

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

10 December 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, 10th December, 2015 for the transaction of the following business.

R Tinlin
Chief Executive & Town Clerk

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Petition - Green Lane Speeding Action Group (Pages 1 - 2)**
Petition attached.
- 7 Minutes of the Meeting held on Thursday, 22nd October 2015 (Pages 3 - 20)**
- 8 Minutes of the meeting of Appeals Committee B held on Wednesday, 28th October 2015 (Pages 21 - 24)**
Minutes attached.
- 9 Minutes of the meeting of Appeals Committee A held on Monday, 2nd November 2015 (Pages 25 - 26)**
Minutes attached
- 10 Minutes of the meeting of Cabinet held on Tuesday, 10th November 2015 (Pages 27 - 42)**
Minutes attached.
- 11 Minutes of the meeting of Development Control held on Wednesday, 11th November 2015 (Pages 43 - 62)**
Minutes attached.

- 12 Minutes of the meeting of Place Scrutiny Committee held on Monday, 30th November 2015 (Pages 63 - 66)**
Minutes attached.
- 13 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 1st December 2015 (Pages 67 - 74)**
Minutes attached.
- 14 Minutes of the meeting of Health & Wellbeing Board held on Wednesday, 2nd December 2015 (Pages 75 - 78)**
Minutes attached.
- 15 Minutes of the meeting of Policy & Resources Scrutiny Committee held on Thursday, 3rd December 2015 (Pages 79 - 84)**
Minutes attached.
- 16 Notice of Motion - Sunday Trading (Pages 85 - 86)**
Notice of Motion attached.
- 17 Notice of Motion - Support to Refugees (Pages 87 - 88)**
Notice of Motion attached.
- 18 Notice of Motion - Review/Change Housing Policy (Pages 89 - 90)**
- 19 Notice of Motion - Southend Borough Patrol (Pages 91 - 92)**
Notice of Motion attached.
- 20 Notice of Motion - Transatlantic Trade & Investment Partnership (TTIP) (Pages 93 - 94)**
Notice of motion attached.
- 21 Notice of Motion - Changes in Electoral Arrangements (Pages 95 - 96)**
Notice of Motion attached.
- 22 Opposition Business - Drop kerbs & Highway Issues**
- 23 Honorary Aldermen/Alderwomen and Changes to the Constitution (Pages 97 - 106)**
Report of the Corporate Director for Corporate Services
- 24 Local Council Tax Support Scheme 2016/17 (Pages 107 - 112)**
Report of Corporate Director for Corporate Services
- 25 Changes to Committees, etc**



'Green Lane Neighbourhood Watch', in conjunction with Facebook community pages



"Paul Collins Reports on Eastwood"
or
"Green Lane Speeding Action Group"

Contact us on 07554 452837 or
e-mail: collinsdtpm@yahoo.com

Green Lane Speeding Action Group

Dear neighbour,

After another speeding incident in Green Lane last month, residents are increasingly concerned about safety in the Green Lane area. We are a group of residents that want to bring to the attention of the Council our concerns and also suggest solutions for improving safety for us and our families. We would like to know your views and we ask that you complete this survey and return it to one of the addresses below. You may keep up with our progress by checking with the Facebook pages or supplying us with an e-mail account for us to contact you.

Do you think Green Lane and surrounding roads are safe? YES / NO

If NO, which of these solutions do you agree with?

| | | | |
|---|----------|---|----------|
| Reduce the legal limit to 20mph for the whole of Green Lane and side roads? | YES / NO | Better road safety markings to slow traffic | YES / NO |
| Install speed camera(s) | YES / NO | Install mini roundabouts at selected road junctions | YES / NO |
| Create 'Build Outs' to slow traffic | YES / NO | Restrict parking in certain parts of Green Lane; | YES / NO |
| Install speed cushions (sometimes called 'bumps') | YES / NO | Better junction protection in the area | YES / NO |
| Install speed tables (across the width of the road) | YES / NO | Install pedestrian crossing points | YES / NO |

Your name and address.....e-mail address (optional).....

Your comments or suggestions: (or e-mail us)

**Please complete and return to any of these houses in Green Lane
255, 219, 146, or 137. Thank you for taking time to help.**

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 22nd October, 2015

Place: Council Chamber - Civic Suite

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Present: The Worshipful the Mayor Councillor Moring
Councillors Velmurugan, Arscott, Assenheim, Aylen, Ayling, Betson, Borton, Buckley, Butler, Byford, Callaghan, Courtenay, Cox, Crystall, Davidson, Davies, Endersby, Evans, Flewitt, Folkard, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jones, Kenyon, Lamb, McGlone, McMahon, Moyies, Mulrone, Nevin, Norman MBE, Phillips, Robertson, Robinson, Salter, Stafford, Terry, Van Looy, Walker, Ware-Lane, Waterworth, Willis and Woodley

Start/End Time: 6.30 - 10.20 pm

349 Councillor Graham Longley

The Worshipful the Mayor informed Members that last Tuesday, as a result of an accident at home, Councillor Longley was admitted to Queen's Hospital in Romford.

On behalf of the Council, I would like to extend my best wishes to Councillor Longley and his family for a speedy recovery.

350 Apologies for Absence

Apologies for absence were received from Councillors Jarvis, Longley and Ward.

351 Declarations of Interest

- Councillor Assenheim

Cabinet – 22nd September 2015

Minute 260 – Review of ALMO – Non-pecuniary interest – Board Member of South Essex Homes;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 341 – Review of ALMO (South Essex Homes) – 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;

Full Council – 22nd October 2015

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – 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

Development Control Committee – 2nd September 2015

Minute 213(a) – 14/02050/FULM – Non-pecuniary interest – son is employed as a maintenance engineer at the school;

Minute 213(b) – 15/01129/AMDT – Non-pecuniary interest – Lives in the vicinity of the application site;

- Councillor Betson

Audit Committee – 30th September 2015

Minute 286 – Internal Audit Report Action Plans – Non-pecuniary interest – Employee of HMRC dealing with international trade;

Minute 288 – Internal Audit Services, Quarterly Performance Report – Non-pecuniary interest – Board Member of South Essex Homes & Member of Fostering Panel;

People Scrutiny Committee – 13th October 2015

Minute 321 – School Admissions Arrangements – Non-pecuniary interest – School Governor at Heycroft School;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 341 – Review of ALMO (South Essex Homes) – 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;

Full Council – 22nd October 2015

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – 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

Appeals Committee A – 20th August 2015

Minute 203 – Secondary School Transport Appeal (Pupil AG) – Non-pecuniary interest – works for DWP;

Development Control Committee – 2nd September 2015

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Fellow Councillor (friend) lives in the road;

People Scrutiny Committee – 13th October 2015

Minutes 321 – School Admission Arrangements and Minute 322 – Local Account of Adult Social Care – Non-pecuniary interest – School Governor at Milton Hall School and JobCentre Plus mentioned in the draft report – employer;

- Councillor Buckley

Development Control – 2nd September 2015

Minute 213(f) – 15/01112/FUL – Non-pecuniary interest – supported and lobbied for refusal;

Cabinet Committee – 17th September 2015

Minute 236 – New or amended traffic regulation orders (Harp House, 2 new Toucan crossings) – Non-pecuniary interest – supported and lobbied for better and safer crossing arrangements;

- Councillor Butler

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 341 – Review of ALMO (South Essex Homes) – 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;

Full Council – 22nd October 2015

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – Non-pecuniary interest – Board member South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 15th January 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- Councillor Byford

Development Control Committee – 5th August 2015

Minute 197(a) – 15/00290/FUL – Non-pecuniary interest – relative works for Fairfield BMW;

- Councillor Callaghan

Cabinet Committee – 17th September 2015

Minute 231 – Petition – Residents Only Parking Zones for Redstock Road and adjoining streets/roads – Non-pecuniary interest – lives in the vicinity;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 341 – Review of ALMO (South Essex Homes) – Non-pecuniary interest – Board member South Essex Homes;

Full Council – 22nd October 2015

Agenda Item 6 - Questions from Members of the Council in relation to South Essex Homes from Councillor Flewitt – Non-pecuniary interest – Board member South Essex Homes

- Councillor Cox

Cabinet Committee – 17th September 2015

Minute 235 – Members Requests ref no: 15/13 – Non-pecuniary interest – Chair of Rochford & Southend East Conservative Association and the MP lives in Fermoy Road;

- Councillor Crystall

Development Control Committee – 2nd September 2015

Minute 213(h) – 15/01024/FUL – Non-pecuniary interest – Friend lives in the road;

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Friend lives in the road;

Development Control Committee – 7th October 2015

Minute 297(d) – 15/01107/FUL – Leigh Society of which he is a member – Non-pecuniary interest;

Place Scrutiny Committee – 12th October 2015

Minute 308 (Surface Water Management Plan) and Minute 309 (Local Flood Risk Management Strategy) – Non-pecuniary interest - Lives within one of the designated areas;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 344 – Summary Reports to Scrutiny Committee – Non-pecuniary interest – Partner Governor at Southend Hospital;

- Councillor Davidson

People Scrutiny Committee – 13th October 2015

Minute 322 – Local Account of Adult Social Care – Non-pecuniary interest – volunteer for Healthwatch Southend, member of Safe, Support Group for people with Asperger's and their families;

- Councillor Davies

Development Control Committee – 5th August 2015

Minute 197(c) – 15/00930/BC4 – Non-pecuniary interest – Lives in the vicinity of the application;

- Councillor Flewitt

Development Control Committee – 2nd September 2015

Minute 213(f) – 15/01112/FUL – Non-pecuniary interest – supported and lobbied for refusal;

Cabinet Committee – 17th September 2015

Minute 236 – New or amended traffic regulation orders (Harp House, 2 new Toucan crossings) – Non-pecuniary interest – supported and lobbied for better and safer crossing arrangements;

Audit Committee – 30th September 2015

Minute 286 – Internal Audit Report Action Plans (Parking Management Schemes) – Non-pecuniary interest – PowerPoint submission in respect of this;

Minute 288 – Internal Audit Services, Quarterly Performance Report – Non-pecuniary interest – family and friends are tenants of South Essex Homes;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 333 (SEH Presentation), Minute 340 (Better Queensway), Minute 341 (Review of ALMO) and 342 (Housing Working Party Minutes) – Non-pecuniary interest – friends and family are tenants of SEH Ltd;

Full Council – 22nd October 2015

Agenda Item 26 – Notice of Motion (HIV Testing) – Non-pecuniary interest – worked with Halve It and association with Terrence Higgins Trust to raise awareness of good sexual health;

- Councillor Folkard

Special People Scrutiny Committee – 7th September 2015

Minute 224 – Primary Care Services in the St Luke's GP led Health Centre – Non-pecuniary interest – ambassador for the fund raising team at Southend University Hospital NHS Foundation Trust;

People Scrutiny Committee – 13th October 2015

Minute 326 – Scrutiny Committee Updates – Non-pecuniary interest – Ambassador for fundraising team at Southend Hospital and on reading panel at Southend Hospital for information leaflets;

- Councillor D Garston

Development Control Committee – 5th August 2015

Minute 197(b) – 15/00155/FULM – Non-pecuniary interest – Knows the developer and son lives in Cliftown Parade;

Development Control Committee – 2nd September 2015

Minute 213(a) – 14/02050/FULM – Non-pecuniary interest – Son owns property in the vicinity of the application site;
Minute 213(d) – 15/00955/BC4 – Non-pecuniary interest – son lives in road above the application site;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 342 – Minutes of Housing Working Party – non-pecuniary interest – private landlord owning one rented house in Southend;

- Councillor J Garston

Licensing Sub Committee A – 24th July 2015

Minute 190 – Oyster Creek, The Leas Shelter, Application for Grant of Premises Licence – Non-pecuniary interest – applicant's mother is known to him as a former Councillor;

Cabinet Committee – 17th September 2015

Minute 235 – Members Requests ref no: 15/13 – Non-pecuniary interest – MP lives in Fermoy Road;
Minute 236 – Requests for new or amended traffic regulation orders – Disclosable non-pecuniary interest (withdrew);

Place Scrutiny Committee – 12th October 2015

Minute 307 – 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;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 342 – Minutes of Housing Working Party – non-pecuniary interest – local landlord;

- Councillor Gilbert

Policy & Resources Scrutiny Committee – 15th October 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

Licensing Sub Committee A – 24th July 2015

Minute 190 – Oyster Creek, The Leas Shelter, Application for Grant of Premises Licence – Non-pecuniary interest – applicant’s mother is known to him as a former Councillor;

- Councillor Holland

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 340 (Better Queensway) and Minute 342 (Housing Working Party Minutes) – Non-pecuniary interest – son works for SBC and involved in strategic housing and worked on the items (withdrew);

Minute 339 – Review of Council’s Risk Management Policy – Non-pecuniary interest – member of ALARM, mentioned in the report;

- Councillor Jones

People Scrutiny Committee – 13th October 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 Kenyon

Licensing Sub Committee A – 24th July 2015

Minute 190 – Oyster Creek, The Leas Shelter, Application for Grant of Premises Licence – Non-pecuniary interest – applicant’s mother is known to him as a former Councillor;

Licensing Committee – 3rd September 2015

Minute 219 – Review of Hackney Carriage Fares – Non-pecuniary interest – brother-in-law is a taxi driver in the borough;

- Councillor Lamb

Place Scrutiny Committee – 12th October 2015

Minute 306 – The London Shipwreck 17th Century Cannons – Non-pecuniary interest – member of the London Shipwreck Trust;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 344 – Summary Reports to Scrutiny Committee – Non-pecuniary interest – Governor at Southend Hospital, on behalf of SAVS;

- Councillor Longley

Appointments & Disciplinary Committee – 1st September 2015

Minute 209 – Appointment of Head of Learning (Shortlisting) – Non-pecuniary interest – former member of staff at the same school as one of the applicants;

Cabinet Committee – 17th September 2015

Minute 229 – Objections to Traffic Regulation Orders – Various Locations – Non-pecuniary interest – lives in the vicinity;

Place Scrutiny Committee – 12th October 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 McGlone

Licensing Sub-Committee B – 28th September 2015

Minute 280 – 68 London Road – Application for the Grant of Premises Licence – Non-pecuniary interest – one of the resident objectors to the application who had subsequently withdrawn their objection was known to him;

- Councillor McMahon

Development Control Committee – 2nd September 2015

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Fellow Councillor (friend) lives in the road;

Audit Committee – 30th September 2015

Minute 284 – BDO Annual Governance Report 2014/15 – Non-pecuniary interest – Employer is, in part, under contract to the Council;

- Councillor Moring

Development Control Committee – 7th October 2015

Minute 297(e) – 15/01066/FULH – Non-pecuniary interest – lives near the application;

- Councillor Moyies

People Scrutiny Committee – 13th October 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 – 13th October 2015

Minute 317 (Turning Tides) and Minute 323 (Smoke Free Southend)
Non-pecuniary interest – mother-in-law works with Turning Tides and in past he has undertaken consultancy work in the area;

- Councillor Mulroney

Development Control Committee – 2nd September 2015

Minute 213(e) – 15/001085, Minute 213(g) – 15/01008, Minute 213(i) – 15/00869 – Non-pecuniary interest – Member of Leigh Town Council who were consultees;

Cabinet Committee – 17th September 2015

Minute 233 – Southsea Avenue – Non-pecuniary interest – resident of Southsea Avenue but not the affected part;

Cabinet – 22nd September 2015

Minute 270 – Surface Water Management Plan – Non-pecuniary interest – lives within one of the designated areas;

Minute 271 – Local Flood Risk Management Strategy – Non-pecuniary interest – lives within one of the designated areas;

Development Control Committee – 7th October 2015

Minute 297(d) – 15/01107 – Non-pecuniary interest – Member of Leigh Town Council and Leigh Society who were consultees;

Place Scrutiny Committee – 12th October 2015

Minute 308 (Surface Water Management Plan) and Minute 309 (Local Flood Risk Management Strategy) – Non-pecuniary interest – Lives within one of the designated areas;

- Councillor Nevin

Special People Scrutiny Committee – 7th September 2015

Minutes 223 (Health Services in Shoebury, 224 (Primary Care Services in the St Luke's GP led Health Centre) and 225 (Primary Care Strategy) – non-pecuniary interest – NHS employee in Trust outside area and previously at Mid Essex and Southend Acute Trusts and children work for Mid Essex Hospitals Trust (MEHT) at Broomfield Hospital;

People Scrutiny Committee – 13th October 2015

Minute 322 (Local Account of Adult Social Care), Minute 323 (Smoke Free Southend), and Minute 326 (Scrutiny Committee Updates) – Non-pecuniary interest – NHS Employee at Bart's which supplies dental care to Southend & previous employee at Southend Hospital;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 344 – Summary Reports to Scrutiny Committee – Non-pecuniary interest – NHS employee at Bart's and previous employee at Southend, Mid-Essex and Colchester Hospitals;

- Councillor Norman MBE

Place Scrutiny Committee – 12th October 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 – 15th October 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 Phillips

Place Scrutiny Committee – 12th October 2015

Minute 306 – The London Shipwreck – 17th Century Bronze Cannons – Non-pecuniary interest – trustee of the London Shipwreck Trust;

- Councillor Robinson

Development Control Committee – 2nd September 2015

Minute 213(i) – 15/00869/FUL – Non-pecuniary interest – Fellow Councillor (friend) lives in the road;

People Scrutiny Committee – 13th October 2015

Minute 326 – Scrutiny Committee Updates – Non-pecuniary interest – NHS employee of Trust in Southend;

Minute 328 – Schools Progress Report – Non-pecuniary interest – parent of children at schools mentioned in report;

- Councillor Salter

Special People Scrutiny Committee – 7th September 2015

Minutes 223 (Health Services in Shoebury), 224 (Primary Care Services in the St Luke's GP led Health Centre) and 225 (Primary Care Strategy) – 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;

People Scrutiny Committee – 13th October 2015

Minute 326 – Scrutiny Committee Updates – Non-pecuniary interest – husband is Business Unit Director at Southend Hospital for surgical services including oral surgery – urology;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 340 (Better Queensway), Minute 341 (Review of ALMO), Minute 342 (Housing Working Party Minutes) – Non-pecuniary interest – private landlord in the borough;

- Councillor Terry

Cabinet – 22nd September 2015

Minute 270 – Surface Water Management Plan – Non-pecuniary interest – lives in a flood risk area;

Minute 248 – Roots Hall & Fossets Farm CPO – Disclosable Non-Pecuniary Interest – season ticket holder (withdrew);

Place Scrutiny Committee – 12th October 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 308 (Surface Water Management Plan) and Minute 309 (Local Flood Risk Management Strategy) – Non-pecuniary interest – Lives within one of the designated areas;

Policy & Resources Scrutiny Committee – 15th October 2015

Minute 336 – Compulsory Purchase Order Authorities: Land at Roots Hall and Fossetts Farm – Disclosable Non-Pecuniary Interest – Season ticket holder at SUFC (withdrew);

- Councillor Velmurugan

Special People Scrutiny Committee – 7th September 2015

Minutes 223 (Health Services in Shoebury, 224 (Primary Care Services in the St Luke's GP led Health Centre) and 225 (Primary Care Strategy) – non-pecuniary interest – GP in the borough and Council representative on SEPT and Southend University Hospital NHS Foundation Trust;

Development Control Committee – 7th October 2015

Minute 297(h) – 15/01274/FUL – Non-pecuniary interest - daughter's house is in a nearby road;

- Councillor Van Looy

Development Control Committee – 5th August 2015

Minute 197(b) – 15/00155/FULM – Non-pecuniary interest – Friend lives next to the application site;

Development Control Committee – 2nd September 2015

Minute 213(d) – 15/00955/BC4 – Non-pecuniary interest – owner is known to him;

Minute 213(g) – 15/01008/FUL – Disqualifying Non-pecuniary interest (withdrew);

- Councillor Woodley

Place Scrutiny Committee – 12th October 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 – 15th October 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;

352 Presentation of Chains of Office to Youth Mayor and Deputy Youth Mayor

The Worshipful the Mayor presented the chain of office to this year's Youth Mayor, Ms Sarah-Jane Glew, and the Chain of Office to this year's Deputy Youth Mayor, Ms Maise Riley.

353 Questions from Members of the Public

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

354 Questions from Members of the Council

The relevant Executive Councillors responded to written questions received from Councillors Ayles, Cox, Courtenay, Assenheim, Flewitt and J Garston.

355 Minutes of the Meeting held on Thursday 23rd July 2015

Resolved:-

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

356 Minutes of Licensing Sub Committee A held on Friday 24th July 2015

Resolved:

That the minutes of this meeting be noted.

357 Minutes of Development Control Committee held on Wednesday 5th August 2015

Resolved:

That the minutes of this meeting be noted.

358 Minutes of Appeals Committee A held on Thursday 20th August 2015

Resolved:

That the minutes of this meeting be noted.

359 Minutes of the Appointments & Disciplinary Committee held on Tuesday 1st September 2015

Resolved:

That the minutes of this meeting be noted.

360 Minutes of the meeting of Development Control Committee held on Wednesday 2nd September 2015

Resolved:

That the minutes of this meeting be noted.

361 Minutes of the meeting of Licensing Committee held on Thursday 3rd September 2015

Resolved:

That the minutes of this meeting be noted.

362 Minutes of the Special People Scrutiny Committee held on Monday 7th September 2015

Resolved:

That the minutes of this meeting be noted.

363 Minutes of the Cabinet Committee held on Thursday 17th September 2015

Resolved:

That the minutes of this meeting be noted.

364 Minutes of the Cabinet held on Tuesday 22nd September 2015

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 248, 250, 251, 252, 256, 261, 267 and 268, be adopted.

365 Minutes of Licensing Sub Committee B held on Monday 28th September 2015

Resolved:

That the minutes of this meeting be noted.

366 Minutes of the Audit Committee held on Wednesday 30th September 2015

Resolved:

That the minutes of this meeting be noted.

367 Minutes of the Appointments & Disciplinary Committee held on Friday 2nd October 2015

Resolved:

That the minutes of this meeting be noted.

368 Minute of Development Control Committee held on Wednesday 7th October 2015

Resolved:

That the minutes of this meeting be noted.

369 Minutes of the Place Scrutiny Committee held on Monday 12th October 2015

During consideration of Minute 305 (Beecroft and Central Museum Energy Project) a requisition for a named vote was made in accordance with Council Procedure Rule 12.1 to refer the matter back to Cabinet. The voting was as follows:-

For reference back:

Cllrs Arscott, Ayles, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, Phillips, Robertson, Salter, Velmurugan, Walker (22)

Against reference back:

Cllrs Assenheim, Ayles, Betson, Borton, Crystall, Davies, Endersby, Gilbert, Jones, Kenyon, McGlone, McMahon, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ware-Lane, Waterworth, Willis, Woodley (24)

Abstentions:

Cllr Callaghan, Moring (2)

Absent:

Cllr Jarvis, Longley, Ward (3)

Accordingly the motion to refer the matter back was lost.

During consideration of Minute 308 (Surface Water Management Plan) a requisition for a named vote was made in accordance with Council Procedure Rule 12.1 to refer the matter back to Cabinet. The voting was as follows:

For reference back:

Cllrs Arscott, Ayles, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, Phillips, Robertson, Salter, Velmurugan, Walker (22)

Against reference back:

Cllrs Assenheim, Ayles, Betson, Borton, Callaghan, Crystall, Davies, Endersby, Gilbert, Jones, Kenyon, McGlone, McMahon, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ware-Lane, Waterworth, Willis, Woodley (25)

Abstentions:

Cllr Moring (1)

Absent:

Cllr Jarvis, Longley, Ward (3)

Accordingly the motion to refer the matter back was lost.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 305, 307 and 308, be adopted.

Resolved:

That the minutes of this meeting be noted.

371 Minutes of the Policy & Resources Scrutiny Committee held on Thursday 15th October 2015

During consideration of Minute 341 (Review of ALMO – South Essex Homes) a requisition for a named vote was made in accordance with Council Procedure Rule 12.1 to refer the matter back to Cabinet for further consideration of the proposed length of the extension of the Management Agreement with South Essex Homes. The voting was as follows:-

For reference back:

Cllrs Arscott, Ayles, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Davies, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Lamb, Phillips, Robertson, Salter, Velmurugan, Walker (23)

Against reference back:

Cllrs Ayling, Borton, Crystall, Endersby, Gilbert, Jones, Kenyon, McMahon, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ware-Lane, Waterworth, Willis, Woodley (20)

Abstentions:

Cllrs Assenheim, Betson, Callaghan, McGlone and Moring (5)

Absent:

Cllrs Jarvis, Longley, Ward (3)

Accordingly it was resolved:

That the proposed length of the extension of the Management Agreement with South Essex Homes (Minute 341) be referred back to Cabinet for further consideration.

It was also resolved:

1. That minutes 331-335, 339-340 and 342-348 be noted and the recommendations contained in minutes 336 and 338 be adopted. Resolution 2 of Minute 336 is set out below:

“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.”

2. That the recommendations contained in Minute 337 be adopted, subject to an amendment to Paragraph 6.4 of the submitted report (underlined) to read:

“Once terms are agreed in principle for a disposal of Public Open Space, the relevant officers and Executive Councillors for the land (Parks, Foreshore, Highway, Housing, etc) and for Corporate Services will be briefed to check that they are in principle supportive of the proposed disposal subject to advertisement. Ward members will be notified seven days before an advertisement is placed; this will not apply if Cabinet has endorsed the principle as members will already be aware.”

372 Notice of Motion - Hazard Perception Test

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“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.”

373 Notice of Motion - Help to Refugees arriving in Europe

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“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.”

374 Notice of Motion - Printing and Distribution of Council Papers

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“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.”

375 Notice of Motion - HIV Testing

Resolved:

That in accordance with Standing Order 8.4 the following notice of motion be referred to the Cabinet:

“That this Council:

- (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 $<350\text{mm}^3$). 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 $<350\text{mm}^3$) 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.”

376 Changes to the Constitution

The Council considered a report of the Corporate Director for Corporate Services which recommended minor changes to the Council's Constitution.

Resolved:

1. 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 to the submitted report.
2. 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 to the submitted report.
3. That the Contracts Procedure Rules in Part(g) of the Constitution be amended as set out in Appendix 3 to the submitted report.

377 Changes to Membership of Committees, etc

The Worshipful the Mayor informed Members that Councillors Aylen and Dr. Velmurugan had given notice of their resignation from the Independent Group. As a result Councillor Endersby had replaced Councillor Aylen as a member of the Place Scrutiny Committee.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee B

Date: Wednesday, 28th October, 2015
Place: Committee Room 5 - Civic Suite

8

Present: Councillor Stafford (Chair)
Councillors Kenyon (Vice-Chair), Hadley, Jarvis, Nevin, Walker and
*McGlone

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris and J Gray

Start/End Time: 9.30 am - 8.15 pm

378 Apologies for Absence

Apologies for absence were received from Councillor Waterworth (substitute: Cllr McGlone).

*During the course of the hearing Councillor Kenyon was called away and therefore took no further part in the proceedings.

379 Declarations of Interest

There were no declarations of interest at this meeting.

380 Minutes of the previous meeting

Resolved:

That the minutes of the meeting held on 5th February 2015 be confirmed and signed as a correct record.

381 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

382 Secondary School Transport Appeal - Pupil AM

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

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

383 Secondary School Transport Appeal - Pupil CC

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

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

384 Secondary School Transport Appeal - Pupil MKK

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

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

385 Secondary School Transport Appeal - Pupil ZS

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

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

386 Appeal Against Dismissal - Employee JC

The Committee considered an appeal against dismissal submitted by employee JC. The Council's case was presented by JO, supported by SP. The Council called 4 witnesses who responded to questions.

The appellant, JC was in attendance and presented their case, supported by DP (GMB Union). The appellant called two witnesses who responded to questions.

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

Resolved:

1. That, on the balance of probability, allegation 1 was substantiated. However, it fell short of behaviour which justified dismissal and therefore the Committee imposed a final warning in line with the disciplinary sanctions available.
2. That, on the balance of probability, allegation 2 was not substantiated and therefore the appeal in respect of allegation 2 was upheld.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Monday, 2nd November, 2015

Place: Committee Room 6 - Civic Suite

9

Present: Councillor Ayling (Chair)
Councillors Buckley, Callaghan, Crystall, Robertson and *Arscott

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris and K Melville

Start/End Time: 9.30 am - 3.00 pm

387 Apologies for Absence

Apologies for absence were received from Councillors D Garston (substitute: Cllr Arscott) and Borton (no substitute).

388 Declarations of Interest

There were no declarations of interest at this meeting.

389 Minutes of the Meeting held on Thursday 20th August 2015

Resolved:-

That the Minutes of the Meeting held on Thursday 20th August 2015 be confirmed and signed as a correct record.

390 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

391 Post 16 School Transport Appeal - Pupil DA

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

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy the appeal be dismissed.

392 Post 16 School Transport Appeal - Pupil EF

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

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy the appeal be dismissed.

393 Post 16 School Transport Appeal - Pupil TM

The Committee considered a report of the Corporate Director for People, together with supporting correspondence from the parent of pupil TM, 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.

394 Appeal Against Dismissal - Employee PC

The Committee considered an appeal against dismissal submitted by employee PC. The Council's case was presented by SH, supported by CR. The Council called 1 witness, TW, who responded to questions.

The appellant, PC was in attendance and presented their case, supported by TS (Unison).

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

Resolved:

That the appeal be upheld and the Capability Procedure/process be extended for a further 6 months.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 10th November, 2015
Place: Committee Room 1 - Civic Suite

10

Present: Councillor Woodley (Chair)
Councillors Gilbert (Vice-Chair), Jones, Moyies, Norman MBE and Terry

In Attendance: R Tinlin, J K Williams, S, Holland, S Leftley, A Lewis, A Atherton, J Chesterton, J Ruffle, T MacGregor, I Ambrose, A Keating and C Gamble.

Also Present: Councillors Assenheim, Betson, J. Garston, Folkard, Hambermel, Lamb, Mulroney, Salter.

Start/End Time: 14:00 / 15.10

395 Apologies for Absence

Apologies for absence were received from Councillor Longley.

396 Declarations of Interest

- (a) Councillor Terry – CPO – Land at Roots Hall - Southend United FC season ticket holder - non-pecuniary interest - withdrew.
- (b) Councillor Assenheim - Review of ALMO/Issues facing HRA – Board member of South Essex Homes - non-pecuniary interest.
- (c) Simon Leftley - CPO – Land at Roots Hall - Southend United FC season ticket holder - withdrew.

397 Minutes of the Meeting held on 22nd September 2015

Resolved:-

That the Minutes of the Meeting held on 22nd September 2015 be confirmed as a correct record and signed.

398 Pre-Cabinet Scrutiny Items

The following items had previously been subject to pre-Cabinet scrutiny:

1. Local Account 2014/15.
2. 'Smoke-Free Southend' Strategy.

399 Notice of Motion - Printing and Distribution of Hard Copies of Council Papers

At the meeting of Council held on 22nd October 2015, Members received the following Notice of Motion in relation to the printing and distribution of Council papers, which was proposed by Councillor Hadley and seconded by Councillor Walker (this had been referred to Cabinet in accordance with Standing Order 8.4).

“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.”

Resolved:-

That it be noted that there are no plans to cease the general production and distribution of hard copy agendas and reports in the short term.

Reason for Decision

To respond to the Notice of Motion.

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 & Resources Scrutiny Committee

400 Notice of Motion - Help Refugees Arriving in Europe

At the meeting of Council held on 22nd October 2015, Members received the following Notice of Motion in relation to the arrival of refugees in Europe, which was proposed by Councillor J Garston and seconded by Councillor Flewitt (this had been referred to Cabinet in accordance with Standing Order 8.4).

“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.”

Resolved:-

1. 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.
2. It be noted that:
 - (i) On the 18 September the Council wrote to the East of England Strategic Migration Partnership with an initial offer to support 10 refugees, with a preference for families, pending clarification of the resettlement process and the funding.
 - (ii) On 2 October Richard Harrington, the Minister with responsibility for Syrian Refugees, confirmed that the government will provide some funding beyond the first 12 months to ensure local authorities can plan ahead. Full details of the additional funding are still to be known. Once they are, the Council will reassess the numbers of refugees it would be able to support.

(iii) The Council must ensure that whatever the final number of refugees it is able to assist, the appropriate infrastructure is in place to meet their potentially complex needs, not only in the first 12 months, but for the longer term.

(iv) Once more information is known, the Council will work alongside local partners, charities and faith groups in providing a positive response and that it has recently met with faith leaders to coordinate its response to assisting with the crisis.

Reason for Decision

To respond to the Notice of Motion.

Other Options

None.

Note:- This is an Executive Function.

Eligible for call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Gilbert

401 Notice of Motion - Hazard Perception Test

At the meeting of Council held on 22nd October 2015, Members received the following Notice of Motion in relation to the hazard perception test, which was proposed by Councillor McMahon and seconded by Councillor Callaghan (this had been referred to Cabinet in accordance with Standing Order 8.4).

“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 Licence, 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”

Resolved:-

That it be noted that the Council is not the responsible authority in these matters, but officers be requested to write to the DVSA to advise them of Members’ suggestions to amend the Hazard Perception Test.

Reason for Decision

To respond to the Notice of Motion.

Other Options

None.

Note:- This is an Executive Function.

Eligible for call-in to Place Scrutiny Committee

Executive Councillor:- Terry

402 Notice of Motion - HIV Testing

At the meeting of Council held on 22nd October 2015, Members received the following Notice of Motion in relation to HIV testing, which was proposed by Councillor Evans and seconded by Councillor Flewitt (this had been referred to Cabinet in accordance with Standing Order 8.4).

“That this Council:

(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.”

Resolved:-

That this is a laudable motion and the Council has an on-going commitment to reduce the rates of late and undiagnosed HIV in Southend-on-Sea and ensure that these are as low as possible. However, in these times of reducing budgets from Central Government and forced cuts to services we offer and the limited data about the downward trajectory, it is not possible to commit to a target to halve the rate by 2020 as that would require significant extra expenditure

Reason for Decision

To respond to the Notice of Motion.

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

403 Review of ALMO - South Essex Homes- Request by Council, 22nd October 2015

The Cabinet considered the reference back of minute 260 by Council on 22nd October 2015 for further consideration of the proposed length of the extension of the management agreement with South Essex Homes.

Members received a further supplementary paper on the matter.

Resolved:-

That the previous decision of the Cabinet to extend the management agreement with South Essex Homes for a further 3 year period from 1st April 2016 to 31st March 2019, be reaffirmed.

Reason for decision

To respond to the reference back from the Council.

Other Options

None.

Note:- this is an Executive Function

Not eligible for call-in as the matter has already been the subject of the call-in procedure.

Executive Councillor :- Norman

404 Monthly Performance Report - September 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

405 Capital Monitoring for 2015/16 and Revised Capital Programme 2015/16 to 2018/19

The Cabinet considered a report of the Corporate Director for Corporate Services setting out the capital expenditure as at 30th September 2015 and proposing in-year amendments to the approved Capital Programme for 2015/16 to 2018/19 and later years.

Recommended :-

1. That the actual capital expenditure position as at 30th September 2015 of £16.128 million as shown in Section 4 and Appendix 1 to the submitted report, be noted.
2. That the financing position of the Capital programme as at 30th September 2015, as set out in Section 5 to the submitted report, be noted.
3. That the proposed changes to the Capital Programme as set out in Appendix 6 to the submitted report, be noted.
4. That the revised Capital Programme for 2015/16 to 2018/19 and later years, that results from the changes, as set out in Appendix 7 to the submitted report, be approved.

Reason for Decision

To approve changes to the Capital Programme as noted at the Capital Board and other proposed changes since the last Cabinet meetings on 23rd June 2015 and 22nd September 2015.

Other Options

None.

Note:- This is a Council Function.

Eligible to call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Cllr Woodley

Called-in to Policy & Resources Scrutiny Committee

406 Mid-Year Treasury Management Report – 2015/16

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the treasury management activity for both quarter two and the period from April to September 2015.

Recommended:-

1. That the Mid-Year Treasury Management Report for 2015/16, be approved.
2. That the Revised Minimum Revenue Provision Policy 2015/16, as set out at Appendix 3 of the submitted report, be approved.
3. 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 September 2015.
4. 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.
5. That it be noted that an average of £66.0m of investments were managed in-house. These earned £0.20m of interest during this six month period at an average rate of 0.62%. This is 0.26% over the average 7 day LIBID (London Interbank Bid Rate) and 0.12% over bank base rate.
6. That it be noted that an average of £24.9m of investments were managed by our external fund manager. These earned £0.08m of interest during this six month period at an average rate of 0.66%. This is 0.30% over the average 7 day LIBID and 0.16% over bank base rate.
7. That it be noted that an average of £5.0m was managed by a property fund manager. This earned £0.185m during this six month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 7.38%. The fund started the six month period at £4.989m and increased in value with the fund at the end of the period at £5.174m.
8. 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 (Housing Revenue Account (HRA): £80.8m, General Fund: £157.0m) during the period from April to September 2015.
9. That it be noted that the level of financing for 'invest to save' schemes increased from £0.14m to £0.65m during the period from April to September 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 set 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 to call-in to Policy & Resources Scrutiny Committee

Executive Councillor:- Cllr Woodley

407 CPO Authority re Land at Roots Hall

The Cabinet considered a report of the Corporate Director for Corporate Services on a review of the resolution of the Council made on 1st March 2012 to compulsorily purchase land at Roots Hall pursuant to Section 226 Town and Country Planning Act 1990, in order to facilitate the development of the area.

Recommended:-

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 (and all earlier CPO resolutions relating to the same site) be withdrawn.

Reason for Decision

There is not a compelling case to confirm the 2012 CPO resolution at this point in time.

Other Options

The Council could confirm the 2012 CPO resolution.

Note:- This is a Council Function.

Eligible to call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Cllr Woodley

408 Information Governance - Senior Information Risk Owner (SIRO) Annual Report

The Cabinet considered a report of the Corporate Director for Corporate Services, Senior Information Risk Owner (SIRO), providing an overview of the Information Governance work carried out in 2014/15.

Resolved:-

That the SIRO'S report on Information Governance in 2014/15 and the proposed work for 2015/16, be noted.

Reasons for Decision

To receive the SIRO's annual report.

Other Options

None.

Note:- This is an Executive Function.

Eligible to call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Cllr Woodley

409 Issues Facing HRA

The Cabinet considered a report of the Corporate Director for People on the various financial pressures facing the Housing Revenue Account (HRA).

Resolved:-

1. That the submitted report be noted;
2. That the refund of overpaid heating charges, be approved.
3. That from 2016/17 consideration be given to South Essex Homes being charged with setting and recovering service, heating and water charges directly, and their management fee be reduced accordingly.

Reasons for Decision

1. To bring to the attention of Members, ahead of the HRA budget and rent setting 2016/17 report, various pressures facing the HRA as a result of recent changes in government policy and on-going work to ensure charges are reasonable to tenants.
2. To address issues in relation to service charges.

Other Options

None.

Note:- This is an Executive Function.

Eligible to call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Cllr Norman

Called-in to Policy & Resources Scrutiny Committee

410 Local Account 14/15

The Cabinet considered a report of the Corporate Director for People presenting a draft of the Local Account of Adult Social Care services in 2014-15, including priorities and plans for 2015-16.

Resolved:-

That the draft Local Account be noted as the Council's self-assessment for these services

Reason for Decision

The publication of the Local Account of adult social care services for 2014/15 ensures the continuity of information for the public about the performance of this service.

Other Options

None.

Note:- This is an Executive Function.

Eligible to call-in to People Scrutiny Committee

Executive Councillor:- Cllr Moyies

This item had previously been the subject of Pre-Cabinet scrutiny.

411 Success for All Annual Report

The Cabinet considered a report of the Corporate Director for People presenting a draft of the Success for All Children Groups Annual Report April 2014-March 2015.

Resolved:-

That the submitted report be noted.

Reason for Decision

To receive the annual report.

Other Options

None.

Note:- This is an Executive Function.

Eligible to call-in to People Scrutiny Committee

Executive Councillor:- Cllr Anne Jones

412 Market Position Statement

The Cabinet considered a report of the Corporate Director for People presenting the draft integrated Market Position Statement for providers of adult health and social care services.

Resolved:-

1. That the commitments for citizens, commissioners and providers, as set out on pages 1 and 2 of the submitted statement, be approved.
2. That the tools to support the market as set out on page 2 of the statement, be noted.
3. That the Council commits to the next steps as set out on page 13 of the submitted statement.
4. That the Director for People and the Chief Accountable Officer of Southend Clinical Commissioning Group (CCG) in consultation with the portfolio holder for Health and Social care, be authorised to publish refreshed and focused chapters.

Reasons for Decision

The Market Position Statement is not a statutory document, but local authorities are expected to have one because it informs providers about the strategic direction for care in the borough.

Other options

None.

Note:- This is an Executive Function.

Eligible to call-in to People Scrutiny Committee

Executive Councillor:- Cllr Moyies

Called-in to People Scrutiny Committee

413 Beecroft Building

The Cabinet considered a report of the Corporate Director for Place presenting the results from the consultation on the future of the former Beecroft Art Gallery Building, Station Road, Westcliff-on-Sea.

Recommended:-

1. That the Council acting as Trustees give permission for officers of the Council to investigate the viability of using the former Gallery Building as artist studios. (This option would further the objects of the Trust and merits further investigation to determine if it would be financially viable and therefore in the best interests of the Trust.)
2. That, if the feasibility study finds that the conversion of the building into artist studios will not be viable, the Trustees should proceed with one of the identified options for disposal (As set out in section 5.1.1 of the submitted report).

Reasons for Decision

To enable the proposed use of the building for an artist studio to be further explored.

Other Options

As set out in section 5.1.1 of the submitted report.

Note:- This is a Council Function.

Eligible to call-in to Place Scrutiny Committee

Executive Councillor:- Cllr Gilbert

Called-in to Place Scrutiny Committee

414 Gambling Policy

The Cabinet considered a report of the Corporate Director for Place on the outcome of the formal consultation process in respect of the Gambling Licensing Policy and set out a final proposed statement for the purposes of the Gambling Act 2005.

Recommended-

That the Statement of Gambling Licensing Policy, as set out in Appendix 2 of the submitted report, be adopted.

Reasons for Decision

To enable the Council to comply with its statutory duty under Section 349 of The Gambling Act 2005.

Other Options

None.

Note:- This is a Council Function.

Eligible to call-in to Place Scrutiny Committee

Executive Councillor:- Cllr Norman

415 Smoke-free Southend Strategy

The Cabinet considered a report of the Director for People presenting the 'Smoke Free Southend: A strategy to tackle smoking in Southend-on-Sea 2015-2018'.

Resolved:-

1. That the 'Smoke Free Southend: A strategy to tackle smoking in Southend-on-Sea 2015-2018', be adopted in principle.
2. That the Director of Public Health, in consultation with the portfolio holder for Health and Social Care, be authorised to make any minor amendments to the strategy in response to feedback from the proposed consultation.

Reasons for Decision

1. The 'Smoke Free Southend' strategy and the associated action plan will help to improve the health and wellbeing of the local population and strengthen partnership working across the borough for this agenda.
2. It is also intended to reduce the prevalence of tobacco use in the longer term and therefore generate economies over time by reducing the cost burden of tobacco.

Other Options

'Smoke Free Southend' provides a strategic framework and action plan to strengthen, coordinate and add value to work taking place across the Borough that contributes to the tackling smoking agenda. The other option would be for such work to continue without a strategic framework to guide priorities. This approach would have a slower rate of progress, miss opportunities for the synergy created from joint working and be less efficient.

Note:- This is an Executive Function.

Eligible to call-in to People Scrutiny Committee

Executive Councillor:- Cllr Moyies

This matter had previously been subject to Pre-Cabinet scrutiny.

416 Council Procedure Rule 46

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function.

Eligible to call-in to Policy and Resources Scrutiny Committee and Place Scrutiny Committee

Executive Councillor:- As appropriate to item.

Called-in to Policy & Resources Scrutiny Committee

417 Exclusion of Press and 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.

418 21st Century Children's Centres – a Model for Sustainability

The Cabinet considered a report of the Corporate Director for People on the proposed redesign of the management structure of Children's Centres in Southend.

Resolved:-

1. That the model for the delivery of our Children's Centres offer, be revised.
2. That it be noted that a new single delivery model would aim to:
 - (i) Increase efficiency through joined up leadership and management and a single performance management rather than nine.
 - (ii) Develop a strong single leadership and management platform to allow budgetary integration.
 - (iii) Maintain strong service delivery for families whilst providing scope for improvement.
 - (iv) Provide opportunities to jointly bid for outside funding and become a sustainable delivery model.
 - (v) Provide an integrated platform for the delivery of 'A Better Start' services.
3. That as part of the redesign process, the following options be considered :
 - Charitable Trust
 - Company limited by guarantee
 - Company limited by shares
 - Mutual

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report

Note:- This is an Executive Function.

Eligible to call-in to People Scrutiny Committee

Executive Councillor:- Cllr Jones

Called-in to People Scrutiny Committee

419 Projects- PSP Southend LLP

The Cabinet considered a report of the Corporate Director for Corporate Services providing an update on the projects to be progressed through the Council's partnership PSP Southend LLP.

Resolved :-

1. That the schemes set out in sections 4 of the submitted report be progressed through PSP Southend LLP and that conditional options over the sites are granted to enable the projects to proceed.
2. That it be noted that the granting of conditional options to the LLP means that PSP Southend LLP Members' Board will make all future decisions with regard to the development of these sites and the projects will be managed through the LLP.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function.

Eligible to call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Cllr Woodley

Called-in to Policy & Resources Scrutiny Committee

420 HRA Land Review Project

The Cabinet considered a report of the Corporate Director for People on the HRA land review project.

Recommendation:-

1. That the capital budget of the HRA Land Review Project be increased by the sum identified in the submitted report in order to appoint a contractor and progress the project.
2. That the capital programme be amended accordingly (funded as per section 5.3 of the submitted report) and to profile the total budget as set out in the submitted report in 2015/16 and the balance in 2016/17.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note:-This is a Council Function

Eligible to call-in to Policy and Resources.

Executive Councillor:- Cllr Norman

Called-in to Policy & Resources Scrutiny Committee

421 The Acquisition of Land and Buildings for School Improvement and Secondary Places

The Cabinet considered a report of the Corporate Director for People on the above.

Recommended:-

1. That the acquisition of sites A and B as set out in the submitted report (and in appendices 2 and 3) be proceeded with (having noted the conclusion and reconfiguration works required) and that the Corporate Director for People be authorised, in consultation with the Head of Finance and Resources and the Portfolio Holder for Education, to deal with any amendments to the terms arising through negotiations.
2. That an application to the Secretary of State for Education be proceeded with for the appropriation of site C, as identified in the submitted report, from education use for alternative purposes.
3. That the existing £10m budget for school places be re-profiled as set out in section 8.2 of the submitted report.
4. That it be noted that at a cost of £2.5m to £4.5m per form of entry, the requirement of 10 forms of entry across existing secondary schools is likely to cost between 25m and 45m up to 2021 (the range of cost is wide to reflect the very different circumstances and build/reconfiguration requirements and specific costs will not be known until specific opportunities are identified and costed in detail).
5. That it be noted that the additional estimated cost for secondary school places will need to be considered in the relevant capital programme reviews as part of setting the Council's annual budget.
6. That it be noted that the proposed acquisitions provide the opportunity to save significant capital investment by acquiring existing sites rather than building new or extending existing schools.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note:- This is a Council Function
Eligible for call-in to People Scrutiny Committee
Executive Councillor:- Cllr Jones

Called-in to People Scrutiny Committee

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 11th November, 2015

Place: Committee Room 4a - Civic Suite

11

Present: Councillor Crystall (Chair)
Councillors Assenheim (Vice-Chair), Arscott*, Ayling, Borton, Butler, Byford, Callaghan, Evans, Folkard, D Garston, McGlone, McMahon, Robinson, Van Looy, Velmurugan and Walker

*Substitute in accordance with Council Procedure Rule 31.

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

Start/End Time: Times Not Specified

422 Apologies for Absence

Apologies for absence were received from Councillor R E Hadley (Substitute: Councillor Arscott)

423 Declarations of Interest

The following interests were declared at the meeting:

(a) All Councillors declared a non-pecuniary interest in respect of application no. 15/01604/BC3 on the basis that the applicant is the current Mayor of the Council;

(b) Councillor Borton – 15/01458/FUL – Non-pecuniary interest: Trustee of HARP is a member of the Labour Party;

(c) Councillor Evans – 15/01458/FUL – Non-pecuniary interest: Previously involved with HARP (withdrew);

(d) Councillor D Garston – 15/01458/FUL – Non-pecuniary interest: Member of Leigh Rotary Club supporting HARP;

(e) Councillor Jones – 15/01458/FUL – Pecuniary interest (withdrew);

(f) Councillor Jones – 15 01189/FULM – Disqualifying non-pecuniary interest: Executive Councillor for Children & Learning;

(g) Councillor McMahon – 15/01458/FUL – Non-pecuniary interest: Co-founder of HARP (although no longer a member), overseer of the homeless integration process and homeless resources on behalf of the Council and trustee is a member of the Labour Party;

(h) Councillor Robinson – 15/01458/FUL – Non-pecuniary interest: Trustee of HARP is a member of the Labour Party;

(i) Councillor Velmurugan – 15/01274/FUL – Non-pecuniary interest: Daughter owns a property in the neighbourhood;

(j) Councillor Walker – 15/01274/FUL – Non-pecuniary interest: A friend lives close to the application site.

424 Minutes of the Meeting held on Wednesday, 5th August, 2015

Resolved:-

That the Minutes of the Meeting held on Wednesday, 5th August 2015 be confirmed as a correct record and signed.

425 Minutes of the Meeting held on Wednesday, 2nd September, 2015

Resolved:-

That the Minutes of the Meeting held on Wednesday, 2nd September 2015 be confirmed as a correct record and signed.

426 Minutes of the Meeting held on Wednesday, 7th October, 2015

Resolved:-

That the Minutes of the Meeting held on Wednesday, 7th October 2015 be confirmed as a correct record and signed.

427 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

428 Reports on Planning Applications

(a) Southchurch Ward

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

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no 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 approved plans: TP-201A, TP-10, TP-11.

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

03 The colour, type and texture of any materials used on the external elevations of the extensions shall match those of the existing dwellinghouse, unless otherwise first agreed in writing by the Local Planning Authority. Such agreed details shall be permanently retained.

Reason: To safeguard the visual amenities of the area, in accordance with Policy DM1 of the Development Management Document.

04 Both dormer windows 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 lights 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 the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management Document.

05 The roof of the single storey rear extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management Document.

06 Prior to the commencement of development, details of the balustrade/railing to the first floor rear elevation shall be submitted to and agreed in writing with the Local Planning Authority. The balustrade/railing shall be permanently retained in accordance with the agreed details and shall prevent any access out onto the single storey rear extension roof below.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy and 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

01 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.

(b) Kursaal Ward

15/01458/FUL

Erect three sheltered housing units (Class C2) with ancillary offices, storage units and staff shelter and lay out landscaping

Homeless Action Resource Project, Bradbury Centre, 103 - 107 York Road, Southend-on-Sea, Essex, SS1 2DL

HARP

SKArchitects

Mr Guttis, a local resident, spoke as an objector to the application. Mr Hair responded on behalf of the applicants.

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans Site and Block Plan P01 Revision E; Proposed site plan P06 Revision A; Proposed elevations and floorplans P03 Revision C.

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

03 The use hereby permitted shall be carried out only by HARP for sheltered accommodation and shall not be used as separate occupation from the Bradbury Centre in accordance with the details and particulars submitted with the application.

Reason: Permission has been granted taking into consideration the special circumstances of this case. The local planning authority needs to control future use of the premises to ensure compliance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

04 The premises shall be used for the purpose hereby approved in accordance with Condition 03 of this permission or for a residential institution sheltered housing (Class C2) only and for no other purpose including any other purpose within Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To define the scope of this permission in light of protecting the character and appearance of the area and the surrounding residential occupiers in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

05 No development shall take place until details including samples of the materials and colour to be used on the external elevations including roofing, glazing, walls, windows and door, 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 interests of visual amenity to ensure that the appearance of the building makes a positive contribution to the character and appearance of the existing school building and surrounding area in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy and policy DM1 of the Development Management Document and the Design and Townscape Guide.

06 The pedestrian access to the east exiting onto Hastings Road as shown on the 'Proposed Site and Block drawing P01 Revision E' shall only be used in an emergency and no other time.

Reason: To protect the amenities of nearby residential occupiers in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy and policy DM1 of the Development Management Document and the Design and Townscape Guide.

07 No development shall take place, until a detailed 'Management Plan' for the sheltered housing has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to through the lifetime of the development. The statement shall provide for:

- Details of the panic alarm system to be installed;
- Siting of the CCTV cameras;
- Emergency intruder protocol;
- Access control system for door entry;
- Intercom system;
- Town link radio scheme, directly linked to the police;
- Security guard rota.

Reason: To protect the amenities of nearby residential occupiers in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy and policy DM1 of the Development Management Document and the Design and Townscape Guide.

08 Notwithstanding any provisions to the contrary, no additional windows or other openings, including any change in the height or size of the windows on the plans hereby approved, shall be inserted into the flank elevations of the extension hereby approved, without first obtaining the written permission of the Local Planning Authority.

Reason: To protect the amenities of nearby residential occupiers in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy and policy DM1 of the Development Management Document and the Design and Townscape Guide.

09 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).

10 All hard and soft landscape works shall be carried out in accordance with the approved details submitted in accordance with condition 09. The works relating to the proposed development 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).

11 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 and general environmental quality in accordance with, NPPF, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

12 No part of the development shall be occupied until 10 bicycle secure and covered parking spaces have been provided 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 Prior to commencement of the use hereby approved, details of the storage of refuse and waste materials shall be submitted, including provision for separate recycling and clinical waste refuse stores. The development shall only be carried out in accordance with the approved details.

Reason: To make satisfactory provision for refuse storage pursuant to Waste Management Guide and DPD2 (Development Management Document) Policy DM8.

14 No development hereby permitted shall commence until details of surface water attenuation for the site, based on SUDS principles, include water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting 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 surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2.

15 Prior to the commencement of development a renewable energy assessment shall be submitted to and agreed in writing with the Council to demonstrate how at least 10% of the energy needs of the development will come from onsite renewable options (and/or decentralised renewable or low carbon energy sources should also be submitted and agreed with the Local Planning Authority. The scheme as approved shall be implemented and brought into use on first occupation of the 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 the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) emerging policy DM2 and SPD1 (Design and Townscape Guide).

16 No construction works in connection with the development hereby permitted shall take place outside the following times 07.30-1800 on Mondays to Fridays and 0800-1300 on Saturdays and no such works shall take place on Bank and public holidays.

Reason: To protect the amenities of nearby residential occupiers in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy and policy DM1 of the Development Management Document and the Design and Townscape Guide.

Informatives

01 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use.

02 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 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.

(c) 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**

Ms J Wilson, a local resident spoke as an objector to the application. Mr Calder, responded on behalf of the applicants.

Planning Permission REFUSED for the following reasons:

01 The proposed development, by reason of its bulk, height, and massing, along with its proximity to nearby residential properties, would result in overbearing and overlooking to the detriment of residential amenities, contrary to the NPPF, Policy CP4 of the Southend Core Strategy 2007, DM1 of the Southend Development Management DPD and guidance contained within the Design & Townscape Guide

02 The proposed development fails to meet the National Housing Technical Standards in terms of unit sizes and would not result in high quality flexible living environments. As such the proposal is contrary to Policy DM8 of the Southend Development Management DPD (2015).

03 The proposed development would fail to make provision for adequate and accessible private outdoor amenity space, by virtue that the plans submitted do not demonstrate how the rooftop terrace could be accessed by wheelchair users

and less ambulant residents. As such the proposal is contrary to Policy DM8 of the Southend Development Management DPD (2015) and Part M4 of the Building Regulations 2010.

(d) Prittlewell Ward

15/01189/FULM

Erect two storey linked infill extension to North West corner, re-configure existing driveway and layout parking, re-position port-a-cabin erect new gates and form new access onto Prittlewell Chase

Southend High School for Boys, Prittlewell Chase, Westcliff-on-Sea, Essex, SS0 0RG

Southend High School for Boys

Rees Pryer Architects LLP

Mr D Cole, a local resident, spoke as an objector to the application. Dr Bevan responded on behalf of the applicants.

DEFERRED (PMSV)

(e) Victoria Ward

15/01314/FULM

Erect two additional floors to form twelve self-contained flats with terraces and a roof garden

The Southchurch Centre, 93 - 99 Southchurch Road, Southend-on-Sea, Essex, SS1 2NL

Mr Tom Harris

APS Design Associates Ltd.

Planning permission REFUSED for the following reasons:

01 The proposed development by reason of its design, scale, bulk and use of materials would appear overscaled, bulky and at odds with the streetscene, to the detriment of the character and appearance of the existing building and the streetscene, contrary to the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009 (SPD1).

02 The proposal, by reason of the dwelling mix, which is predominately 2 bed units, limited internal size of some of the units, would result in cramped living conditions and lack of amenity space for future occupants. This is indicative of overdevelopment of the site and fails to contribute towards a mixed a balanced community. This is contrary to the NPPF, policies KP2 and CP4 of the Core Strategy, policy DM7 and DM8 of the Development Management DPD2 and National Housing Standards 2015.

03 In the absence of a signed legal agreement the proposal fails to secure a contribution towards affordable housing contrary to the NPPF, policies KP2, CP3, CP6 and CP8 of DPD1 (Core Strategy).

Informative

01 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.

(f) Milton Ward

15/01604/BC3

Erect temporary ice rink with marquee and associated works

The Forum, Elmer Approach, Southend-on-Sea, Essex, SS1 1NS

Councillor Moring

Southend Carnival

Planning permission GRANTED subject to the following conditions:

01 The marquee and ice rink shall be removed on or before Monday 11th January 2016.

Reason: In accordance with the wishes of the applicant, because the application has only been made for permission for a temporary period and would be unacceptable on a permanent basis.

02 The development hereby permitted shall be carried out in accordance with the approved plans Site location plan; NL 150921 B 001 Proposed Plans.

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

Informative

01 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use and the permission sought is on a temporary basis.

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.

(g) Chalkwell Ward

15/01492/FUL

Demolish existing buildings, erect part two/part three/part four and five storey building comprising of 9 self-contained flats with balconies, cycle and refuse storage, lay out parking and landscaping and form vehicular access onto the Leas

30-32 The Leas, Westcliff-on-Sea, Essex, SS0 8JB

R.S. Coombes Ltd. RIBA

Elmore Homes Limited

Planning permission REFUSED for the following reason:

01 The proposed development will result in the loss of buildings which make a significant contribution to the character of the Crowstone Conservation Area and historical reference to seafront architecture within Westcliff-on-Sea. Furthermore, the proposed replacement building by reason of its scale, bulk, mass, siting and design would fail to integrate with the streetscene and wider seafront and would fail to preserve or enhance the character of the Crowstone Conservation Area to the detriment of the character of the area contrary to the NPPF, Policies KP1, KP2 and CP4 of the Core Strategy (DPD1), Policies DM1 and DM5 of the Development Management Document and the Design and Townscape Guide (SPD1).

01 Informatives

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.

(h) Chalkwell Ward

15/01274/FUL

Demolition of existing entrance, erection of porch, form new entrance to manager's 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)

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

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: 1576 10 and 1576 11D

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 for the frames of the proposed windows, doors and entrance porch 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, DPD2 (Development Management) Policy DM1, and SPD1 (Design and Townscape Guide).

04 The windows marked as 'Fixed window' on plan 1576 11D shall be fixed shut at all times and the door marked as 'Fire Exist' shall be kept shut at all times except for an emergency.

Reason: To limit noise spillage from the application site in the interests of protecting the amenities of neighbouring residents, in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management).

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.

Informative

01 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.

(i) Blenheim Park

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**

Planning Permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans 41280-01D; 41280-04F; 41280-06N; 41280-05N; 41280-08B; 41280-09C; 41280-10A.

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

03 The materials shall be carried out in accordance with the details submitted for consideration including steel frame clad rainscreen system using Marley Eternit Tectiva E00 Calico, roofcrete covering to the flat roof, white powder coated aluminium double glazed windows and doors, Bradstone buff coping stones, seamless resin for pedestrian footpath, tarmacadam for car parking spaces. The development hereby approved shall be carried out in accordance with the details as stated above unless otherwise agreed 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 National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide).

04 The car parking spaces, cycle storage and refuse store shall be carried out in accordance with plan no. 41280-04F prior to occupation of the retail use hereby approved and shall thereafter be permanently retained for the occupants of the flats and their visitors 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 proposed retail use(s) and in the interests of residential amenity and highway efficiency and safety, in accordance with the National Planning Policy

Framework, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

05 Notwithstanding the balcony shown hatched on drawing 41208-06N. No other area of the roof shall be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

06 The development hereby permitted shall be carried out in accordance with drawing 41280-04F in relation to the hard and soft landscape works including the boundary wall to the front of the site and these works shall be carried out as approved unless otherwise agreed in writing 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 the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

07 The development hereby permitted shall be carried out in accordance with the Tree Report carried out by Tamla Trees reference 02029R with particular reference to the tree protection plan and the method statement.

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, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide).

08 The development hereby permitted shall be carried out in accordance with the renewable energy details of 21 photovoltaic panels on drawing 41280-06N and details submitted on the 13.07.2015 and the energy statement carried out by Silvercrest Solar. The approved scheme shall be implemented before the development is first occupied.

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, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

09 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

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

Informatives

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 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.

(j) West Leigh Ward

15/01540/FUL

Demolish existing building and garage for 18B, extend existing vehicle crossover and erect two storey dwellinghouse.

Thames Drive Dental Practice, Rear Of 18B Thames Drive, Leigh-on-Sea, Essex, SS9 2XD

Mr G. Singh

Mr S. Fairley (BDA)

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

Planning permission REFUSED for the following reasons:

01 The proposed development, by virtue of its scale, massing and design would harmfully conflict with the character and appearance of the streetscene and the surrounding area. The proposal is therefore contrary to the National Planning Policy Framework, DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1 and DM3 and SPD1 (Design and Townscape Guidance)

02 The proposed development, by virtue of its scale and massing and proximity to windows serving habitable rooms of neighbouring dwellings and the amenity areas of those dwellings, would have a harmfully overbearing impact on the light and outlook of the neighbouring dwellings. The proposal is therefore contrary to

the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guidance)

03 The proposed development would be served by inadequate parking and would therefore be detrimental to highway safety and efficiency, within an area of parking stress. The proposal would therefore be contrary to the National Planning Policy Framework and policies DM3 and DM15 of the Council's Development Management DPD.

04 It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed residential unit would accord with the standards of Part M of the Building Regulations, as required by the NPPF and policies DM1 and DM8 of DPD2 (Development Management) to the detriment of living conditions having regard to the objective of achieving lifetime homes.

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.

**(k) Leigh Ward
15/01417/FULH**

Increase ridge height of hip roof, erect dormer to rear with recessed balcony (Amended Proposal)

36 Leigh Hill, Leigh-on-Sea, Essex, SS9 2DN

Mr and Mrs Peter Osborne

Richard Morgan Associates Ltd

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: Location Plan; 14033/100 Revision C.

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

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

Reason: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, policies DM1 and DM5 of Development Management Document DPD2 and SPD1 (Design and Townscape Guide).

04 Prior to commencement of development details of a privacy screen including the materials and height to the east and west elevations inset within the proposed terrace area to the rear shall be submitted to and agreed in writing by the Local Planning Authority. The screen shall be installed prior to the completion of the works to no. 36 Leigh Hill and 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

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.

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.

(I) Blenheim Park Ward

15/01304/DOV

Deed of Variation

Modification of planning obligation dated 18/07/2013 (as modified by appeal decision dated 07/01/2015) pursuant to application 13/00061/EXTM to vary the affordable housing requirement to provide a financial contribution in lieu of on-site provision.

845 - 849 London Road, Westcliff-on-Sea, Essex

**Venture Capital Associates
Phase 2 Planning & Development Limited**

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 18th July 2013 (as modified by appeal decision dated 7th January 2015) pursuant to application 13/00061/EXTM to provide a commuted sum payment for affordable housing of £134,673 in lieu of on-site provision (subject to the conditions outlined in paragraph 5.2).

Informative: You are reminded of the remaining Section 106 requirements/contributions (namely, the reinstatement of redundant vehicle crossings to footpath, education contribution and S106 monitoring fee) that are payable prior to occupation of first residential unit and prior to commencement respectively.

**(m) Victoria Ward
15/01330/DOV**

Deed of Variation

Modification of planning obligation dated 01/06/2011 (as modified by appeal decision dated 07/01/2015) pursuant to application 11/00307/OUTM to vary the affordable housing requirement to provide a financial contribution in lieu of on-site provision.

175 London Road, Southend-on-Sea, Essex SS1 1PW

Venture Capital Associates

Phase 2 Planning & Development Limited

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 1st June 2011 (as modified by appeal decision dated 7th January 2015) pursuant to application 11/00307/OUTM to provide a commuted sum payment for affordable housing of £156,702 in lieu of on-site provision (subject to the conditions outlined in paragraph 5.2).

Informative: You are reminded of the remaining Section 106 contributions (namely, education contribution, highway contribution and S106 monitoring fee) that are payable prior to commencement.

**(n) St Laurence Ward
15/01228/S106BA**

S106 Variation of Affordable Housing Element

Modification of planning obligation (S106 agreement) dated 11th November 2011 pursuant to application 11/01005/EXTM to remove the requirement to provide affordable housing.

97 - 99 Rochford Road, Southend-on-Sea, Essex

Stephanie Litman-Lanceron

Mr Robin Furby (S106 Management)

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 11/11/2011 pursuant to planning permission 11/01005/EXTM to provide a commuted sum payment for affordable housing of £20,000 (subject to the conditions outlined in paragraph 5.1).

Informative: You are reminded that planning permission 11/01005/EXTM included a number of conditions that require submission of details prior to development taking place. Details do not appear to have been submitted to date and therefore please submit details prior to carrying out any further work to avoid any breach of conditions and consequent enforcement action. In addition, you are reminded of the other Section 106 contributions (education and S106 monitoring fee) that are payable prior to commencement.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 30th November, 2015

Place: Committee Room 1 - Civic Suite

12

Present: Councillor Habermel (Chair)
Councillors Evans (Vice-Chair), Callaghan, Courtenay, Cox, Crystall,
J Garston, Jarvis, McMahon, Mulrone, Phillips, Robertson, Ward,
Ware-Lane, Willis, Stafford* and Endersby

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors Gilbert (Executive Councillor), Betson and Arscott
A Lewis, J K Williams, S Dolling, D Patel, S May and T Row

Start/End Time: 6.30 - 7.30 pm

429 Apologies for Absence

Apologies for absence were received from Councillor M Assenheim (substitute: Councillor Stafford) and from Councillor Kenyon.

430 Declarations of Interest

The following interest was declared at the meeting:

(a) Councillor Gilbert (Executive Councillor) – 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.

431 Questions from Members of the Public

The relevant Executive Councillor responded to two written questions that had been received from members of the public.

432 Minutes of the Meeting held on Monday, 12th October, 2015

Resolved:-

That the Minutes of the Meeting held on Monday, 12th October 2015 be received, confirmed as a correct record and signed.

433 International Marketing

The Committee received a PowerPoint presentation by the Head of Economy, Regeneration & Tourism on the marketing of Southend on Sea overseas and, in particular, the marketing campaign currently underway in Groningen, in the north of the Netherlands.

On behalf of the Committee, the Chairman thanked Mr Dolling for an informative and enthusiastic presentation.

Resolved:

That the presentation be noted.

434 Monthly Performance Report

The Committee considered Minute 404 of Cabinet held on 10th November 2015, together with the Monthly Performance Report (MPR) covering the period to end September 2015. The Committee also had before it an Exceptions Report which had been circulated on 27th November 2015, copies of which were tabled at the meeting.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

435 Beecroft Building

The Committee considered Minute 413 of Cabinet held on 10th November, which had been called-in for scrutiny, together with the report of the Corporate Director for Place presenting the results from the consultation on the future of the former Beecroft Art Gallery Building, Station Road, Westcliff-on-Sea.

In response to questions regarding the current condition of the building, the Corporate Director for Place confirmed that he would be happy to provide a copy of the latest condition survey for Members' information.

Resolved:

That the following recommendations of Cabinet be noted:

“1. That the Council acting as Trustees give permission for officers of the Council to investigate the viability of using the former Gallery Building as artist studios. (This option would further the objects of the Trust and merits further investigation to determine if it would be financially viable and therefore in the best interests of the Trust.)

2. That, if the feasibility study finds that the conversion of the building into artist studios will not be viable, the Trustees should proceed with one of the identified options for disposal (As set out in section 5.1.1 of the submitted report).”

Note:- This is a Council Function.

Executive Councillor:- Cllr Gilbert (as substitute portfolio holder)

436 In-depth Scrutiny Project - 20mph in Residential Streets

The Committee received and noted an oral update on the in-depth Scrutiny project “20mph in residential streets”.

Resolved:

That update be noted.

Note: This is a Scrutiny function.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 1st December, 2015
Place: Committee Room 1 - Civic Suite

13

Present: Councillor Salter (Chair)
Councillors Hadley (Vice-Chair), Assenheim, Ayling, Stafford, Butler, Davies, Endersby, Betson, Borton, Buckley, Folkard, McGlone, Nevin, *Phillips, Robertson, Robinson,
Dr Chisnell, Mr J Cooke, Mr M Rickett and Ms A Semmence (Co-opted members)

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors Jones and Moyies (Executive Councillors),
Councillors Evans and Flewitt,
Dr Atherton, S Ford, S Leftley, H Tomlinson, R Harris, R Tinlin and M Sinden
Youth Council Observer – I Genius

Start/End Time: 6.30 pm/8.05pm

437 Apologies for Absence

Apologies for absence were received from Councillor M Davidson (substitute Cllr G Phillips) and Councillor L Davies (no substitute) and A Clarke (co-opted member).

438 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 – Public Questions; Scrutiny Committee update; Schools Progress Report - non-pecuniary – NHS employee of Trust in Southend, mentioned in report; parent of children at schools mentioned in the public question and report;

(d) Councillor Nevin – agenda item relating to Scrutiny Committee update - non-pecuniary - previous employee at Southend Hospital and as employee of BARTS who provide dentists to Southend;

(e) Councillor Borton – agenda item relating to – 21st Century Children's Centres- non-pecuniary – School Governor at Milton Hall School and also on a Steering Group at Summer Court Children's Centre;

(f) 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;

- (g) Councillor Buckley – agenda item relating to Notice of Motion: HIV Testing – non-pecuniary – shares residential address with Councillor Flewitt;
- (h) Councillor Jones – agenda item relating to Notice of Motion: HIV Testing – non-pecuniary – knows one of the workers;
- (h) Mr M Rickett – agenda item relating to Schools Progress – non-pecuniary – Parent Governor at school and parent of child attending one of the schools mentioned in report.
- (i) Mr J Cooke – agenda item relating to Schools Progress – non-pecuniary – parent of child attending one of the schools mentioned in report;

439 Questions from Members of the Public

Councillor Jones, the Executive Councillor for Children & Learning responded to a written question from Mr Webb.

440 Minutes of the Meeting held on Tuesday 13th October, 2015

Resolved:-

That the Minutes of the Meeting held on Tuesday, 13th October, 2015 be confirmed as a correct record and signed.

441 Minutes of the Meeting held on Monday 7th September, 2015

Resolved:-

That the Minutes of the Meeting held on Monday, 7th September, 2015 be confirmed as a correct record and signed.

442 Notice of Motion on HIV Testing

The Committee considered Minute 402 of Cabinet held on 10th November 2015, which had been called in to scrutiny. This concerned the Notice of Motion in relation to HIV testing, proposed by Councillor Evans and seconded by Councillor Flewitt and had been referred to Cabinet from the Council held on 22nd October, 2015.

In response to questions from Members of the Committee the Executive Councillor for Health & Adult Social Care agreed to explore all options to raise awareness.

Resolved:-

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

“That this is a laudable motion and the Council has an on-going commitment to reduce the rates of late and undiagnosed HIV in Southend-on-Sea and ensure that these are as low as possible. However, in these times of reducing budgets from Central Government and forced cuts to services we offer and the limited data about the downward trajectory, it is not possible to commit to a target to halve the rate by 2020 as that would require significant extra expenditure”.

2. That accordance with Standing Order 39, the matter be referred to Full Council for consideration.

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

443 Monthly Performance Report

The Committee considered Minute 404 of Cabinet held on 10th November, together with the Monthly Performance Report (MPR) covering the period to end September 2015. The Committee additionally had before it the Exceptions Report which had been circulated on 27th November 2015.

Resolved:-

That the report be noted.

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

444 Market Position Statement

The Committee considered Minute 412 of Cabinet held on 10th November, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for People which presented the draft integrated Market Position Statement for providers of adult health and social care services.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the commitments for citizens, commissioners and providers, as set out on pages 1 and 2 of the submitted statement, be approved.

2. That the tools to support the market as set out on page 2 of the statement, be noted.

3. That the Council commits to the next steps as set out on page 13 of the submitted statement.

4. That the Director for People and the Chief Accountable Officer of Southend Clinical Commissioning Group (CCG) in consultation with the portfolio holder for Health and Social care, be authorised to publish refreshed and focused chapters.”

Note:- This is an Executive Function.
Executive Councillor:- Cllr Moyies

445 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 and an update by NHS England was circulated at the meeting – noted. Councillor Betson advised the Committee that she would stand down as one of the Councillor appointees to the Joint Committee.

(b) Southend Hospital - PET-CT scanner – information set out in section 4.1 of the report and at Appendix 1. At the last meeting, the Committee had supported 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 (Minute 326 refers). However, Thurrock HOSC rejected the proposals and Essex HOSC asked for more engagement and information.

A letter from clinicians at Southend hospital which had been sent to NHS England on this matter was tabled at the meeting. This supported the position to activate the static PET CT scanner already based on the Southend Hospital site.

The Committee noted the proposed engagement and that the consultation has been extended to allow for more effective and clinical engagement which will now conclude in January 2016 and urged NHS England to reach a decision on the location of the PET CT scanner and that for the reasons discussed the location should be Southend Hospital.

(c) School admission arrangements – sibling admission criteria - information set out in section 4.2 of the report – noted.

(d) Emotional wellbeing and mental health service – information set out in section 4.3 of the report – noted.

(e) Community dental services in Essex – information set out in section 4.4 of the report and at Appendix 2 – noted.

(f) update on in depth scrutiny project – Transition arrangements from children's to adult services – information set out in section 5 of the report – noted.

Resolved:-

1. That the report and actions taken be noted.
2. That NELFT be invited to give an all member presentation in the new year.
3. That an urgent letter be sent to NHS England regarding the location of the PET-CT Scanner.
4. That Councillor Nevin replace Councillor Betson as a Member of the Joint Committee for complex urological cancer surgery in Essex.

Note: This is a Scrutiny Function.

446 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

447 21st Century Children's Centres - A Model for Sustainability

The Committee considered Minute 418 of Cabinet held on 10th November, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for People on the proposed redesign of the management structure of Children's Centres in Southend.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the model for the delivery of our Children's Centres offer, be revised.

2. That it be noted that a new single delivery model would aim to:

- (i) Increase efficiency through joined up leadership and management and a single performance management rather than nine.
- (ii) Develop a strong single leadership and management platform to allow budgetary integration.
- (iii) Maintain strong service delivery for families whilst providing scope for improvement.
- (iv) Provide opportunities to jointly bid for outside funding and become a sustainable delivery model.
- (v) Provide an integrated platform for the delivery of 'A Better Start' services.

3. That as part of the redesign process, the following options be considered:

- Charitable Trust
- Company limited by guarantee
- Company limited by shares
- Mutual"

Note:- This is an Executive Function.

Executive Councillor:- Cllr Jones

448 The Acquisition of Land and Buildings for School Improvement and Secondary Places

The Committee considered Minute 421 of Cabinet held on 10th November, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for People on the above.

Resolved:-

That the following recommendations of Cabinet be noted:-

“1. That the acquisition of sites A and B as set out in the submitted report (and in appendices 2 and 3) be proceeded with (having noted the conclusion and reconfiguration works required) and that the Corporate Director for People be authorised, in consultation with the Head of Finance and Resources and the Portfolio Holder for Education, to deal with any amendments to the terms arising through negotiations.

2. That an application to the Secretary of State for Education be proceeded with for the appropriation of site C, as identified in the submitted report, from education use for alternative purposes.

3. That the existing £10m budget for school places be re-profiled as set out in section 8.2 of the submitted report.

4. That it be noted that at a cost of £2.5m to £4.5m per form of entry, the requirement of 10 forms of entry across existing secondary schools is likely to cost between 25m and 45m up to 2021 (the range of cost is wide to reflect the very different circumstances and build/reconfiguration requirements and specific costs will not be known until specific opportunities are identified and costed in detail).

5. That it be noted that the additional estimated cost for secondary school places will need to be considered in the relevant capital programme reviews as part of setting the Council’s annual budget.

6. That it be noted that the proposed acquisitions provide the opportunity to save significant capital investment by acquiring existing sites rather than building new or extending existing schools.”

Note:- This is a Council Function
Executive Councillor:- Cllr Jones

449 Schools Progress Report

The Committee received a report of the Corporate Director for People. This advised members of the provisional headline performance data and measures taken to support, challenge and intervene in schools identified as causing concern. The report also provided information on the number of Southend pupils entering the 11+ and the measures to assist disadvantaged pupils prepare for the 11+ examinations.

Resolved:-

That the report be noted.

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

450 Multi-academy Trusts and Academies Briefing Paper

The Committee received a briefing paper of the Corporate Director for People on the above.

Resolved:-

That the report be noted.

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

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 2nd December, 2015

Place: Darwin Room - Tickfield

14

Present: Councillor Moyies (Chair)
Councillors
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Walters, R Harris, J Williams and Wilson

Start/End Time: 5.00 - 6.00 pm

451 Apologies for Absence

Apologies for absence were received from Councillors Lamb (substitute: Cllr Walker), Longley (substitute: Cllr Crystall) and Velmurugan (no substitute).

Apologies were also received from S Hardy (substitute: J Findlay), M Craig, A McIntyre and Dr Chaturvedi.

452 Declarations of Interest

There were no declarations of interest at this meeting.

453 Questions from Members of the Public

There were no questions from members of the public.

454 Minutes of the Meeting held on Monday 29th June 2015

Resolved:-

That the Minutes of the Meeting held on 29th June 2015 be confirmed as a correct record and signed.

455 HWB Peer Challenge Feedback Letter

The Board received a letter from the Peer Review Team which provided feedback from their two day visit on 21st and 22nd July 2015 which was a follow up to the January 2014 health and wellbeing peer challenge visit as part of the Local Government Association (LGA) Health & Wellbeing System Improvement Programme.

Resolved:

That the letter from the Peer Review Team be noted.

456 Better Care Fund Quarter 2 2015/16 Return

The Board received a report which provided details of the Better Care Fund Quarter 2 2015/16 return.

Resolved:

That the report be noted.

457 Transforming Care Partnerships Update

The Board received a report which provided an update on the developments in implementing Transforming Care.

Resolved:

That the report be noted.

458 Essex Wide Mental Health Strategic Review

The Board considered a report which provided details of the outcomes and recommendations arising from the Essex Mental Health Review.

Resolved:

That the report be noted.

459 Joint Prevention Strategy

The Board considered a report from the Head of Health Development which proposed a draft framework and timeline to create a Joint Adult Prevention Strategy for Southend-on-Sea to promote wellbeing and independence.

The Board asked a number of questions which were responded to by officers. In response to a specific question regarding young carers the Corporate Director for People agreed to circulate a report on the matter.

Resolved:

That the proposed scope of the Southend Adult Prevention Strategy, as set out in the submitted report, be agreed.

460 Health & Wellbeing Strategy Refresh 2015-16, Broad Impact Goal Performance Indicators

The Board considered a report from the Health & Wellbeing Partnership Advisor which provided the first progress report for the HWB Strategy "Broad Impact Goals" and highlighted the opportunities where Board members could support improved outcomes in specific areas of work. The report also highlighted the next steps to identify longer term strategic ambitions for the HWB Strategy from 2016 onwards.

The Board asked a number of questions which were responded to by officers.

The Board suggested that previous performance information should be included in future reports so that progress can be measured more effectively.

Resolved:

1. That, subject to the inclusion of previous performance information, the format of the indicator progress report be approved.
2. That, where relevant, the Board members consider engaging in opportunities to support progress in specific areas, as shown in Appendix 1 to the submitted report, and feedback to the Health & Wellbeing Partnership Advisor.
3. That Board members consider any other potential opportunities and contributions that might not currently be highlighted and feedback to the Health & Wellbeing Partnership Advisor.
4. That the proposal to organise an additional informal session to examine the relevant data and considerations, in order to inform the longer term priorities of the HWB Strategy from 2016 onwards, be agreed.

461 Safeguarding and the Role of the Health & Wellbeing Board

The Board received a PowerPoint presentation from Ms Doorly, LSCB Independent Chair, which covered the role and governance arrangements of the LSCB, the key issues in safeguarding and the safeguarding arrangements locally.

The Board emphasised the need for strong links and a clear understanding between the LSCB, Adult Safeguarding Board, Community Safety Partnership and the Health & Wellbeing Board, particularly in terms of safeguarding. It was suggested that the Independent Chair of the LSCB & Adult Safeguarding Board should be appointed to the Health & Wellbeing Board to advise on safeguarding matters.

It was also suggested that the Chairs' of the various Boards' have regular meetings.

Resolved:

That the Independent Chair of the LSCB and Adult Safeguarding Board be appointed to the Health & Wellbeing Board.

462 HWB Forward Plan

The Board considered the Forward Plan of Board activity for the period June 2015 to March 2016.

Resolved:

That the Forward Plan of Board activity be noted.

463 Date and time of next meeting

The next meeting will take place on Tuesday 9th February 2016 at 5pm at the Tickfield Centre in the Johnson Room.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 3rd December, 2015

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

15

Present: Councillor Flewitt (Chair)
Councillors D Garston (Vice-Chair), Arscott, Ayling, Borton, Byford,
J Garston, Holland, Kenyon, Lamb, McMahon, McGlone*, Mulroney*,
Nevin, Stafford and Walker

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors Betson, Gilbert and Woodley (Executive Councillors)
Councillors Assenheim, Cox and Hadley
R Tinlin, J K Williams, F Abbott, S Holland, J Chesterton, S Leftley,
D Patel, S Ford and A Fiske

Start/End Time: 6.30 / 9.05 pm

464 Apologies for Absence

Apologies for absence were received from Councillor Crystall (substitute Cllr Mulroney) and Councillor F Waterworth (substitute Cllr McGlone).

465 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors Betson, Gilbert and 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 Woodley – agenda item relating to SO46 (Beach Hut leases) – beach hut owner – withdrew;
- (c) Councillor Holland – agenda items relating to – Capital Monitoring; Issues facing HRA; PSP; HRA Land Review project – sons involvement - withdrew;
- (d) Councillor Holland – agenda item relating to police presentation – non-pecuniary – son is police officer;
- (e) Councillor Flewitt - agenda items relating to – issues facing HRA; HRA land review project - non-pecuniary – friend, family tenants of SEH Ltd;
- (f) Councillor Flewitt - agenda item relating to police presentation – non-pecuniary – sits as a JP in east London area;
- (g) Councillor Flewitt – agenda item relating to Capital Monitoring – non-pecuniary – Airport Business Park –potential impact upon section of highway within his ward;
- (h) Councillor Assenheim – agenda item relating to Issues facing HRA – non-pecuniary – sister lives in Adams Elms House & would be in receipt of refund;
- (i) Councillor Assenheim – agenda items relating to – police presentation; Issues facing HRA - 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;
- (j) Councillor Betson – agenda item relating to Issues facing HRA - 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;

(k) Councillor Arscott – agenda item relating to Capital Monitoring – non-pecuniary – friends members of Westcliff Rugby Club mentioned, near Airport;

(l) Councillor Cox – agenda item relating to PSP – non-pecuniary – Trustee Shoebury Community Association;

(m) Councillor Hadley – agenda item relating to PSP – non-pecuniary – Shoebury Community Association;

(n) Councillor McMahon – agenda item relating to police presentation – non-pecuniary – work & worked with Street pastors;

(o) Councillor McMahon – agenda item relating to Capital monitoring – non-pecuniary – mention of Rochford Club, is home to sport activity for NFL – a family member is a team member of this.

466 Questions from Members of the Public

The Leader responded to the written question from Mr Webb on behalf of the Executive Councillor for Housing, Planning & Regulatory Services and also responded to a further written question from Mr Webb.

467 Minutes of the Meeting held on Thursday 15th October, 2015

Resolved:-

That the Minutes of the meeting held on Thursday, 15th October, 2015 be received, confirmed as a correct record and signed.

468 Notice of Motion - Printing and Distribution of Hard Copies of Council Papers

The Committee considered Minute 399 of Cabinet held on 10th November, 2015, which had been called in to scrutiny. This concerned the Notice of Motion in relation to the printing and distribution of Council papers which had been proposed by Councillor Hadley and seconded by Councillor Walker and referred to Cabinet from the Council held on 22nd October, 2015.

In response to questions, the Leader confirmed that the current arrangements will not change until Members are up to speed with the new ModGov system.

Resolved:-

That the following decision of Cabinet be noted:-

“That it be noted that there are no plans to cease the general production and distribution of hard copy agendas and reports in the short term.”

Note:- This is an Executive Function.

Executive Councillor:- Woodley

469 Monthly Performance Report

The Committee considered Minute 404 of Cabinet held on 10th November, together

with the Monthly Performance Report (MPR) covering the period to end September 2015. The Committee additionally had before it the Exceptions Report which had been circulated on 27th November 2015 which included key performance indicators on crime.

The Committee welcomed Chief Superintendent Luke Collison and Chief Inspector Simon Anslow to the meeting for this item. They gave a presentation on responding to today's demands and planning for tomorrow's challenges and provided an update on Southend crime statistics. The Committee asked a number of detailed questions which were fully responded to at the meeting.

Resolved:-

1. That the report be noted.
2. That Mr Collison and Mr Anslow be thanked for the excellent, informative and helpful presentation and for answering questions on the crime statistics.

Note:- This is an Executive Function.

Executive Councillor:- As appropriate to the item.

470 Capital Monitoring for 2015/16 and Revised Capital Programme 2015/16 to 2018/19

The Committee considered Minute 405 of Cabinet held on 10th November 2015, which had been called in to scrutiny, together with a report of the Corporate Director for Corporate Services setting out the capital expenditure as at 30th September 2015 and proposing in-year amendments to the approved Capital Programme for 2015/16 to 2018/19 and later years.

Resolved:-

That the following recommendations of Cabinet be noted:-

- “1. That the actual capital expenditure position as at 30th September 2015 of £16.128 million as shown in Section 4 and Appendix 1 to the submitted report, be noted.
2. That the financing position of the Capital programme as at 30th September 2015, as set out in Section 5 to the submitted report, be noted.
3. That the proposed changes to the Capital Programme as set out in Appendix 6 to the submitted report, be noted.
4. That the revised Capital Programme for 2015/16 to 2018/19 and later years, that results from the changes, as set out in Appendix 7 to the submitted report, be approved.”

Note:- This is a Council Function.

Executive Councillor:- Cllr Woodley

471 Issues Facing HRA

The Committee considered Minute 409 of Cabinet held on 10th November, 2015 which had been called in to scrutiny, together with a report of the Corporate Director for People on the various financial pressures facing the Housing Revenue Account (HRA).

With regard to service charges for heating, the Corporate Director said that he would investigate the feasibility of new Southend Energy company supplying energy to sheltered flats.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the submitted report be noted.

2. That the refund of overpaid heating charges, be approved.

3. That from 2016/17 consideration be given to South Essex Homes being charged with setting and recovering service, heating and water charges directly, and their management fee be reduced accordingly.”

Note:- This is an Executive Function.

Executive Councillor:- Cllr Norman MBE

472 Council Procedure Rule 46

The Committee considered Minute 416 of Cabinet held on 10th November, 2015, which had been called in to scrutiny. This concerned item 1.1 re Beach Hut Leases, and item 1.2 re purchase of 36 Malvern, Coleman Street only.

In response to a question regarding the Beach Hut Leases, the Corporate Director for Corporate Services agreed to send a written response on the frequency of the renewal on beach hut leases and an estimate of the rent position.

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function

Executive Councillor:- As appropriate to the item.

473 In depth scrutiny project - 'Control of personal debt and the advantages of employment'

Further to Minute 346 of the meeting held on 15th October, 2015, the Committee received and noted an oral update on the in depth scrutiny project – ‘Control of personal debt and the advantages of employment’.

A representative from the England Illegal Money Lending Team will be giving a presentation on their work to the next project team meeting in January which other members on the Scrutiny Committee are welcome to attend.

Resolved:-

That update be noted.

Note:- This is a Scrutiny function.

474 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.

475 Projects - PSP Southend LLP

The Committee considered Minute 419 of Cabinet held on 10th November, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for Corporate Services providing an update on the projects to be progressed through the Council's partnership PSP Southend LLP.

In response to a question, the Leader gave a commitment to assisting local societies at one of the schemes.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the schemes set out in sections 4 of the submitted report be progressed through PSP Southend LLP and that conditional options over the sites are granted to enable the projects to proceed.

2. That it be noted that the granting of conditional options to the LLP means that PSP Southend LLP Members' Board will make all future decisions with regard to the development of these sites and the projects will be managed through the LLP."

Note:- This is an Executive Function.

Executive Councillor:- Cllr Woodley

476 HRA Land Review Project

The Committee considered Minute 420 of Cabinet held on 10th November, 2015, which had been called in to scrutiny, together with a report of the Corporate Director for People on the HRA land review project.

Resolved:-

That the following recommendations of Cabinet be noted:-

“1. That the capital budget of the HRA Land Review Project be increased by the sum identified in the submitted report in order to appoint a contractor and progress the project.

2. That the capital programme be amended accordingly (funded as per section 5.3 of the submitted report) and to profile the total budget as set out in the submitted report in 2015/16 and the balance in 2016/17.”

Note:-This is a Council Function

Executive Councillor:- Cllr Norman MBE

Chairman: _____

Resolution on Sunday Trading

16

This Council notes that:

The Government has launched a consultation on whether to devolve the power to set the hours of Sunday trading.

Council further notes that whilst Council would generally welcome the devolution of new powers that these are powers that local government has not asked for.

In addition, Council notes that the government's own economic evidence states that longer Sunday opening will not generate more consumer spending and will lead to fewer retail jobs, so this is not a tool for economic regeneration and that longer Sunday opening is unpopular with the public – the latest survey showed 77% support the current opening arrangements – and will have negative consequences for communities including shop workers, who are already pressured to work longer hours than they wish on Sundays, convenience stores which are often a 'lifeline' to communities will lose trade and the government's evidence shows that some stores will close and Sundays will become more like any other day, making it harder to hold community events.

This Council resolves to:

Write to the Secretary of State for Business, Innovation and Skills and the Secretary of State for Communities and Local Government advising that this Council believes that the Sunday Trading Act has worked well for 20 years and ensures that Sunday remains a special day whilst allowing shops to trade.

Council further resolves to write to all local MPs outlining the Council's position.

Proposer: Cllr Julian Ware-Lane **Seconder:** Cllr Charles Willis

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Motion to welcome, support and accommodate our fair share of refugees both locally and nationally

17

This Council notes that:

Conflicts in the Middle East have created the largest refugee crisis in generations.

Thousands of people have died while seeking sanctuary from the violence this year alone trying to cross the Mediterranean sea; many of them were children.

The United Kingdom has played a leading role as one of the world's top international donors, supporting refugees in Syria and the surrounding area.

The UN estimates there are over 320,000 people though who live in urgent need of resettlement. Survivors of torture or sexual violence, the very elderly or disabled, there are people who cannot survive in UN refugee camps near in countries surrounding Syria.

The UK has a long and important tradition of offering sanctuary to those who need protection. 100,000 Huguenots, 10,000 Jewish Kinder transport children spared the Nazi concentration camps, 160,000 Poles following the Second World War many of whom had served in the Battle of Britain, the Vietnamese Boat People, the 28,000 Asian Ugandans fleeing Idi Amin and the people who fled the war in Kosovo. This is our proud and decent tradition.

To play its part fully in solving this global crisis the British government must work for durable long term political solutions in the region, lead as a major international donor, and live up to its reputation as a place of sanctuary, integration and protection.

This Council believes:

- That this crisis will be better managed if incoming refugees are accommodated around the whole country;
- We can best rise to the crisis if a National Welcome and Resettlement Board bringing together local and national government, civil society and business leadership, is created to oversee efforts to resettle refugees and mobilise public support as in times past;
- Long term political solutions are needed to ease the crisis, but in the mean time we must do what we can;
- The UK must welcome its fair share of refugees to ease this crisis.

This Council resolves to:

- Formally express an interest in both the VPR and Gateway programmes to the Home Office, requesting that 100 refugees be resettled here;
- Write to local housing associations to encourage them to make properties available to resettle refugees;
- To commit to ensuring that refugees are welcomed in this area and help facilitate this process by coordinating local service provision and coordinating the immense public will to help;
- Write to the Prime Minister to assure him that the country stands ready and willing to help at this time of crisis.

Proposed: Cllr Julian Ware-Lane **Seconded:** Cllr Cheryl Nevin

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Notice of Motion: Change to Housing Policy/Rule

"We call on the Council to review and amend the 3 year local entitlement for social housing rule to 7 years in line with Basildon District Council's policy who have adopted this entitlement for the last 5 years and have had no challenges. With an ever increasing local housing need we feel this is the time to review and change the policy/rule."

Proposed: Cllr Callaghan

Seconded: Cllr Davies

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Notice of Motion: Southend Borough Patrol

“That this Council recognises the importance of an effective Police Force in the Borough because the situation we are facing at this present time with the ever decreasing Police services and presence on our streets means we have a duty of care to the residents of our town who need to be reassured that their security is paramount.

It is therefore requested that the Cabinet explore the possibility of reintroducing the Southend Borough Patrol back on the streets of the town. The Southend Borough Patrol was extremely successful and effective, from the late 1990's until they were dissolved into Essex Police in the early 2000's, with many of the Patrol Officers becoming PCSO's or Special Constables.”

Proposed by Cllr Mike Assenheim

Seconded by Cllr Nick Ward and Supported by Cllr Martin Terry, Cllr Derek Kenyon, Cllr Caroline Endersby.

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TTIP Motion

20

This council notes:

- That the EU and USA launched negotiations in July 2013 on a Transatlantic Trade and Investment Partnership (TTIP).
- That negotiations are underway to determine which goods and services TTIP will apply to and if new rules can be agreed to protect investors, harmonise standards, reduce tariffs and open new markets throughout the EU and USA.
- That there has been no impact assessment about the potential impact on local authorities.
- That there has been no scrutiny of the negotiating texts by local government and no consultation with local government representatives
- That MPs are also unable to scrutinise the negotiating documents.

This council believes that:

- TTIP could have a detrimental impact on local services, employment, suppliers and decision-making.
- A thorough impact assessment of TTIP on local authorities must be undertaken before the negotiations can be concluded.
- The proposed Investor State Dispute Settlement (ISDS) mechanism has been used by corporations to overturn democratic decisions by all levels of governments at significant public cost. Local decision-making must be protected from ISDS.
- The EU's food, environmental and labour standards are better than those in the US and TTIP negotiations must raise and not lower these standards across the EU and USA.
- Sourcing supplies and employment locally is important to strengthening local economies and meeting local needs. TTIP must not impact on local authorities' ability to act in the best interests its communities.

This council resolves:

- To write to the secretary of state for communities and local government, local MPs, and all East of England MEPs, raising our serious concerns about the impact of TTIP on local authorities and the secrecy of the negotiating process.
- To write to the local government association to raise our serious concerns about the impact of TTIP on local authorities and ask them to raise these with government on our behalf.
- To call for an impact assessment on the impact of TTIP on local authorities.
- To publicise the council's concerns about TTIP; join with other local authorities which are opposed to TTIP across Europe and work with local campaigners to raise awareness about the problems of TTIP.
- To contact the local authorities of municipalities twinned with Southend-on-Sea Borough Council asking them to consider passing a similar motion on TTIP.

Proposer: Cllr Cheryl Nevin **Secunder:** Cllr Charles Willis

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Notice of Motion – Changes in Electoral Arrangements

That in the light of the financial constraints faced by the Council and the need to make substantial savings in future years as a consequence of Government budget cuts, this Council should now consider changes to its electoral arrangements.

Whole-Council Elections

At present the Council is elected by thirds, with one third of the Councillors elected at a time. The Council should now move towards holding elections every four years which would produce an annual saving of around £50,000.

Information received from the Electoral Commission indicates that 38 of the 56 English Unitary Authorities currently have whole-Council elections. All of the London Boroughs and County Councils have whole-Council elections and 128 (out of 201) of the second tier district authorities have this form of elections.

The Council would be required to undertake a public consultation exercise on the proposed change. Following the conclusion of the exercise, if it is decided to move to all-out elections, an Extraordinary Council meeting will be needed to pass a resolution to move to whole-Council elections. There is a requirement that the resolution must be passed “by a majority of at least two thirds of the Members voting on it”.

Reduction in the Number of Councillors

The Council has downsized in recent years and there has been a significant reduction in the number of staff without a corresponding percentage reduction in the number of councillors. The Council should now consider reducing the number of councillors from 51 to 34 (2 per ward) which would produce an annual saving of around £155,000 in members’ allowances, ICT equipment and printing.

A case would need to be submitted to the Local Government Boundary Commission for England (LGBCE) which would consider whether to carry out a review and, if so, would proceed to carry out a public consultation exercise. Draft recommendations would be produced upon which a second round of consultation would take place. The LGBCE would publicize its final recommendations and then an Order would be made giving effect to the changes.

It is proposed:

- (i) That a change in the cycle for electing councillors to Southend-on-Sea Borough Council from elections by thirds to whole-Council elections with effect from May 2018 be supported in principle and that a public consultation exercise be undertaken in accordance with the statutory requirements.
- (ii) That a reduction in the number of councillors from 51 to 34 (2 per ward) from May 2018 be supported in principle and that the Chief Executive, in consultation with the Group Leaders, be authorised to put the case for such a proposal to the LGBCE for their consideration.

Proposed: Councillor Woodley

Seconded: Councillor Moyies

Southend-on-Sea Borough Council

Agenda
Item No.

23

Report of Corporate Director for Corporate Services

to
Council

on

10th December 2015

Report prepared by: John Williams,
Head of Legal & Democratic Services

Honorary Aldermen / Alderwomen & Changes to the Constitution

Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 To consider appointing Honorary Aldermen / Honorary Alderwomen
- 1.2 To make minor changes to the Constitution.

2. Recommendations

- 2.1 To agree the principle that the Council will confer the title of Honorary Aldermen / Honorary Alderwomen on past Members who have rendered eminent services to the Council pursuant to the procedures and criteria set out in section 3.8 of this report and that paragraph 6.7.3(f) of the terms of reference of the General Purposes Committee in Part 3 Schedule 2 of the Constitution be amended by the addition of the words “and conferring the title of Honorary Alderman / Honorary Alderwoman”
- 2.2 To invite Group Leaders to make recommendations for conferring the title of Honorary Aldermen / Honorary Alderwomen on specific past Members who meet the agreed criteria to the next meeting of the General Purposes Committee, with a view to holding an extraordinary meeting of the Council to formally confer the titles immediately prior to the next ordinary meeting of the Council.
- 2.3 That the minor amendments to the Constitution set out in section 4 of this report and Appendix 1 be agreed.

3. Background – Honorary Aldermen / Honorary Alderwomen

- 3.1 S.249(5) of the Local Government Act 1972 gives the Council the power to confer the title of “Honorary Freeman” or “Honorary Freewoman” on persons of distinction and persons who have rendered eminent services to the Borough. The Council has bestowed the honour on a number of people and their names are engraved on the wall outside the Council chamber. The General Purposes Committee is responsible for making recommendations to the Council on the award.
- 3.2 S.249(1) of the Local Government Act 1972 gives the Council power to confer the title of “Honorary Alderman” or “Honorary Alderwoman” on past members of the Council who have rendered eminent service to the Council or a predecessor authority. A special Council meeting must be convened for the purpose and a two thirds majority is required.
- The Council has not conferred such title on any past Members, but many Councils do so (including Basildon, Chelmsford and Colchester) and the Mayor has suggested that procedures be put in place to do so and this has been endorsed at a Group Leaders meeting.
- 3.3 In the 2008 White Paper “Communities in Control: real people, real power” Local Authorities were encouraged to appointment Honorary Aldermen / Honorary Alderwomen as a way of ensuring that the experience and knowledge of former councillors is not lost.
- 3.4 An Honorary Alderman / Honorary Alderwoman has no specific powers or rights and would not receive any allowance, but would be entitled to attend and take part in such Civic ceremonies as the Council may from time to time decide.
- 3.5 If the Council accepts the principle of conferring such title on past Members then appropriate criteria must be agreed to ensure that the individual has rendered “eminent services to the Council”, otherwise the title will have no meaning. The term “eminent” is not defined in the 1972 Act, but common synonyms include distinguished, notable and exceptional.
- 3.6 To enable nominations to be considered, the terms of reference of the General Purposes Committee in Part 3 Schedule 2 of the Constitution would need to be amended by the addition of the words “and conferring the title of Honorary Alderman / Honorary Alderwoman”.

3.7 Other Councils that have appointed Honorary Aldermen / Honorary Alderwomen have generally done so on a strictly limited basis. It is not a long-service award and the title should only be conferred in recognition of exceptional service of past Councillors who have reached the end of their political careers. Generally past members of the Council are not nominated if it is likely that they will wish to stand again for the Council, or to remain very active participants in party-politics, or if their future activities could bring them into conflict with the Council. However there is no legal prohibition on Honorary Aldermen / Honorary Alderwomen being re-elected and S. 249(2) the 1972 Act provides that in such circumstances the Councillor cannot be addressed as an Honorary Alderman / Honorary Alderwoman or attend any Council ceremonies in such capacity.

3.8 Proposed Procedures and Criteria for appointing Honorary Aldermen and Honorary Alderwoman

- (a) The conferment of the title of Honorary Alderman / Honorary Alderwoman will be considered in respect of past Members who have rendered eminent services to the Council. While it is not a long service award, at least 15 years' service as a Councillor will normally be required (which need not be consecutive).
- (b) Any past Member who meets the qualification criteria will be eligible for nomination by a Group Leader, who must provide a clear description of their "eminent services".
- (c) Nominations will be considered by the General Purposes Committee which will need to be satisfied that the past Member nominated has rendered eminent services to the Council and not simply that he or she has been on the Council for a long period of time. The Committee will also take into account the fact that the title is normally conferred on a past Member who has reached the end of their political career. Generally the title will not be conferred if it is likely that the past Member will wish to stand again for the Council, or to remain very active participants in party-politics, or if their future activities could bring them into conflict with the Council
- (d) The General Purposes Committee will make its recommendations to the Council.
- (e) A special meeting of the Council would be convened to consider the recommendations of the General Purposes Committee. This special meeting would be held immediately before the next scheduled Full Council meeting so as to keep costs to a minimum. S. 249(1) of the Local Government Act 1972, requires the resolution to confer the title of Honorary Alderman / Honorary Alderwoman to be passed by not less than two thirds of the Members voting thereon at the meeting.

- (f) If the Council confers the title on any past Member, a small ceremony for presentation of the title would be arranged at a later date where the new Honorary Alderman / Honorary Alderwoman will be presented with a ceremonial scroll (produced in-house), and badge or shield of office, but no other significant cost would be incurred.
- (g) Honorary Alderman / Honorary Alderwoman are entitled to attend ceremonial functions to which they are invited. However they have no specific powers or rights and do not receive any allowances or other payments.

3.9 In order for the Council to consider conferring the title of Honorary Alderman / Honorary Alderwoman on recent past Members, it is recommended that Group Leaders consider suitable candidates as per the recommendation in 2.2.

4. Minor amendments to the Constitution

- 4.1 Several minor changes are required to the Constitution as described in the following sub-sections and set out in **Appendix 1**.
- 4.2 Some flexibility is required to make In-year changes to fees and charges to reflect changes in circumstances and changes to statutory fees. This involves adding a new sub-paragraph (k) to the General Delegations to Chief Officers in paragraph 3.2 of Part 3 Schedule 3 and making a consequential amendment to paragraph 4.02 of Article 4 in Part 2 of the Constitution.
- 4.3 Delegations re Estate Management require amendment to cover transactions relating to Council trust assets, some tidying up and adjustment of the financial limits following recent changes to the Financial Procedure Rules.
- 4.4 Limitations on Members speaking at a Committee or Sub-Committee of which they are neither a member nor a duly appointed substitute.

Amendments are suggested to restrict the contribution of a guest Member to a maximum of 5 minutes on any item and that they should sit apart from Committee members so that it is clear to everyone present as to who is making the decision.

5. Other Options

Do nothing. The Council does not have to appoint Honorary Aldermen / Honorary Alderwomen or amend the Constitution

6. Reasons for Recommendations

- (a) Conferring the title of Honorary Aldermen / Honorary Alderwomen is an established way of recognising past Members who have rendered eminent services to the Council and has been adopted by many other Local Authorities.
- (b) Amending the Constitution is a function reserved to the Council and the changes are required for the efficient administration of the Council.

7. Corporate Implications

7.1 Contribution to Council's Vision & Corporate Priorities

Becoming an excellent and high performing organisation

7.2 Financial Implications

- (a) The Council has power under Section 249(4A) of the Local Government Act 1972 to spend a reasonable sum as thought fit for the purpose of presenting an address, or a casket containing an address to an Honorary Alderman / Honorary Alderwoman.

It is not proposed to provide a casket, but to provide a scroll (printed in house) and a small badge (or Shield for a former Mayor). This award together with staff resources required to administrate such a process would be met from within existing resources and budgets.

The Civic functions Honorary Alderman / Honorary Alderwoman. would be invited to attend would have negligible cost and be met from within the existing Mayoral budget; former Mayor's would already be included in such invitations.

Any investiture ceremony (including certificate presentation) would be scheduled to coincide with an ordinary Full Council meeting and have no significant cost.

- (b) The minor amendments to the Constitution would have no significant financial implications.

7.3 Legal Implications

Section 249 of the Local Government Act 1972 enables the Council to "confer the title of Honorary Aldermen or Honorary Alderwoman on persons who have, in the opinion of the Council, rendered eminent service' to the Council as past members of that Council but who are not then members of the Council."

7.4 People Implications

None

7.5 Property Implications

None

7.6 Consultation

With Group Leaders

7.7 Equalities and Diversity Implications

None

7.8 Risk Assessment

No significant issues.

7.9 Value for Money

These proposals re Honorary Alderman / Honorary Alderwoman incur minimal expenditure to be contained within existing budgets while providing the opportunity to recognise eminent services by former Members to the Council.

7.10 Community Safety Implications

None

7.11 Environmental Impact

None

8. Background Papers

None

9. Appendices

Appendix 1 – Minor changes proposed to the Constitution

Recommendation in 4.2

(a) Changes to Part 3 Schedule 3 to the Constitution

3. General Delegations to Chief Officers & Other Officers

3.1 Subject to 1.3 Chief Officers are authorised to take decisions and to act:

- (a) To discharge the functions allocated to them or dealt with by them or their staff.
- (b) In all matters in which they have managerial or professional authority unless there is a legal or professional impediment.
- (c) Without qualification, in accordance with Standing Order 46 of the Council Procedure Rules.

3.2 Subject to 1.3 Chief Officers may exercise discretion and use whatever means they consider appropriate to discharge those functions and implement those decisions, and to exercise their General, Specific and Special Delegated Powers, including:

- (k) Making in-year adjustments to fees and charges where statutory figures change or where specific circumstances make this expedient subject to consultation with the relevant Executive Councillor(s) and the Head of Finance & Resources.

(b) Changes to Part 2 to the Constitution

4.02 Functions of the Council and Terms of Reference

(2) The Budget

To approve and adopt the Council's Budget

[The Budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting fees and charges (save that in-year changes can be made by Chief Officers in accordance with paragraph 3.2(k) in Part 3 Schedule 3) the Council Tax Base, setting the Council tax and decisions relating to the control of the Council's borrowing requirement, investments, the control of capital expenditure and the setting of virement limits]

Recommendation in 4.3

(a) Changes to Part 3 Schedule 3 to the Constitution

4.5 The Corporate Director for Corporate Services and / or the Head of Finance & Resources

- To carry out the following Estate Management functions in relation to Council land or property assets including those assets held by the Council as trustee
 - To deal with all Estate Management functions including but not limited to settling the terms of any lease renewals, rent reviews, surrender and renewals, lease extensions, supplemental leases, lease re-gearing opportunities, landlord's consents, access agreements, dilapidations, charges, variations and the service of notices, commissioning surveys, forfeiture and enforcement action.
 - To settle the terms of any new leases, or supplemental leases with an annual rent up to and including £75,000 p.a.
 - To deal with disposals, including easements or other interests in land for best consideration with a capital value or consideration up to and including £250,000.
 - To deal with acquisitions on value for money terms with a capital value or consideration up to and including £250,000.
 - ~~To settle the terms of any lease renewals and rent reviews.~~
 - ~~To deal with any consents and variations to occupational agreements for land or property.~~
 - ~~To deal with all other estate management transactions (including but not limited to acquisitions and disposals for best consideration) with a premium value or consideration not exceeding £100,000 and / or a revenue implication of less than £25,000 per annum.~~
 - To deal with any disposals at under-value where the element of undervalue has a premium value or consideration of less than £100,000.
 - To deal with any lettings at under value where the term does not exceed 7 years or the element of under value on the rent is less than £25,000 p.a.

- To consider objections and in the case of there being less than 5, non-substantive objections, to authorise the disposal of open space in accordance with the process set out in the Corporate Asset Management Strategy.
- ~~To deal with all other estate management functions including but not limited to the serving of notices, commissioning surveys and enforcement action.~~

[Note: reference to leases includes licences, tenancies at will and any other occupational agreements.]

- See also Section 5.3 and 5.10 for Special Schemes of Delegation for Estate Management Services and Assets of Community Value respectively.

(b) Changes to Special Scheme of Delegation, Section 5 of Part 3 Schedule 3 to the Constitution

5.3 Estate Management Service

The Group Manager (Asset Management) may exercise all the powers of the Corporate Director for Corporate Services and the Head of Finance & Resources in respect of Estate Management Services as defined in 4.5 above subject to the limits set out in the Financial Procedure Rules.

Recommendation in 4.4

(a) Changes to Part 4(a) of the Constitution

37. Attendance at Cabinet, Committee & Working Party Meetings by Members of the Council

Committees and Sub-Committees

37.2 Subject to the interest rules in the Code of Conduct and the provisos set out in (a) and (b) below, a Member of the Council may attend a meeting of any Committee or Sub-Committee, but will only be entitled to speak on an item if he / she:

- (a) is a member of the Committee or Sub-Committee (or duly appointed substitute); or
- (b) has been permitted by the Committee or Sub-Committee to speak; or
- (c) has placed the item on the agenda under Standing Order 35.1(d) (but calling in an item is not sufficient); or
- (d) is the proposer or seconder of a Notice of Motion which has been referred to a Scrutiny Committee under Standing Order 8.4.

And for the avoidance of doubt, only a member of the relevant Committee or Sub-Committee is permitted to vote on any item.

Provisos

- (a) A Member may not attend a meeting of the Assessment or Review Standards Sub-Committee, or a Committee / Sub-Committee meeting in private, to deal with employment issues and appeals, education appeals and housing allocation policy appeals unless he / she is a member of that Committee / Sub-Committee, a duly appointed substitute for that meeting or has a legal right to attend.
- (b) A Member who attends a Committee or Sub-Committee, of which he or she is neither a member nor a duly appointed substitute, should sit apart from Committee members and shall only be entitled to speak for a maximum of 5 minutes on any item.

(b) Further Changes to Part 4(a) of the Constitution

Consequential adjustment to Standing Order 43 (10) to add the words “& Standing Order 10.4(b)” at the end.

Southend-on-Sea Borough Council

Report of Corporate Director for Corporate Services
to
Council

on
10th December 2015

Report prepared by: Veronica Dewsbury
Benefits Manager

Agenda
Item No.
24

**Local Council Tax Support Scheme
Community Services Scrutiny Committee
Executive Councillor: Councillor Ian Gilbert
A Part 1 Public Agenda Item**

1. Purpose of Report

To adopt the Local Council Tax Support Scheme for 2016/17.

2. Recommendation

- 2.1 That the current Local Council Tax Support Scheme be re-adopted for 2016/17;
and
- 2.2 To note that the criteria for awarding an exceptional hardship scheme is being amended to make the discount more accessible to the most vulnerable.

3. Background

For each financial year, each billing authority must consider whether to revise its Local Council Tax Support Scheme (LCTSS) or to replace it with another scheme. The design of the LCTSS must be finalised by 31 January each year at the very latest. Failure to provide a scheme by this date could trigger the imposition of the Government's default scheme. The Government default scheme would require the Council to revert back to the level of support that would have been provided under the national Council Tax Benefit arrangements: This would mean that the Council would have to find in the region of an additional £1.7 million from its annual budget.

The Council designed a scheme for 2013/14 which passed the reduction in funding received from Government onto working age claimants, making it a cost neutral scheme. The scheme has since been re-adopted for use in 2014/15 and 2015/16, with the latest scheme adopted at full Council on 11 December 2014.

As the scheme impacts on the Council Tax base, a key component in estimating the resources available to the Council, it is deemed prudent to confirm the

scheme in December allowing Cabinet to agree a Council Tax base in January 2016 for the financial year 2016/17.

4. Current Scheme

Local Council Tax Support replaced Council Tax Benefit with effect from 1 April 2013. People of pension age continue to be protected from adverse changes by the Government but for people of working age, the Council has adopted a scheme which has the following key elements:

- The calculation of support is based on 75% of the Council Tax liability rather than 100%
- The calculation of support is based on a maximum of a band D property. This means that anyone of working age that lives in a property with a Council Tax band of E, F, G or H, has their support calculated as if their property was a band D
- The capital limit is £6,000 so those with capital exceeding £6,000 are required to make full payment of their Council Tax liability
- The introduction of an exceptional hardship scheme which is intended to help people whose individual circumstances mean that the increased Council Tax bill is causing them exceptional hardship

The exceptional hardship scheme is discretionary and can be awarded to anyone suffering exceptional financial hardship as a result of the increased Council Tax liability.

As Members will be aware people with disabilities that have had their property adapted can apply for a reduction in their Council Tax liability. Within the Council Tax Support Scheme disability benefits are disregarded when calculating the amount of support given and additional allowances for living expenses are applied.

The scheme was designed to take into account the ability to pay and the collectability of the resultant Council Tax liability. Nearly 74% of Council Tax due from working age recipients of LCTSS was collected in year for 2013/14 and 76% in year for 2014/15. For the current year by the end of September 2015, 45% of Council Tax due from working age recipients of LCTSS has been collected, compared to 61.4% of all Council Tax due. The Council Tax team still continue to collect the outstanding Council Tax due for all years since the inception of the new scheme.

The table below sets out the current caseload level and its cost

| | Pensioners | | Working age | | Total |
|---------------------------------|------------|-----|-------------|-----|--------|
| Caseload | 6,323 | 39% | 9,907 | 61% | 16,230 |
| Cost | £5.16M | 47% | £5.7M | 53% | £10.8M |
| Of which: | | | | | |
| Southend on Sea Borough Council | £4.34m | | £4.85m | | £9.19m |
| Major preceptors | £0.76m | | £0.85m | | £1.61m |

As can be seen although pensioners only account for 39% of the caseload, they account for 47% of the total cost. This is a consequence of the Government's requirement that the LCTSS must leave pensioners entitlement to assistance unaltered from the previous Council Tax Benefit arrangements, with any reduction in entitlements only affecting those of working age.

There have been few complaints about the scheme and the majority of people affected have accepted that they need to pay something. Council Tax Officers continue to offer flexible payment arrangements to those on fluctuating incomes and they use the exceptional hardship fund for those who are in extreme difficulty with their financial circumstances.

5. Current developments

The legal challenges against schemes and the consultation approach are ongoing, the latest being a challenge about equality impact assessment quality. Southend's scheme remains unaffected by these challenges and remains, in a legal, financial and technical sense, robust and fair.

There have been a number of changes under the Welfare Reform Act, such as a reduced benefit cap, reduction in tax credits, proposed additional reductions in tax credits and changes to housing benefit.

It was expected that universal credit would be far more advanced than it currently is. Although in Southend the Job Centre went live with universal credit in April 2015 the number of claims moving from housing benefit to universal credit is minimal. This is the same for all areas across Essex that have "gone live" with universal credit. It remains unclear when the roll out will gain momentum as the software required for the digital solution is not yet delivered.

Due to the number of changes still being implemented and the delays on universal credit, analysis of the impact on residents is, as yet, not possible. Therefore any changes to the current scheme would be very risky and could add additional confusion for our vulnerable residents. We are, as stated, revising the exceptional hardship scheme to ensure it is available to residents who need it.

As a result of the delays to universal credit the housing benefit caseload and staff numbers within the benefit service, remain largely the same. Council Tax Support is currently calculated alongside housing benefit with both being assessed as one process. It would not be prudent to move the two processes too far apart before there are significant reductions in the housing benefit caseload.

6. For 2017/18 and beyond

LCTSS is a discount rather than a benefit and the calculation and cost is part of the overall Council Tax Base. The DCLG expect Authorities to simplify the process of determining an award and managing any changes, therefore reducing the resource required to administer the scheme. The delays to universal credit roll out have negated the need to simplify the LCTSS for now but Southend will be working with the other Billing Authorities in Essex to design a robust and simpler scheme for future years.

During 2016/17 the Essex Revenues and Benefit groups will be looking at options for 2017/18 to move the schemes to a more discount based solution. Work is progressing on data sharing across the services and Authorities to reduce fraud and error within the Council Tax Base.

The benefit service currently receives notifications from the Department for Work and Pensions and Her Majesty's Revenues and Customs regarding changes in circumstances for each individual claimant. This will not continue for residents who have moved onto universal credit and the Authority will have a duty to keep abreast of these changes to protect the Council Tax Base.

A simple discount scheme will require the support of the data sharing protocol, with the other Essex Authorities, to avoid regular manual interventions on individual discounts awarded as changes in circumstances. Manual intervention of this level would be resource intensive and will not be funded by the DCLG.

Detailed consultation will be developed and options for the scheme will be put forward for Members consideration during 2016/17.

7. Other options

As a result of the various Tribunal and Court cases, and the raft of changes within the Welfare Reform Act, during this year and moving into next year, it was not prudent to consider changes or attempt consultation to allow those changes during this year. Southend's current scheme has proved to be robust and is fit for purpose for 2016/17.

As the welfare reform changes progress and we can interpret the impact on Southend residents, we can move forward with redesigning the scheme during 2016/17 for 2017/18.

8. Reasons for Recommendations

The LCTSS scheme must be approved by full Council by the 31 January at the very latest; failure to adhere to this will mean the Council will have to operate a default scheme which will be an added financial pressure that has not been allowed for.

There have been no administrative issues with the existing scheme and residents in the main have responded positively. Retaining the existing scheme will also give residents consistency in this continuing period of major reform to welfare benefits and the uncertainties to the universal credit timeline.

9. Corporate Implications

Contribution to Council's Vision & Critical Priorities

The maintenance of a cost neutral LCTSS will assist with maintaining a robust budget. It will also provide work incentives to residents who have been long term unemployed. The scheme will protect pensioners to ensure a decent living standard and it also confirms the disregard of disability benefits.

Financial Implications

The current scheme proposed for re-adoption for 2016/17 is designed to remain a cost neutral scheme for the Council.

If the Council reverted to the default scheme, the financial impact would be in the region of £1.7M pa.

Legal Implications

The Local Government Finance Act 2012 provided for the introduction of the localisation of Council Tax support by making changes to the Local Government Finance Act 1992. These require that:

- For each financial year, each billing authority must consider whether to revise its scheme or to replace it with another scheme.
- The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.

A detailed exceptional hardship discount policy has been written under section 13a of the Council Tax legislation.

People Implications

Residents affected by the changes in their liability to pay Council Tax are actively engaged by Housing Benefit and Council Tax staff to assist them in meeting their Council Tax liabilities.

Property Implications

There are no specific property implications associated with this report.

Consultation

Before final approval of local schemes, Councils are required to consult:

- Major precepting authorities (Police & Fire)
- The public
- Relevant stakeholder groups e.g. Citizens Advice Bureau, voluntary bodies.

Full consultation was undertaken with these groups in 2012 prior to proposing the current scheme. As part of the adoption process, pre cabinet scrutiny feedback was supportive of both a cost neutral scheme and the details proposed to deliver the scheme. The Cabinet report recommending the scheme was called into Scrutiny with no resulting issues.

No additional consultation has been undertaken as there are no proposed changes to the adopted scheme.

Equalities Impact Assessment

An equality impact assessment was undertaken as part of the original adoption of the current scheme and can be found attached to the full Council minute 580.

Risk Assessment

A full risk assessment was carried out as part of the original LCTS scheme. The risks remain unaltered.

Value for Money

The recommendations in this report will pass the Government funding reductions onto benefit claimants and not contribute to an increase in Council Tax generally.

Community Safety Implications

There are no specific community safety issues identified.

Environmental Impact

There are no specific environmental impacts identified.

10. Background Papers

None

11. Appendices

None