

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

12 July 2017

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, 20th July, 2017 at 6.30pm for the transaction of the following business.

A Griffin
Chief Executive

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 Minutes of the Special Meeting held on Thursday 20th April 2017 (Pages 1 - 2)**
Minutes attached.
- 7 Minutes of the meeting held on Thursday 20th April 2017 (Pages 3 - 18)**
Minutes attached.
- 8 Minutes of the meeting held on Thursday 11th May 2017 (Pages 19 - 20)**
Minutes attached.
- 9 Minutes of the meeting held on Thursday 18th May 2017 (Pages 21 - 24)**
Minutes attached.
- 10 Minutes of the Special meeting held on Thursday 15th June 2017 (Pages 25 - 26)**
Minutes attached.
- 11 Petition - One Way System and Daytime Parking in Windsor and Osborne Roads (Pages 27 - 28)**
Prayer of the Petition attached.

- 12** **Petition - To make Hadleigh Road One Way System (Pages 29 - 30)**
Prayer of the Petition attached.
- 13** **Minutes of the meeting of Health & Wellbeing Board held Wednesday, 22 March 2017 (Pages 31 - 34)**
Minutes attached.
- 14** **Minutes of the meeting of Licensing Sub Committee B held Thursday, 4 May 2017 (Pages 35 - 36)**
Minutes attached.
- 15** **Minutes of the meeting of Licensing Sub Committee A held Monday, 8 May 2017 (Pages 37 - 38)**
Minutes attached.
- 16** **Minutes of the meeting of Development Control Committee held Wednesday, 10 May 2017 (Pages 39 - 66)**
Minutes attached.
- 17** **Minutes of the meeting of Licensing Sub Committee A held Monday, 5 June 2017 (Pages 67 - 68)**
Minutes attached.
- 18** **Minutes of the meeting of Development Control held Wednesday, 14 June 2017 (Pages 69 - 82)**
Minutes attached.
- 19** **Minutes of the meeting of Appeals Committee A held Thursday, 15 June 2017 (Pages 83 - 84)**
Minutes attached.
- 20** **Minutes of the meeting of Cabinet held Tuesday, 20 June 2017 (Pages 85 - 102)**
Minutes attached.
- 21** **Minutes of the meeting of the Health & Wellbeing Board held Wednesday, 21 June 2017 (Pages 103 - 106)**
Minutes attached.
- 22** **Minutes of the meeting of Licensing Sub Committee B held Friday, 23 June 2017 (Pages 107 - 110)**
Minutes attached.
- 23** **Minutes of the meeting of Licensing Sub Committee A held Tuesday, 27 June 2017 (Pages 111 - 114)**
Minutes attached.
- 24** **Minutes of the meeting of the Audit Committee held on Wednesday 28th June 2017 (Pages 115 - 120)**
Minutes attached.
- 25** **Minutes of the meeting of Development Control Committee held on Wednesday 5th July 2017**
Minutes to follow

- 26 Minutes of the meeting of Appeals Committee B held Thursday 6th July 2017**
Minutes to follow.
- 27 Minutes of the meeting of Place Scrutiny Committee held Monday 10th July 2017**
Minutes to follow.
- 28 Minutes of the meeting of People Scrutiny Committee held Tuesday 11th July 2017**
Minutes to follow
- 29 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday 13th July 2017**
Minutes to follow
- 30 Opposition Business - To investigate better regulation and management in the private sector housing provision**
- 31 Changes to the Constitution (Pages 121 - 132)**
Report of the Director of Legal & Democratic Services attached.
- 32 Woodgrange Close Railway Level Crossing Closure - Notice of Objection by Southend-on-Sea Borough Council**
Report of the Deputy Chief Executive (Place) to follow
(To be considered as part of Minute 148 of the meeting of Place Scrutiny Committee held on 10th July 2017).

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 20th April, 2017
Place: Council Chamber - Civic Suite

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Present: Councillor J McMahon (Chair)
Councillors F Evans (Deputy Chair), B Arscott, S Ayles, B Ayling, M Borton, H Boyd, A Bright, S Buckley, D Burzotta, M Butler, T Byford, T Callaghan, J Courtenay, T Cox, M Davidson, L Davies, C Endersby, M Flewitt, N Folkard, D Garston, J Garston, I Gilbert, S Habermel, R Hadley, A Holland, D Jarvis, A Jones, J Lamb, H McDonald, D McGlone, A Moring, J Moyies, C Mulroney, C Nevin, D Norman MBE, G Phillips, K Robinson, L Salter, M Stafford, M Terry, N Ward, J Ware-Lane, C Walker, P Wexham, C Willis and R Woodley

Start/End Time: 6.30 - 7.05 pm

980 Apologies for Absence

Apologies for absence were received from Councillors Kenyon, Van Looy and Waterworth.

981 Declarations of Interest

All Members of the Council – Minute 983 (Honorary Alderman/Alderwoman Nominations) – Non-pecuniary interest in so far as they may know or have served on the Council with one or more of the recipients for Honorary Alderman/Alderwoman.

982 Minutes of the meeting of General Purposes Committee held on Tuesday, 4 April 2017

Resolved:

That the minutes of this meeting be noted.

983 Honorary Alderman and Alderwoman Nominations

Resolved:

That, pursuant to Section 249(1) of the Local Government Act 1972, the title of Honorary Alderman/Alderwoman be conferred upon the past Members listed below in recognition of their eminent services to the Council:

Mrs Daphne White
Mr Richard Brown
Dr Velmurugan
Mr Alan Crystall

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 20th April, 2017
Place: Council Chamber - Civic Suite

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Present: Councillor J McMahon (Chair)
Councillors F Evans (Vice-Chair), S Ayles, B Ayling, M Borton, M Butler, I Gilbert, T Cox, C Endersby, J Moyies, N Folkard, D Garston, R Hadley, A Holland, A Jones, D Jarvis, C Mulroney, A Moring, S Buckley, S Habermel, N Ward, J Courtenay, M Terry, C Nevin, C Willis, B Arscott, C Walker, H Boyd, A Bright, T Callaghan, J Ware-Lane, D Burzotta, H McDonald, P Wexham, M Flewitt, J Garston, J Lamb, G Phillips, L Davies, T Byford, M Davidson, D McGlone, M Stafford, F Waterworth, R Woodley, K Robinson, D Norman MBE and L Salter

Start/End Time: 7.10 pm - 0.45 am

984 Apologies for Absence

Apologies for absence were received from Councillors Kenyon and Van Looy.

985 Declarations of Interest

- **Councillor Arscott**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Audit Committee – 29th March 2017

Minute 900 – Internal Audit Service Quarterly Performance Report – School Governor at Our Lady of Lourdes Catholic Primary School – Non-pecuniary interest.

People Scrutiny Committee – 11th April 2017

Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 964: School Term Dates 2018/19; Minute 969: Schools Progress report – non pecuniary – Governor at Our Lady of Lourdes Catholic Primary School;

Cabinet – 14th March 2017

Minute 863 – FLAG Report – non-pecuniary interest – Board member of North Thames Fisheries Local Action Group (FLAG);

- **Councillor Ayling**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Development Control Committee – 5th April 2017

Minute 919: 16/01901/FUL – 1 Mayfair Place, Southend-on-Sea, SS1 2FR - Non-pecuniary interest: Knows the applicant;

Minute 918: 16/02194/FULM – Shoeburyness High School, Caulfield Rd, Shoeburyness, SS3 9LL - Non-pecuniary interest: Son works in department at school;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 973: PCC Consultation – non-pecuniary interest: son is a Police Special;

- **Councillor Borton**

Cabinet Committee – 9th March 2017

Minute 847 (Additional Parking Spaces around the Seaway Car Park Area) – Non-pecuniary interest: Fellow Councillor lives in Pleasant Road;

People Scrutiny Committee – 11th April 2017

Minute 961: Future provision of secondary places in Southend; Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 969: School Progress report – non-pecuniary – Governor at Milton Hall School;

Minute 966: Scrutiny Committee updates – non-pecuniary – daughter nurse at Rochford Hospital;

Council – 20th April 2017

Notice of Motion – Muscular Dystrophy and Motability – non-pecuniary interest – employed by the DWP which was mentioned;

- **Councillor Boyd**

People Scrutiny Committee – 11th April 2017

Minute 961: Future provision of secondary places in Southend; Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 969: School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, south east Essex Teaching School Alliance;

- **Councillor Buckley**

Cabinet Committee – 9th March 2017

Minute 843 (Members Requests List – Reference No.16/01 – waiting restrictions or parking management scheme to deter airport parking in Rochford Road) – non-pecuniary interest – Frequently lobbied for some action and expressed views in local media and political literature and to officers;

- **Councillor Burzotta**

Place Scrutiny Committee – 10th April 2017

Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA - Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Butler**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Byford**

Cabinet Committee – 9th March 2017

Minute 842 (Objections to Traffic Regulation Orders – Various Locations: The Maze) – Non-pecuniary interest: Ward Councillor and has assisted residents in the road;

- **Councillor Callaghan**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Cabinet Committee – 9th March 2017

Minute 843 (Members' Request List: Request Reference No. 16/07 – Waiting Restrictions in Campfield Road) – Non-pecuniary interest: Knows the owner of a business in this location;

Minute 844 (Requests for Waiting Restrictions – Lucy Road) – Non-pecuniary interest: Taxi Driver;

Place Scrutiny Committee – 10th April 2017

Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Non-pecuniary interest: Friends are tenants of South Essex Homes Ltd;

- **Councillor Courtenay**

People Scrutiny Committee – 11th April 2017

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

- **Councillor Cox**

Place Scrutiny Committee – 10th April 2017

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

- **Councillor Davidson**

Place Scrutiny Committee – 10th April 2017

Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Flewitt**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: local resident lobbied me as to process and knows the applicants named agent;

Licensing Committee – 3rd March 2017

Minute 834 – Application to be recognised as a Taxi Drivers' Association – non-pecuniary interest – knows some of the taxi association officers and had discussed the recognition process;

Cabinet Committee – 9th March 2017

Minute 843 – Members Request List (Reference No.16/01 – waiting restrictions or a parking management scheme to deter airport parking in Rochford Road) – non-pecuniary interest – frequently lobbied for some action and expressed views in local media and political literature;

Minute 847 – Additional Parking Spaces around the Seaway Car Park Area – non-pecuniary interest – Seafront traders known to me in Planning Portfolio;

Place Scrutiny Committee – 10th April 2017

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

Minute 951: (Better Queensway: Process to appoint a preferred project partner) – Non-pecuniary interest: Friends and family are tenants of South Essex Homes Ltd;

Policy & Resources Scrutiny Committee – 12th April 2017

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

Minute 973 – Consultation Police and Fire & Rescue Collaboration Local Business Case – non-pecuniary interest – I have met and lobbied the PCC in connection with the Public Protection Portfolio;

Minute 976: HRA - non-pecuniary interest: friends and family are tenants of South Essex Homes Ltd;

Minute 979 – In-depth Scrutiny Report – non-pecuniary interest – had attended the project as a witness (Public Protection Portfolio);

Council – 20th April 2017

Public Questions – Taxi Licensing and Urber – non-pecuniary interest – long term piece of case work as to Urber licence and conventional sought licence from a local resident;

Petition – Whitehouse Road and Western approaches – non-pecuniary interest – lives in the vicinity and has lobbied and discussed need with officers over a few years.

- **Councillor Folkard**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor D Garston**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Minute 817: 16/01780/FULM - 1307 London Road, Leigh-on-Sea, Essex, SS9 2AD – Non-pecuniary interest: Owns a car in the garage at this location for restoration;

Development Control Committee – 5th April 2017

Minute 920: 17/00362/FUL – The Shore, 22-23 The Leas, Westcliff-on-Sea - Non-pecuniary interest: Neighbour is known to him.

- **Councillor J Garston**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Cabinet Committee – 9th March 2017

Minute 844 (Requests for Waiting Restrictions – Southchurch Avenue) – Pecuniary interest: Owns a property at this location (withdrew).

- **Councillor Gilbert**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Hadley**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Holland**

- **Cabinet – 14th March 2017**

- Minute 855 - HRA Development, Future Phases Update - Non-pecuniary interest : Son works for Council.

- **Place Scrutiny Committee – 10th April 2017**

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

- Minute 949: Monthly Performance Report: page 37 item (d) – Non-pecuniary interest: Member of the Forum Board;

- Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Proposed Council appointee to the Board;

- **Policy & Resources Scrutiny – 12th April 2017**

- Minute 973 – Consultation – Police and Fire & Rescue Collaboration Local Business Case - Disqualifying non pecuniary interest: withdrew;

- Minute 976 – HRA Development Project – non-pecuniary interest – son works for Council;

- **Councillor Jones**

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- Minute 818: 16/02284/FULM - 30 Stephenson Road, Eastwood, Essex, SS9 5LY – Non-pecuniary interest: Son currently attends South Essex College;

- **People Scrutiny Committee – 11th April 2017**

- Minute 961: Future provision of secondary places in Southend; Minute 962: School Admissions Arrangements; Minute 963: Annual Education Report; Minute 969: School Progress report – non- pecuniary – parent of child attending school and Governor at Milton Hall School.

- **Councillor Lamb**

- **Cabinet – 14th March 2017**

- Minute 863 – FLAG Report – Non pecuniary interest : Director of Leigh Port Partnership.

- **Place Scrutiny Committee – 10th April 2017**

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

- Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Director of Leigh Port Partnership;

- **Councillor McDonald**

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 973 – Consultation – Police and Fire & Rescue Collaboration Local Business Case – non-pecuniary interest – partner is a retired fire-fighter;

- **Councillor McGlone**

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA – non-pecuniary interest: Ward Councillor for St Laurence Ward;

- **Councillor McMahon**

Cabinet Committee – 9th March 2017

Minute 843 – Members Request List – non-pecuniary interest – supporter of St Mary’s Horse Refuge;

Place Scrutiny Committee – 10th April 2017

Minute 952 – Revocation of Pier Cycling Byelaw – non-pecuniary interest – Honorary member of the RNLI;

- **Councillor Moring**

Policy & Resources Scrutiny Committee – 12th April 2017

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

- **Councillor Mulroney**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Minute 817: 16/01780/FULM - 1307 London Road, Leigh-on-Sea, Essex, SS9 2AD – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 819: 17/00071/FUL - 97 Salisbury Road, Leigh-on-Sea, Essex, SS9 2JN – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); and

Minute 825: 16/02283/FUL - 85 Herschell Road, Leigh-on-Sea, Essex, SS9 2PU – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning).

Cabinet – 14th March 2017

Minute 863– FLAG Report – Non-pecuniary Interest : Director of Leigh Port Partnership, Chairman of Leigh-on-Sea Town Council, Member of Leigh Coastal Communities Team and Leigh Society.

Development Control Committee – 5th April 2017

Minute 917: TPO 1/2017 – 29 Hadleigh Road, Leigh-on-Sea, SS9 2DY - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Place Scrutiny Committee – 10th April 2017

Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non-pecuniary Interest : Director of Leigh Port Partnership, Chairman of Leigh-on-Sea Town Council, Member of Leigh Coastal Communities Team and Leigh Society;

Council – 20th April 2017

Notice of Motion – Muscular Dystrophy and Motability – non-pecuniary interest – sister suffers from a disease linked to muscular dystrophy;

- **Councillor Nevin**

Special People Scrutiny Committee – 6th April 2017

Minute 929: Success Regime - non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area.

People Scrutiny Committee – 11th April 2017

Minute 965: Public Health Annual Report – non-pecuniary – niece works for Public Health England;

Minute 966: Scrutiny Committee updates – non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

- **Councillor Norman**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA - Disclosable non-pecuniary interest: Non-Executive Director of South Essex Homes – attended pursuant to the dispensation agreed by the Standards Committee on 28th February 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Salter**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Special People Scrutiny Committee – 6th April 2017

Minute 929: Success Regime – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;

People Scrutiny Committee – 11th April 2017

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

Minute 966: Scrutiny Committee updates - non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;

- **Councillor Terry**

Place Scrutiny Committee – 10th April 2017

Minute 950 – FLAG – non-pecuniary interest – knows a number of people in the shellfish industry;

- **Councillor Van Looy**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Development Control Committee – 5th April 2017

Minute 919: 16/01901/FUL – 1 Mayfair Place, Southend-on-Sea, SS1 2FR - Non-pecuniary interest: Knows the applicant;

Place Scrutiny Committee – 10th April 2017

Minute 950: North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Contacts and friends in the fishing industry;

- **Councillor Walker**

Development Control Committee – 1st March 2017

Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

Council – 20th April 2017

Notice of Motion – Muscular Dystrophy and Motability – non-pecuniary interest – Honorary Treasurer of the local muscular dystrophy branch;

- **Councillor Ware-Lane**

Special People Scrutiny Committee – 6th April 2017

Minute 929 – Mid and South Essex STP and Success Regime – non-pecuniary interest – daughter works at Southend University Hospital Trust;

Policy & Resources Scrutiny Committee – 12th April 2017

Minute 976: HRA – non-pecuniary interest: daughter works for SEH;
Minute 973: PCC Consultation - Disqualifying non pecuniary interest: withdrew;

- **Councillor Waterworth**

- **Development Control Committee – 1st March 2017**

- Minute 816 - 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

- **Councillor Wexham**

- **Cabinet – 14th March 2017**

- Minute 863 – FLAG Report - Non-pecuniary Interest – Director of Leigh Port Partnership;

- **Place Scrutiny Committee – 10th April 2017**

- Minute 950: North Thames Fisheries Local Action Group (FLAG) – Disqualifying non-pecuniary Interest – Director of Leigh Port Partnership (withdrew).

- Minute 973: PCC Consultation – non-pecuniary interest: son is a fireman;

- **Councillor Woodley**

- **Policy & Resources Scrutiny Committee – 12th April 2017**

- Minute 973: PCC Consultation - Disqualifying non pecuniary interest: withdrew;

986 Youth Mayor and Deputy Youth Mayor Appointments

The Worshipful the Mayor presented the chain of office to this year's Youth Mayor, Mr Edward Feddon, and the Chain of Office to this year's Deputy Youth Mayor, Ms Nadia Ahmed.

987 Communications

Minutes Silence – Westminster Terror Attack

The Council stood for a one minute silence as a mark of respect for all those affected by the Westminster Terror attack on 23rd March 2017.

Councillor Assenheim

The Council stood for a one minute silence in tribute to the memory of the late Councillor Mike Assenheim who passed away suddenly on 3rd April 2017.

988 Questions from Members of the Public

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

989 Questions from Members of the Council

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

990 Minutes of the special meeting held on Thursday, 23rd February 2017

Resolved:

That the minutes of this meeting be confirmed as a correct record and signed.

991 Minutes of the meeting held on Thursday, 23rd February 2017

Resolved:

That the minutes of this meeting be confirmed as a correct record and signed.

992 Minutes of the special meeting held on Tuesday 21st March 2017

Resolved:-

That the Minutes of this meeting be confirmed as a correct record and signed.

993 Petition - Increase Pedestrian Safety in Whitehouse Road

Councillor Mulroney presented a petition on behalf of local residents requesting the Council to increase pedestrian safety in Whitehouse Road.

Resolved:

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

994 Petition - Western Approaches Zebra Crossing Installation

Councillor Mulroney presented a petition on behalf of local residents requesting the Council to install a zebra crossing at Western Approaches.

Resolved:

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

995 Minutes of the meeting of Standards Committee held Tuesday, 28 February 2017

During consideration of Minute 809 (Committee on Standards in Public Life) the Executive Councillor for Corporate & Community Support Services agreed that an equality and diversity training session would be arranged for Members.

Resolved:

That the minutes of this meeting be noted.

996 Minutes of the meeting of Development Control held on Wednesday, 1st March 2017

Resolved:

That the minutes of this meeting be noted.

997 Minutes of the meeting of Licensing Committee held on Friday, 3rd March 2017

Resolved:

That the minutes of this meeting be noted.

998 Minutes of the meeting of Cabinet Committee held on Thursday, 9th March 2017

During consideration of Minute 843 (Members Request List) the Executive Councillor for Transport, Waste and Cleansing provided an assurance that in future reports concerning Members' requests for traffic management schemes would be published well in advance of the meetings of the Traffic & Parking Working Party and Cabinet Committee.

Resolved:

That the minutes of this meeting be noted.

999 Minutes of the meeting of Cabinet held on Tuesday, 14th March 2017

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 853, 860 and 864 be approved, subject to an amendment to Resolution 3 of Minute 855 (HRA Development) to read as follows:

'3. That an additional budget in the HRA Capital Programme of £2.755m be approved and be funded as set out in paragraph 6.2 of the report.'

1000 Minutes of the meeting of Special Cabinet held on Tuesday, 28th March 2017

Resolved:

That the minutes of this meeting be noted.

1001 Minutes of the Audit Committee held on Wednesday, 29th March 2017

Resolved:

That the minutes of this meeting be noted.

1002 Minutes of the meeting of Development Control Committee held on Wednesday, 5th April 2017

Resolved:

That the minutes of this meeting be noted, subject to a minor amendment to the resolution in Minute 917 (TPO 1/2017 – 29 Hadleigh Road) to read as follows:-

'That TPO 1/2017 at 29 Hadleigh Road, Leigh-on-Sea be confirmed, for the following reasons – the trees provide valuable contribution to the amenity of the area.

Informative: Further works to the trees will require the consent of the LPA.'

1003 Minutes of the Licensing Sub Committee B held on Thursday 6th April 2017

Resolved:

That the minutes of this meeting be noted.

1004 Minutes of the meeting of Special People Scrutiny Committee held on Thursday, 6th April 2017

Resolved:

That the minutes of this meeting be noted.

1005 Minutes of the meeting of Licensing Sub Committee A held on Friday, 7th April 2017

Resolved:

That the minutes of this meeting be noted.

1006 Minutes of the meeting of Place Scrutiny Committee held on Monday, 10th April 2017

Better Queensway Project

In moving the Minutes, the Executive Councillor for Transport, Waste and Cleansing proposed an amendment to recommendation (i) in Minute 951 (Better Queensway Project) relating to Transport (see resolution below). In response to questions about this amendment, the Executive Councillor:

(i) Provided an assurance that all relevant matters would be considered as part of the review of the road layout, including the status of the 'Deeping'; and

(ii) Confirmed that engagement and consultation with all Members and stakeholders would take place in connection with the Transport arrangements.

Revocation of Pier Cycling Byelaw

During consideration of Minute 952 (Revocation of Pier Cycling Byelaw) a requisition for a named vote was made in accordance with Council Procedure Rule 12(a) to refer the matter back to Cabinet. The voting was as follows:-

For reference back:

Cllrs Ayles, Ayling, Borton, Callaghan, Endersby, Gilbert, Jones, McDonald, Mulroney, Nevin, Robinson, Stafford, Terry, Ware-Lane, Willis and Woodley (16)

Against reference back:

Cllrs Arscott, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Moring, Moyies, Phillips, Salter, Walker, Waterworth (27)

Abstentions:

Cllr Davies and McMahon (2)

Absent:

Cllrs Kenyon, Norman MBE, Van Looy, Ward and Wexham (5)

The motion to refer the matter back was lost.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 951 and 952 be approved, subject to the deletion of recommendation (i) relating to Transport in Minute 951 to be replaced with the following words:-

‘Members note that the plan at appendix 2 is an indicative road transport layout of the regeneration area and that the final layout will be submitted to Cabinet for approval in the context of the overall Queensway scheme developed through the partnership. Members note that it is proposed to retain two lanes in each direction through the underpass.’

1007 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 11th April 2017

Resolved:

That the minutes of this meeting be noted.

1008 Minutes of the meeting of Policy & Resources Scrutiny Committee held on Wednesday, 12th April 2017

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 973 and 976 be approved.

1009 Notice of Motion - Muscular Dystrophy and Motability

Resolved:

That, in accordance with Council Procedure Rule 8.4, the following notice of motion be referred to Cabinet:

‘Muscular Dystrophy and Motability

Thousands of people have lost access to Motability vehicles through being switched from the Disability Living Allowance to the Personal Independence Payments since 2013. According to Muscular Dystrophy UK the number of people returning Motability vehicles is over 900 a week, in addition to the 51,000 people who have already returned their cars.

The number of people eligible for Motability funding has halved during the reassessment process. Of the 254,200 people who were eligible for Motability funding under DLA who were reassessed for PIP by 31 October 2016, 126,300 people have lost access.

Government-funded Motability cars, mobility scooters and electric wheelchairs are specially adapted for the individual needs of disabled people, and are vital for maintaining independence, social inclusion and overcoming problems of loneliness and being housebound.

Since a change in the rules , to qualify for the higher level of the mobility component of PIP, which is needed to get a Motability vehicle, a person must be unable to walk unaided for 20 metres, compared to the previous distance of 50 metres under the DLA assessment.

The Government has not been able to produce any evidence to support the use of the 20-metre rule, which was introduced by the DWP with no prior warning.

This change has been compounded by a lack of knowledge about the reliability criteria, which are included in the assessment to ensure that people can not only walk 20 metres, but do so safely and more than once in a short time period. However, many people being assessed do not know the rules about the reliability criteria, and are losing their vehicles as they can barely or unsafely walk 20 metres.

It is also not a question of being able to walk safely and unaided but also to walk without severe pain.

Statistics from the Ministry of Justice show that 65% of contested PIP awards have been won on appeal.

Muscular Dystrophy UK is calling for the DWP:

- to revert to the 50-metre rule
- and assessment providers Atos and Capita to ensure that all applicants are made aware of the reliability criteria and are prompted to consider them
- to ensure vehicles are not taken away until a final decision has been reached. The appeals process currently takes longer than the time allowed for people to return their cars.

That this Council supports the campaign by Muscular Dystrophy UK and requests the Borough's MPs to promote the changes requested by Muscular Dystrophy UK for the benefit of those who suffer from the disease (and other mobility diseases) and thus restore their ability to live as mobile and inclusive a life as is possible.

Proposed: Councillor Mulroney

Seconded: Councillor Gilbert

1010 Opposition Business - Planning Policy

The Worshipful the Mayor advised that under Council Procedure Rule 19, a minority group may request an item to be placed on the Council agenda for discussion and be treated as opposition business. The Independent Group had activated this procedure and requested that Planning Policy be debated. A debate took place but no motions were moved.

1011 Changes to Committee Appointments

Resolved:

That the following changes and appointments to Committees, be noted:

- Councillor Flewitt to replace Councillor Holland on the Conservation Working Party;
- Councillor D Norman MBE to be appointed as the Labour Group substitute on the Essex Fire Authority.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 11th May, 2017

Place: Council Chamber - Civic Suite

8

Present: Councillor J McMahon (Chair)
Councillors F Evans (Vice-Chair), B Arscott, S Ayles, B Ayling, M Borton, H Boyd, A Bright, S Buckley, D Burzotta, M Butler, T Byford, T Cox, J Courtenay, M Davidson, L Davies, C Endersby, M Flewitt, N Folkard, D Garston, J Garston, I Gilbert, S Habermel, R Hadley, A Holland, D Jarvis, A Jones, D Kenyon, J Lamb, H McDonald, D McGlone, A Moring, J Moyies, C Mulroney, C Nevin, D Norman MBE, G Phillips, K Robinson, L Salter, M Stafford, P Van Looy, C Walker, N Ward, J Ware-Lane, F Waterworth, P Wexham and R Woodley

Start/End Time: 3.30 - 4.50 pm

1 Apologies for Absence

Apologies for absence were received from Councillors Callaghan, Terry and Willis.

2 Election of Mayor for Municipal Year 2017/18

On the nomination of Councillor Lesley Salter, seconded by Councillor John Lamb, and with the unanimous support of the Council:-

Resolved:

That Councillor Faye Evans be appointed to the Office of Mayor of the Borough of Southend-on-Sea for the Municipal Year 2017/18.

3 Appointment of Mayor's Chaplain

The Worshipful the Mayor announced that she will be supported by Father Clive Hillman during her year of office.

4 The Worshipful The Mayor's Charity

The Worshipful the Mayor announced that the Mayoral Charity for her year of office would be Prostate and Breast cancer.

5 Appreciation of outgoing Mayor

Councillor Ian Gilbert proposed and Councillor David Norman MBE seconded and the motion having been supported by other speakers, it was unanimously:

Resolved:

That the best thanks of the Council be tendered to Councillor Judith McMahon for the efficient and dignified manner in which she has performed the duties of the Office of Mayor during the past year, and for the ability and courtesy with which she has presided over the deliberations of this Council, and that as a token of the Council's appreciation of such service she be presented with a Past Mayor's Badge suitably inscribed and a Mayoral Album.

6 Election of Deputy Mayor for Municipal Year 2017/18

On the nomination of Councillor Tony Cox, seconded by Councillor Alex Bright, and with the unanimous support of the Council:-

Resolved:

That Councillor Derek Jarvis be appointed to the Office of Deputy Mayor of the Borough of Southend-on-Sea for the Municipal Year 2017/18.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 18th May, 2017
Place: Council Chamber - Civic Suite

9

Present: Councillor F Evans (Chair)
Councillors D Jarvis (Vice-Chair), B Arscott, S Ayles, B Ayles, S Buckley, M Borton, H Boyd, D Burzotta, A Bright, T Byford, J Courtenay, T Cox, L Davies, M Davidson, C Endersby, M Flewitt, N Folkard, S Habermel, R Hadley, A Holland, D Garston, J Garston, I Gilbert, A Jones, D Kenyon, J Lamb, H McDonald, D McGlone, J McMahan, A Moring, J Moyies, C Mulroney, D Norman MBE, G Phillips, K Robinson, L Salter, M Stafford, M Terry, P Van Looy, C Willis, J Ware-Lane, C Walker, N Ward, F Waterworth, P Wexham and R Woodley

Start/End Time: 6.30 - 6.45 pm

7 Apologies for Absence

Apologies for absence were received from Councillors Butler, Callaghan and Nevin.

8 Declarations of Interest

There were no declarations of interest at this meeting.

9 Appointments to Cabinet, Cabinet Committee and Changes to the Constitution

The Council considered a report of the Director of Legal & Democratic Services setting out changes to the Cabinet and requesting that consideration be given to several constitutional matters.

Resolved:

1. That the changes made to the political groups on the Council such that there are now 4 political group be noted and the make-up of the Council is as follows:

- Conservative Group – 27;
- Independent Group – 10;
- Labour Group – 10
- Liberal Democrat Group – 2
- Unaligned Independent (Councillor Ayles) – 1
- Vacancy (Shoeburyness) – 1

2. That the changes to the titles and responsibilities of three portfolios which have been confirmed by the Leader of the Council as set out in Appendix 1 to the report and that these changes will be reflected in an amendment to Part 3 Schedule 1(a) of the Constitution, be noted.

3. That the appointments to the Cabinet (and substitutes) made by the Leader of the Council (including the arrangements for the Deputy Leader) as set out in List A circulated at the meeting, be noted.

4. That the appointments to the Cabinet Committee (and substitutes) made by the Leader of the Council as set out in List B circulated at the meeting, be noted.

5. That the following changes to the Constitution, be approved:

(a) That all the Working Parties, Forums and Panels listed in Part 3 Schedule 2 which currently have a membership of 8 Councillors shall henceforth have a membership of 9 Councillors;

(b) That Standing Order 7.4(b) in Part 4(a) be amended as set out in Appendix 2 to the report so that black-lined minutes will automatically be available for debate at Council meetings, without the need for them to be reserved.

6. That the Council's Constitution, including the Scheme of Delegation in Part, Schedule 3, be approved.

10 Appointment of Members and Substitutes to Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee

Resolved:

That the Members set out in List C, as circulated at the meeting, be appointed as members and substitutes of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2017/18.

11 Appointment of Chairmen and Vice-Chairmen to Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee

Resolved:

That the Members set out in List C be appointed as Chairmen and Vice-Chairmen of Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee for the Municipal Year 2017/18..

12 Appointment of Members and Substitutes to Working Parties, Panels, Forums, etc

Resolved:

That the Members set out in List D, as circulated at the meeting, be appointed as members and substitutes of Working Parties, Panels, Forums etc for the Municipal Year 2017/18.

13 Appointment of Chairmen and Vice-Chairmen of Working Parties, Panels, Forums, etc (save for Cabinet Working Parties, where the Chairmen are appointed by the Leader)

Resolved:

That the Members set out in List D be appointed as Chairmen and Vice-Chairmen of Working Parties, Panels, Forums etc for the Municipal Year 2017/18.

14 Appointments to Outside Bodies

The Worshipful the Mayor advised Members that there were vacancies for one position on the Homeless Action Resource Project and three positions on the Southend-on-Sea Arts Council....

Resolved:

That the Members indicated in List E, as circulated at the meeting, be appointed to the outside bodies for the Municipal Year 2017/18, and the following Members be appointed to the vacancies on the respective outside body:

- (a) Homeless Action Resource Project – Councillor J Garston;
- (b) Southend-on-Sea Arts Council – Councillors Burzotta, Davidson and Jarvis.

15 Calendar of Meetings 2017/18

Resolved:

That the revised calendar of meetings for the Municipal Year 2017/18, be approved.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 15th June, 2017
Place: Council Chamber - Civic Suite

10

Present: Councillor F Evans (Chair)
Councillors D Jarvis (Deputy Chair), B Arscott, S Ayles, B Ayling, M Borton, A Bright, S Buckley, D Burzotta, M Butler, T Byford, T Callaghan, Cllr M A Chalk, T Cox, M Davidson, C Endersby, M Flewitt, N Folkard, J Garston, I Gilbert, S Habermel, R Hadley, A Holland, A Jones, D Kenyon, J Lamb, H McDonald, D McGlone, J McMahon, A Moring, C Mulroney, C Nevin, D Norman MBE, G Phillips, K Robinson, L Salter, M Terry, P Van Looy, N Ward, J Ware-Lane, C Walker, F Waterworth, P Wexham, C Willis and R Woodley

Start/End Time: 6.30pm/6.45pm

55 Apologies for Absence

Apologies for absence were received from Councillors Boyd, Courtenay, Davies, D Garston, Moyies and Stafford.

56 Declarations of Interest

There were no declarations of interest at this meeting.

57 Introduction of Newly Elected Member for Shoeburyness Ward

The Worshipful the Mayor welcomed Councillor Anne Chalk to the Council as the newly elected Member for the Shoeburyness Ward following the by-election on 25th May 2017.

58 Minute's Silence - Recent Terror Attacks and Fire at Grenfell Tower Block

The Council stood for a one minute silence as a mark of respect for all those affected by the recent terror attacks in Manchester and London and the tragic incident at the Grenfell Tower Block, West London.

59 Changes to Membership of Committees, etc as a result of the Shoeburyness By-Election

The Council considered a report of the Director of Legal & Democratic Services which outlined minor changes to the appointments to Committees, Working Parties and one outside body as a result of the Shoeburyness by-election and a change to the Labour Group on the Council.

Resolved:

1. That it be noted that as a consequence of the Independent Group holding Shoeburyness in the by-election held on 25 May 2017 and Councillor McMahon giving notice to the Acting Chief Executive that she no longer wishes to be treated as a member of the Labour Group on the Council, the political make-up of the Council is as follows:

Conservative Group – 27

Independent Group – 11

Labour Group – 9

Liberal Democrat Group – 2

Non-aligned – 2 (Councillors Aylen and McMahon)

2. That the changes to the membership of Committees for the remainder of the municipal year 2017/18, as set out in revised List C at Appendix 1 to the submitted report, be approved.

3. That it be noted that on the Cultural, Tourism and Events Working Party and the Southend Business and Tourism Partnership, Councillor Borton will replace Councillor McMahon at the Labour Group's request.

4. That the Council's representatives on the Essex Fire Authority for the remainder of the municipal year 2017/18 shall be Councillors Evans, Holland and Woodley and their substitutes shall be Councillors Folkard, Moyies and Terry respectively.

Chairman: _____

Southend-on-Sea Borough Council

From Councillor: David Norman
Address: Members Office, Civic Centre, Victoria Avenue,
Southend-on-Sea, Essex SS2 6ER
Telephone: 01702 212897
Email: cllrdnorman@southend.gov.uk
Date: 2nd May 2017



Colin Gamble
Group Manager
Democratic Services

Dear Colin

Petitions to Council

Please find attached a petition totalling 30 signatures from residents of Osborne and Windsor Roads calling for a one way system and daytime parking in their roads.

I would wish to hand this up formally at the next council meeting which I assume will be in July.

Yours sincerely

AP 

Councillor David Norman M.B.E.
Victoria Ward Councillor

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Council – 20th July 2017

12

Petition

To Make Hadleigh Road One-Way
from Hadleigh Road (South) Residents

A petition totalling 27 signatures from residents of Hadleigh Road calling for a one way system in their road.

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 22nd March, 2017
Place: Committee Room 1 - Civic Suite

13

Present: Councillor L Salter (Chair)
Dr J Lobera (Deputy Chair),
Councillors Evans, Willis, Callaghan
Ms C Panniker, Ms A Semmence, Ms S Leftley, Ms A Atherton, *Ms
P Sabine, *Mr G May, *Ms L Crabb, *Mr R Shaw and Ms Y Blucher

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Mr T MacGregor, Mr R Walters, Mr R Harris and Mr N Faint

Start/End Time: 17.00-18.15

878 Apologies for Absence

Apologies for absence were received from Councillors Lamb (no substitute), Ayling (no substitute). Apologies were also received from MS S Morris (substitute: Ms P Sabine), Ms E Chidgey (no substitute), Mr N Leitch (no substitute), Mr I Stidston (substitute: Mr R Shaw), Ms M O'Callaghan (substitute: Ms L Crabb), Ms A Clare (substitute: Mr G May).

879 Declarations of Interest

Councillor Salter – Minute 882 (Health Indicators) and Minute 886 (Health & Social Care Integration Next Steps) – Non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital.

880 Questions from Members of the Public

There were no public questions at this meeting.

881 Minutes of the Meeting held on Wednesday 1st February 2017

Resolved:-

That the Minutes of the Meeting held on Wednesday 1st February 2017 be confirmed as a correct record and signed.

882 Health Indicators

The Board considered a report from the Council's Team Leader, Policy and Information Management Team, which sought consideration of appropriate health related performance measures for inclusion in the Council's Corporate Monthly Performance Report (MPR) from April 2017.

The Board noted that the proposed performance measures set out in paragraph 3.4 of the report had been produced following further discussions with the Southend CCG, as recommended by the Board at its meeting held on 1st February 2017.

The Board discussed the proposed seven performance indicators and commented on the appropriateness of including some of the suggested basket of indicators and the added value they provide.

In response to comments and questions the Board was informed that further work to explore potential locality based performance measures/information would be undertaken and a further report would be brought back to the Board at a later stage. The Board noted that the additional performance measures suggested for inclusion in the Council's MPR aim to provide a wider understanding and a broader sense/context of how the health and social care system was working.

Resolved:

That the performance indicators in 2, 3, 4, 5 and 6 of paragraph 3.4 of the report be included in the Council's MPR and that an additional indicator covering end of life care be added to the basket of indicators.

883 Annual Public Health Report

The Board considered the 2016 Annual Report of the Director of Public Health.

The Board asked a number of questions where were responded to by the Director.

Resolved:

1. That the 2016 Annual Report of the Director of Public Health, be noted.
2. That a multiagency sub-group of the Southend Health & Wellbeing Board to oversee the development of an action plan to ensure the implementation of the recommendations of the Annual Report, be agreed.

884 Pharmaceutical Needs Assessment (PNA)

The Board considered a report of the Director of Public Health which provided a progress update on the refresh of the Southend-on-Sea Pharmaceutical Needs Assessment (PNA).

Resolved:

1. That the timeline for the refresh of the Southend-on-Sea PNA, be noted.
2. That the Terms of Reference for the Southend Pharmaceutical Needs Assessment Steering Group, be approved.
3. That the authority to review and advise the Health & Wellbeing Board on any responses they need to make in relation to 'Consolidated Applications' received by the Board from NHS England, be delegated to the Pharmaceutical Needs Assessment Steering Group.

885 Better Care Fund 2017-2019 Plan

The Board considered a report of the BCF Programme Lead which provided an update regarding the Better Care Fund (BCF) planning process for 2017/19.

Resolved:

1. That the update on BCF 2017/19, be noted.
2. That authority to agree the BCF Plan and enable a submission to be made to NHS England in accordance with the planning guidance (once published) be delegated to the Deputy Chief Executive (People) and Interim Accountable Officer (Southend CCG) in conjunction with the Chair and Vice-Chair of the Health & Wellbeing Board.

886 Health & Social Care Integration - The Next Steps

The Board considered a report of the BCF Programme Lead which provided a progress update on the work towards health and social integration which follows on from the report considered by the Board at its meeting on 1st February 2017. The report provided further details on what the opportunities might be in preparation for the options appraisal approved by the Board at its meeting held on 1st February 2017.

Resolved:

That the report be noted.

887 A Better Start Governance

The Board considered two reports which provided updates on the ABSS Strategic Proposition 2017/18 and the ABSS Governance and co-production principles and approach. The Board also received a PowerPoint presentation in conjunction with the co-production report.

The Board commented on the principles for co-production and training on the principles and approach to co-production should be carried out with Board members and parents. There was also a need to manage expectations, particularly in respect of partners' statutory requirements.

Resolved:

1. That the ABSS Strategic Proposition 2017/18 update, be noted.
2. That the progress on the ABSS Governance and co-production update, be noted.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Thursday, 4th May, 2017
Place: Committee Room 1 - Civic Suite

14

Present: Councillor R Hadley (Chairman)
Councillors M Butler and G Phillips

In Attendance: R Harris, P Tremayne, L Coombs and M Newton

Start/End Time: 11.00 am - 12.10 pm

1012 Apologies for Absence

There were no apologies for absence at this meeting.

1013 Declarations of Interest

There were no declarations of interest at this meeting.

1014 Application for the Variation of Premises Licence - 71-73 Southchurch Road, Southend-on-Sea, Essex, SS1 2NL

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by B.U.S. Premier Ltd for the grant of a variation of a premises licence in respect of B.U.S. Premier Ltd, 71-73 Southchurch Road, Southend-on-Sea, Essex, SS1 2NL.

The application was presented by Ms Sherratt (Applicants representative). The applicant, Mr Shaiju was also in attendance at the meeting.

The sub-committee noted that whilst one of the Responsible Authorities, namely Essex Police, had initially objected to the application conditions had been agreed between the applicant and the Police which addressed their concerns, should the application be granted. On this basis Essex Police had withdrawn their objections.

Representations had however, been received from 2 local residents but did not attend the hearing. Their concerns focused on the licensing objectives, namely the prevention of crime and disorder, prevention of public nuisance and the protection of children from harm.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

On the basis of the evidence presented to it, the Sub-Committee considered that the licensing objectives and the objectors concerns would be adequately

addressed by the conditions imposed on the licence. The sub-committee therefore:

Resolved:

That the application be granted subject to:

(i) The mandatory conditions and the conditions consistent with the operating schedule of the current licence;

(ii) The following additional conditions:

- The sale by retail of alcohol for consumption of the premises shall be between 08.00 to 23.00 Monday to Sunday (the opening hours to remain as 06.00 to 23.00);
- The DPS or authorised member of staff will remove all outside furniture when the premises are not trading.
- The DPS will not use any outside furniture that could be used as a seat/bench or allow persons to lean on.
- All reasonable steps will be taken to prevent youths, homeless persons, street drinkers, beggars etc. from hanging around the front of the shop.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Monday, 8th May, 2017

Place: Committee Room 1 - Civic Suite

15

Present: Councillor McGlone (Chairman)
Councillors S Buckley and N Folkard

In Attendance: T Row, P Tremayne, M Newton and R Layzell

Start/End Time: 10.30 am - 11.30 am

1015 Apologies for Absence

There were no apologies for absence.

1016 Declarations of Interest

No interests were declared at the meeting.

1017 Application for Grant of Premises Licence - 296-298 London Road, Westcliff on Sea, Essex SS0 7JJ

The sub-committee received a report by the Deputy Chief Executive (Place) concerning an application made by Mr Ali Kesen for the grant of a premises licence in respect of 296-298 London Road, Westcliff on-Sea, SS0 7JJ.

The application was presented by the applicant Mr A Kesen.

The sub-committee noted that no objections to the application had been received from any of the Responsible Authorities, although conditions had been agreed with Essex Police should the application be granted which addressed their concerns.

Representations had however, been received from a local resident who did not attend the hearing.

The objector's concerns primarily related to the number of premises selling alcohol in the close vicinity of the premises. This was not considered a matter for the sub-committee in this case. Other potential concerns the potential contravention of the licensing objectives of the prevention of crime and disorder, public nuisance and the protection of children from harm.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

On the basis of the evidence presented to it, the sub-committee considered that the licensing objectives and the objector's concerns would be adequately addressed by the proposed conditions to be imposed on the licence. The sub-committee therefore:

Resolved:-

That the application be granted subject to:

- (i) The mandatory conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);
- (ii) The conditions drawn from the operating schedule as amended in consultation with Essex Police set out in Appendix 2 to the report of the Deputy Chief Executive (Place).

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 10th May, 2017
Place: Committee Room 1 - Civic Suite

16

Present: Councillor F Waterworth (Chair)
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton,
S Buckley*, M Butler, N Folkard, J Garston, R Hadley, A Jones,
C Mulrone, D Norman MBE, P Van Looy and C Walker
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor M Stafford
J K Williams, K Waters, C Galforg, J Rowley, I Harrison,
A Tastsoglou, M Warren and T Row

Start/End Time: 2.00 pm - 3.10 pm

1018 Apologies for Absence

Apologies for absence were received from Councillors Evans (substitute: Councillor Buckley) and Callaghan.

1019 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item No. 7: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to him and friends own a property nearby;

(b) Councillor Ayling – Agenda Item No. 13: 16/02195/FUL – Nova Car Sales, 840 - 846 London Road, Leigh on Sea – Non-pecuniary interest: Applicant is known to him;

(c) Councillor Buckley – Agenda Item No. 17: 17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea – Disqualifying non-pecuniary interest: Aware of the objections prior to substituting on the Committee (withdrew);

(d) Councillor Folkard – Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;

(e) Councillor Folkard – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;

(f) Councillor D Garston – Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Owns a property nearby;

(g) Councillor D Garston – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Owns a property nearby;

(h) Councillor J Garston – Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;

(i) Councillor J Garston – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;

(j) Councillor Hadley – Agenda Item No 9: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Lives nearby;

(k) Councillor Hadley – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Lives nearby;

(l) Councillor Mulroney – Agenda Item No. 7: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to her, Member of Leigh Town Council (non-participant in planning), the Town Council are lessees of Strand Wharf and Trustee of the Heritage Centre which is close to the site;

(m) Councillor Mulroney – Agenda Item No. 17: 17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea – Non-pecuniary interest: Objector is the Chaplain to Leigh Town Council;

(n) Councillor Van Looy – Agenda Item No. 7: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to him;

(o) Councillor Van Looy – Agenda Item No 10: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Applicant is known to him;

(p) Councillor Walker – Agenda Item No. 8: 16/02282/FUL - Eastwood United Reform Church, Rayleigh Road, Eastwood, Leigh on Sea – Non-pecuniary interest: Resident of Saffory Close is known to him (friend of his wife);

Note: All Members present declared a non-pecuniary interest in Agenda Item No. 12: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue And Thorpe Esplanade, Southend on Sea on the basis that the Chairman for the Applicants was a fellow Councillor.

1020 Minutes of the meeting held on Wednesday 1st March 2017

Resolved:

That the Minutes of the meeting held on Wednesday 1st March 2017 be received confirmed as a correct record and signed.

1021 Minutes of the Meeting held on Wednesday 5th April 2017

Resolved:

That the Minutes of the meeting held on Wednesday 5th April 2017 be received confirmed as a correct record and signed.

1022 Supplementary Report

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

**1023 17/00297/OUT - Shoeburyness Sorting Office, George Street, Shoeburyness (Shoeburyness Ward)
Proposal: Demolish existing building and erect block of 9 self-contained flats (Outline)
Applicant: Telereal Trillium
Agent: Liam Russell Architects Limited**

OUTLINE planning permission GRANTED subject to the following conditions:

01. Details of the appearance, layout, scale, landscaping, access (hereinafter called the "Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

02. Details of the provision of not less than nine parking spaces to serve the development shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall be implemented in accordance with the approved details before it is occupied and the parking spaces retained for occupiers of the development in perpetuity thereafter.

Reason: To ensure that satisfactory off-street parking is provided in accordance with Development Plan Document 1 Southend on Sea Core Strategy 2007 policies KP2, CP3 and CP4; Development Plan Document: Southend on Sea Development Management DPD policies DM1, DM3 and DM15, and SPD1 (Design and Townscape Guide).

03. Details of the external materials to be used in the construction of the development hereby approved shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall only be implemented in accordance with the approved materials 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 the National Planning Policy Framework (NPPF), Development Plan Document 1 Southend on Sea Core Strategy 2007 policy KP2 and CP4; Development Plan Document 2 Southend on Sea Development Management 2015 policy DM1, and SPD1 (Design and Townscape Guide) 2009.

04. Details of waste and cycle storage to be provided at the site shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The waste and cycle storage shall be implemented in accordance with the approved details before the development is occupied and shall be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided to promote sustainable transport and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with Development Plan Document: Southend on Sea Core Strategy 2007 policies KP2, CP3 and CP4; Southend on Sea Development Plan Document 2 Development Management 2015 policies DM1 and DM15, and Supplementary Planning Document 1 (Design and Townscape Guide) 2009.

05. A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted concurrently with the Reserved Matters application and be implemented in full in accordance with the approved details prior to the first occupation of the flats. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Development Plan Document 1 Southend on Sea Core Strategy 2007 Policy KP2; Development Plan Document 2 Southend on Sea Development Management Document Policy DM2 (2015).

06. Details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Development Plan Document 1: Southend on Sea Core Strategy policy KP2, Development Plan Document 2: Southend on Sea Development Management Document policy DM2 (2015) and SPD1 (Design and Townscape Guide) 2009.

07. The development hereby approved shall be carried out in a manner to ensure the flatted development complies with building regulation part M4 (2) 'accessible and adaptable dwellings'.

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

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 outline 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

1. Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at www.southend.gov.uk/cil

Please note that the details of the proposals indicatively shown on the submitted plans are unlikely to be found acceptable in the following regards:

2. Please also note that the permission hereby granted should not be taken as any form of support for the layout, scale or appearance of the proposed development, the access to the site or the landscaping of the site.

3. Please note there are a number of matters that require further attention when an application for reserved matters is submitted including the provision of replacement landscaping at the frontage of the site with particular reference to the north and west of the site along George Street and Dane Street, the provision of suitable boundary enclosures and the design of the proposed building itself, and to ensure the development does not appear unduly prominent the inclusion of balconies and porches will need to be carefully considered as this could lead to undue prominence in the streetscene.

1024 17/00248/BC4M - Theobalds Wharf, Alley Dock, Leigh on Sea (Leigh Ward)

Proposal: Relocate existing storage containers, erect marine workshop and extend timber fence (Retrospective)

Applicant: Mr Sedgewick

Agent: SK Architects

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the approved plans 89-03-11 P01-Site and block plans Revision B; 89-03-11 P02 Previous General Arrangement plan and elevations; 89-03-11 P03 Existing plans and elevations; 89-03-11 P04-Photos of previous and existing arrangement; 89-03-11 P05-Relocated container Revision B; 890311 P06 Revision B New workshop.

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

02 Within one month of the date of this permission details of materials to be used on the external elevations of the marine workshop and fence shall have been submitted to and approved in writing by the local planning authority. The works must then be carried out only in accordance with the approved materials 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 Old Leigh Conservation Area. This is as set out in the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

03 Within one month of the date of this permission hereby permitted a 'Flood Evacuation and Warning Plan' shall be submitted to and agreed in writing by the local planning authority. The site shall be managed and occupied in full accordance with the approved plan thereafter.

Reason: To ensure that the Flood Warning and Evacuation Plan meets with the requirements of the Environment Agency's Flood Warning Service.

04 Within one month of the date of this permission, details of surface water run-off shall be submitted to and agreed in writing by the local planning authority. The works must then be carried out only in accordance with the approved surface water strategy unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the nature conservation interests of the area are protected and minimise pollution risk considering the site's location in relation to Benfleet and Southend Marshes SSSI, RAMSAR and SPA site and to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight pursuant to Policy KP2 of the Southend on Sea DPD1 Core Strategy 2007 and Development Management DPD2 2015 policies DM1 and DM6.

05 No development can be carried out on the site between September to the end March period (i.e. from May 2017 – end 31 August 2017, or April 2018 – end 31 August 2018), unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the nature conservation interests of the area are protected and minimise impact considering the site's location in relation to Benfleet and Southend Marshes SSSI, RAMSAR and SPA site and to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007 and Development Management 2015 policies DM1 and DM6.

Informative

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

02 It should be ensured that storage containers/sheds are securely anchored to the ground to ensure that they will remain in position throughout any flood event to ensure compliance with the Environment Agency.

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.

1025 16/02282/FUL - Eastwood United Reform Church, Rayleigh Road, Eastwood, Leigh on Sea (Eastwood Park Ward)
Proposal: Demolish existing church hall, erect of 6no two storey dwelling houses, layout 12 parking spaces and form vehicular access on to Rayleigh Road
Applicant: Mr P Lehman
Agent: Third Dimension Arch. Design Ltd

Mr J Carver spoke as an objector to the application. Mr Coxall responded on behalf of the applicant's agents.

Planning permission GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: 202c House Type A; 203c House Type A; 204 House Type B; 205b Block Plan; 207b Streetscene Elevation, 208a sections, site location plan 001

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

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

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

04 No development approved by this permission shall be commenced until the Local Planning Authority has approved in writing a full scheme of highways works (including detailed designs and contract details) and the relevant highways approvals are in place, in relation to the resiting of the traffic island and works to street trees. The works shall thereafter be undertaken in accordance with the approved details and completed prior to first occupation of the development hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with (Core Strategy) DPD1 policy KP2, CP3, CP4; (Development Management) DPD2 policies DM13 and the Design and Townscape Guide SPD1.

The development shall not be occupied until 12 car parking spaces have been provided at the site in accordance with drawing 205b Block Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

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

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

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

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

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are

implemented pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

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

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

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1).

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 shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

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

10 The development hereby approved shall be carried out in a manner to ensure the houses comply with building regulation M4 (2) 'accessible and adaptable dwellings'.

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

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried

out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

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

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

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

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

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

Informative

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

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to

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

02 Consent is given to this development on the condition that a new metered water supply is provided for each new dwelling for revenue purposes.

03 Water supplies-additional water supplies for fire fighting maybe necessary for this development including sprinkler systems.

04 The applicant is requested to retain for safekeeping the stain glass windows, oak doors and memorial stones.

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.

- 1026 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness (Shoeburyness Ward)**
Proposal: Car park alterations, relocation of lighting columns and associated works
Applicant: Asda Superstores Limited
Agent: Gleneagles Project Services Limited

Planning permission REFUSED for the following reason:

01 The proposed development would, by reason of its design, layout and the resultant reduction in the spaces available for parking cars at the application site, be likely to cause additional vehicles to park within the surrounding public highway and create conditions detrimental to the free flow of traffic and highway and pedestrian safety. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policy CP3 of the Southend-on-Sea Core Strategy (2007); and Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015).

- 1027 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness (Shoeburyness Ward)**
Proposal: Install three non-illuminated panel signs
Applicant: ASDA
Agent: Whittam Cox Architects

Advertisement consent GRANTED subject to the following conditions:

01 This consent is granted for a period of 5 years beginning from the date of this consent.

Reason: To comply with Regulation 14(7) of the Town and Country

Planning (Control of Advertisements) Regulations 2007.

02 The advertisements shall be displayed in accordance with the approved plans: Site location plan 160428 PL_02; 24919pl01 Proposed location plan; 22919pl101 Signage.

Reason: To ensure that the advertisements are displayed in accordance with the policies outlined in the Development Plan.

3(a) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(c) Where any advertisement is required under the Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including coastal waters) or aerodrome (civil or military).

Reason: Required to be imposed to comply with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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.

1028 17/00471/BC4 - Cumberlege Intermediate Care Centre, Pantile Avenue, Southend on Sea (St Lukes Ward)
Proposal: Use temporary building as a health clinic (Class D1) and layout parking
Applicant: NHS Property Services Ltd
Agent: LSI Architects

Planning permission GRANTED subject to the following conditions:

01 The building shall be removed on or before 18 months from the date of this permission and the area affected by the works reinstated to its original condition to the satisfaction of the Local Planning Authority.

Reason: The building in this location would be unacceptable on a permanent basis.

02 Parking shall be permanently retained for staff and visitors to the clinic in accordance with drawing 17036-1702 1700 Site Parking Plan C unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking and highway efficiency, in accordance with the National Planning Policy Framework, policy CP3 of the Southend on Sea Core Strategy (2007), policy DM15 of the Southend on Sea Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

03. The health clinic shall not be used outside the following hours: - 07:30 hours to 20:00 hours Monday to Sunday including Bank Holidays and Public Holidays.

Reason: To protect the amenities of the adjacent residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 Southend Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Southend Development Management DPD2 (2015) and advice contained within the Southend SPD1 (Design and Townscape Guide) (2009).

Informative

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

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

1029 17/00104/BC4 - SBC Shelter And Public Conveniences at Junction of Thorpe Hall Avenue And Thorpe Esplanade, Southend on Sea (Thorpe Ward)

Proposal: Erect single storey building to be used as a non-residential institution (Class D1) and install ramp to front

Applicant: Tram Stop Shelter Committee

Agent: T C Matthew Chartered Architect

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 12020-STP-001 Revision 1 Site Plan; 12020_P_P010 Revision 4; 12020_P_E010 Revision 5 Proposed Elevations and Section.

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

03. The use hereby permitted shall be carried out only by Tram Stop Shelter Committee for use by community groups in accordance with the details and particulars submitted with the application and by no other individual or organisation or for any other purpose including any other purpose falling within use Class D1.

Reason: To protect residential amenity and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) policies DM1, DM3 and the advice contained within the Design and Townscape Guide SPD1.

04 No development shall take place until details, and samples of the facing materials to be used on the development including the window details, shutters, glazing, doors, shutter housing to the entrance door, louvre doors, panels and access ramp details have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority before the building is brought into use or occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management DPD 2015 and the advice contained within the Design and Townscape Guide 2009.

05. No development approved by this permission shall be commenced until the Local Planning Authority has approved in writing a full scheme of highways works (including detailed designs and contract details) and the relevant highways approvals are in place including any relevant stopping up orders, in relation to the pedestrian ramp. The works shall thereafter be undertaken only in accordance with the approved details and completed prior to occupation of the building hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with (Core Strategy) DPD1 policy KP2 and CP3; and policy DM15 of the Development Management Document DPD2.

06 Prior to occupation of the development hereby approved details of refuse storage and collection shall be submitted to and agreed in writing by the local planning authority and then occupy in accordance with the approved details.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4.

07 Notwithstanding the provisions of the advertisement regulations (2007) as amended or any amendment, revocation or alteration of these regulations advertisements of any sort shall not be displayed at the site other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management DPD 2015 and the advice contained within the Design and Townscape Guide 2009.

08 Live or recorded music which is audible outside the site boundary must not be played on the premises at any time.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy DPD1 (2007) and Policies DM1 and DM3 of the Development Management DPD (2015).

09 The building hereby approved shall not be open for use outside the hours of 08:00 – 22:00 hours Monday to Sunday including Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy DPD1 (2007) and Policies DM1 and DM3 of the Development Management DPD (2015).

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007), Development Management Document (2015) Policy DM2 and the advice contained within the Design and Townscape Guide (2009).

11 Construction hours shall be restricted to between 7.30am – 6pm Monday to Friday, 8am – 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management) 2015 policies DM1, DM3 and the advice contained within the Design and Townscape Guide.

12 No construction works involving heavy plant or machinery are to be undertaken during the period from 1 October to 31 March inclusive and at no time unless agreed in writing by the Local Planning Authority.

Reason: To ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

13 No materials or waste are to be deposited within the Benfleet and Southend Marshes SSSI, SPA and Ramsar site, outside the boundary of the area that the planning application refers to.

Reason: To ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes SSSI, RAMSAR and SPA site, pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

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

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

15. Not less than 3 months prior to the first occupation of the development hereby permitted a Traffic Management Plan, prepared in accordance with all relevant technical and good practice guidance, and which includes a comprehensive survey of all users, targets to reduce car journeys to the community facility, identifying sustainable transport modes including cycling and modes of public transport and that identifies opportunities for off street staff parking and minimising road safety risks, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be occupied and managed in accordance with the approved Traffic Management Plan from first occupation of the development.

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

Informative

01 You are advised that as the proposed new building 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 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.

1030 16/02195/FUL - Nova Car Sales, 840 - 846 London Road, Leigh on Sea (Leigh Ward)

Proposal: Demolish existing buildings, erect three-storey block of five dwellings, form 8 car parking spaces, amenity area, bin and cycle stores, extend vehicular access onto Dundonald Drive.

Applicant: Mr A McNamara

Agent: SKArchitects

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: P01 B, P02 B, P03 B, P04 B, P05 B (Streetscene Drawings), P05 B (Existing and Proposed Site Plans), P07 B, P08 B, P09 B (Part M 2nd Floor Plan) and P09 B (Construction Details)

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

03 The bricks used in the construction of the development hereby approved shall only be in accordance with the details shown in plan P09 B (Construction Details) hereby approved and arranged/used in accordance with plan P09B (Construction Details) unless otherwise agreed in writing by the Local Planning Authority. Details of all other materials to be used on the external elevations of the building hereby approved, including the window frames and Juliet balconies, shall be submitted to and approved in writing by the Local Planning Authority prior to their use at the application site. The development shall then be implemented in accordance with the approved details before it is occupied.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area and relates to the host buildings at the application site. In accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

04 The 8 parking spaces shown on the plans hereby approved shall be provided in accordance with the approved plans prior to the first occupation of the building

hereby approved. Subsequently, the parking spaces shall be retained at all times and only used by the occupants of dwellings hereby approved and their visitors.

Reason: To ensure that adequate parking is provided at the site. In accordance with the National Planning Policy Framework, policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1).

06 Prior to occupation of the dwelling 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 to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.

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

07 Prior to the first occupation of the dwellings hereby approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwellings hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management)

08 The development hereby approved shall be carried out in a manner to ensure the dwelling complies fully with Building Regulation M4 (2) 'accessible and adaptable dwellings'.

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

09 Notwithstanding the provisions of Classes A, B, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or outbuildings shall be erected at the site unless otherwise agreed in writing by the local planning authority.

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

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

Informative

Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

- 1031 17/00077/FUL - Rear of 206 London Road, Southend on Sea (Milton Ward)**
Proposal: Change of use from B1 (Light industrial) to C3 (residential) to form four self-contained flats, alter elevations, layout associated parking, demolish existing garage to form amenity space with cycle store and erect bins store adjacent parking spaces for 204 London Road (Amended Proposal)
Applicant: Roger Essex

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, Site Plan, BAK-GF-PLAN-PROP-203 Rev 001, BAK-GF-PLAN-PROP-204 Rev 001, BAK-GF-PLAN-PROP-205 Rev 001, BAK-GF-PLAN-PROP-206 Rev 001, BAK-GF-PLAN-PROP-207 Rev 001, BAK-GF-PLAN-PROP-208 Rev 001, BAK-GF-PLAN-PROP-209 Rev 001, BAK-FF-PLAN-PROP-320 Rev 001, BAK-FF-PLAN-PROP-321 Rev 001, BAK-FF-PLAN-PROP-322 Rev 001, BAK-FF-PLAN-PROP-323 Rev 001, BAK-FF-PLAN-PROP-324 Rev 001, BAK-FF-PLAN-PROP-325 Rev 001, BAK-FF-PLAN-PROP-326 Rev 001, BAK-FF-PLAN-PROP-327 Rev 001, BAK-CONST-GF-PLAN-808 Rev 001, BAK-CONST-FF-PLAN-809 Rev 001, BAK-STANNAH-810 Rev 001, BAK-CONST-E-ELEV-803 Rev 001, BAK-CONST-S-ELEV-804 Rev 001, BAK-CONST-E-ELEV-807 Rev 001, BAK-P1-SEC-ORIG-500 Rev 000, BAK-P1-SEC-PROP-500 Rev 001, BAK-P2-SEC-ORIG-501 Rev 000, BAK-P2-SEC-PROP-501 Rev 001, BAK-P3-SEC-ORIG-502 Rev 000, BAK-P3-SEC-502 Rev 001, BAK-SS-SEC-ORIG-503 Rev 000, BAK-SS-SEC-PROP-503 Rev 001, BAK-3DSE-ORIG-600 Rev 000, BAK-3DNE-ORIG-601 Rev 000, BAK-3DNW-ORIG-602 Rev 000, BAK-3DSW-ORIG-603 Rev 000, BAK-TSLPLAN-S Rev 1 (Site Plan), BAK-TSLPLAN-S Rev 1 (3D Drawing), BAK-TSLPLAN-NW Rev 1, BAK-TSLPLAN-E Rev 1, BAK-204-PLAN-WASTE-250 Rev 1, BAK-204-PLAN-WASTE-251 Rev 1, BAK-TSLPLAN-AMENITY-252 Rev 1, BAK-204-PLAN-RCARPARK-253 Rev 1, BAK-204-PLAN-FIRE-254 Rev 1, BAK-204-PLAN-RCP-255 Rev 1, BAK-204-W-ELEV-WASTE-257 Rev 1, BAK-204-E-ELEV-WASTE-258 Rev 1, BAK-204-S-ELEV-WASTE-259 Rev 1, BAK-204-N-ELEV-WASTE-260 Rev 1, BAK-204-3D-ELEV-WASTE-261 Rev 1, BAK-GF-PLAN-ORIG-200, BAK-GF-PLAN-PROP-200 Rev 001, BAK-GF-PLAN-ORIG-201, BAK-GF-PLAN-PROP-201 Rev 001, BAK-GF-PLAN-ORIG-202, BAK-GF-PLAN-PROP-202 Rev 001, BAK-F.F-PLAN-ORIG-300, BAK-F.F-PLAN-ORIG-301, BAK-FF-PLAN-ORIG-302, BAK-RF-PLAN-ORIG-400, BAK-RF-PLAN-PROP-400 Rev 001, BAK-E-ELEV-ORIG-100 Rev 000, BAK-E-ELEV-PROP-100 Rev 001, BAK-W-ELEV-ORIG-101 Rev 000, BAK-W-ELEV-PROP-101 Rev 001, BAK-N-ELEV-ORIG-102 Rev 000, BAK-N-ELEV-PROP-102 Rev 001, BAK-S-ELEV-ORIG-103 Rev 000, BAK-S-ELEV-PROP-103 Rev 001, BAK-GATES Rev 1, Proposed Colours Rev 001.

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

03 The materials used in the development hereby approved shall be as shown on the approved plans 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 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 Prior to the first occupation of the flats hereby approved, the amenity space, car parking, cycle parking and refuse storage areas shown on the plans hereby

approved shall be provided and made available for use by the occupants of the proposed flats and be retained in perpetuity thereafter.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management)

05 Prior to occupation of the dwellings 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 to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.

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

06 Prior to the occupation of the development hereby approved details of the glazing, acoustic insulation and ventilation details for the development shall be submitted to, and approved by, the Local Planning Authority. The glazing and ventilation should be selected with relevant acoustic properties as outlined in section 5.4 and 5.5 of the Noise Assessment dated 24th March 2017 unless otherwise agreed in writing by the Local Planning Authority. No dwelling shall be occupied until such time that all of the approved details to serve that dwelling have been fully installed. The approved glazing, acoustic insulation and ventilation shall be maintained in the approved condition thereafter in perpetuity.

Reason: To ensure the provision of adequate internal living conditions in accordance with policies DM1 and DM8 of DPD2 (Development Management)

07 Prior to the occupation of the development hereby approved details of acoustic fencing to the amenity area shall be submitted to, and approved by, the Local Planning Authority. No dwelling shall be occupied until such time that the acoustic fencing has been fully installed. The approved acoustic fencing shall be retained and maintained in the approved condition thereafter in perpetuity.

Reason: To ensure the provision of adequate internal living conditions in accordance with policies DM1 and DM8 of DPD2 (Development Management)

08 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the

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

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution in accordance with the national Planning Policy Framework and Southend-on-Sea Core Strategy (2007) policy KP2.

09 All first floor windows in the west elevation of the building (as shown on the approved plans) shall be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority before the dwellings are occupied and be permanently retained as such thereafter. 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 the proposed and neighbouring residential properties, in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

Informative

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if

appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil.

- 1032 17/00181/FUL - 188 Leigh Road, Leigh on Sea (Leigh Ward)**
Proposal: Change of use of from shop (Use Class A1) to restaurant (Use Class A3), erect single storey rear extension, alterations to front and side elevations, creation of external staircase, installation of flue and air conditioning unit and formation of refuse enclosure
Applicant: Mr Rocco Dileone
Agent: Mr C. Stone (Stone Me 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: 1665 01, 1665 02 and 1665 3E

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

03 The rating level of noise for all plant installed at this site in associated with the approved development (including but not exclusively the ventilation, refrigeration and air conditioning equipment) determined by the procedures in BS:4142:2014, shall be at least 5dB(A) below the background noise with no tonal elements. The LA90 shall be determined according to the guidance in BS:4142 at 3.5m from ground floor facades and 1m from all facades above ground floor level to residential premises. The assessment shall be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics. Details of this assessment and confirmation of all plant equipment that shall be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. All approved plant equipment shall be installed prior to the first use of the premises as a restaurant and the equipment shall be maintained in good working order thereafter. The plant installed must not have distinctive tonal or impulsive characteristics.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

04 Activities at the site hereby approved shall not give rise to structure borne noise to any noise sensitive premises including those integral to the building.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

05 The rating level of noise for all activities hereby approved at the site (including amplified and unamplified music and human voices) shall be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

06 All deliveries and collections to the use hereby permitted shall be between 07:00 and 19:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturday; with no deliveries taking place on Sundays or Bank Holidays.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

07 The use hereby permitted shall not be open to the public between the hours of 23:00 and 09:00 the following day, on any day.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

08 Prior to the commencement of the development hereby approved, details of the materials used in the construction of the vent and the 'filter housing' shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall be undertaken in full accordance with the approved details prior to the commencement of the use hereby approved.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

09 Other than within the demarked walkway shown on the plans hereby approved, the roof of the 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 (NPPF), DPD1 (Core Strategy) 2007 policy CP4 and SPD1 (Design and Townscape Guide).

The bi-folding doors hereby approved at the Carlton Drive frontage of the building shall be kept shut at all times between the hours of 21:00 and 09:00 the following day, on any day.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

11 Any seating/tables provided within the application site, to the west flank elevation of the building at the site (fronting Carlton Drive), shall be vacated between 21:00 and 09:00 hours.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

12 Except for ingress and egress, the external door to the ground floor flank elevation that serves the kitchen and the fire exit door on the same elevation shown on plan 1665 3E shall remain closed at all times and, except in cases of emergency, shall not be available for use by customers.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

13 Prior to the use of the building for the purposes hereby approved, details shall be submitted of the provision of fully enclosed and secure refuse storage at the site. The approved refuse storage shall be provided in full and made available for use prior to the first occupation of the use hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management)

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

Informative

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

- 1033 17/00398/FUL - British Home Stores, 36 - 44 High Street, Southend on Sea (Milton Ward)**
Proposal: Demolish existing servicing enclosure to rear, form new servicing enclosure and layout loading layby on to Chichester Road
Applicant: Glanville Consultants
Agent: Glanville Consultants

The application was WITHDRAWN by the applicant.

- 1034 17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea (St Laurence Ward)**
Proposal: Erect detached dwellinghouse on land rear of 79 Orchard Grove layout amenity space and parking and form vehicular access onto Orchard Grove
Applicant: Mrs P. Young

Mr Dixon, a local resident, spoke as an objector to the publication. Ms Young, the applicant, responded.

The matter was DEFERRED.

- 1035 17/00589/FUL - 54 Ashburnham Road, Southend on Sea (Milton Ward)**
Proposal: Convert existing five bedroom HMO (Class C4) to a seven bedroom HMO (Sui Generis) and install cycle racks
Applicant: Mr Martin Saunders

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: 001, Location Plan and Site Plan/Block Plan.

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

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

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

04. Before the occupation of the development hereby approved, details of the provision of refuse storage facilities at the site (including day-to-day refuse

storage areas and day of collection storage areas as necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided prior to the occupation of the development and be retained in perpetuity thereafter.

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

05. The building shall not be adapted to enable the formation of more than 7 bedrooms and shall not be occupied by more than 8 people at any one time.

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

Informatives

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

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

1036 16/00001/UNAU_B - Flat 1, 14 Park Road, Westcliff on-Sea (Milton Ward)
Breach of Control: Without planning permission, the replacement of the existing window frames at ground floor level in the front elevation with windows having Upvc frames.

This matter was DEFERRED.

1037 Vote of Thanks

The Committee thanked the Chairman for the efficient and amicable way in which he had chaired the meetings of the Committee in his first year in this role.

The Chairman thanked the Members of the Committee for their able way in which they had conducted the business at the meeting and Officers of the Council for their hard work and support.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Monday, 5th June, 2017
Place: Darwin Room - Tickfield

17

Present: Councillor R Hadley (Chair)
Councillors D Jarvis and D Kenyon

In Attendance: P Tremayne, A Penn and M Newton

Start/End Time: 10.00 am - 12.00 pm

31 Apologies for Absence

There were no apologies for absence.

32 Declarations of Interest

No declarations of interest were declared at the meeting.

33 Application for Grant of Premises Licence - Pizza Domain, 494 London Road, Leigh on Sea, SS0 9LD

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Pak Pizza Ltd for the grant of a late night refreshment licence at 494 London Road, Westcliff on-Sea, SS0 9LD.

The application was presented by the owner of the business, Mr Akhtar, together with Ms E White and Mr R White.

The sub-committee noted that no objections to the application had been received from any of the Responsible Authorities, although conditions had been agreed with Essex Police should the application be granted which addressed their concerns. On this basis Essex Police had withdrawn their objections.

The sub-committee noted that the applicant had amended the application so that the hours during which they will be open to the public will be 11.00 am to the terminal hour for licensable activities, as agreed with Essex Police.

Ten representations had however, been received from interested parties, none of whom attended the hearing. The objector's concerns primarily related primarily to the potential contravention of the licensing objectives of the prevention of crime and disorder and public nuisance.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

On the basis of the evidence presented to it, the sub-committee considered that the licensing objectives and the objectors concerns would be adequately addressed by the conditions imposed on the licence. The sub-committee therefore:

Resolved:

That the application be granted subject to:

(i) The mandatory conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);

(ii) The conditions drawn from the operating schedule set out in Appendix 2 to the report of the Deputy Chief Executive (Place), subject to the following to condition 5 to now read:

“5) Deliveries of goods shall be made during the daytime between the hours of 09.00 and 20.00 so as not to disturb the nearby residents.”

(iii) The amended/additional conditions agreed between the applicant and Essex Police set out in Appendix 3 to the report of the Deputy Chief Executive (Place).

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 14th June, 2017

18

Place: Committee Room 1 - Civic Suite

Present: Councillor F Waterworth (Chair)
Councillors B Arscott, B Ayling, M Borton, S Buckley, M Butler*,
T Callaghan, N Folkard, J Garston, R Hadley, H McDonald,
D McGlone*, C Mulroney, D Norman MBE, P Van Looy, C Walker and
N Ward

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor C Nevin
J K Williams, K Waters, C Galforg, J Rowley, M Warren, I Harrison and
F Abbott

Start/End Time: 2.00 - 3.30 pm

34 Apologies for Absence

Apologies were received from Cllr D Garston (substitute Cllr M Butler) and Cllr H Boyd (substitute Cllr D McGlone).

35 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillor Mulroney – agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB - non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); some of background information provided was from Leigh Society (historical);
- (b) Councillor Ward – agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB - worked for applicant and knows owner – withdrew;
- (c) Councillor Walker - agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest - friend living in Underwood Square and Lime Avenue;
- (d) Councillor Arscott - agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest – knows applicant and objectors;
- (e) Councillor Butler - agenda item relating to – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest – friend;
- (f) Councillor J Garston – agenda item relating to – 16/00001/UNAU_B – Flat 1, 14 Park Road, Westcliff-on-Sea SS0 7RE – non pecuniary interest – lives in a Conservation area;
- (g) Councillor Buckley – agenda item relating to – 17/00213/FULM – RBS Card transactions Centre, Thanet Grange, SS0 0EN – non-pecuniary interest – known to objector on different matter;

- (h) Councillor Ayling – agenda item relating to – 17/00769/AMDT – 40 Westbury Road, Southend SS2 4DP – non-pecuniary interest – contacted Planning Inspectorate on application;
- (i) Councillor Buckley - agenda item relating to – 17/00444/FUL – 79 Orchard Grove, Eastwood, Leigh-on-Sea SS9 5TP – withdrew;
- (j) Councillor Mulronev - agenda item relating to – 17/00444/FUL – 79 Orchard Grove, Eastwood, Leigh-on-Sea SS9 5TP – non-pecuniary interest – knows objector.

36 Supplementary Report

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

37 17/00234/FUL - Haydon House, 10 Underwood Square (West Leigh Ward) Proposal – Demolish existing dwelling house and erect 4no tow storey dwelling houses, form vehicular accesses on to Underwood Square Applicant: Intex Properties Limited Agent: SKArchitects

(Cllr N Ward withdrew from the meeting during consideration of this item).

Mr Burry, a local resident, spoke as an objector to the application. Mr Bowhill responded on behalf of the applicant.

Planning permission REFUSED for the following reasons:

01 The proposed development would, by reason of its design, bulk, mass, size and siting, result in an overbearing relationship with and an increased sense of visual enclosure and a loss of light and outlook at 11 Underwood Square and 51 Lime Avenue, to the detriment of the residential amenities of the occupiers of these properties. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and the advice contained within the Southend-on-Sea Design and Townscape guide (2009).

02 The proposal would, by reason of its design, size, bulk, mass, siting and layout, represent a cramped form of development and an overdevelopment of the land, which is out of keeping with and detrimental to the character and appearance of the application site and the area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 38 **16/00001/UNAU_B - Flat 1, 14 Park Road, Westcliff on Sea (Milton Ward)**
Breach of Planning Control: Without planning permission, the replacement of the existing window frames at ground floor level in the front elevation with windows having Upvc frames

Resolved: That no further action be taken.

- 39 **17/00213/FULM - RBS Card Transactions Centre, Thanet Grange (St Laurence Ward)**
Proposal: Install six 8m floodlights to multi-use games area
Applicant: RBS
Agent: Oswick Ltd

Planning permission GRANTED subject to the following conditions:

01 Condition: 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 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 17-061-AS-01, 17-061-AS-02, 17-061-AS-03 and 17-061-AS-04

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

03 Condition: Notwithstanding the details shown on the plans submitted and otherwise hereby approved The maximum height of each of the floodlights erected under this consent shall not exceed the following:

FL1 (51.563781N 0.684070E - 27m AOD
FL2 (51.563673N 0.684246E - 29m AOD
FL3 (51.563553N 0.6844191E - 32m AOD
FL4 (51.563446N 0.684183E - 32m AOD
FL5 (51.563553N 0.684022E – 29.5m AOD
FL6 (51.563659N 0.683873E – 27.5m AOD

Reason: In the interests of public safety due to the proximity of London Southend Airport.

04 Condition: The lighting shall only be installed in full compliance with the content of the Airport Operators Association document titled “Safeguarding of Aerodromes – Advice Note 2 – Lighting Near Aerodromes (August 2016).” The lighting shall be installed to be ‘full cut off’ and mounted horizontally so that light is not emitted above the horizontal.

Reason: In the interests of public safety due to the proximity of London Southend Airport.

05 Condition: Illumination from the floodlighting hereby approved shall only occur between the hours of 08.00 to 22.00 Monday to Friday and 10.00 to 22.00 on Saturdays and Sundays.

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

Informative

You are advised that as the proposed development creates no 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

40 17/00409/BC3 - Business Enterprise Skills And Training Centre, Southend Adult Community College (Kursaal Ward)
Proposal: Install external staircase to South elevation
Applicant: Leo Lord Southend Adult Community College
Agent: Neil Pointer (Southend on Sea Borough Council)

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 14994-A-101 A, 14994-A-102 A, 14994-A-103 A, 14994-A-104 A, 14994-A-105 A (Existing Elevations), 14994-A-105 A (Proposed Elevations) and 14994-A-107 A.

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

03 Prior to the first use of the door and staircase hereby approved, a scheme of details to ensure that the staircase and door are only used at times of need for emergency egress from the building shall be submitted to and agreed in writing by the Local Planning Authority. Subsequently the doors and stairs shall be installed in accordance with the approved details before the stairs and door are first used and be retained and maintained in the approved condition thereafter. The door and staircase shall only be used for emergency egress from the building.

Reason: To ensure that the development does not cause overlooking and a loss of privacy within neighbouring residential properties in accordance with policies DM1 and DM3 of the Southend-on-Sea Development Management Document 2015.

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

Informative

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

- 41 17/00614/LBC - The Pier, Western Esplanade, Southend on Sea (Milton Ward)**
Proposal: Replacement of pier pile caps to pier structure (Listed Building Consent)(Part Retrospective)
Applicant: Southend-on Sea Borough Council
Agent: Mr Neil Chaston, Hemsley Orrell Partnership

LISTED BUILDING CONSENT GRANTED subject to the following conditions:

01 The development hereby permitted shall commence 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 LBCA01, LBCA02, LBCA03, LBCA04, LBCA06, LBCA07

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

Informative

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 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. Detailed analysis is set out in a report prepared by officers.

- 42 **17/00893/DOV5 - 32 - 36 Valkyrie Road, Westcliff on Sea (Milton Ward)**
Proposal: Modification of planning obligation (Section 106 agreement) associated with planning application 14/00914/FULM dated 3rd July 2015 to provide a financial contribution in lieu of onsite provision of affordable housing
Applicant: Mr Dan Nyman of In Construction Services Ltd
Agent: N/A

DEFERRED.

- 43 **17/00715/FUL - 70 Burdett Avenue, Westcliff on Sea (Milton Ward)**
Proposal: Convert existing dwellinghouse (Class C3) to house in multiple occupation
Applicant: Mr and Mrs Dean
Agent: Design Associates

DEFERRED for pre meeting site visit.

- 44 **17/00769/AMDT - 40 Westbury Road, Southend on Sea (St Lukes Ward)**
Proposal: Retain conservatory to rear (Retrospective) (Minor amendment to planning application 14/00198/FUL)
Applicant: Dr Saqib Mahmud
Agent: Mr Graham Miles

Planning permission GRANTED subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 1472/OS, 1472/01-A, 1472/02, 1472/03, 1472/04-A and 1472/05

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

Informative

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

2. Please note that the Local Planning Authority would wish to see the alteration of the conservatory to match the plans hereby approved within six months of the permission hereby granted. If the conservatory is not adapted within this timescale, the conservatory may be the subject of enforcement action.

- 45 **17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea (St Laurence Ward)**
Proposal: Erect detached dwellinghouse on land rear of 79 Orchard Grove layout amenity space and parking and form vehicular access onto Orchard Grove
Applicant: Mrs P Young
Agent: N/A

(Cllr S Buckley withdrew from the meeting during consideration of this item).

Mr Dixon, a local resident, spoke as an objector to the application. Mrs Young, the applicant, responded.

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of 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: 79A/002/2017, Site Location Plan and Block/Site Plan

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

03 The development shall be implemented only using the materials listed within the Materials Palette submitted with the application unless otherwise agreed in writing by the Local Planning Authority, before it is occupied.

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1).

05 Prior to the first occupation of the dwelling hereby approved the car parking area shown on the plans hereby approved shall be provided and made available for use by the occupants of the proposed dwelling and be retained as such in perpetuity. Reason: To ensure the provision of adequate car parking in accordance with policies DM8 and DM15 of DPD2 (Development Management)

06 Prior to occupation of the dwelling 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 to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.

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

07 Prior to the first occupation of the dwelling approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwelling hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management)

08 The development hereby approved shall be carried out in a manner to ensure the dwelling complies fully with Building Regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

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

09 Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or outbuildings shall be erected at the site unless otherwise agreed in writing by the local planning authority.

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

10 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the vehicle crossover installed at the site shall not measure more than 4.8 metres wide.

Reason: In the interests of highway safety in accordance with Policy CP3 of the Core Strategy, Policies DM1, DM3 and DM15 of the Development Management Document and the Design and Townscape Guide, 2009.

11 Prior to the first occupation of the dwelling approved, details shall be submitted of the means of enclosing the application site/boundary treatments. The approved means of enclosure/boundary treatments shall be installed in accordance with the approved details prior to the first occupation of the dwelling hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of appropriate means of enclosure at the site in accordance with policies DM1 and DM3 of DPD2 (Development Management)

12 Prior to the commencement of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the means of protecting the retained trees at neighbouring sites. This shall include the details of the means of undertaking and foundation/piling works at the site and measures to ensure the protection of the trees when undertaking such works. The agreed tree protection measures shall be fully implemented prior to the commencement of the development and the development shall be implemented in full accordance with the details approved under this condition throughout the construction process.

Reason: To ensure the appropriate protection of trees at the site, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, policy DM1 of Development Management Document DPD2 and SPD1 (Design and Townscape Guide).

13 Prior to the commencement of the development hereby approved, details shall be submitted of the existing and proposed ground levels at the application site and the finished floor level of the proposed dwelling. The development shall subsequently be undertaken only in accordance with the approved details.

Reason: To ensure the protection of the amenities of neighbouring residents in accordance with policies DM1 and DM3 of the Southend-on-Sea Development Management Document 2015.

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

Informative

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

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of

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

Please be aware that in the submission of details to address condition 13 of the permission hereby granted, it will be the expectation of the Local Planning Authority that the ridge height of the dwelling hereby approved will not exceed the height of the bungalows to the south of the dwelling.

- 46 17/00364/FULH - 236 Highlands Boulevard, Leigh on Sea (West Leigh Ward)**
Proposal: Demolish existing conservatory to rear and erect single storey rear extension
Applicant: Mrs Sara Procter
Agent: N/A

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: 1036/2 & Location Plan.

Reason: To ensure that the development is carried out in accordance with the 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: 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 (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and Design and Townscape Guide (2009).

04 The flat roof of the 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

(2012), Southend Core Strategy (2007) policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

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

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

47 17/00435/FULH - 44 The Drive, Westcliff on Sea (Chalkwell Ward)
Proposal: Erect single storey side extension
Applicant: Meryl Harry and Nicholas Harry Corrigan
Agent: Mr Mark Hipsey

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: 28620 06.

Reason: To ensure that the development is carried out in accordance with the 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: 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 (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and Design and Townscape Guide (2009).

04 The flat roof of the side 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 (2012), Southend Core Strategy (2007) policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

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

Informative

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

- 48 **17/00607/FULH - 96 Woodside, Leigh on Sea (Belfairs)**
Proposal: Erect extensions to roof to form gable ends to both sides and a first floor rear extension to form habitable accommodation in roof with dormers to front, rear and side. Erect two storey side extension and ground floor side and rear extensions, install recessed balcony to rear and alter elevations (Amended Proposal)
Applicant: Mr Willer
Agent: DK Building Designs Limited

Planning permission GRANTED subject to the following conditions:

01 Condition: 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 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 3112-01 Sheet 1 of 2 (Revision B) and 3112-01 Sheet 2 of 2 (Revision A)

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

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

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, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3 and the advice contained within the Council's Design and Townscape Guide.

04 The flat roof of the extensions 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, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3

05 The proposed first floor windows on the side (east and west) elevations of the extended roof hereby approved shall be fitted with obscured glazing (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 shall be fixed shut or provided with a fanlight opening (with the fanlight opening being set not less than 1.7 metres above the adjacent internal finished floor level) prior to the first use of the extensions hereby approved. The window shall be permanently retained as such thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3

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 preapplication advice service.

Informative

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount and when this is payable. As this chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will shortly be issued. Charges and surcharges may apply if you fail to meet

statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

49 Council Procedure Rule 46

Resolved: That the report be noted.

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Thursday, 15th June, 2017
Place: Committee Room 6 - Civic Suite

19

Present: Councillor C Walker (Chair)
Councillors S Habermel (Vice-Chair), B Ayling, S Buckley, A Jones
and *N Folkard

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris and S Putt

Start/End Time: 9.30 am - 4.20 pm

50 Apologies for Absence

Apologies for absence were received from Councillors Hadley (substitute: Cllr Folkard) and Aylen (no substitute).

51 Declarations of Interest

Councillor Jones – Minute 39 (Appeal Against Dismissal – Employee AT) – Non-pecuniary interest – knows the appellants representative/friend who was in attendance at the meeting and knows one of the clinical consultants referred to in the evidence pack.

52 Minutes of the Meeting held on Monday 26th September 2016

Resolved:-

That the Minutes of the Meeting held on Monday 26th September 2017 be confirmed as a correct record and signed.

53 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.

54 Appeal Against Dismissal - Employee AT

The Committee considered an appeal against dismissal submitted by employee AT. The Council's case was presented by JO, supported by NA. 3 witnesses were called by the Council and responded to questions. The appellant, AT was in attendance and presented their case, supported by SR.

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

Resolved:-

That the decision to dismiss employee AT on the grounds of incapability, be upheld.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

20

Date: Tuesday, 20th June, 2017

Place: Committee Room 1 - Civic Suite

Present: Councillor J Lamb (Chair)
Councillors A Holland (Vice-Chair), T Byford, J Courtenay, M Flewitt and L Salter

In Attendance: Councillors A Jones, C Mulronee and P Wexham
J K Williams, S Leftley, A Lewis, A Atherton, J Chesterton, J Ruffle, C Gamble, F Abbott, T Row, E Cooney, N Corrigan, S Dolling, A Keating, T MacGregor, B Martin, J O'Loughlin and K Waters, A Rogers, C Burr and L Eddy.

Start/End Time: 2.00 - 4.15 pm

60 Apologies for Absence

Apologies for absence were received from Councillors Cox and Moring.

61 Declarations of Interest

(a) Councillor Mulronee – Minute 63 (Notice of Motion: Muscular Dystrophy and Mobility) – Non-pecuniary interest – close relative has muscular dystrophy;

(b) Councillor Holland – Minute 65 (In-Depth Scrutiny Report: Additional Enforcement Resources for Southend) – non-pecuniary interest – Vice-Chair of Essex Fire Authority and her son works for Essex Police; and Minute 74 (Housing Investment Company) – non-pecuniary interest – son works in the Department for People;

(c) Councillor Jones – Minute 79 (Provision of Secondary School Places) and Minute 89 (Provision of Secondary School Places in Southend: Free School Site) – non-pecuniary interest – has a child in secondary school;

(d) Councillor Wexham – Minute 80 (Tourism Strategy) – non-pecuniary interest – Chair of Community Coastal Team;

62 Minutes of the Meetings held on Tuesday 14th March and 28th March 2017

Resolved:-

That the Minutes of the Meetings held on 14th and 28th March 2017 be confirmed as a correct record and signed.

63 Notice of Motion - Muscular Dystrophy and Mobility

At the meeting of Council held on 20th April 2017, Members received a Notice of Motion proposing that the Council supports the campaign by Muscular Dystrophy UK. The motion was proposed by Councillor Mulroney and seconded by Councillor Gilbert (this had been referred to Cabinet in accordance with standing order 8.4).

Members noted that there were concerns being expressed at a national level about the impact of the assessment criteria and people losing access to the enhanced level of Personal Independence Payments (PIP) to enable them to continue to fund a lease of a mobility vehicle. The Government's response to the second independent review of the PIP assessment is expected in due course.

Resolved:-

That the Deputy Chief Executive (People) be requested to write to the Minister of State for Disabled People, Health and Work to ask that the response to the second review covers the specific issues being raised by Muscular Dystrophy UK and similar groups.

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:- Salter

64 In-depth Scrutiny Final Report - Alternative Provision: Offsite Education Provision for Children & Young People

The Cabinet considered a report of the Director of Legal & Democratic Services which presented the final report of the in depth scrutiny project 'Alternative provision – off site education provision for children and young people.'

In referring to the scrutiny report, the Executive Councillor for Children and Learning drew attention to the recommendations which he considered to be useful and helpful and conveyed his thanks and appreciation to Members and the relevant officers for their respective contributions towards the production of the report.

Resolved:

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

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

3. That, as a number of the recommendations require a multi-agency oversight/response, the Health and Wellbeing Board be asked to consider the report and ensure the actions are identified and monitored.

Reason for Decision

To achieve improved outcomes for children and young people.

Other Options

None.

Note:- This is an Executive function

Called in to People Scrutiny Committee

Executive Councillor : - Courtenay

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

The Cabinet considered a report of the Director of Legal & Democratic Services which presented the final report of the in depth scrutiny project – 'To investigate the case for additional enforcement resources for Southend.'

On consideration of the report, the Chairman acknowledged the hard work undertaken by Members and the relevant officers in producing the report.

Resolved:

1. That the submitted report be noted.

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

Reason for Decision

To create a safe environment across the town for residents, workers and visitors.

Other Options

None.

Note:- This is an Executive function

Called in to: Place Scrutiny Committee/Policy and Resources Scrutiny Committee

Executive Councillor :- Holland

66 Monthly Performance Report

Resolved:

That the submitted report be noted.

Note: This is an Executive Function

Referred direct and called in to all three Scrutiny Committees

Executive Councillor: As appropriate to the item

67 Corporate Plan and Annual Report

The Cabinet considered a report of the Director of Transformation which presented the Council's draft Corporate Plan and Annual Report 2017.

Recommended:

That the Council's draft Corporate Plan and Annual Report 2017, be approved. ||

Reason for Decision

To ensure the Corporate Plan and Annual Report reflects the needs of the organisation and the borough's communities.

Other Options

None.

Note:- This is a Council Function

Called in to Policy & Resources Scrutiny Committee

Executive Councillor :- Lamb

68 2016/17 Year End Performance Report

The Cabinet considered a report of the Director of Transformation which presented the end of year position of the Council's corporate performance for 2016/17.

Resolved:

That the 2016/17 end of year position and accompanying analysis, be noted.

Reason for Decision

To note the Council's corporate performance for 2016/17.

Other Options

None.

Note:- This is an Executive Function

Eligible for call in to all three Scrutiny Committees

Executive Councillor:- Lamb

69 4th Tier/Group Manager Pay Review

The Cabinet considered a report of the Director of Transformation which outlined proposals for a new grading structure at middle management (4th tier) level.

Resolved:

1. That a new Level 13 at a spot salary with a 90% development rate for the first 12 months in post, as set out in Appendix 2 to the submitted report, be approved.
2. That the deletion of the bottom point of Level 11 to remove the current overlap with Level 11, as set out in Appendix 2 to the report, be approved.
3. That the deletion of the bottom four points of Level 12 to remove the overlap with Level 11, as set out in Appendix 2 to the report, be approved.
4. That the implementation of the above resolutions through the relevant job evaluation processes/protocols be delegated to the Director of Transformation in consultation with the Chief Executive and the Executive Councillor for Corporate and Community Support Services.
5. That, in principle, a new developmental payment, as set out in Appendix 3 to the report, be approved.
6. That the development and implementation of this new payment be delegated to the Director of Transformation in consultation with the Chief Executive and the Executive Councillor for Corporate and Community Support Services.

Reason for Decision

The current pay structure for 4th tier (Group Manager) posts is no longer fit for purpose and impedes the Council's ability to recruit, retain and develop this critical group of managers.

Other Options

To leave the structure as it currently is. This will not address the issues outlined in the report and will impede the Council's ability to recruit, retain and develop this critical group of managers.

Note:- This is an Executive Function.

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

Executive Councillor :- Moring

70 Annual Treasury Management Report - 2016/17

The Cabinet considered a report of the Director of Finance and Resources detailing the treasury activity for the period from April 2016 to March 2017 and reviewed performance against the Prudential Indicators for 2016/17.

Recommended:

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

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

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

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

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

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

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

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

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

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

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

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

(i) The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April

1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, General Fund (GF): £150.8m) throughout 2016/17.

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

Reason for Decision

To comply with the CIPFA Code of Practice for Treasury Management in the public sector and the CIPFA Prudential Code.

Other Options

None.

Note:- This is a Council Function

Called in to: Policy & Resources Scrutiny Committee

Executive Councillor:- Moring

71 **Capital Outturn Report 2016/17**

The Cabinet considered a report of the Director of Finance and Resources outlining the capital programme outturn for 2016/17 and sought approval for the relevant budget carry forwards, accelerated delivery requests and in-year amendments to the current approved programme.

On consideration of the report and, in the light of the recent tragic incident at the Grenfell tower block, the Chairman proposed the re-profiling of £2m from the 2018/19 HRA Future Programme into the 2017/18 financial year. This would enable the on-going programme of fire installation works to the tower blocks in the Borough to be accelerated and finished earlier than planned.

Recommended:

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

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

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

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

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

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

Reason for Decision

To inform Members of the activity in 2016/17.

Other Options

None.

Note:- This is a Council Function

Called in to: Policy & Resources Scrutiny Committee

Executive Councillor:- Lamb

72 **Revenue Outturn Report 2016/17**

The Cabinet considered a report of the Director of Finance and Resources on the revenue outturn for 2016/17.

Recommended:

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

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

Reason for Decision

To advise Members of the financial position of the Council and to approve the appropriation of funds to and from earmarked reserves.

Other Options

None.

Note:- This is a Council Function

Called in to: Policy & Resources Scrutiny Committee

Executive Councillor:- Lamb

73 **Council Debt Position**

The Cabinet considered a report of the Director of Finance and Resources informing Members of the current outstanding debt to the Council as of 31st March 2017 and debts that had been or are recommended for write-off in the current financial year.

Resolved:

1. That the current outstanding debt position as at 31st March 2017 and the position of debts written off to 31st March 2017, as set out in Appendices A and B to the submitted report, be noted.
2. That the write off as detailed in Appendix B to the report, be approved.

Reason for Decision

All reasonable steps to recover the debt have been taken and therefore where write off is recommended it is the only course of action available.

Other Options

None.

Note:- This is an Executive Function

Eligible for call in to: Policy & Resources Scrutiny Committee

Executive Councillor:- Moring

74 Housing Investment Company

The Cabinet considered a report of the Director of Finance and Resources setting out the key considerations, high level business case and the implementation plan for establishing a Housing Investment Company (HIC) for the Council.

Resolved:

1. That the establishment of a Council controlled, asset holding Housing Investment Company, be approved.
2. That the key actions within the Implementation Plan, be approved.
3. That External financial and legal advice be sought to support the key actions within the Implementation plan to ensure its timely delivery and that this one off cost is funded from the Council's contingency budget.

Reason for Decision

To address a number of local housing needs in the borough.

Other Options

None

Note:- This is an Executive Function.

Called in to: Policy & Resources Scrutiny Committee

Executive Councillor :- Lamb/Flewitt

75 RIPA Annual Report

The Cabinet considered a report of the Director of Legal and Democratic Services on the Council's use of the surveillance powers available to it under the Regulation of Investigatory Powers Act 2000 ("RIPA") during the financial year 2016/17 and provided an update on staff training on RIPA and the Council procedures relating to the use of social networking sites.

Resolved:

1. That it be noted that the Council has not used the surveillance powers available to it under RIPA between 1 April 2016 and the 31st March 2017 and neither has it used any covert human intelligence sources during this period.
2. That it be noted that training on RIPA for relevant staff was carried out on 5th April 2017.
3. That the guidance issued by the Office of Surveillance Commissioners (OSC) on the use of social networking sites and how this is addressed at the Council, be noted.

Reason for Decision

To comply with the Home Office Codes of Practice re RIPA.

Other Options

None

Note:- This is an Executive Function

Eligible for call in to: Policy & Resources Scrutiny Committee

Executive Councillor:- Moring

76 CYPP 2016/17 Annual Report/Children's Integration Plan

The Cabinet considered a report of the Deputy Chief Executive (People) which provided an update on the successes and achievements delivered through the Success for All Partnership Board (Success for All) and sought agreement for the Integrated Children's Strategy.

Recommended:

1. That the high level mobilisation plan and the successes and achievements as delivered by Success for All, be noted.
2. That the Integrated Children's Strategy, be approved.

Reason for Decision

With the development of an integrated children's strategy it is important that the Council formally approves the strategy to ensure senior support and sponsorship.

Other options

None

Note: This is a Council Function.

Eligible for call in to: People Scrutiny Committee

Executive Councillor: Courtenay

77 School Admission Arrangements for Community Schools and Coordinated Admission Scheme for Academic Year 2018/19

The Cabinet considered a report of the Deputy Chief Executive (People) which sought views on the proposed pre-consultation and engagement of the relevant people in respect of the admission arrangements (including catchment areas) for community schools for the academic year 2019/20.

Resolved:

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

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

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

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

Reasons for Decision:

To undertake consultation on the catchment areas and arrangements.

Other Options

None.

Note:- This is an Executive Function

Called in to: People Scrutiny Committee

Executive Councillor: Courtenay

78 Grammar School (Strategy)

The Cabinet considered a report of the Deputy Chief Executive (People) detailing the proposals for a strategy to fulfil an ambition to enable more Southend residents to attend one of the four Grammar Schools in the borough.

Resolved:

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

Reasons for Decision:

To improve the representation of Southend residents so that they can benefit from a selective education, if it is suitable for their particular abilities.

Other options

None.

Note:- This is an Executive Function.

Called in to: People Scrutiny Committee

Executive Councillor: Courtenay

79 Provision of Secondary School Places

The Cabinet considered a report of the Deputy Chief Executive (People) detailing progress on the strategy for the provision of secondary places, as overseen by the School Places Working Party and sought consideration of the proposal for a Free School.

Resolved:

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

Reasons for Decision:

The Council has a statutory duty to ensure sufficient places for all statutory school aged children.

Other options:

None.

Note: This is an Executive Function

Called in to: People Scrutiny Committee

Executive Councillor: Courtenay

80 Tourism Strategy

The Cabinet considered a report of the Deputy Chief Executive (Place) detailing progress with the development of Southend-on-Sea's Tourism.

Recommended:

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

Reasons for Decision:

To adopt the Strategy.

Other options:

None.

Note:- This is a Council Function

Called in to: Place Scrutiny Committee

Executive Councillor: Holland

81 Digital Strategy

The Cabinet considered a report of the Deputy Chief Executive (Place) detailing the Council's strategic digital intentions for the next three years set out in the 'Digital Strategy 2017/20.'

Recommended:

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

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

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

Reasons for Decision:

To adopt the Strategy.

Other options:

None.

Note:- This is a Council Function

Called in to: Place Scrutiny Committee

Executive Councillor: Byford.

82 **Growth Strategy**

The Cabinet considered a report of the Deputy Chief Executive (Place) on the development of an Economic Growth Strategy 2017-22.

Resolved:

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

Reasons for Decision:

To provide a clear method to steer Council activity and decision making in order to maximise the economic benefits realised by Southend residents.

Other Options

To develop an alternative strategy.

Note: This is an Executive Function

Called in to: Place Scrutiny Committee

Executive Councillor: Holland

83 **The Official Feed & Food Service Plan**

The Cabinet considered a report of the Deputy Chief Executive (Place) which sought agreement to the Official Feed and Food Control Service Plan 2017-18 required by the Food Standards Agency.

Recommended:

That the official Feed and Food Control Service Plan 2017-18, as set out in Appendix 1 to the submitted report, be approved. ||

Reasons for Decision:

To comply with the Food Standards Agency Framework Agreement.

Note: This is a Council Function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Cox

84 **Community Infrastructure Levy**

The Cabinet considered a report of the Deputy Chief Executive (Place) providing the CIL Annual Financial Report for the financial year 2016/17 together with an update in respect of the allocation and expenditure of CIL funding.

Resolved:

1. That the content of the CIL Annual Financial Report 2016/17 (including Appendix 1 to the submitted report) be noted and that the CIL Main Fund receipts to date be carried forward to the next financial year (2018/19), when spending will be reviewed.

2. That the authority to agree how the Ward Neighbourhood Allocation (excluding allocation to Leigh Town Council area) is to be spent be delegated to the Deputy Chief Executive (Place), in consultation with Ward Members and the Executive Councillor for Housing, Planning and Sustainability.

Reasons for Decision:

As more significant CIL receipts are anticipated over the next year it is considered more beneficial to wait until these receipts are received before deciding how to apply them to infrastructure projects.

Other options:

As set out in the submitted report.

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

85 Minutes of the Senior Managers Pay Panel held on Tuesday 6th June 2017

The Cabinet considered the recommendations of the Senior Managers Pay Panel held on 6th June 2017.

Resolved:-

1. That a pay award of 1% be applied to the Council's senior management grades with effect from 1st April 2017.

2. That, with effect from 1st April 2017, the statutory allowances paid to the Director of Finance & Resources (S.151), Director of Legal & Democratic Services (Monitoring Officer) and the Deputy Chief Executive – People (DCS & DAS) be increased from £7,685 p.a. to £7,850 p.a.

3. That the annual allowance paid to the Director of Integrated Commissioning be increased from £5,000 p.a. to £7,500 p.a. This allowance is to be paid quarterly subject to the successful delivery of key targets as agreed by the Council and the Clinical Commissioning Group (CCG).

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

86 Standing Order 46

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function
Called in to all three Scrutiny Committees as appropriate to the item
Executive Councillor:- As appropriate to the item

87 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.

88 Gasworks Site

The Cabinet considered a joint report of the Deputy Chief Executive (Place) and Director of Finance and Resources on the above.

Resolved:-

1. That the acquisition of the former Gasworks site, noting the strategic opportunities, the risks and the associated financial implications, be pursued.
2. That the use of the land, subject to planning, for parking in the short-medium term with a view to developing a scheme for part or all of the land in the medium-long term based on the strategic and development opportunities outlined in the submitted report, be approved.
3. That the authority to settle the terms and complete the transaction within the financial parameters as set out in sections 5 and 10.2 of the submitted report be delegated to the Deputy Chief Executive (Place) in consultation with the Leader of the Council and the Director of Finance and Resources.
4. That the impacts on other sites be noted and the reasons for the recommendations set out at sections 6 and 9 of the report, be approved.
5. That the financial implications and amendments required to the Capital Programme and use of reserves as set out in the report, be approved.
6. That any necessary procurement and planning activities to enable the remediation and development of the site to proceed in both the short-medium and medium-long term, be approved.

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

Called in to: Place Scrutiny Committee

Executive Councillor:- Holland

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

The Cabinet considered a report of the Deputy Chief Executive (People) on the above.

Resolved:-

1. That the preferred site for a free school to support and strengthen an application made by a proven academy trust to the Department for Education (DfE), be approved.

2. That further legal advice be sought on the Council's rights to terminate any tenancy agreement, to better understand the potential costs involved, and to assess the likelihood of entering into negotiations with the tenant and obtaining planning permission regarding change of use of the land.

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

Called in to: People Scrutiny Committee

Executive Councillor:- Courtenay

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 21st June, 2017
Place: Seacole Room - Tickfield Centre

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Present: Councillor L Salter (Chair)
Dr J Garcia-Lobera (Deputy Chair),
Councillors M Davidson, J Lamb, J Moyies, C Willis and R Woodley,
Mr I Stidston, Mr M Freeston, Ms A Semmence, Mr S Leftley, Ms
A Atherton, Ms S Morris and Ms L Chidgey

In Attendance: R Walters and R Harris, Y Blucher, L Watson, L Park and N Faint.

Start/End Time: 5.00 - 6.10 pm

90 Apologies for Absence

Apologies for absence were received from Dr Chaturvedi, C Panniker, N Leitch and A McIntyre.

91 Declarations of Interest

(a) Councillor Salter – Minute 89 (A Greater Focus – Refreshing Southend's Health & Wellbeing Strategy), Minute 92 (STP Pre-Consultation Business Case) – non-pecuniary interest – husband is consultant surgeon at Southend Hospital and holds senior posts at the hospital; son-in-law is a GP; daughter is a doctor at Broomfield Hospital;

(b) Councillor Lamb – Minute 92 (STP Pre-Consultation Business Case Briefing) – non-pecuniary interest – SAVS appointed Governor at Southend Hospital NHS Trust;

(c) Councillor Davidson – Minute 92 (STP Pre-Consultation Business Case Briefing) – non-pecuniary interest – Council appointed Governor at Southend Hospital NHS Trust.

92 Minutes of the Meeting held on Wednesday 22nd March 2017

Resolved:-

That the Minutes of the Meeting held on 22nd March 2017 be confirmed as a correct record and signed.

93 A greater focus - Refreshing Southend's Health and Wellbeing Strategy

The Board considered a joint report of the Deputy Chief Executive (People) and the Interim Accountable Officer (SCCG) presenting the proposals for developing the refresh of Southend's Health and Wellbeing Strategy.

In consideration of the report the Board commended the proposals and the approach being taken to refresh the Strategy and commented as follows:-

- Ensuring that people with long term conditions and muscular skeletal conditions such as back pain and arthritis are provided the right information and we create and maintain accessible services and enabling environments;
- Dispelling some of the myths and removing the barriers preventing people from being active. This may or may not include accessing services and does not necessarily require attendance at a leisure centre or taking part in sport eg. gardening and walking;
- Co-production was essential if significant positive outcomes are to be achieved and the approach should ensure that the views of service users and the community drive the development of the strategy and outcomes;
- Other related services (e.g. planning, street scene, parks, etc) have a key role in supporting the delivery of the strategy; to achieve our strategic goals, the health and wellbeing board will need to develop effective relationships with the SBC Place Department.

Resolved:

That the key proposals detailed in paragraphs 3.7 to 3.10 of the submitted report be supported for development and progress be reviewed at the next meeting in September 2017.

94 Better Care Fund (BCF)

The Board considered a report if the BCF Programme Lead providing an update regarding the BCF for 2017/19 and the Improved BCF (iBCF) for 2017/18.

Resolved:

1. That the updates for BCF 2017/19 and the iBCF 2017/18, be noted.
2. That the priorities for setting the BCF 2017/19 plan, including the need to abide by the national BCF conditions, be approved.
3. That authority to sign-off the iBCF plan for 2017/18 be delegated to the Deputy Chief Executive (People), the Interim Accountable Officer (SCCG) in consultation with the Chair and Vice-Chair of the Health & Wellbeing Board.
4. That it be agreed that the iBCF plan 2017/18 be consulted on amongst HWB partners as outlined in Section 5 of the submitted report.

95 Suicide Prevention Strategy

The Board considered a report of the Director of Public Health presenting the draft Suicide Prevention Strategy for Southend, Essex and Thurrock – ‘Let’s Talk About Suicide.’

In response to a number of questions and comments the Board was informed that:

- There were a number of suicides linked to drug and alcohol use but not to the extent that was expected;
- The relevant charities and community organisations (e.g. Samaritans, MIND, etc) were involved at every level;
- The majority of people at the risk or have committed suicide were within primary care;
- The evidence suggests that there is an increasing trend in the number of older people / adults committing suicide for a range of reasons (e.g. economic factors);
- Pan-Essex Task and Finish Groups had been established and including local representation from Southend;
- Any lessons learnt or good practice from the mid-Essex and other pilot areas led by the East of England will be obtained;

The Board suggested that a local delivery / task and finish group was set up to monitor and ensure that the appropriate actions were being delivered in Southend

Resolved:

1. That the Suicide Prevention Strategy ('Let's Talk About Suicide') and associated actions be endorsed.
2. That a local Southend specific Suicide Prevention Task and Finish Group to oversee and monitor the delivery of appropriate actions be established.

96 STP Pre-Consultation Business Case Briefing

The Board considered a report of the Programme Director, Mid and South Essex Success Regime, providing an update on current thinking and the next steps for changes in local health and care.

The Board made the following comments:

- Still waiting for information detailing the evidence base supporting the STP proposals –
- Board members are advocates for the STP and given that there are genuine public anxieties about the STP it was important that Board members have the necessary information when discussing the STP with the public and other bodies/groups;
- The Safeguarding Adults Board has identified the STP as a key priority and will be seeking assurances regarding safeguarding;
- The Southend CCG will feedback views and highlighted that there was a CCG Joint Committee meeting on 7th July;

Resolved:

1. That the update and continuing opportunities to give views on the STP and developing options for service change be noted.

2. That the Board continues to participate in discussions with the Mid and South Essex SR and STP engagement and consultation programmes, which include stakeholder meetings and meetings of the Southend, Essex and Thurrock Boards.

97 Integrated Children's Services

The Board considered a report of the Deputy Chief Executive (People) providing an update of the successes and achievements delivered through the Success for All Partnership Board.

Resolved:

1. That the high level mobilisation plan and the success and achievements as delivered by Success for All, be noted.
2. That the Integrated Children's Strategy, be noted.

98 Southend, A Better Start Briefing

The Board considered a report from the ABB Acting Programme Director providing an update on progress and the current position regarding the ABSS.

Resolved:

That the report be noted.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Friday, 23rd June, 2017
Place: Committee Room 1 - Civic Suite

22

Present: Councillor D McGlone (Chair)
Councillors M Butler and N Folkard

In Attendance: T Row, P Tremayne, M Newton and L Coombes

Start/End Time: 10.00 am - 12.15 pm

99 **Apologies for Absence**

There were no apologies for absence.

100 **Declarations of Interest**

No interests were declared at the meeting.

101 **The Ship Public House, New Road, Leigh-on-Sea, Essex - Application for the Grant of Premises Licence**

The Sub Committee received a report of the Deputy Chief Executive (Place) concerning an application made by EI Group Ltd for the grant of a Premises Licence in respect of The Ship Public House, New Road, Leigh on Sea, Essex SS9 2EA..

The Application was presented by Mr Taylor (the Applicant's Solicitor). Mr Bushell (Regional Manager), attended on behalf of the Applicants. At the hearing the applicant agreed for the application to be amended in relation to the extended hours on New Year's Eve to terminate at 2.00 am on New Year's Day.

The Sub Committee noted that the application broadly replicated the previous licence which had been surrendered by a previous tenant of the premises.

The Sub Committee also noted that no objections were received from any of the Responsible Authorities, although conditions had been agreed with Essex Police and the Environmental Protection Team of the Council should the application be granted. On this basis those objections had been withdrawn.

Objections had been received from 8 interested parties, one of whom, namely Mr Power, attended the hearing and gave evidence. The objections primarily related to two of the licensing objectives, namely the prevention of crime and disorder and the prevention of public nuisance.

The Sub-Committee welcomed the Applicant's assurance to join a recognised local pub watch scheme.

The Sub Committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

On the basis of the evidence presented to it, the Sub Committee considered that the licensing objectives and the objectors concerns would be adequately addressed by the conditions imposed on the licence. The sub-committee therefore:

Resolved:-

That the amended application be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place); and

(ii) The conditions set out in Appendix 2 of the Report of the Deputy Chief Executive (Place), subject to the following amendment to Condition 12 to now read:

12. Any event that involves live performers or amplified music outside the premises, including the outside areas illustrated on the plans attached to the licence, shall be notified to the Police and Licensing Authority 21 days prior to the event. A full risk assessment shall be completed covering any measures that shall be put in place. Only the most suitable polycarbonate or plastic drinking vessels shall be used for outside events. The Designated Premises Supervisor shall engage with the Police and Local Authority to address concerns such as noise, placement of speakers, times, location of barriers and the use of SIA door Supervisors. If the Police or Licensing Authority identify any potential problems that cannot be resolved by talking then these concerns shall be placed in writing and the event shall be withdrawn. All outside events shall cease at 21:00 hours, subject to the provisions of Section 177A(2) of the Licensing Act 2003 (as amended).

(iii) The following additional conditions:

- The premises licence holder shall ensure that no external bottle and refuse bins will be emptied between the hours of 21.00 to 09.00 daily.
- A contact telephone number shall be clearly displayed at the premises, should a member of the public wish to discuss any matter relating to the premises.
- All doors and windows to the first floor of the premises shall be kept closed when regulated entertainment is provided, except for access and egress, when the premises are open to the public.
- There shall be no use by the public or customers of the area marked Outside Area 3 on the plan attached to the Licence except for emergency access and egress.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Tuesday, 27th June, 2017

Place: Committee Room 1 - Civic Suite

23

Present: Councillor R Hadley (Chair)
Councillors S Buckley and G Phillips

In Attendance: Councillor Burzotta
T Row, P Tremayne, A Penn, M Newton and L Colby

Start/End Time: 10.00 am - 7.50 pm

102 Apologies for Absence

There were no apologies for absence.

103 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors Hadley, Buckley and Phillips – Agenda Item No. 3 (Application for Grant of Premises Licence – Baboush, 96 The Ridgeway, Westcliff on Sea) – Non-pecuniary interest: One of the objectors is known to them as a fellow Councillor; and

(b) Councillor Phillips – Agenda Item No. 3 (Application for Grant of Premises Licence – Baboush, 96 The Ridgeway, Westcliff on Sea) – Non-pecuniary interest: Another two of the objectors is known to her.

104 Application for Grant of Premises Licence - Baboush, 96 The Ridgeway, Westcliff-on-Sea, SS0 8NU

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Baboush Ltd for the grant of a Premises Licence in respect of Baboush, 96 The Ridgeway, Westcliff-on-Sea, SS0 8NU.

The application was presented by Mr Hook, the applicant's Solicitor. Mr Hassan, owner of the business was also in attendance and spoke at the hearing. The applicants also called Mr Sawyer as a witness.

The sub-committee noted that no letters of objection to this application were received from the Responsible Authorities, save for the Council's Environmental Protection Team, and measures had been agreed between the applicant and Essex Police as set out in Appendix 3 to the report of the Deputy Chief Executive (Place) should the application be granted. On this basis their objection was withdrawn.

Prior to the commencement of the hearing conditions were also agreed with the Council's Environmental Protection Team should the application be granted. On this basis their objection was also withdrawn.

Representations had however, also been received from forty three (43) local residents and Chalkwell Residents Association. One local resident's representation was later withdrawn.

Mr Murrell, a solicitor, spoke on behalf of 11 residents. Mr Deacon, Mr Perry and Mr Waithe also attended the hearing and gave evidence.

Councillor Burzotta also attended the hearing and spoke on behalf of Miss Silk and Mr Beaumont.

The residents' concerns focussed on the all of the licensing objectives and primarily crime and disorder and the prevention of public nuisance.

At the hearing, the applicant further agreed to amend the applicant to exclude the triangular outside area adjacent to the lobby and Victory Path from the licensed area.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

On the basis of the evidence presented to it, the Sub-Committee considered that the licensing objectives and the objectors concerns would be adequately addressed by the conditions imposed on the licence. The sub-committee therefore:

Resolved:

That the application for the grant of a premises licence as amended be granted, subject to the following:-

1. The hours of that the premises shall be open to the public shall be :
Fridays and Saturdays - 08.00 to 01.30 hrs the following day;
Sundays - 08.00 to 00.30 hrs the following day;
Mondays to Thursdays (inclusive) - 08.00 to 01.00 hrs the following day; Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Monday 08.00 to 01.30 hrs the following day;
New Year's Eve - 08.00 to 02.30 hrs the following day.
2. The sale of alcohol both on and off the premises shall be permitted as follows:
Fridays and Saturdays - 10.00 to 00.30 hrs the following day;
Sundays - 10.00 to 23.30 hrs;
Mondays to Thursdays (inclusive) - 10.00 to 00.00 (midnight);
Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Monday - 10.00 to 00.30 hrs the following day;
New Year's Eve - 10.00 to 01.30 hrs the following day.

3. The provision of late night refreshment shall be permitted as follows:
Fridays and Saturdays - 23.00 to 01.00 hrs the following day;
Sundays - 23.00 to 00.00 hrs (midnight);
Mondays to Thursdays (inclusive) - 23.00 to 00.30 the following day;
Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Monday - 23.00 to 01.00 hrs the following day;
New Year's Eve - 23.00 to 02.00 hrs the following day.

4. The provision of Regulated Entertainment comprising films, live music, recorded music shall be permitted as follows:
Fridays and Saturdays - 10.00 to 00.30 hrs midnight;
Sundays - 10.00 to 23.30 hrs;
Mondays to Thursdays (inclusive) - 10.00 to 00.00 (midnight);
Christmas Eve, Christmas Day, Boxing Day, Good Friday, Easter Monday - 10.00 to 00.30 hrs the following day;
New Year's Eve - 10.00 to 01.30 hrs the following day.

5. The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place).

6. The conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place), subject to the following amendments:

Condition 9 shall now read:

"The maximum number of patrons allowed on the premises at any one time shall not exceed 175 persons."

Condition 10 shall now read:

"The outside area hatched in blue on the plan attached to the licence shall not be used for any purpose between 21.00 hrs and 08.00 hrs the following day."

7. The condition set out in Appendix 3 to the report of the Deputy Chief Executive (Place) agreed between the Applicant and Essex Police.

8. The Conditions agreed between the Applicants and the Council's Environmental Protection Team set out in the email from Lee Colby to the Applicant's Solicitor and the Licensing Authority dated 11 May 2017 at 17:19 hrs with the exclusion of condition 6, which is now covered under the amended condition 10 referred to above.

9. The following additional condition:-

- Bona fide off sales shall only comprise Wine or Champagne purchased by patrons who have purchased a meal on the day.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 28th June, 2017
Place: Committee Room 1 - Civic Suite

24

Present: Councillor M Davidson (Chair)
Councillors H Boyd (Vice-Chair), B Ayling, A Bright, A Jones*,
J Moyies, G Phillips, C Willis and K Pandya

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: J Chesterton, L Everard, E Allen, V Bateman, C Gamble, S Houlden,
D Helps, D Joyce (South Essex Homes),
D Lincoln (South Essex Homes), S Dolling, S May and D Barnes
(BDO)

Start/End Time: 6.30 p.m. / 8.50 p.m.

105 Apologies for Absence

Apologies for absence were received from Councillor Ware-Lane (Substitute: Councillor Jones) and Terry.

106 Declarations of Interest

(a) Councillor Davidson – South Essex Homes Annual Governance Statement 2016/17 – Board Member of South Essex Homes – Disqualifying non-pecuniary interest (was able to participate in the debate and vote by virtue of the dispensation agreed by the Standards Committee at its meeting held on 28th February 2017);

(b) Councillor Davidson – Matters relating to Southend Health and Wellbeing Board – Member of Southend Health and Wellbeing Board – Non-pecuniary interest;

(c) Councillor Jones – The Forum Governance Arrangements – Previous Member of the Forum Board – Non-pecuniary interest;

(d) Councillor Jones – Internal Audit Service, Quarterly Performance Report – Son worked for the National Crime Agency – Non-pecuniary interest

(e) Councillor Moyies – Matters relating to Southend Health and Wellbeing Board – Member of Southend Health and Wellbeing Board – Non-pecuniary interest;

(f) Councillor Moyies – Matters relating to Essex Partnership University NHS Foundation Trust – Council appointed representative of Essex Partnership University NHS Foundation Trust – Non-pecuniary interest;

(g) Councillor Willis – Matters relating to Southend Health and Wellbeing Board – Member of Southend Health and Wellbeing Board – Non-pecuniary interest.

107 Minutes of the meeting held on Wednesday 29th March 2017

Resolved:

That the minutes of the meeting held on Wednesday 29th March 2017 be confirmed and signed as a correct record.

108 Mental Health Direct Payments

The Committee considered a report of the Deputy Chief Executive (People) providing an update on progress following the audit report for Mental Health Direct Payments that commenced in June 2014 (with additional actions identified in June 2015). Following a review in October 2016 a revised completion date was agreed for 31st May 2017.

Resolved:

That the actions taken to address the issues arising from the Internal Audit report, be noted.

109 The Forum Governance Arrangements

The Committee considered a report of the Deputy Chief Executive (Place) detailing progress made in delivering the actions agreed in the Internal Audit Report issued in March 2017.

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

Resolved:

That the context and the actions being taken to address the issues arising from the Internal Audit Report, be noted.

110 South Essex Homes Annual Governance Statement for 2016/17

The Committee considered a report of the Deputy Chief Executive (People) presenting the South Essex Homes Annual Governance Statement and supporting reports.

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

In referring to the Service Level Agreements (SLA) with the Council, the Director of Finance (SEH) undertook to write to members of the Committee to inform them of the progress made in clarifying the specific monitoring/management responsibilities of the Lead SLA officers within the SLA documents.

Resolved:

That the assurances provided by South Essex Homes regarding the operation of its risk management, control and governance arrangements throughout 2016/17, be accepted.

111 Assurances and Continuous Development of the Risk Management Framework

The Committee considered a report of the Chief Executive regarding the adequacy of the Council's risk management framework.

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

Resolved:

That the assurances provided in the submitted report, as well as the plans outlined and the direction of travel regarding the Council's risk management processes, be noted.

112 2017-18 Corporate Risk Register

The Committee considered a report of the Chief Executive presenting the 2017/18 Corporate Risk Register.

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

On consideration of the report, the Director of Finance and Resources undertook to provide a response to specific observations on the Risk Register, including the need to clarify the risk scoring for Housing Policy (Risk 4) and Information Management (Risk 11)

Resolved:

That the 2017/18 Corporate Risk Register, be noted.

113 Internal Audit Services, Quarterly Performance Report

The Committee considered a report of the Chief Executive presenting the summary results of 2016/17 completed audit reviews.

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

Resolved:

1. That the assurance provided by the audit work completed this quarter, be noted.

2. That the appointment of the Institute of Internal Audit to complete the independent, external review of Internal Audit's compliance with the UK Public Sector Internal Audit Standards, be approved.

114 Counter Fraud & Investigation Directorate: Annual Report for 2016/17

The Committee considered a report of the Chief Executive presenting the Counter Fraud & Investigation Directorate's (CFID) Annual Report for 2016/17.

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

In noting that localised (Southend) data/information was produced for the quarterly Fraud and Investigation reports, Members considered it would be helpful for an annual summary to be included in the Annual Report.

Members requested an update report to be produced on the progress of the review of the counter fraud policies and procedures for submission to the next meeting of the Committee.

Resolved:

That the performance of the Counter Fraud & Investigation Directorate over the last year, be noted.

115 BDO: Progress Report to Those Charged with Governance

The Committee considered a report of the BDO External Auditor on progress in delivering the 2016/17 Annual Audit Plan.

Resolved:

That the progress made in delivering the Annual Audit Plan for 2016/17, be accepted.

116 Head of Internal Audit Annual Report 2016/17

The Committee considered a report of the Chief Executive providing the following for the 2016/17 financial year:

- The rationale for and an audit opinion on the adequacy and effectiveness of Southend-on-Sea Borough Council's risk management, control and governance processes.
- A statement on conformance with the UK Public Sector Internal Audit standards and the results of the Quality Assurance and Improvement Programme.

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

On consideration of the report, Members considered that it would be helpful for a paper to be produced setting out the number and nature of the authority's trading companies together with an overview of the associated governance arrangements.

Resolved:

That the Head of Internal Audit's Annual Report for 2016/17, be accepted.

117 Annual Governance Statement 2016/17

The Committee considered a report of the Chief Executive presenting the Annual Governance Statement for 2016/17, together with the actions for 2017/18 and an update on progress made with the 2016/17 actions.

Resolved:

That the Annual Governance Statement 2016/17, be approved and recommended to the Leader of the Council and Chief Executive for authorisation and signature.

118 BDO: Planning Letter 2017/18

The Committee considered a report of the BDO External Auditor presenting the External Audit Planning Letter for 2017/18.

Resolved:

That the planning letter for 2017/18, be approved.

Chairman: _____

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Southend-on-Sea Borough Council

Agenda
Item No.

Report of Director of Legal and Democratic Services

to
Council
on
20 July 2017

31

Report prepared by: John Williams
Director of Legal & Democratic Services

Changes to the Constitution

Part 1 - Public Agenda Item

1. Purpose of Report

For the Council to agree minor changes to the Constitution in relation to the Chief Officer post of Deputy Director of Public Health (Improvement) in order to reflect a restructuring of the Council's Public Health senior management team, following a recent review.

2. Recommendations

- 2.1 That the Chief Officer post of Deputy Director of Public Health (Improvement) be deleted and that a new fourth tier post of Consultant in Public Health be established.
- 2.2 That consequential amendments be made to the following parts of the Constitution as set out in **Appendix 1**:
 - Part 3 Schedule 3 - Delegations to Officers
 - Part 4(b) – Officer Employment Procedure Rules
 - Part 7 – Composition of the Council and Management Structure

3. Background

- 3.1 The reforms contained within the Health & Social Care Act 2012 returned a leading public health role to local government. In April 2013, unitary and upper tier councils took responsibility for the local public health function. This included the transfer of public health staff from the NHS, the responsibility for commissioning or providing a number of mandated and non-mandated public health services, along with a ring fenced public health grant.
- 3.2 For ease of transition, the transfer of the public health team to Southend-on-Sea Borough Council from NHS South-East Essex Primary Care Trust was a 'lift and shift'. The team was initially based in the Department of the Chief Executive.

- 3.3 At the time of transfer, the Public Health Senior Management Team included the Director of Public Health and Deputy Director of Public Health. As senior officers of the Council, the Director and Deputy Director of Public Health were both members of the Senior Leadership Team along with the Corporate Directors and Heads of Service.
- 3.4 In June and September 2016 Cabinet considered and supported recommendations by the Chief Executive to amend the Senior Management and Departmental arrangements of the Council. These proposals included a review and redesign of the public health function to reflect the recommendations of the 2015 Peer Review of Public Health.

Council endorsed the proposals at its meetings on 21 July, 20 October and 15 December 2016, including the transfer of the public health function into the Department for People; with the public health commissioning and knowledge and intelligence functions transferring to the integrated commissioning team and data and intelligence team respectively.

- 3.5 At the time of the implementation of the new public health structure, referred to above, the Deputy Director of Public Health (Improvement) post became vacant. This has provided an opportunity to review the senior management structure within the core Public Health team.

It is proposed that the Chief Officer post of Deputy Director of Public Health (Improvement) is replaced with the post of Consultant in Public Health. This will be a fourth tier post and the change is likely to result in a modest financial saving.

- 3.6 Council is being asked to endorse this change to the Council's Senior Management arrangements and to agree consequential changes required to the Constitution as set out in recommendation 2.2 and **Appendix 1**.

4. Background Papers

None

5. Appendices

Appendix 1 – Proposed changes to the Constitution

Part 3 Schedule 3 – Delegations to Officers

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Part 3 Schedule 3 – Delegation to Officers

1. Introduction

1.1 Definitions

In this Scheme of Delegation

- (a) **“Chief Officers”** means the Chief Executive & Town Clerk, the Deputy Chief Executive (People), the Deputy Chief Executive (Place), Directors (including the Deputy Director of Public Health (Improvement)) and the holders of any other post which may be designated for this purpose.
- (b) **“Other Officer”** means an officer below Director.
- (c) **“Member Body”** means the Cabinet, any Cabinet committee, Council, any committee, and any sub-committee.
- (d) Should the title or responsibilities of a Chief Officer be altered then references to that particular officer should be taken to refer to the Chief Officer responsible for the function in question.
- (e) Any reference to a specific statute includes any statutory extension or modification or re-enactment of the statute and any regulation, orders or byelaws made under it

1.2 Forms of Delegation

This part of the Constitution sets out the extent to which executive and non-executive functions are delegated to Chief Officers or Other Officers, by any Member Body. Delegation does not prevent the Member Body from discharging the same function. Delegation may take the form of:

- (a) Appointment of Statutory and Proper Officers in Section 2 of this Scheme of Delegation
- (b) General Delegation to Chief Officers and Other Officers under Section 3 of this Scheme of Delegation.
- (c) Without detracting from the General Delegation, Specific Delegation to Chief Officers under Section 4 of this Scheme of Delegation
- (d) Special Schemes of Delegation to Chief Officers and Other Officers as set out in Section 5 of this Scheme of Delegation, with regard to the following matters
 - 5.1 RIPA
 - 5.2 Cemeteries & Crematorium
 - 5.3 Estate Management Services
 - 5.4 Private Sector Housing
 - 5.5 Building Control
 - 5.6 Public Protection (including Regulatory Services & Waste Management)
 - 5.7 Planning
 - 5.8 Children Statutory Social Services Complaints
 - 5.9 Adult Statutory Social Services Complaints
- (e) A decision to delegate a particular matter made by a Member Body

measure, in consultation with all members of the Appointments and Disciplinary Committee (If any member of the said Committee objects the matter shall go to the Committee for determination)

4.7 The Deputy Chief Executive (People) and / or the Director of Adult Services & Housing

- To act as the Director of Adult Services and to discharge all responsibilities and duties relating to that role
- To take all necessary action, to ensure that the Council's powers and duties are properly and effectively discharged in adult protection and adult care cases
- To appoint Approved Mental Health Professionals under the Mental Health Act 1983
- To discharge the Council's functions (including but not limited to determining all consents, permissions and licences and taking enforcement action) in relation to
 - Social care and health
 - Social services for adults
 - Mental health
 - Community development
- To act as "the Responsible Person" (on behalf of the Chief Executive and Town Clerk) pursuant to the Local Authority Social Services and NHS Complaints (England) Regulations 2009 re Adult Statutory Social Services complaints
- To act as a Receiver under the terms of an order issued by the Court of Protection
- See also Section 5 9 for Special Scheme of Delegation for Adult Statutory Social Services Complaints

Housing

- To discharge the Council's housing functions (including but not limited to determining all consents, permissions and licences and taking enforcement action) in relation to
 - The management and administration of Council dwellings, subject to the management agreement with South Essex Homes
 - Providing housing assistance, including but not limited to the provision of advice, and homelessness decisions
 - The allocation of housing.
 - Taking any steps open to the Council in relation to privately owned dwellings, including but not limited to enforcing standards dealing with grants and dealing with energy performance certificate / notices
 - All the enforcement powers under the Smoke and Carbon Monoxide (England) Regulations 2015
- See also Section 5 4 for Special Scheme of Delegation for Private Sector Housing

4.8 The Deputy Chief Executive (People) and / or the Director of Strategy & Commissioning

- To discharge the Council's functions relating to -
- Corporate commissioning and commissioning for Public Health
- Joint commissioning, including with the CCG
- Corporate procurement

4.9 The Deputy Chief Executive (People) and/or ~~within their respective remits the Director of Public Health and the Deputy Director of Public Health (Improvement)~~

- To discharge the Council's functions in relation to

- Developing and maintaining the Joint Strategic Needs Assessment for the Council
 - Supporting and advising the Health & Well-being Board for Southend
 - Developing and maintaining a Public Health Plan for the Council
 - Meeting the Council's obligations for liaison with and support to Public Health England
 - Providing Public Health leadership, advice and information to the public as required by the Health Act 2006
 - Preparing and publishing an annual report on Public Health in Southend
 - Discharging the responsibility for co-operation and joint working in relation to public health within Southend on behalf of the Council
 - Discharging the responsibilities for health and social care research and information in relation to public health and well being
 - Overseeing the responsibilities of the Council for liaison with voluntary sector social care and health organisations
 - Protecting the health of the population for infectious diseases and environmental hazards
 - Emergency preparedness
- The Director of Public Health shall act as the statutory officer under section 73A of the National Health Service Act 2006, as amended by the Health & Social Care Act 2012, and in particular will act as Lead for the delivery of public health services within Southend (Note This role cannot be discharged by the Deputy Chief Executive (People) unless he meets the professional requirements specified in the Department of Health Guidance)

4.10 The Deputy Chief Executive (Place) and / or the Director of Planning & Transport

- To discharge the Council's functions (including but not limited to determining all consents, permissions and licences, and taking enforcement action) in relation to
 - Town and Country Planning (subject to the Special Scheme of Delegation for Planning in Section 5)
 - Building control
 - Dangerous buildings
 - High hedges
 - Highways and footpaths (including adoption and closure and S 6 of the Essex Act re verges)
 - On and off street parking
 - Highways maintenance and lighting
 - Traffic management, including Emergency Traffic Regulation Orders
 - Naming and numbering of streets
- See also Section 5 7 for Special Scheme of Delegation for Planning and Building Control

4.11 The Deputy Chief Executive (Place) and / or the Director of Public Protection

- To discharge the Council's functions (including but not limited to determining all consents, permissions and licences, and taking enforcement action) in relation to
 - (a) Regulatory Services, which include
 - Environmental Health, environmental protection, public health, health and safety in premises, clean neighbourhoods and public protection
 - Trading standards and consumer protection
 - Market and street trading

5.8 Children Statutory Social Services Complaints

The Complaints Manager in the Department for People shall be designated the "Complaints Manager" to undertake the prescribed duties under the Children Act 1989 Representations Procedure (England) Regulations 2006

5.9 Adult Statutory Social Services Complaints

The Customer Services and Complaints Manager in the Department for People shall be designated the "Complaints Manager" to undertake the prescribed duties under the Local Authority Social Services and NHS Complaints (England) Regulations 2009

5.10 Assets of Community Value

- The Director of Finance & Resources has delegated power to determine whether assets nominated should be included in the "List of Assets of Community Value"
- The Chief Executive has delegated power to deal with reviews requested by an owner pursuant to S 92 of the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012

5.11 Public Health

The Consultant in Public Health may exercise all the powers of the Deputy Chief Executive (People) and the Director of Public Health in respect of Health Protection and Healthcare Public Health as defined in 4.9 above subject to any financial limits in Financial Procedure Rules.

Part 4(h) – Officer Employment Procedure Rules

1. Recruitment and Appointment

(a) Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or of the partner of such persons
- (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the Chief Executive & Town Clerk.

(b) Seeking support for appointment

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information
- (ii) No councillor will seek support for any person for any appointment with the Council.

2. Recruitment of Head of Paid Service, Deputy Chief Executives and Directors

Where the Council proposes to appoint the Head of Paid Service, Deputy Chief Executive or Director and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying:
 - (i) the duties of the officer concerned, and
 - (ii) any qualifications or qualities to be sought in the person to be appointed,
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

3. Officers below Director Level

- 3.1 Subject to paragraphs 3.2 and 7, the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the Council must be discharged, on behalf of the Council, by the officer designated as the Council's Head of Paid Service or by an officer nominated by him / her¹

¹ In this Part 4(h) "Directors" shall include the Deputy Director of Public Health (Improvement)

The Chief Executive & Town Clerk has made such nominations (namely to Deputy Chief Executives, Directors and Group Managers) although guidelines from the Employer's Organisation No 450 indicates this may not strictly be necessary

- 3.2 Paragraph 3.1 shall not apply to the appointment or dismissal of, or disciplinary action against ²
- (a) the officer designated as the Council's Head of Paid Service;
 - (b) a statutory chief officer within the meaning of section 2(6) of the Local Government and Housing Act 1989 ("the 1989 Act"),
 - (c) a non-statutory chief officer within the meaning of section 2(7) of the 1989 Act,
 - (d) a deputy chief officer ³ within the meaning of section 2(8) of the 1989 Act, or
 - (e) an assistant for a political group appointed in pursuance of section 9 of the 1989 Act

4. Appointment and Dismissal of Head of Paid Service, Deputy Chief Executives and Directors

- (1) Where the Appointments and Disciplinary Committee or a sub-committee is discharging, on behalf of the Council, the function of the appointment of an officer designated as the Council's Head of Paid Service, the full Council must approve that appointment before an offer of appointment is made
- (2) Where the Appointments and Disciplinary Committee or a sub-committee is discharging, on behalf of the Council, the function of the disciplinary proceedings in respect of an officer designated as the Council's Head of Paid Service, Chief Finance Officer or Monitoring Officer, the full Council must approve a dismissal before notice of dismissal is given (See also paragraph 8 of this Part 4 h)
- (3) Where the Appointments and Disciplinary Committee or a sub-committee is discharging, on behalf of the Council, the function of the appointment or dismissal of any officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3.2, at least one member of the Executive must be a member of that committee or sub-committee (See also paragraph 8 of this Part 4 h.)

5. Appointment of Head of Paid Service, Deputy Chief Executives and Directors

An offer of an appointment as an officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 3.2 (i.e. the Head of Paid Service, Deputy Chief Executive or Director) must not be made until:

- (a) the Appointments and Disciplinary Committee has notified the Proper Officer of the name of the person to whom it wishes to make the offer and any other particulars which the Committee considers are relevant to the appointment,
- (b) the Proper Officer has notified every member of the executive ("the Cabinet") of
 - (i) the name of the person to whom the Appointments and Disciplinary Committee wishes to make the offer (or in the case of the appointment of the Head of Paid Service, subject to approval of the Council)

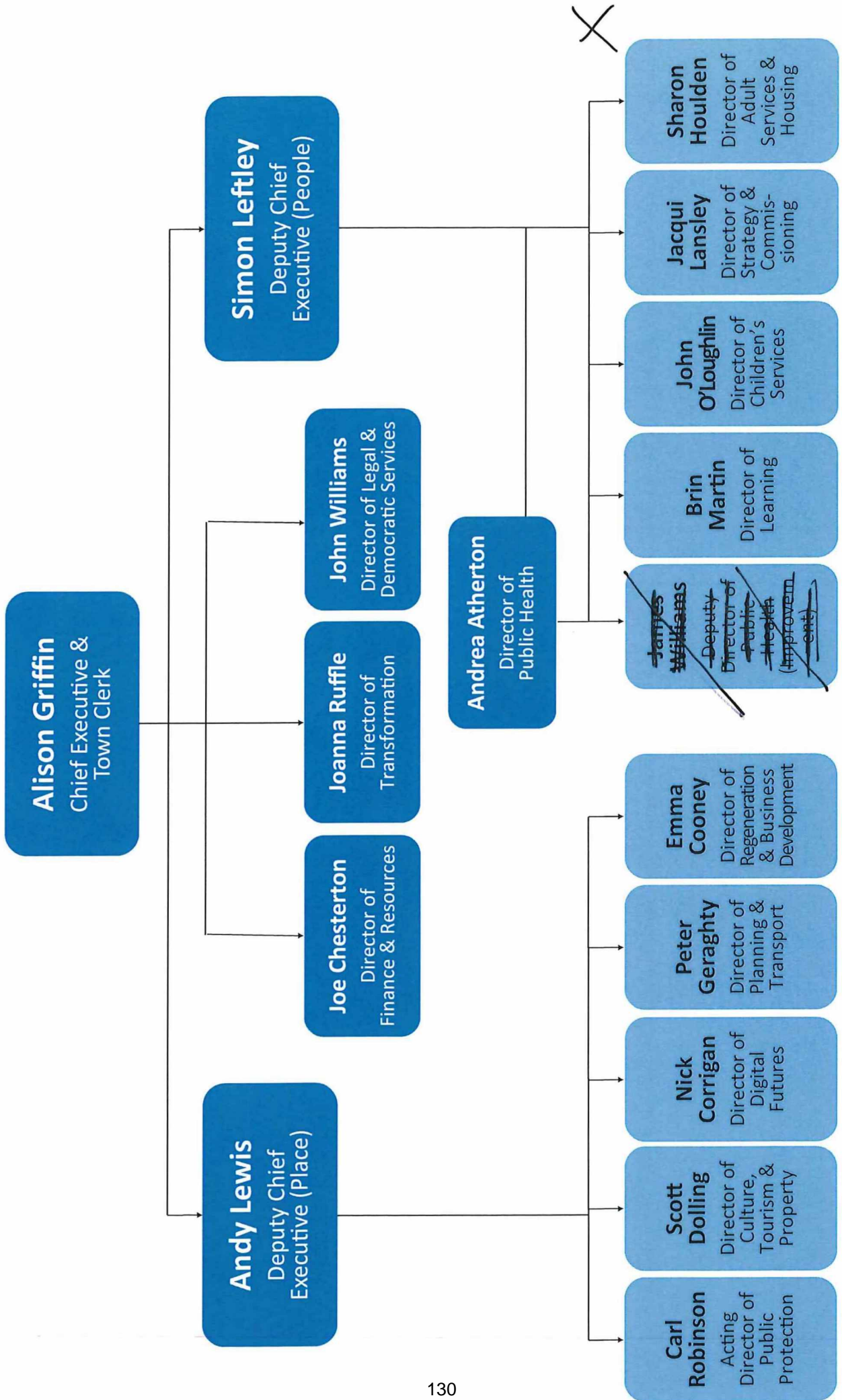
² The appointment of, and disciplinary action against, an officer referred to in 3.2(a), (b), (c) or (d) shall be dealt with by the Appointments and Disciplinary Committee, subject to the other provision of these Rules

³ A Deputy Chief Officer means 'a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory Chief Officers

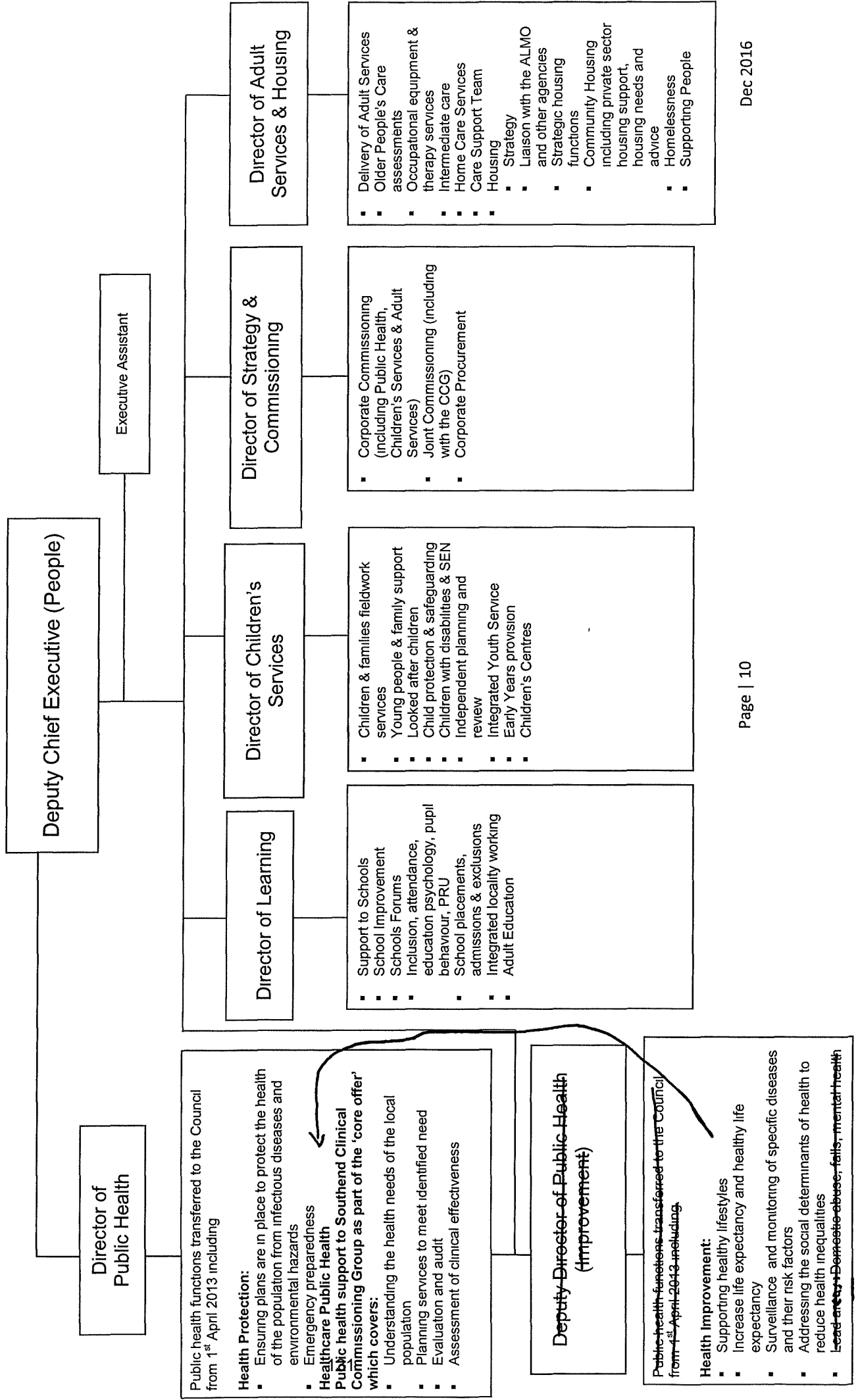
However S 2(9) of the Local Government and Housing Act 1989 provides that a person whose duties are solely secretarial or clerical or are otherwise in the nature of support services is neither a Chief nor a Deputy Chief Officer

At Southend no-one below Director will fall within the definition of "Deputy Chief Officer"

Southend-on-Sea Borough Council—Management Structure 2016



3. Structure – People – Functions of Directors



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