to questions, the Chairman made it clear that there were no plans to cease the general production of hard copy agendas and reports in the short term. While the Council must be prepared to look at going paperless, this was dependent on new technology proving its worth and Members and officers being trained to use it. He confirmed that the Council would continue to supply printers.

Resolved:-

1. That the progress made to date be noted.
2. That the incremental implementation of the project be noted.
3. That the actions being put in place to support Members and Officers to work towards paperless meetings be noted.

Reason for Decision

To ensure that all Members are fully informed of the progress of the project and are aware of the support to both Members and Officers to achieve implementation.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

***248 Compulsory Purchase Order Authorities re land at Roots Hall and Fossetts Farm**

The Cabinet considered a report of the Corporate Director for Corporate Services on a review of the resolutions of the Council to compulsorily purchase land within the Roots Hall Site and at Fossetts Farm pursuant to Section 226 Town and Country Planning Act 1990, in order to facilitate the development of the area.

Recommended:-

1. That the resolution made by the Council on 1st March 2012 to make a Compulsory Purchase Order in respect of land within the Roots Hall Site be reviewed at the next meeting of Cabinet on 10th November 2015.
2. That the resolution made by the Council on 1st March 2012 to make a Compulsory Purchase Order in respect of land at Fossetts Farm be withdrawn as it is no longer required.

Reason for Decision

Further information is required in order to make an informed decision as to whether a CPO is still required in respect of the Roots Hall Site. A CPO in respect of the land at Fossetts Farm is no longer required.

Other Options

The Council could confirm or withdraw the previous CPO resolutions.

Note:- This is a Council Function.

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Woodley

***Called in to:- Policy and Resources Scrutiny Committee**

***249 Corporate Asset Management Strategy 2015-2025**

The Cabinet considered a report of the Corporate Director for Corporate Services presenting the Corporate Asset Management Strategy (CAMS) 2015-2025, incorporating a Commercial Property Investment Strategy.

Resolved:-

1. That the updated CAMS 2015-2025, as set out in Appendix 1 to the submitted report, be approved.
2. That it be noted that the proposed CAMS now includes a commercial property investment strategy as referred to in sections 3 and 6 of the submitted report.
3. That it be noted that progression of the strategy will require specific capital resources being identified as part of the relevant budget process together with some revenue support to be funded from the Business Transformation Reserve.

Reason for Decision

To update the Council's Asset Management Strategy having regard to the comments arising from consultation

To maintain the profile of the Council's Assets and their application in helping the Council to achieve its vision and meet the corporate aims, including regeneration and development.

To provide the framework and governance to support active investment in commercial property to generate long rent revenue.

To re-affirm the reasons why the Council holds assets and why they are held and managed corporately.

To re-affirm the governance arrangements for Asset Management

Other Options

The existing strategy could be maintained and updated but this would not actively support the Council's investment aspirations.

Note:- This is an Executive Function

Eligible for call-in to Policy & Resources Scrutiny Committee

This item had previously been subject to pre-Cabinet Scrutiny

Executive Councillor:- Woodley

***Called in to:- Policy and Resources Scrutiny Committee**

***250 Local Code of Governance Review**

The Cabinet considered a report of the Chief Executive & Town Clerk presenting the Council's Local Code of Governance following approval by the Audit Committee on 24th June 2015.

Recommended:-

1. That the Council's Local Code of Governance, as set out in Appendix 1 to the submitted report, be approved.
2. That the Council's Constitution be updated with the revised Local Code of Governance.

Reason for Decision

To ensure that the Council has an appropriate Local Code of Governance in place and that the Code has been reviewed by Audit Committee and Cabinet.

Other Options

None.

Note:- This is a Council Function

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Woodley

***Called in to:- Policy and Resources Scrutiny Committee**

251 Mortgage Interest Rate - October 2015 to March 2016

The Cabinet considered a report of the Corporate Director for Corporate Services declaring the Local Average Rate of Interest on the Council's mortgages.

Recommended:-

1. That it be noted that the current Local Average Rate of Interest has changed to 4.66% from the previous declared rate of 4.67% for the period from March 2015 to September 2015.
2. That the Local Average Rate of Interest be declared at 4.69% for the period from October 2015 to March 2016.
3. That the Council's mortgage interest rate be increased from 4.66% to 4.69% for the period from October 2015 to March 2016.

Reason for Decision

To comply with the statutory requirements of the Housing Act 1985.

Other Options

None.

Note:- This is a Council Function

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Woodley

252 Quarter One Treasury Management Report - 2015/16

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the treasury management activity for the period from April 2015 to June 2015.

Recommended:-

1. That the Quarter One Treasury Management Report for 2015/16, be approved.
2. That it be noted that treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to June 2015.
3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
4. That it be noted that an average of £65.4m of investments were managed in-house. These earned £0.099m of interest during this three month period at an average rate of 0.61%. This is 0.25% over the average 7-day LIBID and 0.11% over the bank base rate.
5. That it be noted that an average of £24.9m of investments were managed by fund managers. These earned £0.042m of interest during this three month period at an average rate of 0.67%. This is 0.31% over the average 7-day LIBID and 0.17% over bank base rate.
6. That it be noted that an average of £5.0m was managed by a property fund manager. This earned £0.100m during this three month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 7.98%. The fund started the quarter at £4.989m and increased in value with the fund at the end of the quarter at £5.081m.
7. That it be noted that 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 £237.8m (HRA: £80.8m, GF: £157.0m) during the period from April to June 2015.

Reason for Decision

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2015/16 sets out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other Options

There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

Note:- This is a Council Function

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Woodley

***253 Review of the Council's Risk Management Policy, Strategy and Toolkit**

The Cabinet considered a report of the Chief Executive & Town Clerk outlining changes to the Council's Risk Management Policy, Strategy and Toolkit.

Resolved:-

That subject to the inclusion of a reference to the business continuity planning process, the Council's risk policy, strategy and toolkit, outlined in Appendices 1 and 2 to the submitted report, be approved.

Reason for Decision

To update the Council's approach to risk management in the light of changes in Council officer structure and processes since 2010.

Other Options

None.

Note:- This is an Executive Function

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Woodley

***Called in to:- Policy and Resources Scrutiny Committee**

254 Review of the Council's Employee Volunteering Policy

The Cabinet considered a report of the Corporate Director for Corporate Services on a review of the Council's volunteering policy.

Resolved:-

1. That the implications of the revised volunteering policy be noted.
2. That the revised volunteering policy be approved for implementation.

Reason for Decision

To maximise the benefits of volunteering so that staff can gain extra skills to bring back to the workplace and the community can receive extra support to deliver services.

Other Options

None.

Note:- This is an Executive Function

Eligible for call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Gilbert

***255 Better Queensway**

The Cabinet considered a joint report of the Corporate Directors for People and Corporate Services detailing the work undertaken since the report of 23rd September 2014 together with proposals to take the 'Better Queensway' project forward.

Resolved:-

1. That the work of the Housing Working Party and the Project Team to date, be noted.
2. That Phase 2 of the project be progressed, which would include the following:
 - Inclusion of Network Rail land at Victoria Station within the outline master plan, as set out in Appendix 1a to the submitted report.
 - Undertake further works to determine the future of the tower blocks
 - The proposed preferred offer to leaseholders
 - Progress investigation work to 'cover' the Underpass and the remodelling of the roadways including the possible widening of Chichester Road
 - Progress with further investigation work on the 3 financial options, including procurement routes
 - Identify social infrastructure requirements as part of the whole development
 - Continue to work with the Smart Cities Project
 - Undertake an Economic Impact Assessment which will inform the design brief
3. That the Corporate Director for Corporate Services, in consultation with the Leader of the Council, be authorised to negotiate to purchase any properties which become available within the 'Better Queensway' site if this offers value for money and proves to be advantageous to the Project.
4. That it be noted that best endeavours will be undertaken to minimise disruption to residents and wherever possible, move them only once.
5. That the presentation given to the Housing Working Party on 16th September 2015, as set out in Appendix 3 to the submitted report, be noted.

Reason for Decision

To progress the 'Better Queensway' project.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function.

Eligible for call-in to Policy & Resources Scrutiny Committee.

Executive Councillors:- Woodley and Norman

***Called in to:- People Scrutiny Committee and Policy and Resources Scrutiny Committee**

256 Local Authority Public Health Savings

The Cabinet considered a report of the Director of Public Health, outlining initial proposals for in-year savings from the public health ring-fenced grant following the Treasury announcement to reduce the national public health ring-fenced grant by £200m in 2015/16.

Recommended:-

1. That the anticipated reduction to the public health ring-fenced grant in 2015/16 be noted.
2. That the initial proposals to meet the in-year savings requirement from the public health ring-fenced grant be approved.

Reason for Decision

To enable the Council to continue to deliver its mandated services and meet the requirements for the public health ring fenced grant.

Other Options

None.

Note:- This is a Council Function

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Moyies

***257 School Admission Arrangements for Community Schools and the Coordinated Admission Scheme for Academic Year 17/18**

The Cabinet considered a report of the Corporate Director for People which set out the proposed admission arrangements for community schools for the 2017/18 academic year together with the Coordinated Admissions Scheme for 2017 onwards.

Resolved:-

1. That there be no consultation on the admissions arrangements for community schools for the 2017/18 academic year.

2. That consultation with governing bodies of community schools takes place on the published admission numbers for community infant, junior and primary schools for September 2017, as set out in Appendix 1 to the submitted report.

3. That the Coordinated Admissions Scheme for 2016, as set out in Appendix 2 to the submitted report, be approved in principle, and if there are any minor issues to be resolved following consultation with the schools, the Corporate Director for People, in consultation with the Executive Councillor for Children & Learning, be authorised to make minor amendments to the scheme.

Reason for Decision

The determination of admission arrangements for community schools and the provision of a coordinated admissions scheme is a statutory requirement.

Other Options

None.

Note:- This is an Executive Function

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Jones

***Called in to:- People Scrutiny Committee**

258 Annual Report on Corporate Parenting Group

The Cabinet considered a report of the Corporate Director for People presenting the annual report on the work of the Corporate Parenting Group in regards to the progress and outcomes of children who are looked after by the Council.

Resolved:-

1. That the annual report, as set out in Appendix 1 to the submitted report, be noted.

2. That the overarching priorities for 2015/16, as set out in Appendix 2 to the submitted report, be approved.

3. That the Corporate Parenting Strategy for looked-after children 2015/16, as set out in Appendix 3 to the submitted report, be approved.

Reason for Decision

To receive the annual report.

Other Options

None.

Note:- This is an Executive Function

Eligible for call-in to People Scrutiny Committee

Executive Councillor:- Jones

259 Mid-year Adoption Report

The Cabinet considered a report of the Corporate Director for People on the activities of the Southend Adoption Service between January and June 2015.

Resolved:-

That the submitted report be noted.

Reason for Decision

To note the activities of the Southend Adoption service during the first 6 months of 2015.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- Jones

***260 Review of the Arm's Length Management Organisation (ALMO) - South Essex Homes**

The Cabinet considered a report of the Corporate Director for People proposing an extension of the Council's management agreement with South Essex Homes.

Members received a supplementary paper setting out the rationale for extending the Management Agreement with South Essex Homes for a 3 year period.

Resolved:-

That the management agreement with South Essex Homes be extended for a further 3 year period from 1st April 2016 to 31st March 2019.

Reason for Decision

As set out in the submitted report.

Other Options

1. Not to extend the Management Agreement and to bring the service back into the Council
2. Not to extend the Management Agreement and to consult tenants on other options.

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Norman

***Called in to:- People Scrutiny Committee**

***261 Beecroft and Central Museum Energy Project**

The Cabinet considered a report of the Corporate Director for Place on a proposal to install a biomass boiler serving the Beecroft Centre and Central Museum and to replace the lifts at the Beecroft Centre.

Recommended:-

1. That the installation of a biomass boiler in the Beecroft Centre, serving both the Beecroft and the Central Museum, and the replacement of the lifts in the Beecroft Centre, be approved.
2. That the project be funded by £720k from the Local Growth Fund and £372k from the Capital Reserve.
3. That the Local Growth Fund budget already in the capital programme be re-profiled, a virement approved to move the £720k to a separate capital project and a new budget be approved for the £372k, to be funded from the capital reserve.

Reasons for Decision

This proposal is an invest-to-save proposition to upgrade the building avoiding future capital costs whilst also generating a future revenue stream at a low cost to the Council which can contribute to future budget savings.

Other Options

1. Do nothing. Doing nothing will leave the Beecroft exposed to failure of the obsolete bank of boilers and with poor heating to the entrance area. The Museum would be exposed to poor heating from the failure of its heating system.
2. Replace with gas boilers. This option will require £350k capital which is not budgeted without any revenue stream to support the expenditure. This would also not address the heating, ventilation and lift improvements.
3. Other renewable technologies including wind, micro anaerobic digestion, ground source heat pumps, biomass CHP and liquid biofuel have all been considered and found not to be feasible.
4. Fund through another source. It may be possible to fund the project through private sector finance sources but this would be more expensive and may not be available for a multi-technology project
5. Smaller biomass and PV. Smaller systems have been considered but they generate less revenue.
6. Framework. This project could be delivered through a Framework such as BSP. Use of an appropriate framework will be considered as part of the procurement of the works.

Note:- This is a Council Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Longley
***Called in to:- Place Scrutiny Committee**

262 Blenheim Park Pavilion Consultation

The Cabinet considered a report of the Corporate Director for Place informing Members of the outcome of the consultation on the proposal to build a new pavilion in Blenheim Park.

Resolved:-

That this item be deferred to a future meeting of the Cabinet to enable further consultation to take place with the ward councillors and residents.

Reason for Decision

To enable further consultation to take place.

Other Options

1. To refuse to grant Catholic United FC landlord consent and continue with the unsatisfactory changing accommodation provided by two tool sheds/garages and a temporary toilet.
2. Refer the matter back to the club for them to consider relocating the site elsewhere within the park and investigating the possibility of re-designing the building so that it will fit on a smaller plot.

Note:- This is an Executive Function
Not eligible for call-in as this matter has already been subject to the call-in procedure.
Executive Councillor:- Longley

263 Southchurch Park Bowls Pavilion

The Cabinet considered a report of the Corporate Director for Place on a proposal to work with Southchurch Park Bowls Club to develop a new pavilion to replace the existing one in the park.

Resolved:-

1. That, in principle, the development of a proposal for Southchurch Park Bowls Club to demolish the existing pavilion and commission a new, larger facility in Southchurch Park, be approved.
2. That the publication of notice of the intention to dispose of public open space in accordance with the statutory procedures of the Local Government Act 1972 S.123 (2) be approved.
3. That it be noted that the proposed development will require external funding, existing £20,000 of financial support from the Council, detailed planning permission

and the agreement of a formal lease demonstrating compliance with the Local Government Act 1972 S.123 (2A).

Reason for Decision

The proposal offers the opportunity to improve the level of facilities available in the park and offer year round use to the club and the local community.

Other Options

The existing provision could continue to be provided direct by the authority, however, building repairs are required at significant cost and on-going maintenance will continue to be the responsibility of the Council.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Longley

***264 The London Shipwreck - Seventeenth Century Bronze Cannons**

The Cabinet considered a report of the Corporate Director for Place detailing proposals relating to the three historically-significant cannons illegally salvaged from the site of the 17th Century shipwreck 'the London', lying approximately one mile from the end of Southend Pier.

Recommended:-

That in the event that external grant funding is not secured, the 3 cannons be purchased by the Council for a sum of £56,000 to be met from the Contingency Fund.

Reasons for Decision

To bring the cannons back to Southend to be reunited with the rest of the London archaeology collection and made available for professional research and the enjoyment of the local community.

Other Options

Charitable funding is currently being sought from the Headley Trust (Headley Museums Archaeological Acquisitions Fund) and the V&A Purchase Grant Fund. Competition for such funding remains fierce each year and there is little guarantee that the Museum Service will be granted all or any of the necessary funding.

Note:- This is a Council Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Longley

***Called in to:- Place Scrutiny Committee**

265 Devolution Proposal

The Cabinet considered a report of the Corporate Director for Place on the

progression of a devolution deal and combined authority.

Resolved:-

1. That the Essex, Southend and Thurrock October submission to the Secretary of State be supported, subject to it reflecting the Council's governance and economic growth ambitions.
2. That the Corporate Director for Place, in consultation with the Leader of the Council, Chief Executive and Group Leaders, be authorised to submit the proposal.

Reason for Decision

To progress work on a devolution deal and combined authority.

Other Options

The Council could withdraw from the current devolution discussions pending any new announcements. This could carry the risk of deals being agreed excluding Southend.

Note:- This is an Executive Function.
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Woodley

266 Economic Partnerships Update

The Cabinet considered a report of the Corporate Director for Place informing Members of the current position and activity of key economic development partnerships.

Resolved:-

That the position and activity of the South East Local Enterprise Partnership and the South Essex Growth Partnership be noted as key partnerships where the Council is an active participant.

Reason for Decision

To update Members on the activity of key economic development partnerships.

Other Options

None.

Note:- This is an Executive Function.
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Woodley

267 Pier Hill Lift Replacement Project

The Cabinet considered a report of the Corporate Director for Place on a proposal to spend up to £315k to replace the lifts in the Pier Lift Tower on Pier Hill and to

provide a small solar array.

Recommended:-

1. That the lifts in the Pier Lift Tower be replaced and an up to 20kWp solar array be installed on the roof.
2. That a new capital budget be approved for the £315k to be funded from the capital reserve.

Reason for Decision

As set out in the submitted report.

Other Options

1. Do nothing. This will leave the lift towers exposed to poor reliability. The motors will require changing in the next few years which will require capital of between £45-60k.
2. Fund through another source. It may be possible to fund the project through private sector finance sources but this would be more expensive.

Note:- This is a Council Function.

Eligible for call-in to Place Scrutiny Committee

Executive Councillor:- Longley

***268 Southend Central Area Action Plan (SCAAP) Preferred Approach Public Consultation**

The Cabinet considered a report of the Corporate Director for Place detailing the development principles, opportunity sites and policies within the Preferred Approach version of the SCAAP.

Recommended:-

1. That the SCAAP Preferred Approach, as set out in Appendix A to the submitted report, and associated Policies Map, as set out in Appendix B, be approved for at least a minimum 6 week statutory consultation in accordance with the Southend Local Development Scheme timetable.
2. That the consultation comments received on earlier iterations of the SCAAP, as set out in Appendix C to the submitted report, be noted.
3. That the Corporate Director for Place, in consultation with the Executive Councillor for Housing, Planning and Regulatory Services, be authorised to make any minor adjustments to the approved Preferred Approach version of the SCAAP, which are considered necessary to ensure accuracy, correct references and presentation for public consultation and to take all necessary steps to ensure compliance with the relevant statutory consultation.

Reason for Decision

To ensure that the SCAAP is prepared efficiently to provide the necessary planning policy framework to guide future development in the Town Centre and Central Area

before the final version of the Plan is prepared and subsequently submitted to the Secretary of State for Independent Examination.

Other Options

Not to prepare the SCAAP and consult on the Plan. This is not recommended as an up-to-date plan prepared using local evidence and guided by community consultation, is the most appropriate guide for local planning decisions and regeneration of the town centre and central seafront area.

Note:- This is a Council Function.

Eligible for call-in to Place Scrutiny Committee

Executive Councillor:- Norman

***Called in to:- Place Scrutiny Committee**

269 Transport Asset Management Plan

The Cabinet considered a report of the Corporate Director for Place updating Members on progress in developing the Council's Transport Asset Management Strategy and detailing the draft Policy Statement and guiding principles for Transport Asset Management.

Resolved:-

1. That the policy principles, as set out in Appendix 1 to the submitted report, be approved (these will be used to guide the way in which the Council manages its transport assets).
2. That cross-boundary joint working on asset planning be approved, enabling greater collaborative working, benchmarking and knowledge sharing to support the Management of Assets in Southend.
3. That a more comprehensive approach to asset management and service delivery be adopted and a Stakeholder Engagement Plan be prepared.
4. That the draft Resilient Network, as set out in Appendix 2 to the submitted report, be approved.
5. That the work undertaken so far on the approach to infrastructure investment, be noted.
6. That it be noted that the Transport Asset Management Strategy will influence the Council's approach to Highways Maintenance and Management of assets in order to meet the requirement of the Department for Transport.
7. That the draft Action Plan, as set out in Appendix 4 to the submitted report, be approved.

Reason for Decision

To ensure that the Council can manage the highways infrastructure and public realm sustainably in a way that underpins the wider objectives in the Corporate Plan.

Other Options

The preparation of the TAMS is a requirement to achieve a Band 3 Status and will result in a level of funding over and above Bands 1 and 2 (this relates to the self-evaluation process expected by the DfT). One option would be to do-nothing or settle for a lower band score, however this would mean that the Council has no credible strategy for investing in assets and resulting in a significant loss of external funding for maintenance. This is not a viable position to take.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
This item had previously been subject to pre-Cabinet Scrutiny
Executive Councillor:- Terry

***270 Surface Water Management Plan**

The Cabinet considered a report of the Corporate Director for Place, presenting the draft Surface Water Management Plan (SWMP) and detailing the measures taken to consult on this document.

Members received a summary of the consultation responses to the SWMP together with a detailed response from the Garrison Residents Association.

Resolved:-

1. That the Plan be adopted as the Council's high-level assessment of the sources of surface water flooding across the Borough, along with its proposals to mitigate the effects of those sources of flooding.
2. That the Corporate Director for Place, in consultation with the Executive Councillor for Public Protection, Waste & Transport, be authorised to make amendments to the document arising from Members' or consultees' comments.
3. That the Plan be approved for publication on the Council's website.

Reason for Decision

To ensure that both Members and residents are made aware of the Council's assessment of surface water flooding across the Borough.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry

***Called in to:- Place Scrutiny Committee**

***271 Local Flood Risk Management Strategy**

The Cabinet considered a report of the Corporate Director for Place, presenting the draft Local Flood Risk Management Strategy and detailing the measures taken to consult on this document.

Resolved:-

1. That the Strategy be adopted as the Council's strategic approach to mitigating the effects of surface water flooding throughout the Borough.
2. That, if required due to imposed timescales, the Corporate Director for Place, in consultation with the Executive Councillor for Public Protection, Waste & Transport, be authorised to make amendments to the document arising from Members' or consultees' comments.
3. That the Strategy be submitted to the Environment Agency and published on the Council's website.

Reason for Decision

To ensure that measures are in place in mitigate the effects of surface water flooding throughout the Borough.

Other Options

None.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Terry
***Called in to:- Place Scrutiny Committee**

272 Minutes of the Performance-Related Pay Panel

The Cabinet considered the minutes of the Performance-Related Pay Panel held on 23rd June 2015.

Resolved:-

That the minutes of the Performance-Related Pay Panel held on Tuesday 23rd June 2015, be noted.

Note:- This is an Executive Function.
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Woodley

273 Minutes of the Meeting of Southend-on-Sea Local Development Framework Working Party held on Tuesday, 15th September, 2015

The Cabinet considered the recommendations of the Local Development Framework Working Party held on 15th September 2015.

Resolved:-

That the minutes of the meeting of the Local Development Framework Working

Party be noted.

Note:- This is an Executive Function
Eligible for call-in to Place Scrutiny Committee
Executive Councillor:- Norman

274 Minutes of the Meeting of Housing Working Party held on Wednesday, 16th September, 2015

The Cabinet considered the recommendations of the Housing Working Party held on 16th September 2015.

Resolved:-

That the minutes of the meeting of the Housing Working Party be noted.

Note:- This is an Executive Function
Eligible for call-in to Policy & Resources Scrutiny Committee
Executive Councillor:- Norman

***275 Action taken in accordance with Council Procedure Rule 46**

Resolved:-

That the submitted report, be noted.

Note:- This is an Executive Function
Eligible for call-in as appropriate to the item
Executive Councillor:- As appropriate to the item

***Called in to:- People Scrutiny Committee and Place Scrutiny Committee and Policy and Resources Scrutiny Committee**

276 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.

****** Part II**

***277 Action taken in accordance with Council Procedure Rule 46 - Confidential sheet**

Resolved:-

That the submitted report, be noted.

Note:- This is an Executive Function
Eligible for call-in as appropriate to the item
Executive Councillor:- As appropriate to the item

***Called in to:- People Scrutiny Committee and Place Scrutiny Committee and Policy and Resources Scrutiny Committee**

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Monday, 28th September, 2015

Place: Jubilee Room, Civic 1, Victoria Avenue, Southend

17

Present: Councillor J McMahon (Chairman),
Councillors S Buckley and D McGlone

In Attendance: Councillor C Nevin
P Tremayne, T Row, L Colby, L Coombes and A Penn

Start/End Time: 10.00 a.m./12.30 p.m.

**** **Part I**

278 Apologies and substitutions.

There were no apologies for absences.

279 Declarations of interest.

Councillor D McGlone declared a non-pecuniary interest in Agenda Item 3 (68 London Road, Southend-on-Sea, Essex, SS1 1PG - Application for the Grant of Premises Licence) on the grounds that one of the residents who had objected to the application and subsequently had withdrawn his objection was known to him.

280 68 London Road, Southend-on-Sea, Essex, SS1 1PG - Application for the Grant of Premises Licence

The Sub Committee received a report of the Corporate Director for Place concerning an application by Mr Joao Ribeiro and Mrs Ana Pereira for the grant of a premises licence in respect of 68 London Road, Southend-on-Sea, Essex SS1 1PG.

The applicant, Mrs Pereira was in attendance at the meeting and presented the application.

The Sub Committee noted that, prior to the hearing, the application had been amended as follows;

(a) To provide the sale of Alcohol for both on and off the premises Mondays to Saturdays from 10:30 hours to 22:00 hours.

(b) The premises shall be open from 08:00 hours to 22:00 hours Mondays to Saturdays.

(c) The application for regulated entertainment was withdrawn.

The Sub Committee also noted that no objections to the application had been received from any of the Responsible Authorities, although conditions had been agreed with the Licensing Authority should the application be granted. These were attached to the report of the Corporate Director for Place at Appendix 3.

Six representations had, however, been received from local residents, one of which was withdrawn prior to the hearing. Two of the objectors, namely Mr Blyther and Mr Tatarus attended the hearing and gave evidence. Their concerns related to all four of the licensing objectives.

In response to the objectors' concerns the applicant further amended the application for the sale of alcohol to commence at 11.30 a.m. and withdrew the application for off sales. She also agreed to accept further conditions at the hearing.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The Sub Committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy and considered the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, as they related to this application.

The Sub Committee was satisfied that the amended application, together with the conditions that it could impose, including those offered at the hearing, would satisfactorily address the residents' concerns. It was therefore:

Resolved:

That the amended application be granted subject to the following:-

- (i) The mandatory conditions set out in Appendix 1 to the report of the Corporate Director for Place;
- (ii) The conditions consistent with the Operating Schedule set out in Appendix 2 to the report of the Corporate Director for Place;
- (iii) The conditions agreed with the Licensing Authority set out in Appendix 3 to the report of the Corporate Director for Place;
- (iv) The following additional conditions that were discussed at the hearing and accepted by the applicant:
 - Alcoholic drinks shall be only be supplied to customers taking a meal at the premises.
 - No alcoholic drinks shall be taken outside of the premises.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 30th September, 2015

Place: Civic Suite, Civic Centre, Southend-on-Sea

18

Present: Councillor Betson (Chairman),
Councillors Ayling, Courtenay, Davidson,
*Flewitt, McMahon, Nevin and Stafford
Mr R Everitt (Co-opted Member)

* Substitute in accordance with Council Procedure Rule 31)

In Attendance: S Holland, J Chesterton, I Ambrose, L Everard, E Allen, J Denman, J Ruffle, S Houlden, S Baker, P Geraghty, Z Ali, S Hasty, E Cook, C Gamble, L Clampin (BDO), A Langridge (BDO) and R Carte (BDO)

Start/End Time: 18.30/20.25

**** **Part I**

281 Apologies and substitutions.

Apologies for absence were received from Councillors Buckley (substitute: Councillor Flewitt) and Robertson.

282 Declarations of interest.

(a) Councillor Betson – Internal Audit Report Action Plans – Employee of HMRC dealing with international trade – non-pecuniary interest

(b) Councillor Betson – Internal Audit Services, Quarterly Performance Report – Board Member of South Essex Homes/Member of Fostering Panel – non-pecuniary interest

(c) Councillor Flewitt – Internal Audit Services, Quarterly Performance Report – Family and friends are tenants of South Essex Homes – non-pecuniary interest

(d) Councillor Flewitt – Internal Audit Report Action Plans (Parking Management Schemes) - PowerPoint submission in respect of this – non-pecuniary interest

(e) Councillor McMahon – BDO Annual Governance Report 2014/15 – Employer is, in part, under contract to the Council – non-pecuniary interest

283 Minutes of the Meeting held on Wednesday, 24th June, 2015

Resolved:-

That the minutes of the meeting held on 24th June 2015 be confirmed and signed as a correct record.

284 BDO: Final Report to Those Charged with Governance 2014/15

The Committee considered a report of the Corporate Director for Corporate Services on the results of the work completed to date for the 2014/15 financial year with regard to:

- The opinion on the Statement of Accounts.
- The conclusion on the adequacy of the Council's arrangements for securing economy, efficiency and effectiveness in the use of resources (the VFM conclusion).

A representative of the External Auditor provided Members with an update on the status of the report. Members received a supplementary paper on the Auditor's review of the Council's use of resources.

Resolved:-

That the External Auditor's Annual Governance Report 2014/15, be accepted.

285 Statutory Statement of Accounts 2014/15

The Committee considered a report of the Corporate Director for Corporate Services on the Statement of Accounts for 2014/15.

Resolved:-

That the Statement of Accounts 2014/15 be adopted and approved for publication.

286 Current Status of Internal Audit Report Action Plans

The Committee considered a report of the Corporate Director for Corporate Services on the progress made to implement the actions in the Internal Audit reports in respect of the following:

- Accounts Receivable – Social Care Debt
- Parking Management Schemes
- Southend Adult Community College
- Payroll System

The relevant officers confirmed the position on each action in their action plan and responded to questions from Members.

Resolved:-

That the progress made with regard to the actions be noted.

287 BDO: Progress Report to Those Charged with Governance

The Committee considered a report of the Corporate Director for Corporate Services outlining the progress made in delivering the 2014/15 Annual Audit Plan.

Resolved:-

That the progress made in delivering the Annual Audit Plan for 2014/15 be accepted.

288 Internal Audit Services, Quarterly Performance Report

The Committee considered a report of the Corporate Director for Corporate Services on the progress made in delivering the Internal Audit Strategy for 2015/16.

Resolved:-

That the progress made in the delivering the 2015/16 Audit Strategy be noted.

289 Information Items

The Committee noted the following documents:-

- CIPFA Better Governance Forum, Audit Committee Update - Issue 17
- Protecting the English Public Purse 2015, Fighting Fraud against English Councils

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Appointments and Disciplinary Committee

Date: Friday, 2nd October, 2015

Place: Civic Centre, Victoria Avenue, Executive Boardroom

19

Present: Cllr R A Woodley (Chairman)
Cllr M Assenheim, Cllr A E Holland, Cllr J L Lamb, Cllr G E Longley, *Cllr
A Jones (Executive Councillor for Children & Learning) and Cllr L P Salter

*Substitute in accordance with Council Procedure Rule 31.

(Note: Councillor Jones was also in attendance in her capacity as the relevant Executive Councillor).

In Attendance: Mr R Tinlin, Mr S Leftley, Ms J Ruffle
Also in attendance: Ms T McDougall (SOLACE)

Start/End Time: 09.00/15.20

**** **Part I**

290 Apologies and substitutions.

Apologies for absence were received from Councillor Gilbert (substitute: Cllr Jones).

291 Declarations of interest.

There were no declarations of interest at this meeting.

292 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 involves 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.

**** **Part II**

293 Interviews for Head of Learning

The Committee interviewed candidates for the post of Head of Learning.

Resolved:

1. That, subject to the provisions of the Local Authorities Standing Orders (England) Regulations 2001 as incorporated in paragraph 5 of the Council's Officer Employment Procedure Rules, the post of Head of Learning be offered to:

Brin Martin

2. That the Chief Executive & Town Clerk be authorised to offer the post outlined in 1 above to the candidate upon confirmation by the Leader that neither he nor any Member of the Cabinet has any objection to the making of such an offer.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 7th October, 2015

Place: Committee Room 4a, Civic Centre, Southend-on-Sea

20

Present: Councillor A Crystall (Chairman),
Councillors M Assenheim (Vice-Chairman), B C Arscott*, B Ayling,
M Butler, T K Byford, M F Evans, N J Folkard, R E Hadley, D C McGlone,
J McMahon, K R Robinson, P R Van Looy, M Velmurugan, C W Walker
(*Substitute in accordance with Council Procedure Rule 31)

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

Start/End Time: 2.00 p.m./3.00 p.m.

**** **Part I**

294 Apologies and substitutions.

Apologies for absence were received from Councillor D A Garston (Substitute: Councillor Arscott).

295 Declarations of interest.

The following interests were declared at the meeting:

(a) Councillor Crystall - 15/01107/FUL - Non-pecuniary interest: Leigh Society of which he is a member;

(b) Councillor Velumuruan - 15/01274/FUL - Non-pecuniary interest: Daughter's house is in a nearby road.

296 Supplementary Report

The Committee received a supplementary report by the Corporate Director for Place that provided additional information on items referred to elsewhere on the Agenda.

297 Reports on Planning Applications

The Committee received reports of the Corporate Director for Place which reported on applications which had been deposited with the Council.

The decision of the Committee in relation to each application is set out below:

(a) Victoria Ward
15/01130/FULM

Demolish existing buildings, erect 3 storey block comprising of 49 flats, 395 sq. m retail commercial floor space at ground floor, communal amenity space,

landscaping, parking and associated works (Amended Proposal)
411-415 Sutton Road Southend-on-Sea
Dove Jeffrey Homes Ltd
Dove Jeffrey Homes

DEFERRED

(b) Milton Ward
15/01378/LBC

Emergency Works to Repair and Strengthen the Lower Timber Deck at the southwest corner of the Pier Head (Listed Building Consent)

The Pier, Western Esplanade, Westcliff-on-Sea, Essex, SS1 1EE

Southend Borough Council

Mr Neil Chaston, Hemsley Orrell Partnership

(i) DELEGATED to the Corporate Director for Place, Head of Planning and Transport or Group Manager for Planning Control and Building Control to REFER THE APPLICATION to the Secretary of State with a recommendation to GRANT LISTED BUILDING CONSENT, subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the approved plans 12211/14/01, 12211/14/02, 12211/14/03, 12211/14/EH01, 12211/14/04B, Location Plan

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

(c) Kursaal Ward
15/01515/LBC

Install flood mitigation measures including removable barriers to front gate, rear door and rear window (Listed Building Consent)

45 Eastern Esplanade, Southend-on-Sea, Essex SS1 2ES

Ben Childs

Penelope Pickerin, AECOM

DELEGATED to the Corporate Director for Place, Head of Planning and Transport or Group Manager for Planning Control and Building Control to GRANT LISTED BUILDING CONSENT upon expiry of the public consultation period, subject to the following conditions:

01 The works covered by this consent must be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) Policy KP2 and CP4, Development Management Policy DM1 and SPD1 (Design and Townscape Guide).

02 The development hereby permitted shall be carried out in accordance with the approved plans: Front Gate (existing & proposed), Rear Elevation Proposed Barrier Elevations, Rear Elevation Proposed Plans, Rear Elevation Existing

Reason: To protect the special architectural or historic interest of the building and to ensure that the development makes a positive contribution to the character and appearance of Eastern Esplanade Conservation Area. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

03 The guides to the front gate and the guides and seal to the rear window shall be powder coated white to match the existing walls.

Reason: To protect the special architectural or historic interest of the building and to ensure that the development makes a positive contribution to the character and appearance of Eastern Esplanade Conservation Area. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 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.

(d) Leigh Ward

15/01107/FUL

Demolish existing garages and erect one 2/3 storey dwellinghouse and 2 no. two storey dwellinghouses with associated garages and amenity space, layout landscaping, refuse storage and form vehicular access on to Hadleigh road

Land at 33 Hadleigh Road, Leigh-on-Sea, Essex

Purple Sugar Company Limited

Levitate Architecture

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 approved plans 1411_GA_303 E; 1411_GA_301 E; 1411_GA_203 E; 1411_GA_201 E; 1411_GA_104 E; 1411_GA_103 E; 1411_GA_101 E; 1411_GA_010 D; 1411_GA_004 D; 1411_GA_003 D; J2402-SK-350_X2; J2402-SK-150_X2; J2402-SK-010_X2; J2402-SK-005_X1; J2402-SK-003_X3; J2402-SK-001_X2; J2402-C-150 P3; J2402-C-110 P2; J2402-C-100 P2; 1411_GA_304 D; 1411_GA_204 D; 1411_GA_202 D; 1411_GA_102 D; 1411_GA_011 C; 1411_GA_002 C.

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

03 Prior to commencement of the development hereby approved, details and samples of materials to be used in the construction of the external elevations of the dwellings including external walls, cladding panels soffits, louver detail, doors, windows, garage doors, bin stores, balconies, railings, boundary treatments, green roof details and hardstanding surfaces, which should be constructed from a permeable surface shall be submitted to and agreed by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and drainage to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is set out in National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

04 The vehicle access shall be carried out in accordance with drawing 1401_GA_011_C and the three dwellinghouses shall not be occupied until the vehicle access has been constructed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway efficiency and safety in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management Document) policy DM15.

05 12 car parking spaces including garages (4 to each dwelling) shall be provided in accordance with drawing 1411_GA_003_D, 1411_GA_101_E, 1411_GA_201_E, 1411_GA_301_E and prior to occupation of the new dwellinghouses hereby approved and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the new dwellings and for no other purpose unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM15 and SPD1 (Design and Townscape Guide).

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, C, D, E.

Reason: To protect the privacy and environment of people in neighbouring residential properties, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

07 Details of the lattice metal screens to be installed as shown on drawings 1411_GA_010_D, 1411_GA_103_E, 1411_GA_104_E, 1411_GA_203_E, 1411_GA_204_D, 1411_GA_303_E, 1411_GA_304_D shall be submitted and agreed in writing by the local planning authority including the section and elevation at scales between 1:20 and 1:1 as appropriate. The screens shall be permanently retained thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) 2015 policy DM1 and SPD1 Design and Townscape Guide.

08 No development shall commence until full details of soft landscape works for the new development have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority. These details shall include, for example: proposed finished levels or contours; means of enclosure; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or storage units). Soft landscape works shall include details of existing trees and shrubs to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site. If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policy CP4 of the Core Strategy DPD1 and DPD2 (Development Management) policy DM1.

09 No development shall commence until the recommendations of Arboricultural Impact Assessment and Arboricultural Survey carried out by PJC Consultancy Limited reference PJC/3603/15 have been implemented, unless otherwise agreed in writing by the local planning authority.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C14, and SPD1 (Design and Townscape Guide).

10 The development hereby permitted shall be carried out in accordance with the Structural and Civil Engineering Planning Statement reference J2402-Doc-01 Revision P2, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the demolition does not adversely affect stability of the surrounding land and to protect the character and appearance of the surrounding area in accordance with DPD1 (Core Strategy) policies KP2 and CP4 and SPD1 (Design and Townscape Guide).

11 The windows in the north elevation of the 'East House' shall only 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, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. 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.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

12 Details of renewable energy on drawings 1411_GA_104_E, 1401_GA_204_D, 1411_GA_303_E and the energy report carried out by Darren Evans June 2015 submitted on the 06.07.2015 shall be installed prior to the occupation of the development hereby approved, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM2 and SPD1 (Design and Townscape Guide).

13 No development hereby permitted shall commence until details of surface water attenuation for the site, based on SUDS principles, have been submitted to and approved by the Local Planning Authority. The works agreed shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site in accordance with policy KP2 of the Core Strategy DPD1 and DPD2 (Development Management) policy DM2.

14 Prior to commencement of development, the following surveys (details of which are to be submitted and approved by the local planning authority) prior to commencement of work on site include: Reptile Survey; Bats survey; Badger Surveys. Following the approval of such surveys the development shall not commence on any part site hereby approved until the mitigation measures as set out in the Extended Phase 1 Habitat Survey January 2015 carried out by PJC Ecology have been carried out and completed.

Reason: To ensure the development has an acceptable on the biodiversity of the environment in accordance with the National Planning Policy Framework and DPD1 (Core Strategy) 2007 policy KP2 and CP4.

15 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 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 including decorative displays and facilities for public viewing, where appropriate
- (v.) details of drainage/surface water to ensure the proposal does not discharge onto Network Rail land including foul drainage.
- (vi.) measures to control the emission of dust and dirt during construction
- (vii.) plant and materials
- (viii.) scaffolding
- (ix.) piling
- (x.) lighting
- (xi.) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (xii.) future maintenance of the site

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (Development Management) policy.

16 No development shall take place until details of existing and proposed levels on the land and in relation to adjoining land have been submitted and approved in writing by the local planning authority. The development shall thereafter be constructed at the levels indicated on the approved drawings unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and in the interests of visual amenity in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

Informatives

1 Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/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.

(e) Southchurch

15/01066/FULH

Extend roof to rear, erect dormers to north and south elevations, erect single storey rear extension (amended proposal)

2 Barnstaple Close, Thorpe Bay, SS1 3PD

Mr & Mrs C. Mint

Metson Architects Ltd

Mr Simpson, a local resident, spoke as an objector to the application. Mr Mint, the applicant, responded.

DEFERRED (PMSV)

(f) St Lukes Ward

15/01083/FUL

Install 18 containers, form 25 car parking spaces and recycling storage area

Yard Adjacent, 10 Coopers Way, Southend-on-Sea, Essex, SS2 5TE

Rega Research Limited

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. (C01A)

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02 The permission hereby granted shall expire three (3) years from the date of issue of this decision by which time the use of the land for parking, waste storage and container storage shall cease and all containers, waste materials and associated debris shall be cleared from the site.

Reason: Required as the proposed development is the visual impact of the development is only considered to be acceptable on a temporary basis, to support the growth of an established business. The retention of the proposed structures and the use of the land on a permanent basis would be contrary to the policy DM1 of the Council's Development Management DPD.

03 The development hereby permitted shall be carried out in accordance with the following approved plans: RCP1 and RCP2B Rev 1.

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

04 Prior to the commencement of the use hereby approved, details of the means of enclosure of the 'Recycling Storage Area' shown on plan RCP2 shall be submitted to and approved in writing by the Local Planning Authority. The

height of the 'Recycling Storage Area' enclosures shall not exceed a height of 2.6 metres and there shall be no storage of materials within the 'Recycling Storage Area' that exceeds the height of the approved enclosures. The approved enclosures shall be erected prior to the first use of the site for 'Recycling Storage' purposes. No external storage shall occur at the site outside of the designated 'Recycling Storage Area.'

Reason: In the interests of visual and residential amenity. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

05 No containers shall be kept at the site other than in the positions shown on plan RCP2.

Reason: In the interests of visual and residential amenity. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

06 Cars shall only be parked at the site by employees of Rega Research Limited and shall not be sold or let on a commercial basis to any third party or individual.

Reason: To prevent overnight parking and ensure that the site is not used for car parking that is not ancillary to the use of the employment area and to protect the amenities of neighbouring residents. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policies DM1 and DM 07 The storage and recycling facility shall only be used for purposes ancillary to Rega Research Limited.

Reason: To ensure that the use of the site is ancillary to the employment area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) policy DM10.

08 No external lighting shall be installed at the site unless a scheme of lighting is first approved in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

Informative:

You are advised that as the proposed developments create 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.

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.

(g) Blenheim Park Ward
15/01131/FUL

Erect additional storey incorporating seven flats, layout seven car parking spaces, covered cycle store, fencing and landscaping (amended proposal)
Grove Court, 191 Southbourne Grove, Westcliff-on-Sea, Essex, SS0 0AW
Alderman Stone Chartered Surveyors

DEFERRED

(h) Chalkwell Ward
15/01274/FUL

Demolition of existing entrance, erection of porch, form new entrance to managers accommodation replacement of windows at front elevation and alterations to the external elevations.

Ocean City Chinese Restaurant, 96 The Ridgeway, Westcliff-on-Sea, Essex, SS0 8NU

Mr M Hassan
Mr C. Stone (Stone Me Ltd)

DEFERRED

(i) Belfairs Ward
15/01039/ADV

Install three freestanding non-illuminated signs
Street Record, Eastwood Road Roundabout (Blenheim Chase), Leigh-on-Sea, Essex
Southend Borough Council

Advertisement Consent GRANTED subject to the following conditions:

01 This consent is granted for a period of 5 years beginning from the date of this consent.

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

02 The advertisements shall be displayed in accordance with the approved plans: Location Plan; Blenheim Roundabout Site Plan; Sign 1 as shown on Sponsored signage drawing

Reason: To ensure that the advertisements are displayed in accordance with the policies in the Development Plan.

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.

298 Enforcement of Planning Control

The Committee received a report of the Corporate Director for Place which reported on alleged breach of planning control.

(a) Victoria Ward
EN/15/00188/UNAU-B

Without planning permission, the erection of a balcony/terrace/sitting out area (raised platform) to the roof of the single storey rear projection to the property.
126A North Road, Westcliff-on-Sea, Essex SS0 7AG

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the raised platform on the grounds that the unauthorised development is detrimental to the character and amenities of the area by reason of unsightliness in that it is visually intrusive and to the residential amenities of the area in that its use would result in elevated overlooking and loss of privacy to the occupiers of the surrounding residential properties and an unacceptable increase in noise and disturbance contrary to the National Planning Policy Framework (NPPF), Core Strategy (DPD1) Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, the necessary remedial works would be relatively straightforward so a compliance period of 42 days is considered reasonable.

(b) Leigh Ward
15/00166/UNAU-B
Erection of decking, without planning permission
33 Laurel Close, Leigh on Sea

Resolved: That ENFORCEMENT ACTION be AUTHORISED to require the removal of the unauthorised decking and supporting blocks, on the grounds of

detriment to visual amenity due to its unacceptable appearance contrary to the NPPF, Core Strategy Policies KP2 and CP4, Policies DM1 and DM5 of the DM DPD, and the Design and Townscape Guide 2009 (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case it is considered that a compliance period of 1 month is reasonable.

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 12th October, 2015

Place: Jubilee Room, Civic Centre, Southend-on-Sea

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Present: Councillor S J Habermel (Chairman)
Councillors M F Evans (Vice-Chairman), M Assenheim, J I Courtenay, T Cox, A Crystall, L Davies*, J M Garston, D J Jarvis, C A Mulrone, G A F Phillips, K R Robinson*, M Stafford*, J G S Ware-Lane and C A Willis
(*Substitute in accordance with Council Procedure Rule 31)

In Attendance: Councillors G E Longley, D A Norman, M W Terry and Woodley (Executive Councillors)
Councillors S T Ayles, F Waterworth
R Tinlin, A Lewis, J K Williams, P Geraghty, N Harris, R Atkins, S May, J Martin, T McGregor and T Row

Start/End Time: 6.30 p.m./9.00 p.m.

**** **Part I**

299 Apologies and substitutions.

Apologies for absence were received from Councillors T Callaghan (Substitute: Councillor Davies), D Kenyon (no Substitute), J McMahon (Substitute: Councillor Robinson) and N D Ward (Substitute: Councillor Stafford).

300 Declarations of interest.

The following interests were declared at the meeting:

(a) Councillors Longley, Norman MBE, Terry & Woodley (Executive Councillors) – interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

(b) Councillor Crystall - Agenda Item Nos. 10 (Surface Water Management Plan) and 11 (Local Flood Risk Management Strategy) - Non-pecuniary interest: Lives within one of the designated areas;

(c) Councillor J Garston - Agenda Item No. 9 (Southend Central Area Action Plan (SCAAP) Preferred Approach Public Consultation) - Non-pecuniary interest: lives within the Clifftown Area which is referred to in the Plan;

(d) Councillor Mulrone - Agenda Item Nos. 10 (Surface Water Management Plan) and 11 (Local Flood Risk Management Strategy) - Non-pecuniary interest: Lives within one of the designated areas;

(e) Councillor Phillips - Agenda Item No. 8 (The London Shipwreck - Seventeenth Century Bronze Cannons) - Non-pecuniary interest: Trustee of the London Shipwreck Trust;

(f) Councillor Terry - Agenda Item Nos. 10 (Surface Water Management Plan) and 11 (Local Flood Risk Management Strategy) - Non-pecuniary interest: Lives within one of the designated areas.

301 Minutes of the Meeting held on Monday, 13th July, 2015

Resolved:

That the Minutes of the meeting held on Monday 13th July 2015 be received, confirmed as a correct record and signed.

302 Questions from Members of the Public.

The relevant Executive Councillors responded to written questions that had been received from members of the public.

303 Monthly Performance Report - July 2015

The Committee considered Minute 245 of Cabinet held on 22nd September 2015, together with the Monthly Performance Report (MPR) covering the period to end August 2015, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

304 Annual Report – Comments, Compliments and Complaints

The Committee considered Minute 246 of Cabinet held on 22nd September 2015, which had been called in to all 3 scrutiny committees, together with a report of the Corporate Director for Corporate Services presenting the annual report on comments, compliments and complaints received throughout the Council for 2014/15.

Resolved:-

That the following decision of Cabinet be noted:-

“That the performance in respect of compliments, comments and complaints for 2014/15 be noted.”

Note:- This is an Executive Function

Executive Councillors:- Woodley, Moyies and Jones

305 Beecroft and Central Muesum Energy Project

The Committee considered Minute 261 of Cabinet held on 22nd September 2015, which had been called in for Scrutiny, together with the report of the Corporate Director for Place on a proposal to install a biomass boiler serving the Beecroft Centre and Central Museum and to replace the lifts at the Beecroft Centre.

Resolved:-

That the following recommendations of Cabinet be noted:-

"1. That the installation of a biomass boiler in the Beecroft Centre, serving both the Beecroft and the Central Museum, and the replacement of the lifts in the Beecroft Centre, be approved.

2. That the project be funded by £720k from the Local Growth Fund and £372k from the Capital Reserve.

3. That the Local Growth Fund budget already in the capital programme be re-profiled, a virement approved to move the £720k to a separate capital project and a new budget be approved for the £372k, to be funded from the capital reserve."

Note:- This is a Council Function

Executive Councillor:- Longley

306 The London Shipwreck - Seventeenth Century Bronze Cannons

The Committee considered Minute 264 of Cabinet held on 22nd September 2015, which had been called in for Scrutiny, together with the report of the Corporate Director for Place detailing proposals relating to the three historically-significant cannons illegally salvaged from the site of the 17th Century shipwreck 'the London', lying approximately one mile from the end of Southend Pier.

Resolved:-

That the following recommendation of Cabinet be noted:-

"That in the event that external grant funding is not secured, the 3 cannons be purchased by the Council for a sum of £56,000 to be met from the Contingency Fund."

Note:- This is a Council Function

Executive Councillor:- Longley

307 Southend Central Area Action Plan (SCAAP) Preferred Approach Public Consultation

The Committee considered Minute 264 of Cabinet held on 22nd September 2015, which had been called in for Scrutiny, together with the report of the Corporate Director for Place detailing the development principles, opportunity sites and policies within the Preferred Approach version of the SCAAP.

In response to questions from Members of the Committee, the Executive Councillor for Housing, Planning & Regulatory Services agreed that officers in the Planning Policy Team would meet with the Shoebury Ward Councillors to discuss the formulation of a Shoebury Area Action Plan. The timing of the development of the plan will however, be dependent on their workload.

Resolved:-

That the following recommendations of Cabinet be noted:-

"1. That the SCAAP Preferred Approach, as set out in Appendix A to the submitted report, and associated Policies Map, as set out in Appendix B, be approved for at least a minimum 6 week statutory consultation in accordance with the Southend Local Development Scheme timetable.

2. That the consultation comments received on earlier iterations of the SCAAP, as set out in Appendix C to the submitted report, be noted.

3. That the Corporate Director for Place, in consultation with the Executive Councillor for Housing, Planning and Regulatory Services, be authorised to make any minor adjustments to the approved Preferred Approach version of the SCAAP, which are considered necessary to ensure accuracy, correct references and presentation for public consultation and to take all necessary steps to ensure compliance with the relevant statutory consultation."

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

308 Surface Water Management Plan

The Committee considered Minute 270 of Cabinet held on 22nd September 2015, which had been called in for Scrutiny, together with the report of the Corporate Director for Place and PowerPoint presentation presenting the draft Surface Water Management Plan (SWMP) and detailing the measures taken to consult on this document. A copy of the slides used in the presentation were circulated at the meeting.

The Committee also had before it a summary of the responses received as a result of the consultation process, together with the response received from the Garrison Residents Association. These had been circulated at the meeting of the Cabinet.

The Committee discussed the matter in detail and asked a number of questions which the Executive Councillor Public Protection, Waste and Transport and officers responded to. In response to a question regarding the concerns that had been expressed by residents in Shoebury, the Executive Councillor assured members that he would be meeting with them shortly.

Resolved:-

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

"1. That the Plan be adopted as the Council's high-level assessment of the sources of surface water flooding across the Borough, along with its proposals to mitigate the effects of those sources of flooding.

2. That the Corporate Director for Place, in consultation with the Executive Councillor for Public Protection, Waste & Transport, be authorised to make amendments to the document arising from Members' or consultees' comments.

3. That the Plan be approved for publication on the Council's website."

2. That, in accordance with Standing Order 39, the matter be referred to full Council for consideration. ||

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

309 Local Flood Risk Management Strategy

The Committee considered Minute 271 of Cabinet held on 22nd September 2015, which had been called in for Scrutiny, together with the report of the Corporate Director for Place presenting the draft Local Flood Risk Management Strategy and detailing the measures taken to consult on this document.

Resolved:-

That the following decision of Cabinet be noted:-

"1. That the Strategy be adopted as the Council's strategic approach to mitigating the effects of surface water flooding throughout the Borough.

2. That, if required due to imposed timescales, the Corporate Director for Place, in consultation with the Executive Councillor for Public Protection, Waste & Transport, be authorised to make amendments to the document arising from Members' or consultees' comments.

3. That the Strategy be submitted to the Environment Agency and published on the Council's website."

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

310 Members' Requests List

The Committee considered Minute 235 of Cabinet Committee held on 17th September 2015, together with the relevant excerpt from the report of the Corporate Director for Place regarding the Member's Request ref no.15/13 seeking the introduction of waiting restrictions, operating from 11am to noon, in St James Avenue and Marcus Avenue between Fermoy to Johnstone Road, together with the removal of existing waiting restriction in Fermoy Road, Marcus Avenue to St James Avenue on alternating sides to provide staggered parking to compensate for the new waiting restrictions.

Resolved:-

That Minute 235, in respect of the Member's Request ref no. 15/13, be referred back to the Cabinet Committee for reconsideration.

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

311 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 8th September, 2015

Resolved:-

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 8th September, 2015 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

312 In-depth Scrutiny Project - 20mph in Residential Streets

Further to Minute 125 of its meeting held on 13th July 2015, the Committee considered the project plan in relation to its agreed in depth scrutiny project for 2014/15 – '20mph speed limits in residential streets'.

The Committee was informed that the project plan incorporated the comments that had been made by the member project team at its meeting on 8th October 2015.

Resolved:-

That the project plan be agreed.

Note:- This is a Scrutiny Function.

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 13th October, 2015

Place: Jubilee Room, Civic Centre, Southend-on-Sea

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Present: Councillor L P Salter (Chairman),
Councillors B Arscott*, M Assenheim, M A Betson, M L Borton, S Buckley,
T Cox*, M W Davidson, C J Endersby N J Folkard, D C McGlone, C J
Nevin, I T Robertson, K R Robinson and M Stafford
Dr Chisnell, A Semmence, J Cooke and M Rickett (co-opted members)
(*Substitute in accordance with Council Procedure Rule 31)

In Attendance: Councillors A P Jones and J W Moyies (Executive Councillors)
Councillor M F Evans
D Simon, F Abbott, S Leftley, Dr Atherton, L Park, H Tomlinson, J
O'Loughlin, S Houlden and M Singleton

Start/End Time: 18.30 / 20.35

**** **Part I**

313 Apologies and substitutions.

Apologies for absence were received from Councillor M Butler (substitute Cllr B Arscott), Councillor R E Hadley (substitute Cllr T Cox), Councillor B Ayling (no substitute) and Councillor L Davies (no substitute), V Copeland and A Clarke (co-opted members).

314 Declarations of interest.

The following interests were declared at the meeting:

(a) Councillors Jones and Moyies - interest in the referred/called-in 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 Scrutiny Committee update - non-pecuniary - husband is Business Unit Director at Southend Hospital for surgical services including oral surgery - urology;

(c) Councillor Robinson - agenda items relating to - Scrutiny Committee update; Schools Progress Report - non-pecuniary – NHS employee of Trust in Southend, mentioned in report; parent of children at schools mentioned in report;

(d) Councillor Nevin - agenda items relating to – Local Account; Smoke Free Southend; Scrutiny Committee update - non-pecuniary – NHS employee at Bart's which supplies dental care to Southend; previous employee at Southend Hospital;

(e) Councillor Borton – agenda items relating to – School Admission arrangements; Local Account – non-pecuniary – School Governor at Milton Hall School; Jobcentre Plus mentioned in the draft report – employer;

(f) Councillor Davidson - agenda item relating to Local Account - non-pecuniary – volunteer for Healthwatch Southend; member of Safe, support group for people with Asperger’s & their families;

(g) Councillor Betson - agenda item relating to School Admission arrangements – non-pecuniary – School Governor at Heycroft School;

(h) Councillor Folkard – agenda item relating to Scrutiny Committee update – non-pecuniary - ambassador for fundraising team at Southend Hospital; on reading panel at Southend Hospital for information leaflets;

(i) Councillor Moyies – agenda items relating to - Turning Tides presentation; Smoke Free Southend – non-pecuniary - mother-in-law works with Turning Tides; in past undertaken consultancy work in this area;

(j) Mr M Rickett – agenda item relating to Schools Progress – non-pecuniary – Parent Governor at school mentioned in report.

315 Questions from Members of the Public.

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

316 Minutes of the Meeting held on Tuesday, 14th July, 2015

Resolved:-

That the Minutes of the meeting held on Tuesday, 14th July, 2015 be received, confirmed as a correct record and signed.

317 Turning Tides

Further to Minute 134 of the meeting held on 14th July 2015, the Committee received a presentation from Alison Semmence, Chief Executive Officer, SAVS and Anthony Quinn, Turning Tides Team Manager on working with older people in Southend.

Mr Quinn outlined the work of VCS around older people through the ‘Folk Like Us’ project and the engagement with older people at The Hub and home visits and the ‘Safe as Houses’ project. Ms Semmence briefly outlined other services for older people in Southend.

The Committee asked a number of questions which were responded to. In response to a question, Ms Semmence clarified the current funding position for the projects – the ‘Folk Like Us’ project received Big lottery funding to 2019 and the ‘Safe as Houses’ project received funding from the Police & Crime Commissioner in sum of £17,000 for 11 months, and are hopeful that this project will be extended.

Resolved:-

That Mr Quinn and Ms Semmence be thanked for the interesting and informative presentation.

318 Monthly Performance Report - July 2015

The Committee considered Minute 245 of Cabinet held on 22nd September 2015, together with the Monthly Performance Report (MPR) covering the period to end August 2015, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

319 In depth scrutiny report – How the Council assists and excites individuals and community groups to achieve healthier lifestyles

The Committee considered Minute 244 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for Corporate Services which presented the final report of the in-depth scrutiny project ‘How the Council assists and excites individuals and community groups to achieve healthier lifestyles’.

In response to a question, the Executive Councillor for Health and Adult Social Care said that he would take on board the comment with regard to the need to work with schools as well.

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 approval of any recommendations with budget implications will require consideration as part of future years’ budget processes prior to implementation.

3. That the Action Plan update, attached at Appendix 2 to the submitted report, be noted.”

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

320 Annual Report – Comments, Compliments and Complaints

The Committee considered Minute 246 of Cabinet held on 22nd September 2015, which had been called in to all 3 scrutiny committees, together with a report of the Corporate Director for Corporate Services presenting the annual report on comments, compliments and complaints received throughout the Council for 2014/15.

In response to questions on the funding for commissioned home care and the position 3 years ago, the Corporate Director for People said that he would provide a short briefing note to members.

Resolved:-

That the following decision of Cabinet be noted:-

“That the performance in respect of compliments, comments and complaints for 2014/15 be noted.”

Note:- This is an Executive Function
Executive Councillors:- Woodley, Moyies and Jones

321 School Admission Arrangements for Community Schools and the Coordinated Admission Scheme for Academic Year 17/18

The Committee considered Minute 257 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for People, which set out the proposed admission arrangements for community schools for the 2017/18 academic year together with the Coordinated Admissions Scheme for 2017 onwards.

In response to questions on the sibling admission criteria, the Corporate Director for People said that the matter would be taken to the School Places Working Party for further investigation, to take a view on the extent of the problem over the last year and if this justifies the need to consult on any change.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That there be no consultation on the admissions arrangements for community schools for the 2017/18 academic year.

2. That consultation with governing bodies of community schools takes place on the published admission numbers for community infant, junior and primary schools for September 2017, as set out in Appendix 1 to the submitted report.

3. That the Coordinated Admissions Scheme for 2016, as set out in Appendix 2 to the submitted report, be approved in principle, and if there are any minor issues to be resolved following consultation with the schools, the Corporate Director for People, in consultation with the Executive Councillor for Children & Learning, be authorised to make minor amendments to the scheme.”

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

322 Local Account of Adult Social Care

(This is a pre-Cabinet Scrutiny item).

The Committee considered a report by the Corporate Director for People by way of pre-Cabinet Scrutiny. This presented the draft of the Local Account of Adult Social Care services in 2014/15, including priorities and plans for 2015/16.

This is the 5th annual report of this sort to be produced by the Council. The Local Account aims to provide information about the quality and value of the social care services to the users of services and local people. It is the Council's self assessment of how it provided services during 2014/15 together with plans for the future which contribute to the overall health and wellbeing of the local community.

Referring to paragraph 3.2 of the covering report, the Corporate Director for People said that will be able to include the performance data for 2014/15 in the Cabinet Report and it will be formatted and finalised for publication.

In response to questions, the Head of Adult Services and Housing agreed to provide information on the following matters:

- Page 16 – Carers Emergency Respite Scheme – the numbers registered to scheme;
- Page 16 – Priory & Delaware Residential Care Homes – clarify the current occupancy rates at Priory House;
- Page 22 - carers receiving direct payments –reduction in numbers / categories under Care Act.

The Committee discussed the report in detail and there was general consensus and support for this local account and about the content of the report.

The Committee asked that their congratulations be forwarded to all involved following the recent CQC inspection.

Resolved:-

That the draft report be noted and endorsed for submission to Cabinet for consideration at its meeting on 10th November 2015 with the inclusion of the following:

- Need overview read of Local Account to ensure consistency in language (e.g. 'you' / 'third person' etc.);
- Page 6 – need to describe what 'SHIP' is;

- Page 7 – paragraph on Better Care Fund – some typo changes & rewording needed;
- Page 15 – welcome development of Autism Partnership Board – need to be put in context though and need to establish a local strategy, joint with NHS agencies;
- Page 22 – include information on total numbers (so know proportion);
- Page 28 / Page 37 – needs to be consistent referencing to Southend Adults Board throughout report (which is in line with legislation).

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

323 Smoke Free Southend: A strategy to tackle smoking in Southend-on-Sea 2015- 2018

(This is a pre-Cabinet Scrutiny item).

'The Committee considered a report by the Corporate Director of Public Health by way of pre-Cabinet Scrutiny which outlined the contents of 'Smoke Free Southend: A Strategy to tackle smoking in Southend-on-Sea 2015-2018'.

In response to questions, the Executive Councillor said that he would take on board the comments made about exclusion zones around school entrances.

The Committee discussed the report in detail and there was general consensus and support for this strategy and about the content of the report.

Resolved:-

That the draft report be noted and endorsed for submission to Cabinet for consideration at its meeting on 10th November 2015 with the inclusion of the following:

- Page 18 – need to reword 'what's been proven to work?' section;
- Page 26 – add community events such as Village Green etc. and also reward mechanism to encourage people to attend smoking cessation;
- Add that regulations around e-cigarettes coming into force from 2016.

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

324 School Organisation Data Supplement 2015

The Committee considered the School Organisation Data Supplement 2015. The Data Supplement is prepared annually to inform Members, schools and the public of trends in: demographics; admissions; and the number of school places in Southend.

In response to a question, the Corporate Director for People agreed to check the developments listed on page 22 of the data supplement.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- Jones

325 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 8th September, 2015

Resolved:

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 8th September, 2015 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

326 Scrutiny Committee – Updates

The Committee received a report of the Corporate Director for Corporate Services which updated Members on some scrutiny matters, as follows:

- (a) Complex Urological cancer surgery in Essex – update information set out in section 3 of the report – noted;
- (b) South Essex Partnership Trust – information set out in section 4.1 of the report regarding closer collaboration between SEPT and NEP and at Appendix 1– noted;
- (c) CAMHS – the new provider in Essex is NELFT – information set out in section 4.2 of the report – noted;
- (d) Southend Hospital – proposed move of PET CT service to the existing fixed scanner at the Hospital – information set out in section 4.3 of the report and briefing paper by NHS England attached at Appendix 2 – noted;
- (e) Proposed project plan for the in depth scrutiny project – ‘Transition arrangements from children’s to adult services’ set out in section 5 and at Appendix 3 – agreed. It was noted that the witness session will be held on Wednesday 24th February 2016.

Resolved:-

1. That the report and actions taken be noted.
2. To support the proposals by NHS England to move the PET-CT service to the existing fixed scanner at Southend Hospital, as it offers the best long term benefits for patients and the future of the PET-CT service and to support the timescale for implementation.
3. That the project plan for the in depth scrutiny project – ‘Transition arrangements from children’s to adult services’ be agreed.

Note: This is a Scrutiny Function.

327 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.

**** **Part II(Confidential)**

328 Schools Progress Report

The Committee received a report of the Corporate Director for People. This advised Members of the 2015 provisional SATS and GCSE outcomes and measures taken to support, challenge and intervene in schools identified as causing concern and also advised Members of the progress made against corporate priorities and the measures planned to address these priorities in 2015.

The Committee asked that their congratulations be forwarded to the staff, governors and children at Futures on its good progress in 2015.

Resolved:-

That the report be noted.

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

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 15th October, 2015

Place: Jubilee Room, Civic 1, Civic Campus, Victoria Ave

23

- Present:** Councillor M A Flewitt (Chairman), Councillor D A Garston (Vice-Chairman)
Councillors B Ayling, B C Arscott, M L Borton, T K Byford, A Crystall, J M Garston, A E Holland, D G Kenyon, J L Lamb, C J Nevin, K Robinson*, M Stafford and C W Walker
(*Substitute in accordance with Council Procedure Rule 31)
- In Attendance:** Councillors R A Woodley, I D Gilbert and D A Norman MBE (Executive Councillors)
Councillors Cox, Betson and Salter
R Tinlin, J K Williams, S Holland, F Abbott, S Leftley, J Chesterton, S Houlden, A Fiske, T MacGregor, A Fiske and A Keating
M Ambrose, S Long, T Nixon and M Medina (SEH – in attendance for item 5)

Start/End Time: 18.30 / 20.55

**** **Part I**

329 Apologies and substitutions.

Apologies for absence were received from Councillor J McMahon (substitute Cllr K Robinson), Councillor L Davies (no substitute) and Councillor F Waterworth (no substitute).

330 Declarations of interest.

The following interests were declared at the meeting:

- (a) Councillors Woodley, Gilbert and Norman MBE (Executive Councillors) - interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor Crystall – agenda item relating to Summary Reports – non-pecuniary – Partner Governor at Southend Hospital;
- (c) Councillor J Garston – agenda item relating to Housing Working Party – non-pecuniary – local landlord;
- (d) Councillor D Garston -agenda item relating to Housing Working Party – non-pecuniary – private landlord owning one rented house in Southend;
- (e) Councillor Flewitt - agenda items relating to – SEH presentation; Better Queensway; ALMO Review; Housing Working Party - non-pecuniary – friend, family tenants of SEH Ltd;
- (f) Councillor Nevin - agenda item relating to Summary Reports – non-pecuniary – NHS employee at Bart's; previous employee at Southend, Mid Essex and Colchester Hospitals;

- (g) Councillor Salter – agenda items relating to - Better Queensway; ALMO Review - non-pecuniary – private landlord in Borough;
- (h) Councillor Lamb - agenda item relating to Summary Reports – non-pecuniary – Governor at Southend Hospital, on behalf of SAVS;
- (i) Councillor Holland - agenda items relating Better Queensway and Minutes of Housing Working Party - son works for SBC and involved in strategic housing and worked on the items – withdrew;
- (j) Councillor Holland – agenda item relating to Review of the Council’s Risk Management Policy – non-pecuniary – member of ALARM, mentioned in report.

331 Questions from Members of the Public.

Councillor Gilbert, the Executive Councillor for Community & Organisational Development responded to a written question from Mr Webb.

332 Minutes of the Meeting held on Thursday, 16th July, 2015

Resolved:-

That the Minutes of the meeting held on Thursday, 16th July, 2015 be received, confirmed as a correct record and signed.

333 SEH – activities across sheltered housing network

The Committee received a presentation from officers from South Essex Homes on activities across the sheltered housing network. This covered the role of Sheltered Housing Officers and how they and the Community Development Team engage with residents. A booklet providing further details of the community development projects was also circulated to Members of the Committee.

The Committee asked a number of questions which were responded to. In response to a question, the Service Development Manager agreed to provide information on figures relating to sheltered housing referrals.

Resolved:-

That M Medina, T Nixon, S Long and M Ambrose be thanked for the interesting and informative presentation.

334 Monthly Performance Report - July 2015

The Committee considered Minute 245 of Cabinet held on 22nd September 2015, together with the Monthly Performance Report (MPR) covering the period to end August 2015, which had been circulated recently.

In response to a questions regarding CP 1.1 and the prioritisation given by the Police, the Executive Councillor for Community & Organisational Development said that he would take back comments / concerns to Chief Inspector S Anslow. He also advised that the Essex Police & Crime Commissioner has offered to meet with Councillors in the new year.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

335 Annual Report – Comments, Compliments and Complaints

The Committee considered Minute 246 of Cabinet held on 22nd September 2015, which had been called in to all 3 scrutiny committees, together with a report of the Corporate Director for Corporate Services presenting the annual report on comments, compliments and complaints received throughout the Council for 2014/15.

Resolved:-

That the following decision of Cabinet be noted:-

“That the performance in respect of compliments, comments and complaints for 2014/15 be noted.”

Note:- This is an Executive Function

Executive Councillors:- Woodley, Moyies and Jones

336 Compulsory Purchase Order Authorities re land at Roots Hall and Fossetts Farm

The Committee considered Minute 248 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for Corporate Services on a review of the resolutions of the Council to compulsorily purchase land within the Roots Hall Site and at Fossetts Farm pursuant to Section 226 Town and Country Planning Act 1990, in order to facilitate the development of the area.

Resolved:-

That the following recommendations of Cabinet be noted:-

“1. That the resolution made by the Council on 1st March 2012 to make a Compulsory Purchase Order in respect of land within the Roots Hall Site be reviewed at the next meeting of Cabinet on 10th November 2015.

2. That the resolution made by the Council on 1st March 2012 to make a Compulsory Purchase Order in respect of land at Fossetts Farm be withdrawn as it is no longer required.”

Note:- This is a Council Function

Executive Councillor:- Woodley

337 Corporate Asset Management Strategy 2015-2025

The Committee considered Minute 249 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for Corporate Services presenting the Corporate Asset Management Strategy (CAMS) 2015-2025, incorporating a Commercial Property Investment Strategy.

Resolved:-

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

“1. That the updated CAMS 2015-2025, as set out in Appendix 1 to the submitted report, be approved.

2. That it be noted that the proposed CAMS now includes a commercial property investment strategy as referred to in sections 3 and 6 of the submitted report.

3. That it be noted that progression of the strategy will require specific capital resources being identified as part of the relevant budget process together with some revenue support to be funded from the Business Transformation Reserve.”

2. That, in accordance with Standing Order 39, the matter be referred to full Council for consideration. ||

Note:- This is an Executive Function
This item had previously been subject to pre-Cabinet Scrutiny
Executive Councillor:- Woodley

338 Local Code of Governance Review

The Committee considered Minute 250 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Chief Executive & Town Clerk presenting the Council’s Local Code of Governance following approval by the Audit Committee on 24th June 2015.

Resolved:-

That the following recommendations of Cabinet be noted:-

“1. That the Council’s Local Code of Governance, as set out in Appendix 1 to the submitted report, be approved. ||

2. That the Council’s Constitution be updated with the revised Local Code of Governance.”

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

339 Review of the Council's Risk Management Policy, Strategy and Toolkit

The Committee considered Minute 253 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Chief Executive & Town Clerk outlining changes to the Council's Risk Management Policy, Strategy and Toolkit.

Following a question, the Team Manager, Policy & Information Management said that he would look at the possible use of risk management software.

In response to questions, the Corporate Director for Corporate Services said that all Members are welcome to attend the risk management training which has been arranged for Audit Committee Members, taking place on 19th October 2015. Following the session, a copy of the Power Point presentation will also be made available to all Members of the Council.

Resolved:-

That the following decision of Cabinet be noted:-

“That subject to the inclusion of a reference to the business continuity planning process, the Council's risk policy, strategy and toolkit, outlined in Appendices 1 and 2 to the submitted report, be approved.”

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

340 Better Queensway

The Committee considered Minute 255 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Corporate Directors for People and Corporate Services detailing the work undertaken since the report of 23rd September 2014 together with proposals to take the 'Better Queensway' project forward.

In response to questions, the Corporate Director for Corporate Services agreed:

- (a) to circulate information on the lease types / length of leases in the properties;
- (b) to circulate electronically the colour plans in the documentation; and
- (c) confirmed that the scheme development costs will incorporate all costs associated in the scheme.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the work of the Housing Working Party and the Project Team to date, be noted.

2. That Phase 2 of the project be progressed, which would include the following:

- Inclusion of Network Rail land at Victoria Station within the outline master plan, as set out in Appendix 1a to the submitted report.
- Undertake further works to determine the future of the tower blocks
- The proposed preferred offer to leaseholders
- Progress investigation work to 'cover' the Underpass and the remodelling of the roadways including the possible widening of Chichester Road
- Progress with further investigation work on the 3 financial options, including procurement routes
- Identify social infrastructure requirements as part of the whole development
- Continue to work with the Smart Cities Project
- Undertake an Economic Impact Assessment which will inform the design brief

3. That the Corporate Director for Corporate Services, in consultation with the Leader of the Council, be authorised to negotiate to purchase any properties which become available within the 'Better Queensway' site if this offers value for money and proves to be advantageous to the Project.

4. That it be noted that best endeavours will be undertaken to minimise disruption to residents and wherever possible, move them only once.

5. That the presentation given to the Housing Working Party on 16th September 2015, as set out in Appendix 3 to the submitted report, be noted."

Note:- This is an Executive Function.

Executive Councillors:- Woodley and D Norman MBE

341 Review of the Arm's Length Management Organisation (ALMO) - South Essex Homes

The Committee considered Minute 260 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for People proposing an extension of the Council's management agreement with South Essex Homes. The Committee also had before it a supplementary paper which had been circulated at the Cabinet meeting, setting out the rationale for extending the Management Agreement with South Essex Homes for a 3 year period.

Resolved:-

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

"That the management agreement with South Essex Homes be extended for a further 3 year period from 1st April 2016 to 31st March 2019."

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

Note:- This is an Executive Function

Executive Councillor:- D Norman MBE

342 Minutes of the meeting of the Housing Working Party held on Wednesday, 16th September, 2015

The Committee considered Minute 274 of Cabinet held on 22nd September, 2015, which had been called in to scrutiny, which was the Minutes of the Housing Working Party held on 16th September, 2015.

In response to questions regarding the sheltered housing review, the Corporate Director for People said that he would clarify when Council agreed to undertake the review, as part of the Housing Investment Plan.

Resolved:-

That the following decision of Cabinet be noted:-

“That the minutes of the meeting of the Housing Working Party be noted”.

Note:- This is an Executive Function.

Executive Councillor:- D Norman MBE

343 Action taken in accordance with Council Procedure Rule 46

The Committee considered Minute 275 of Cabinet held on 22nd September 2015, which had been called in to scrutiny. This concerned item 1.2 re Sealife Adventure Expansion.

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function

Executive Councillor:- Woodley

344 Summary Reports to Scrutiny Committee

Further to Minute 10 of Council held on 21st May 2015, at which it was agreed that the Council nominees to four specific outside bodies shall submit Summary Reports to every other ordinary meeting of the Scrutiny Committee, the Committee considered the following reports:-

- (a) Essex Fire Authority – Reports from Councillors Ware-Lane and Holland;
- (b) Southend University Hospital – Report from Councillor Crystall;
- (c) Essex Police and Crime Panel – Report from Councillor Gilbert; and
- (d) Kent & Essex Inshore Fisheries & Conservation Authority – Report from Councillor Lamb.

Resolved:-

That the Summary Reports be noted.

345 Minutes of the Meeting of Chairmen's Scrutiny Forum held on Tuesday, 8th September, 2015

Resolved:-

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Tuesday, 8th September, 2015 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

346 In depth scrutiny project – 'Control of personal debt and the advantages of employment'

Further to Minute 158 of its meeting held on 16th July 2015, the Committee considered the project plan in relation to its agreed in depth scrutiny project for 2015/16 – 'Control of personal debt and the advantages of employment'.

The Chairman advised that the project plan was agreed by the member project team at its meeting on 16th September 2015. The project team met again on 14th October 2015 and agreed that the planned main evidence gathering session will be held on 4th February 2016.

Resolved:-

That the project plan for the in depth scrutiny project – 'Control of personal debt and the advantages of employment', be agreed.

Note:- This is a Scrutiny Function.

347 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.

****** Part II(Confidential)**

348 Action taken in accordance with Council Procedure Rule 46 - Confidential sheet

Resolved:-

That the submitted report be noted.

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

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Notice of Motion – Hazard Perception Test

24

Proposer: Councillor Judith McMahon

Seconder: Councillor Tino Callaghan

We call upon Members of Southend on Sea Borough Council, to support a request to write to Her Majesty's Government with the following request, this being:

'That consideration be given to include within the 'Hazard Perception Test', which is part of the Theory Test for the UK Driving License, a digital simulation of the road as visually perceived by users of other types of road transport, namely motorcycles and cycles. This may highlight the perspective(s) that may be misinterpreted by car drivers without experience of using motorcycles or pedal cycles in the mixed highway environment'

This request is to assist the reduction of incidents of an untoward nature involving these types of transport, with particular regard to Southend on Sea's commitment to 'Safe Sustainable Transport' and the reduction of accidents, especially on our gateway roads into Southend, where unfortunately the combination of these types of transport, with low awareness of the others perception, does, on occasions, have untoward consequences

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Notice of Motion

Help Refugees arriving in Europe

25

“This council recognises the plight of the refugees caught in the Syrian crisis and that this is a real tragedy and genuine help needs to be offered.

We support George Osborne, the Chancellor of the Exchequer, in looking at some of the overseas aid budget as a way of funding financial assistance to the many men, women and children affected and we request funding from the Overseas Aid Budget should this local authority be asked to offer assistance to any of the displaced men, women or children.”

Proposed Cllr Jonathan Garston
Seconded Cllr Mark Flewitt

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Notice of Motion – Printing and Distribution of Hard Copies of Council Papers.

26

We the undersigned wish to put before the council a motion to rescind the decision of this council to stop the printing and distribution of hard copies of council papers.

This motion is proposed by me and seconded by Councillor Alan Crystall

The motion is supported by the following 27 councillors:-

Arscott, Assenheim, Ayles, Ayling, Buckey, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, Garston D, Garston J, Habermel, Holland, Jarvis, Kenyon, Lamb, McGlone, Phillips, Robertson, Salter, Van Looy, Walker, Ward.

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Notice of Motion on HIV Testing

That this Council:

- 27
- (i) recognises the importance of local action in co-ordinating and commissioning accessible and effective HIV testing to reach the undiagnosed and reduce the late HIV diagnosis. 107,800 people were living in the United Kingdom with HIV in 2013; 24% were unaware of their status; and 42% of people diagnosed with HIV in 2013 were diagnosed late (with a CD4 count <350mm³). Late diagnosis impacts on individual health, public health and health budgets;
 - (ii) recognises that Southend-on-Sea has a high prevalence of HIV (over diagnosed per 1000 residents) and commits to strengthening its own provision of HIV testing services through working with local NHS partners, HIV charities and patient groups;
 - (iii) recognises that late HIV diagnosis is a Public Health Outcomes Indicator in the Public Health Outcomes Framework and that, if diagnosed early, put on a clear treatment pathway and guaranteed access to antiretroviral therapy (ART), people living with HIV can expect to have a near normal life expectancy and live healthy and active lives; and
 - (iv) recognises the volume and quality of public health and local government guidelines and performance indicators designed to support local authority implementation and monitoring of appropriate and effective testing guidelines.

Recognising the weight of evidence in favour of expanding local HIV testing services, Southend-on-Sea Borough Council:

- (i) resolves to:
 - act to halve the proportion of people diagnosed late with HIV (with a CD4 count <350mm³) in the Borough of Southend-on-Sea by 2020; and
 - act to halve the proportion of people living with undiagnosed HIV in the Borough by 2020.
- (ii) Further resolves to:
 - ensure that rates of late diagnosed HIV are included as an indicator in its Joint Strategic Needs Assessment (JSNA); and
 - ask the Director for Public Health to provide a report outlining what needs to be done locally in commissioning and provision of services in order to halve the late diagnosed and undiagnosed HIV by 2020.

Proposed by: Councillor Evans

Seconded by: Councillor Flewitt

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Southend-on-Sea Borough Council

Agenda
Item No.

28

Corporate Director for Corporate Services

to
Council

on
22nd October 2015

Report prepared by: John Williams,
Head of Legal & Democratic Services

Changes to the Constitution

Part 1 Public Agenda Item

1. Purpose of Report

To recommend minor changes to the Constitution

2. Recommendations

- (a) That the **Specific Delegations to Chief Officers** in section 4 of Part 3 Schedule 3 of the Constitution be amended as set out in **Appendix 1**.
- (b) That the **Special Schemes of Delegation** in section 5 of Part 3 Schedule 3 of the Constitution be amended as set out in **Appendix 2**.
- (c) That the **Contracts Procedure Rules** in Part 4(g) of the Constitution be amended as set out in **Appendix 3**.

3. Background

3.1 The following changes are needed to the Specific Delegations to Chief Officers in section 4 of Part 3 Schedule 3 of the Constitution as set out in **Appendix 1**:

- (a) Sections 4.7 and 4.8 need to be amended to reflect the current roles of the Head of Adult Services & Housing and the Joint Associate Director of Integrated Care Commissioning (formerly the Head of Procurement Commissioning & Housing).
- (b) In Section 4.10(c) reference to “street scheme” should be changed to “Environmental Care”.

- 3.2 Changes are needed to two sections of the Special Schemes of Delegation in section 5 of Part 3 Schedule 3 of the Constitution as set out in **Appendix 2**:
- (a) Section 5.6 Public Protection. The proposed changes reflect a new definition of Public Protection and changes in job titles.
 - (b) 5.7 Planning. The proposed changes reflect several changes in job titles and new types of application
- 3.3 A few minor changes are needed to Contracts Procedure Rules in Part 4(g) of the Constitution for the purposes of consistency and accuracy. In addition, a new Appendix B will provide a more detailed set of requirements for opening tenders. Details of these proposals are set out in **Appendix 3**.

4. Corporate Implications

4.1 Contribution to Council's Vision & Corporate Priorities

Becoming an excellent and high performing organisation

4.2 Financial Implications

None

4.3 Legal Implications

Amending the Constitution is a function reserved to the Council and the changes are required for the efficient administration of the Council.

4.4 People Implications

None

4.5 Property Implications

None

4.6 Consultation

Internal consultation

4.7 Equalities and Diversity Implications

None

4.8 Risk Assessment

N/A

4.9 Value for Money

N/A

4.10 Community Safety Implications

None

4.11 Environmental Impact

None

5. Background Papers

None

6. Appendices

Appendix 1 – Proposed changes to section 4 of Part 3 Schedule 3 of the Constitution

Appendix 2 – Proposed changes to section 5 of Part 3 Schedule 3 of the Constitution

Appendix 3 – Proposed changes to Part 4(g) of the Constitution

**Part 3 Schedule 3 – Section 4.
Specific Delegation to Chief Officers**

4.7 The Corporate Director for People and / or the Head of Adult Services & Housing

- To act as the Director of Adult Services and to discharge all responsibilities and duties relating to that role.
- To take all necessary action, to ensure that the Council's powers and duties are properly and effectively discharged in adult protection and adult care cases.
- To appoint Approved Mental Health Professionals under the Mental Health Act 1983.
- To discharge the Council's functions (including but not limited to determining all consents, permissions and licences and taking enforcement action) in relation to:
 - Social care and health
 - Social services for adults
 - Mental health
 - Community development
- To act as "the Responsible Person" (on behalf of the Chief Executive and Town Clerk) pursuant to the Local Authority Social Services and NHS Complaints (England) Regulations 2009 re Adult Statutory Social Services complaints.
- To act as a Receiver under the terms of an order issued by the Court of Protection.
- See also Section 5.9 for Special Scheme of Delegation for Adult Statutory Social Services Complaints.

Housing

- To discharge the Council's housing functions (including but not limited to determining all consents, permissions and licences and taking enforcement action) in relation to:
 - The management and administration of Council dwellings, subject to the management agreement with South Essex Homes.
 - Providing housing assistance, including but not limited to the provision of advice, and homelessness decisions.
 - The allocation of housing.
 - Taking any steps open to the Council in relation to privately owned dwellings, including but not limited to enforcing standards dealing with grants and dealing with energy performance certificate / notices.
- See also Section 5.4 for Special Scheme of Delegation for Private Sector Housing.

4.8 ~~The Corporate Director for People and / or the Head of Procurement Commissioning & Housing~~ Joint Associate Director of Integrated Care Commissioning

- To manage the Council's Corporate Procurement and Commissioning Function.
- To manage Commissioning, Workforce Development and Performance in the Department for People.
- ~~To discharge the Council's housing functions (including but not limited to determining all consents, permissions and licences and taking enforcement action) in relation to:~~
 - ~~The management and administration of Council dwellings, subject to the management agreement with South Essex Homes.~~
 - ~~Providing housing assistance, including but not limited to the provision of advice, and homelessness decisions.~~
 - ~~The allocation of housing.~~
 - ~~Taking any steps open to the Council in relation to privately owned dwellings, including but not limited to enforcing standards dealing with grants and dealing with energy performance certificate / notices.~~
- ~~See also Section 5.4 for Special Scheme of Delegation for Private Sector Housing.~~

4.10 The Corporate Director for Place and / or the Head of Public Protection

- To discharge the Council's functions (including but not limited to determining all consents, permissions and licences, and taking enforcement action) in relation to:
 - (c) Waste management and ~~street scene~~ Environmental Care which include:

**Part 3 Schedule 3 – Section 5
Special Schemes of Delegation**

5.6 Public Protection (including Regulatory Services, and Waste Management, Environmental Care and Community Safety)

- (a) The Group Managers for ~~both~~ Regulatory Services, ~~and~~ Waste Management and ~~Street-scene~~ Environmental Care and Community Safety may exercise all the powers of the Corporate Director for Place and the Head of Public Protection in respect of functions within their remit as defined in 4.10 above.
- (b) The following Officers may serve notices and take appropriate action (including but not limited to works in default) under ~~Regulatory Services~~ legislation within their area of responsibility, subject to being authorised in that regard by their Chief Officer pursuant to 3.2(h):
- ~~Team Leader(s)~~ Regulatory Services Manager(s)
 - Regulatory Services Officer(s)
 - ~~Senior Waste Management Officer~~
 - ~~Team Leader Waste Management~~
 - ~~Waste Management Officer(s)~~
 - ~~Senior Environmental Care Officer~~
 - ~~Team Leader Environmental Care~~
 - Service Manager, Waste Management
 - Waste and Contracts Officer(s)
 - Environmental Care Co-ordinator(s)
 - Environmental Care Officer(s)
 - Enforcement Officer(s)
 - Animal Warden
 - ~~Senior Pest Control Officer~~
 - ~~Energy Officer~~
 - Sustainability Officer
 - Anti-Social Behaviour Team Leader
 - Anti-Social Case Worker(s)
 - CCTV Team Leader
 - Community Safety Officer
 - Any other duly appointed and trained contracted staff

5.7 Planning

5.7.1 Subject to the **Committee Referral Procedure** in ~~sub-paragraph 3~~ 5.7.4 below, approval or refusal of all applications made under The Town and Country Planning Act 1990, The Planning (Listed Buildings and Conservation Areas) Act 1990 and The Planning (Hazardous Substances) Act 1990 and associated Regulations and Orders is delegated to each of the following officers ("**the Relevant Officer(s)**"):

- The Corporate Director for Place;
- The Head of Planning and Transport; and
- The Group Manager (~~Development~~ Planning and Building Control)

provided that:

- (a) In the case of an approval the proposals do not conflict materially with a policy of the current Development Plan;
- (b) In the case of refusals the proposals are materially in conflict with a policy of the current Development Plan;
- (c) Consultations, neighbour notification and publicity have been carried out in accordance with statutory requirements and Council Policies;
- (d) The decision would not conflict with a material planning objection in principle from a statutory consultee received within the statutory consultation period;
- (e) In all cases the Relevant Officer considers it prudent to exercise delegated authority, failing which he / she shall report the application to the Development Control Committee for decision;
- (f) Lists of delegated decisions shall be circulated to members of the Development Control Committee, provided at meetings of the Committee and made available for inspection in the Department;
- (g) All applications submitted by or on behalf of the Council, any member of the Council or any serving officer of the Council (other than applications submitted by or on behalf of the Council that do not involve "significant development" as defined at (h) below and to which there is no objection from a neighbour or statutory consultee) shall be submitted to the Development Control Committee for decision; and
- (h) In the case of applications that involve "significant development" (as defined below) the relevant officer shall consult with the Chairman of the Development Control Committee (or the Vice Chairman in the Chairman's absence) before making a determination.

For the purposes of this paragraph “significant development” means any scheme involving:

- (i) ~~More than~~ 10 dwellings or more; or
- (ii) 1000 sq metres or more of floor space; or
- (iii) A development site with an area of over 0.5 hectares.

5.7.2 Subject to the limitations set out in 5.7.1 above the approval or refusal of the following matters is delegated to the Planning Team Leaders in the Development Control Group:

- (a) “Householder” applications (as defined for the purposes of Form PS2 in the Government’s planning statistics);
- (b) Advertising consents;
- (c) Applications for prior approval for larger home extensions;
- (d) Applications for works to trees subject to TPO’s or in conservations areas;
- (e) Non-material amendments to planning permissions; and
- (f) Details reserved by condition.

~~sub paragraph 1 above, the approval or refusal of “Householder” applications (as defined for the purposes of Form PS2 in the government’s planning statistics) advertising consents and works to trees subject to TPO’s is delegated to the Area Planning Officers (“APO”)in the Development Control Group,~~

Provided also that:

- (a) In the case of an approval, not more than 5 different households have submitted material planning objections and the objections received have been taken into account in the delegated report; and
- (b) The application is not one where the case officer is the Planning Team Leader APO.

5.7.3 Subject to the limitations set out in 5.7.1 above, the approval or refusal of applications for “details reserved by condition” is also delegated to Senior Planners in the Development Control Group, providing the Senior Planner is not the case officer.

5.7.34 ~~In all cases the powers delegated under sub-paragraphs 1 and 2 5.7.1 – 5.7.3 above is~~ are subject to the following **Committee Referral Procedure** by elected Council Members:

- (a) Each Member shall receive a Weekly List of applications registered.
- (b) If, within 21 days of the "Week Ending Date" specified at the top of the Weekly List, a letter in hard copy signed by one elected Member is received by the Corporate Director for Place Enterprise, Tourism and the Environment, or the Head of Planning and Transport or an e-mail is received from the elected Member at ~~doeteservices@southend.gov.uk,~~ planningregistrationteam@southend.gov.uk requesting the application be determined by the Development Control Committee then the application shall be referred to the Development Control Committee.

PROVIDED THAT this Committee Referral Procedure shall not apply to applications for Lawful Development Certificates or applications for prior approval where there is no planning judgement to be exercised.

5.7.45 Authority is delegated to the Relevant Officers:

- (a) To issue Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990;
- (b) To determine the selection and detailed wording of conditions, reasons for conditions and reasons for refusal on delegated decisions; the detailed wording of conditions, reasons for conditions and reasons for refusal on decisions made by the Development Control Committee; and the detailed wording of enforcement and stop notices authorised by the Development Control Committee;
- (c) To deal with minor material and non-material amendments to schemes already approved, submitted informally or by application subject to such amendments not being materially in conflict with the provisions of the current Development Plan;
- (d) To comment on proposals to carry out works to or to fell trees in conservation areas and to deal with applications to carry out works to or to fell preserved trees, including requiring replacement trees where appropriate;
- (e) To grant or refuse Certificates of Lawful Use and Development under Sections 191 and 192 of the Town and Country Planning Act 1990;

- (f) To deal with applications for determination as to the need for prior consent for demolition and agricultural development and determination of applications for prior approval of all telecommunications development including, in consultation with the Chairman of the Development Control Committee or Vice Chairman, the grant or refusal of applications for prior approval;
- (g) ~~To, in the event of an appeal being made to the Secretary of State, approve settle the content of the Council's statement, of case in the event of an appeal being made to the Secretary of State. In particular relating to the requirement that the statement indicates This will include stating~~ whether the Council would be prepared to grant planning permission or Listed Building Consent as appropriate for the development or the works the subject of the appeal;
- (h) To advertise applications which, if approved, would not be in accordance with the Development Plan currently in force;
- (i) To determine whether an application for planning permission would be likely to have significant effects on the environment, such that an applicant must then submit a statement under the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations or an appropriate assessment under the Habitats Regulations, to request any further information that might be required and to determine the scope of any such statement or assessment;
- (j) Under Part 8 of the Anti-Social Behaviour Act 2003 (and associated Regulations) ~~under that Act~~, to consider and determine complaints relating to "High Hedges"; to set and review fees for dealing with complaints; to issue, vary and withdraw remedial notices; to deal with appeals arising from determination of complaints; and
- (k) To comment on the planning aspects of licensing applications pursuant to the Licensing Act 2003.

5.7.56 Authority is delegated to the Relevant:

- (a) To give observations on minor development proposals in adjoining districts, on minor proposals by Essex County Council and on minor proposals by Crown developers;
- (b) To submit objections or other representations on planning grounds to the licensing authorities or the Traffic Commissioners, on applications for vehicle operators' licences, subject to an appropriate report subsequently being submitted to Development Control Committee;

- (c) To take all necessary action under Section 215 and 219 of the Town and Country Planning Act 1990 (the proper maintenance of land);
- (d) To issue Breach of Condition Notices under Section 187A of the Town & Country Planning Act provided that the Relevant Officer shall first consult with the Chairman (or in Chairman's absence the Vice Chairman) of the Development Control Committee;
- (e) To make Tree Preservation Orders and to confirm unopposed Tree Preservation Orders;
- (f) Under Section 171E to 171H of the Town and Country Planning Act 1990 and the Town and Country Planning (Temporary Stop Notice) (England) Regulations 2005, and in consultation with the Head of Legal & Democratic Services, to issue Temporary Stop Notices; and
- (g) With regards to the Community Infrastructure Levy ("CIL") under powers as set out in Part 11 of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended) to:
 - Determine the extent of chargeable development and appropriate CIL charge.
 - Consider applications for exemptions from the CIL.
 - Consider adjustments for payment in kind provisions (where relevant).
 - Issue CIL liability notices and demand notices.
 - Instigate any enforcement action relating to the recovery of CIL such as, but not limited to, issuing of CIL stop notices and warning notices (including subsequent removal of any such notices).
 - Receive and consider appeals in relation to liability notices etc.
 - Make any other relevant decisions concerning CIL provided it is in accordance with the adopted CIL Governance Framework document.

5.7.67 Authority is delegated to each of the following officers to make applications for Grant Assistance to external bodies:

- Corporate Director for Place
- Head of Planning & Transport
- Group Manager Strategic Planning

- ~~(a) To determine applications for conservation area grant assistance which fall within the arrangement agreed between the Council and the Heritage Lottery Fund and in accordance with the Action Plan;~~
- ~~(b) To determine applications for window grants which fall within the "Window Grant Scheme" approved by the Council and for the time being in force; and~~
- ~~(c) To make applications for Grant assistance to external bodies.~~

Part 4(g) – Contracts Procedure Rules

2.1 Thresholds

The table below sets out the different financial thresholds.

	Total Contract Value (excl. VAT)	Lead Role	Procurement Process	Procurement System
Low Value	£1 to £1,000	Council Officer	Obtain 1 written or verbal quote quotation from a supplier who accepts Procurement Card and complete transaction	If appropriate, process Process Procurement Card transactions in accordance with procedures Otherwise, process as for Minor below
Minor	£1,001 to £4,999	Council Officer	Obtain a minimum of 1 written supplier quote that demonstrates best value	Create a <u>requisition purchase request</u> in Purchase to Pay (P2P), enter a spend justification and attach preferred supplier quote
Medium	£5,000 to £24,999	Council Officer	Obtain 3 written supplier quotes and evaluate to determine best value	Create a <u>requisition purchase request</u> in Purchase to Pay (P2P), enter a spend justification and attach preferred supplier quote
Major	Threshold (a) £25,000 to £74,999 Threshold (b) £75,000 to 172,513	Procurement Advisor	Threshold (a) and (b) Contact procurement and seek support to develop specification or tender document, advertise, evaluate and award contract Threshold (b) required to issue a tender	Council's website, Contracts Finder / e-Procurement to advertise and award contract. Create a <u>requisition purchase request</u> in P2P, enter a spend justification and reference contract in P2P
OJEU Contract	£172,514 and over unless: (a) social care, health education £625K and over (b) works £4,322M and over	Procurement Advisor	Contact procurement and follow EU Procurement Rules for Service, Supplies and Works Contracts	Council's website, Contracts Finder / e-Procurement and OJEU to advertise and award contract. Create a <u>requisition purchase request</u> in P2P, enter a spend justification and reference contract in P2P

7.4 Signing of Non-disclosure agreements and Letters of Intent (LOI)

Non-disclosure agreements can only be signed by approved signatories detailed within 7.3 (b) or by the Group Manager Procurement. In addition, it is the Council's policy not to enter into discussions with suppliers based on Letters of Intent (LOI).

7.6 Record Keeping Process for Contracts of £75,000 and above

Procurement Advisors shall record and retain:

- Contracting decision and reasons (including route to market)
- Any exemption together with the reasons for it
- The Award Criteria
- Tender and Quotation documents sent and received from bidders
- Pre-tender market research
- Clarification and post-tender negotiation (incl. minutes)
- Copies of the contract documents (original contracts see 7.3 (c))
- Post-contract evaluation and monitoring
- Communications with bidders and with the successful contractor throughout the period of the contract.

Full guidance is contained within the [Appendix 4 of Procurement Toolkit Record-keeping and Retention and Disposal Guidance](#).

7.7 Record Retention Process for Contracts of £75,000 and above

The Central Procurement Team shall retain:

- Successful contract files for twelve (12) years after the end of the contract for all sealed contracts
- Successful contract files for six (6) years after the end of the contract for all other contracts
- Unsuccessful contract files for two (2) years Documents which relate to unsuccessful Candidates may be electronically scanned after twelve months from award of contract, provided there is no dispute about the award
- An electronic copy and the original of the contract (unless executed under seal when the original will be held by Head of Legal and Democratic Services – see 7.3 (c)).

Full guidance is contained within the [Appendix 4 of Procurement Toolkit Record-keeping and Retention and Disposal Guidance](#).

8.10 Exception Request Approval Process for Each Procurement Threshold

	Total Contract Value (excl. VAT)	Exception Approval Process
Low Minor Value	£1 to £4,999	Officers must request Exception approval by email to the Group Manager of Procurement
Medium Contract	£5,000 to £24,999	Officers must request Exception approval by email to the Group Manager of Procurement
Major	Threshold (a) £25,000 to £74,999	Officers must request Exception approval by email from their Head of Service and the Group Manager of Procurement

Major	Threshold (b) £75,000 to 172,513	Officers must complete a Tender Exception Request Form and submit to both their Head of Service and Group Manager of Procurement for approval
OJEU	£172,514 (£625k Social Care) (£4.322M Works)	Officers must seek cabinet approval. [Note it is not lawful to avoid compliance with the UK Public Contract Regulations 2015 - advice must obtained from the Group Manager of Procurement]

Any Exception request made against any of the CPR's must be sought in advance of any contractual agreement. Exception requests cannot be made or granted retrospectively.

An Exception relating to the publishing of an advert for any Contract Opportunity over £25,000 (as detailed in EU Procurement Regulations) will only normally be permitted in relation to the areas of procurement detailed in Exemptions Section 2.2.

It is not lawful for Officers or members to avoid compliance with the UK Public Contract Regulations 2015. Therefore, approval of any Exception Requests equal to or over the relevant EU Threshold is not permitted without advice being obtained from the Group Manager of Procurement and before seeking to apply any such exceptions.

All Exception requests to these Rules will be reported to the Audit Committee on a bi-annual basis.

Note the Procurement Review Board is not involved in approval of exceptions, but will undertake a strategic role in scrutinising and monitoring procurement activity.

See **Appendix A** for further details on the exceptions request process.

Appendix A

Exceptions from Tendering Requirements in Contracts Procedure Rules (CPR's) (sections 8.9 and 8.10)

The following exceptions from tendering requirements may be applied following the prior approval Tender Exception Request Form.

The Exceptions from having to Tender are:

1. For the purchase of supplies, works or services which is prevented by Legislation.
2. If the supply of goods or materials to be acquired constitutes an extension of an existing supply contract. The extension can only be granted if all ~~three~~ of the following criteria are met:
 - The increase to the quantity of goods and materials was not envisaged at the time the original contract was awarded
 - The extension is based upon comparable terms and conditions as the original contract
 - The extension has a value less than 50% total value than the original contract requirement
 - The extension does not breach the threshold of the EU Regulations.

Tender Opening Procedures

1. Opening of Tenders received via E-Procurement

Where the Council uses an electronic tendering system that releases submissions for opening at a predetermined date and time then pre-qualification questionnaires (PQQ) and tenders submitted through that system may be accessed and opened by a member of the Corporate Procurement Team through that system.

Where a member of the Corporate Procurement Team is authorised to release any of the documents detailed above that officer must not have been a part of the project team charged with the delivery of that procurement or any part thereof.

For the avoidance of doubt: PQQ and Tender Documents, as well as all other supporting information must not be opened before the stipulated deadline for submission has passed. This is the case both for submissions received by the Council via any e-procurement system and any received in hard copy.

2. Opening of Tenders received in hard copy

2.1 Outline of Responsibilities

No officer involved in any way with the drawing up of the specification and the tender documents may participate in the receipt of the tender, in its custody pending opening or in the tender opening process.

All tenders shall be returned to the Customer Service Centre on the Ground Floor of the Civic Centre or the Post Room of the Civic Centre where they will be receipted and annotated with the date and time of receipt by the staff at either location, who will then contact the correct team to organize collection. The individual charged with collection of the Tenders must ensure that all items to be collected are stamped and the time of delivery clearly marked.

All Tenders should:

- Bear the corporate reply label or addressed to Southend-on-Sea Borough Council Customer Services Centre
- Be sealed and marked "Tender"
- Be annotated with the subject to which the tender relates
- Not indicate the identity of the sender.

2.2 Opening of Hard Copy Tenders

Tenders must be opened in a secure and confidential environment, with openers being undistracted.

Forms used as tender opening records must be prescribed or approved by a Senior Procurement Advisor.

Each of the following must be stamped and initialled by both designated openers:

- Any cover letter bearing a signature

- Any other page bearing a signature that is not certification of any kind pertaining to insurance, quality assurance, health and safety and so on
- Any page bearing a cost that may be applied to the resulting contract(s)
- All Tender Forms including Contract Variation, Bona fide Tender, Tender Form and Freedom of Information.

Date stamping and initialling priced pages of tender documents is an important authentication if correction of errors is to be admitted according to Council's Financial Procedure Rules.

The opening of tenders and recording of their details shall be subject to the following regulations:

- They must not be opened before the deadline for submission stipulated in the tender documents
- They must be opened at one time by not less than two persons designated for the purpose by the appropriate Corporate Director or Head of Service
- No Officer or Member of the Council may be present at the opening of tenders if they have a material interest in relation to the subject or result of the tender. Factors that can be suggestive of a material interest and would preclude attendance at a tender opening include, but are not limited to a connection to a possible tenderer through family, friends or other business associates.

Additionally any corrective amendments by tenderers to their tender prices must be initialled by both designated openers and annotated in the tender opening record.

3. Late Tenders (either Electronic or Hardcopy Tenders)

Any tender received by the Council after the relevant deadline for submission has passed will not be evaluated by the Council. For the avoidance of doubt: once the deadline has passed, any tender delivered later than the deadline (regardless of its proximity to the deadline) must not be included in the evaluation process.

Only in instances where due to unforeseen circumstances a pre confirmed extension to a deadline has been made available to all Tenderers, can submissions be accepted after the deadline stipulated in the tender documents. Any such extension cannot be granted for the benefit of a single tenderer. The granted extension must be fully justifiable and meet the full challenge of any audit of the process. The closer to the deadline that an extension is granted the stronger the justification will be required to be. Any revised deadline stipulated as part of an agreed extension will itself be subject to the same level of finality detailed in the paragraph above and any tender received by the Council after the revised deadline for submission has passed will not be evaluated by the Council.

The entire process of opening late tenders is detailed in the Procurement Toolkit. However, late tenders must not be opened before electronic, scanned or photographic evidence confirming their lateness has been forwarded to the Group Manager of Procurement. Only after the written approval to open the late tender has been provided by the Group Manager of Procurement can that tender be opened by a Procurement Advisor with no connection to the Tender Process in question. The opening of any Late Tender must be documented using a Late Tender Form. Both evidence of approval to open a late tender and the accompanying Late Tender Form must be saved in the corresponding Tender Project File.

4. Alterations / Corrections to either Electronic or Hardcopy Tenders

The Tenderer may not amend or request amendment to their tender after the date and time fixed for the receipt of tenders.

However, if the Council encounters an error in a tender consisting of incomplete or incorrect information then the Council may at its discretion request the Tenderer concerned to submit, supplement, clarify or complete the relevant information or documentation within an appropriate time limit, provided that such requests are made in full compliance with the principles of equal treatment and transparency.

In determining whether such an error has been made in relation to a received tender submission Council Officers must assess this in direct relation to the information contained in that submission or to the tender documentation issued by the Council. The error relating to the specific tender must be clear, self-evident and obvious. Under no circumstances will an issue shown up as a result of cross referencing against any other tender submission be accepted as such an error.

All action undertaken in relation to seeking alteration or correction information must be based on an unbiased and objective assessment of the entire tender process it is being applied to. The action itself must be taken in a manner that treats all participating tenderers fairly. Any communication issued in relation to the action must ensure the validity and effectiveness of the procurement.

Key factors in assessing if alteration or correction information will be sought in relation to an error accepted by the Council will include but not be limited to:

- Number of Tenders returned in relation to the project
- If any of the other Tenderers made the same error
- If other Tenderers did make the same error what proportion of the overall returns does this represent
- Clarity of the information issued by the Council
- If the error is a complete omission of required information
- The strict time period in which the Tenderer will be required to respond.

Subjective information including the identity of the company or stakeholder preference must not be used as a basis to seek alteration or correction information.

Under no circumstance must any Council Officer use this clause to unfairly assist a tenderer to gain a more favourable tender score at the expense of the other competing tenderers or the Council's good reputation.

The Corporate Director or Head of Service must maintain a record / audit trail of any action taken and justification for that action taken in relation to errors found in any tender.

5. Training

It is the responsibility of the Corporate Director or Head of Service of each department or establishment involved in the tendering process to ensure that all relevant members of staff are trained in the correct procedures, and issued with the Contract Procedure Rules and the Tender Opening Procedure guidance available.