

Public Document Pack

Southend-on-Sea Borough Council

Legal & Democratic Services

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27 February 2019

**THE COUNCIL - THURSDAY, 21ST FEBRUARY, 2019
SUPPLEMENTARY PACK:
PUBLIC AND COUNCILLOR QUESTIONS/ANSWERS
PROPOSED AMENDMENTS 1 TO 6 TO THE BUDGET
PROPOSED AMENDMENT: BETTER QUEENSWAY**

Please find enclosed the following documents that were unavailable when the agenda was printed and were tabled at The Council held on Thursday, 21st February, 2019.

4. Questions from the Public (Pages 1 - 22)

Report of FIELD_AUTHOR

5. Questions from Councillors (Pages 23 - 28)

Questions/Answers sheet attached

7. Council Budget 2019/20 (Pages 29 - 34)

Proposed Budget Amendments 1 to 6 attached

8. Minutes of the meeting of Cabinet held Tuesday 12th February 2019 (Pages 35 - 36)

Proposed Amendment: Better Queensway attached

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QUESTIONS FROM MEMBERS OF THE PUBLIC

Council Meeting – 21st February 2019

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(Questions 1 to 4)

Question 1 from Mr Webb to the Cabinet Member for Public Protection

PREAMBLE: NOT TO BE READ

(When reporting on 'mySouthend' over the past 10 months on the same fly-tipping issue the case just says closed and I get no feedback or contact via email or phone call).

Question

If the 'mySouthend' case is continually and is reported by several residents why can't Veolia and Environment Team contact them about the case and put the outcome on 'mySouthend' and contact them personally by phone, email, letter?

Answer

The MySouthend App has been a real success with residents having the ability to report all sorts of incidents and issues on-line covering most of the front line services provided by the Council. Most reports are reacted to in real time with integration having been undertaken with other systems that contractors use.

However, we are aware that there are some instances where user reports have not been added correctly, or the integration of the report has not been fully recognized by the system, which does cause delay. There are relatively few of these and the system is monitored by a dedicated team and tested frequently. As far as we are aware there have only been few occasions where reports have not been dealt with effectively.

There are now over 36,000 registered users of the MySouthend system, which enables ease of reporting and reduced reaction times to incidents raised.

There obviously is something wrong with Mr Webb's particular case. Therefore, if Mr Webb provides me with the details of his specific report, I will ensure that it is investigated thoroughly and that a detailed response is provided to him.

Question 2 from Mr Webb to the Leader of the Council

Question

What has been the total for expenses for Councillors, The Council, advisors and what are categories for them (l,e travel, food) in 2016 - 2017, 2017 - 2018, and how are expenses controlled whilst the residents of Southend are asked to pay a 4.5% Council tax rise last year?

Answer

The Council is always very conscious that it is spending taxpayers money, be it from central government, local businesses or council tax payers. If you ignore monies paid to schools and benefit claimants, where the Council effectively just passes on monies received from government for this purpose, the Council spends in the region of £230 million each year.

Expenses are incurred solely on a strict business need basis. Travel costs for example, where the majority of expense costs lie, are strictly second class or the use of employees own vehicles. For Councillors, travel costs are met from Members allowances, unless the travel relates to Council business outside of the Borough.

Generally we would not expect to pay expenses to advisors, as any costs would normally be included within their contract price, not separately chargeable, although very occasionally expenses may be paid. We also pay expenses to volunteers who help keep valuable council services running.

For the financial year 2016-2017, we paid a total of £484,000 in expenses. This is broken down as £2,000 for Councillors, £476,000 for council employees and £6,000 for advisors and volunteers. The expenses paid were £449,000 on travel, £11,000 on subsistence and £24,000 on accommodation where an employee is required to stay overnight.

For the financial year 2017-2018, we paid a total of £489,000 in expenses. This is broken down as £5,000 for Councillors, £473,000 for council employees and £11,000 for advisors and volunteers. The expenses paid were £459,000 on travel, £5,000 on subsistence and £25,000 on accommodation.

For both financial years the total spent on expenses was only 0.2% of the Councils gross expenditure.

Question 3 from Mr Cowan to the Cabinet Member for Infrastructure

PREAMBLE: NOT TO BE READ

(The route from Denton Approach through Hornby Avenue in St Laurence is a notorious rat run and a source of constant concern and worry for residents who feel they, and the children of Prince Avenue school, are put in constant danger by the drivers who use the road to circumvent the Bell Junction. During consultation for the Bell Junction improvements, residents repeatedly raised this issue but report that no action was taken or note recorded).

Following a recent meeting of local residents, it is requested that Denton Approach be made exit-only on to the A127 for the safety of residents who fear the situation will worsen rapidly once the Bell Junction works commence).

Question

Will the members of this administration commit to an urgent consultation to close this dangerous cut-through before the Bell Junction works start, or failing that implement an Experimental Traffic Order for the duration of the works in lieu of a permanent solution to protect residents from the severe accident waiting to happen that is threatened under the present traffic flow?

Answer

During the public consultation event for the Bell junction improvement scheme, the concerns regarding Denton Avenue were raised by residents regarding the rat running issue that occurs currently, but also expressed concerns that during the construction phase of the work there would be a greater increase in traffic trying to avoid the Bell junction. The concerns were recorded at the event along with other issues raised.

The existing rat running issue is known, and there is a desire to avoid any potential increase of traffic resulting from the construction phase. To this end the feasibility of changing priorities, or restricting access to Denton Avenue, both during construction period and permanently are currently being looked at as part of the detailed design phase of the project.

Once practical measures have been fully considered, residents will be given an update to ensure that they are aware of any measures that could be introduced, either during the construction phase or permanently. This feedback will happen in the spring 2019 with any agreed restrictions put in place in advance of the construction phase, which is programmed to begin in the summer of 2020.

Question 4 from Mr Cowan to the Cabinet Member for Infrastructure

Question

The council has recently announced government funding to fix the most serious potholes in the borough. Could the cabinet member for infrastructure please tell me the dates for when repair or resurfacing is scheduled for Alton Gardens, Keith Way and Eastwoodbury Crescent, and if the council is investing in plastic road technology for future repairs?

Answer

Alton Gardens, Keith Way and Eastwoodbury Crescent will require planned maintenance works out of the Councils capital allocations:-

- Alton Gardens carriageway resurfacing is programmed for April 2019.
- Eastwoodbury Crescent carriageway resurfacing is programmed for late April / Early May 2019.
- Keith Way has been investigated and costed. It will be programmed later in the year. Start date to be confirmed, following discussions with our contractors.

The use of plastic road technology is not currently being considered by the Council for use in carriage way repairs.

Question 5 from Mr Lewin to the Cabinet Member for Growth

Question

Is it in the best interests of the tax payers of Southend to lease the Seaway Car Park for one pound?

Answer

The report sets out clearly that there is much more to this scheme than just the financial element. These other key elements are:

- **The wider economic benefits and regeneration as a result of £50m of private investment in the town centre;**
- **The creation of c.500 all-year around jobs equating to up to 323 net FTE positions after displacement and other factors are taken into account;**

- Driving town centre footfall;
- Resulting in an increased spend in the town and seafront areas, as well as adding choice and quality for residents and visitors.

However the scheme also stacks up in financial terms (and this has been extensively reviewed, scrutinised and dissected). Granting the lease will secure the long-term rental income of £282,000 per annum, with provisions for growth (instead of a large capital sum), but it will also result in approximately £750,000 of additional business rates income to the Council. Overall the Council is likely to be c.£600,000 a year better off.

The scheme is in the best interests of tax payers, Southend residents and visitors.

Question 6 from Mr Lewin to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The planning application and its supporting drawings, assessments and reports include a proposal for a shared surface on Herbert Grove. However, the Department for Transport has asked all Local Authorities to pause all new shared surface schemes in town centre locations whilst they review and update their guidance on inclusive access.

The Department for Transport's current position on shared surfaces has been well documented and is well known to the development industry, however, the applicant appears to have had total disregard for this when submitting the planning application.

Question

Can the Council be satisfied to extend an agreement with Turnstone with the knowledge of their attitude towards Government departmental advice?

Answer

There will be no shared space in the final scheme.

The detailed treatment of the highways is a matter for the Council to consider through the planning process and representations about this should be made to the Council as Local Planning Authority. The matter is already being worked on and I am assured that

through the planning process, officers will ensure that none of the public highway will be shared surface as defined by the Department for Transport.

Question 7 from Mrs Tiney to the Cabinet Member for Growth

Question

Has the Council considered the implications for the seafront if this development goes ahead? Apart from the obvious lack of parking spaces the seafront will suffer from hardship and closures caused by yet more eating and drinking establishments on our doorstep.

Answer

The seafront provides a different offering to that proposed in the Seaway scheme.

The Council is of the view that delivering the proposed year-round, all weather leisure facility will provide strong reason for residents and visitors to visit the town centre and seafront areas. The proposed Seaway Leisure scheme will experience different peak periods to the seafront both in terms of times of day and times of year.

The Lambert Smith Hampton Economic Benefits Report (Appendix 3 of the 17 January 2019 Cabinet report) includes estimations of linked spend in the town centre and seafront areas.

Importantly, the recent BID survey shows 63% of local businesses support the scheme.

Question 8 from Mrs Tiney to the Cabinet Member for Growth

Question

Does the Council think visitors will turn away from Southend in their droves when they are unable to get through the gridlock your administration will create if you press ahead with this diabolical Seaway proposal?

Answer

No, the Council does not think this will happen.

The Seaway scheme is expected to make a positive contribution to the town centre and seafront areas all-year round, an expectation supported by the Lambert Smith Hampton Economic Benefits Report. I'd also refer to the BID survey result in my previous answer.

The traffic, transport and parking issues will be examined in detail and supported by appropriate data and surveys through the planning process.

Question 9 from Mr Thwaites to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

(It is clear that public realm, pedestrian and cyclist improvements will be required, and your own policies to ensure safety will apply to Queensway roundabout and surrounding roads. The movement of pedestrians and cyclists from northern parts of the town onto the site via Queensway appear not to have considered, the safety of cyclists and pedestrians trying to cross the widened section of Queensway will be at risk).

Question

I ask will a S106 Agreement be applied to ensure tax payer does not have to pay for all requirements to prevent death and serious injury?

Answer

The Seaway scheme will, through the planning process and associated safety audits, give rise for the need for a planning agreement to cover a variety of issues including safe walking and cycling provision, the detail of which will be a matter for Development Control Committee.

Question 10 from Mr Thwaites to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The current proposal (Seaway) does not include Spanish Steps, also there are no opportunities for Spanish Steps. Surely a consideration for accessing pedestrian routes is directness and the development should create a route between the site and the entirety of Marine Parade

Question

There was the requirement to provide access into/off the site from the south through the central aspect of the site via Spanish steps, was it taken out because of financial reasons?

Answer

The answer to this question is covered in paragraph 4.2 of the Cabinet report.

Question 11 from Mrs Coe to the Cabinet Member for Growth

Question

Will the proposed Seaway development be in the best interests of those traders in the High Street and its environs who feed off the footfall the Odeon Cinema creates?

Answer

As referred to in previous answers, the recent Southend Business Improvement District survey shows that 63% of business within the BID area support the Seaway scheme.

Residents and businesses are well aware of the Seaway proposals and the report sets out the benefits that the scheme is projected to bring to residents and businesses.

It is not for the Council to put traders before everything else, or to seek to please every single business, but to strike what it believes is the right balance for businesses, residents and visitors and to promote growth in the local economy.

There is an opportunity for the Odeon and businesses around it to invest to differentiate themselves to add to the offer for residents and visitors.

Question 12 from Mrs Coe to the Cabinet Member for Growth

Question

Is the Seaway proposal in the best interests of the residents of Southend, once you have created even more gridlock by reducing car parking?

Answer

See answer to Question 8, repeated below for ease of reference:

No, the Council does not think this will happen and the Seaway scheme is expected to make a positive contribution to the town centre and seafront areas all-year round, an expectation supported by the Lambert Smith Hampton Economic Benefits Report. I'd also refer to the BID survey result in my previous answer.

The traffic, transport and parking issues will be examined in detail and supported by appropriate data and surveys through the planning process.

Question 13 from Mr M Miller to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

Table 6.9 of the Transport Assessment submitted in support of the planning application demonstrates that the development creates an excess demand of car parking that cannot be accommodated on the new Seaway site and this excess demand will need to be accommodated in other key visitor car parks. The development therefore proposes too few car parking spaces, it cannot 'consume its own smoke' and it results in a net loss of car parking in the key visitor car parks. This is contrary to Policy DS5 of the adopted SCAAP, yet Turnstone consider this to be acceptable.

Question

Can the Council be satisfied to extend an agreement with Turnstone with the knowledge they have devised a sub-standard scheme which fails to meet key policy requirements and fails to take any regard to the key concern for the site, i.e. parking?

Answer

The Council's agreement with Turnstone requires Turnstone to provide no less than 480 spaces. The proposed amendment, increases this minimum to 542 as part of the contract.

Currently there are 661 spaces. This consists of 478 permanent spaces and 183 temporary spaces which are in the area previously occupied by coach parking bays which needed to be relocated as part of the Seaway deal.

The proposed contractual minimum of 542 is therefore 64 more than the current number of permanent spaces on site. The planning application which is currently being considered includes 555 spaces which is 77 more spaces.

I acknowledge that this is less than the total permanent and temporary provision on site currently and the Council has considered this along with the need for temporary provision during construction of this and other strategic sites and is providing additional parking at the Gasworks site to serve the seafront area in addition to the capacity at other central car parks.

Traffic, transport and parking issues will be examined in detail and supported by appropriate data and surveys through the planning process.

Question 14 from Mr M Miller to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

Cabinet report, paragraph 5.12.2 sets out some of the supposed benefits of the scheme, including job creation and turnover. However, Aventura Consulting, a respected economic analysis firm, has raised significant questions regarding the methods employed and more importantly that the benefits are almost certainly overstated and the dis-benefits understated, as the Cabinet Member is only referring to gross benefits of the development.

Question

Can they explain what are the net benefits to the town as a whole, once the loss of the existing Odeon cinema, Kursaal bowling alley, restaurants, and those jobs has been factored in?

Answer

The Council has not received anything from Aventura to be able to comment. However there are adjustments for displacement in the Lambert Smith Hampton report.

Obviously the Council hopes that businesses such as the Odeon and the Kursaal will invest to differentiate themselves and prosper.

While the town centre has some challenges, the £50m of private investment offered by this scheme is very welcome. This is a strong sign of confidence and is expected to be a catalyst for further investment and development in the town centre.

Question 15 from Mr Humphrys to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The Cabinet report says in Paragraph 5.11.2 that the Rossi Factory was demolished using the Council's own funds, and Turnstone will replay this once the Agreement goes unconditional, but the scheme does not have planning permission.

Question

What happens if the development does not gain planning permission and the land agreement does not go unconditional (is this not our escape clause because Turnstone has failed to deliver time and time again)?

Answer

In this scenario the lease would not be granted to Turnstone and the Council would not be able to recover the demolition cost from the company.

Question 16 from Mr Humphrys to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The Cabinet report in Paragraph 5.12.3 states that the development will make a viable contribution to the viability and vitality of the town centre. We all are aware of the struggles in the retail, restaurants and leisure sectors. No demand analysis has been prepared to show the effect on existing operators in the town. This development will certainly displace footfall from the Odeon and the top end of the town centre and businesses over there will suffer.

Question

Can the Council honestly conclude that the vitality of the town centre will be enhanced once the Odeon closes and no one is there to replace it?

Answer

See answer to question 14 for my substantive answer and I refer you to Appendix 3 of the Cabinet Report (the Lambert Smith Hampton Report) which supports this conclusion.

Question 17 from Mrs Hodge to the Cabinet Member for Growth

Question

On a sunny afternoon in August, when all 555 car parking spaces in the proposed seaway leisure development have been filled by seafront and high street visitors, where will the visitors to the new cinema, bowling alley, hotel or restaurants, park. Or as we fear, will there be reserved parking for these facilities reducing still the parking for seafront and high street trade?

Answer

There will be no reserved parking for the businesses within the scheme.

The traffic, transport and parking issues will be examined in detail through the planning process. As a seaside town we will always be busy on “sunny afternoons in August”. However this is why we have reviewed capacity across the town centre and increased provision such as at the old Gasworks site. We continue to keep the provision of car parking under review.

Question 18 from Mrs Hodge to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

Regarding the plan arrangements, and in particular the introduction of the A3 restaurant and café uses fronting onto Herbert Grove with a request for 3am operational hours 7 days per week.

Question

Can the Cabinet Member inform us how the amenity of the residents in Herbert Grove is likely to be protected and if not are the Council in a position to fund a defence against claims of nuisance?

Answer

I think it is noteworthy to consider how vibrant and busy the night-time economy already is in this location. There are many late night licences. However, as with all new licensing applications, the impact on residents will be considered through the planning process and through any licensing applications.

Question 19 from Mr Gibbs to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

There are significant areas of deprivation in the community located immediately north of the Seaway Car Park, and this is in part why the Seaway is a key regeneration site. The Council is the landowner and should use this position to ensure the economic benefits of any leisure scheme built on the site to create a step-change in these pockets of deprivation. But no specific mechanisms are identified here that could bring confidence that such benefits to the communities that need it most. It sounds like we are only talking about regeneration and not doing something about it.

Question

Why should this agreement be extended if the key target population is not going to gain the most from it?

Answer

I believe that the Seaway scheme will act as a catalyst for further investment, over and above the £50m of direct investment it brings and will bring increased confidence in the Town Centre. It will also deliver enhancements to the public realm.

One of the primary objectives of the scheme is job creation and these jobs will be available to local people. A significant number of non-seasonal jobs will be available. Discussions are also underway with local education providers around potential courses to support local people into these opportunities. In that respect positive impacts on the surrounding communities are expected.

Question 20 from Mr Gibbs to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The Council has clearly made the Spanish Steps a key part of the regeneration benefits that would be delivered by development on this site (it was written into policy). As the landowner, the Council could insist on this being delivered in the land agreement, to better spread benefits to the seafront, bearing in mind seafront traders will be heavily affected for a few years whilst construction is on-going. As the Council has admitted defeat on the delivery of the Steps, the regeneration benefits arising from the land deal appear to be overstated. It's a missed opportunity and we have sold out on our goals for the sake of one firm's profits.

Question

Who will deliver this link to the seafront if not Turnstone with the Seaway development?

Answer

The answer to this question is covered in paragraph 4.2 of the Cabinet report.

The existing routes to the seafront will be preserved and public realm improvements will enhance the link through behind the Church and onto Pier Hill.

Provisions for overage are made in the contractual arrangements which could, subject to the profitability of the scheme, see the Council receiving additional capital. The Council could decide to use such capital to acquire private property and fund the associated works which would be needed to deliver a link in the future.

Question 21 from Mr Stacey to the Cabinet Member for Growth

Question

Given Southend's unique selling point is the seafront, is another cinema in the town really our best hopes for social and economic regeneration and if so what will happen to the existing Odeon at the top end of the High Street and associated eateries?

Answer

There is a lot more to this scheme than just a state of the art new Empire cinema with IMAX which, alone is expected to generate footfall of around 500,000 per annum. There will also be a range of new year-round leisure and restaurant offerings to provide choice and variety for residents and visitors alike.

The site will provide a new Travelodge hotel supporting the Council's ambition to encourage visitors to stay longer in the town. Overnight visitors contribute many times more to the local economy than day trippers, which benefits the town as a whole.

All these elements will provide around 500 new jobs available to local people and bring linked footfall and spend to the town centre and seafront areas.

The Council would like to see businesses such as the Odeon invest to differentiate themselves. The top of the high street also offers much opportunity.

As previously stated, the result of the recent BID survey shows 63% support for the proposed Seaway scheme from town centre businesses.

Question 22 from Mr Stacey to the Cabinet Member for Growth

Question

In light of the previous question, can the Cabinet Member tell us that the loss of employment around the Odeon and east end of London Road, together with the likely demise of the bowling alley within the Kursaal has been factored into the economic equation and indeed the projected job creation that the development is proposing to deliver?

Answer

See the detailed answers given in response to questions 11 and 14 above cover these points.

Question 23 from Mr Sims to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The Cabinet report states that if this agreement is not extended that there is little or no prospect that a scheme will be delivered on the Seaway Car Park (paragraph 6.3(g)). The site is now allocated in the Local Plan, and the Turnstone Agreement was prepared without going to the market.

Question

Can the Cabinet Member explain what empirical evidence they hold that can substantiate the claim that no other developer is interested if this agreement fell?

Answer

It is not possible to produce empirical evidence unless the situation were to actually be tested. However a decision by the Council to seek to terminate the agreement would certainly send a negative message to the development market. At the very least, there would be a significant delay in securing a new partner for a scheme meaning that the investment in the town centre and the opportunity for positive intervention would be delayed and the future would be more uncertain.

Question 24 from Mr Sims to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The Cabinet report in Paragraph 6.3(h) states that if the agreement is not extended, there is a risk of legal claim against the Council. This statement seems to prejudice the planning process by way of the land agreement.

Question

Is the Cabinet Member stating that if the Council's planning team refuse planning permission based on sound planning grounds, the Council would still be at risk of legal action due to the land agreement. Would this not lend favour to the agreement not being extended as Turnstone failed to deliver on time (they've had four years)?

Answer

No, I am not suggesting this at all. The scheme must obtain planning permission in its own right and if this is not forthcoming, it will not be possible for the planning condition in the Council's agreement with Turnstone to be met and the scheme could therefore not proceed.

As the report clearly states, the planning application must be considered quite separately by the Council as local planning authority through the Development Control Committee.

Question 25 from Mr J Miller to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

It is clear that public realm, pedestrian and cyclist improvements will be required, and your own policies to ensure safety will apply to Queensway roundabout and surrounding roads. The movement of pedestrians and cyclists from northern parts of the town onto the site via Queensway appear not to have considered, the safety of cyclists and pedestrians trying to cross the widened section of Queensway will be at risk.

Question

I ask will a S106 financial agreement be applied to ensure the tax payer does not have to pay for all requirements to prevent death and serious injuries?

Answer

Your question bears remarkable resemblance to Question 9 above therefore for brevity I direct you to that answer.

Question 26 from Mr J Miller to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The current proposal does not include Spanish Steps, also there are no opportunities for Spanish Steps. Surely a consideration for accessing pedestrian routes is directness and the development should create a route between the site and the entirety of Marine Parade.

Question

There was the requirement to provide access into/off the site from the south through the central aspect of the site via Spanish steps, was it taken out because of financial reasons?

Answer

Your question bears remarkable resemblance to Question 10 above therefore for brevity I direct you to that answer.

Question 27 from Mr P Miller to the Cabinet Member for Growth

Question

If the Seaway development is built with 555 car parking spaces in your opinion will it be busier than it is now with 661 spaces?

Answer

Outside peak season, I believe that if the Seaway development is built then the car park will be busier (i.e. more cars and more footfall).

Through the summer period, I would imagine the car park will be very well used by seafront visitors during the day and by visitors to the scheme in the evening.

This administration has increased the provision of car parking on the seafront through the provision of the Gasworks car park and we are looking to make better use of our town centre car parks through our Access, Parking and Transport Strategy.

Question 28 from Mr P Miller to the Cabinet Member for Growth

Question

Do you think the Council made a mistake six years ago in not keeping the car park for itself, bearing in mind you have considered buying back the car park from the developer?

Answer

No. I think the Scheme is an exciting opportunity for the town, leveraging £50m of private investment, generating jobs and opportunities for local people, delivering regeneration of the area with increased footfall for the town centre; all while generating increased revenue for the Council.

The only consideration I gave to leasing back the car park was to say “No thanks!”

Question 29 from Mr Kelleway to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The Council did not go out to tender regarding who could best deliver this development. A review of the many documents at Companies House in respect of Turnstone raises questions about their suitability from the point of view of their apparent financial stability and ability to deliver on this project, bearing in mind the question marks over the potential viability of the project and the questions raised over potential conflict of interest with the Council’s preferred valuers and appraisers.

Question

Given these issues, what solid evidence can the Council provide to ensure that Councillors are comfortable that the Council Officers should ride roughshod over best practice of going out to tender thus ensuring the best deal for the Town?

Answer

Firstly it was a Councillor decision to contract directly with Turnstone and the Cabinet decision from January 2013 records this. The Council remains confident that Turnstone can deliver the proposed development.

The Cabinet report sets out the Council's obligations in terms of best consideration and section 123 of the Local Government Act 1972 at section 9.2 (d) and the way in which these have been dealt with.

The Council has gone over and above what is required in this case and asked the District Valuer Service to review Savills' valuation and they have confirmed that Savills' conclusion that the deal represents best consideration for the Council is appropriate and reasonable.

Question 30 from Mr Kelleway to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

The independent valuation carried out by the respected local surveyor and valuer, David Dedman, and the drill down non-superficial analyses of lost car parking and associated revenue versus the anticipated rental flows from the proposed development scream out that this is a bad deal for the Town.

Question

Are the Councillors happy that when the inevitable in depth scrutiny and judicial review of these decisions places them firmly under scrutiny, that they will be able to declare that they were fully comfortable with the financial aspects of the proposal which fly in the face of much independent analysis?

Answer

The short report by David Dedman makes it very clear that it is not a valuation.

The Council has a full red book valuation which has been undertaken by Savills and reviewed by the District Valuer.

The Cabinet report goes in to considerable detail about the financial and valuation issues and I am content with the position.

Question 31 from Mr Kearney to the Cabinet Member for Growth

PREAMBLE: NOT TO BE READ

Referring to the SCAAP and the Seaway opportunity site. The policy calls for a mixed use development including some residential provision, which would help both meet housing targets but also maximise the value of the opportunity site due to its proximity and potential outlook over the Thames Estuary.

Question

Can the Cabinet Member tell us why residential uses have been excluded from the development and as a result how this proposal meets a truly mixed use proposal that is likely to lead to vibrancy of the town centre and seafront?

Answer

As set out clearly at paragraph 5.4 of the Cabinet report, the residential land is no longer required to assist with viability and the additional land can be better used for additional car parking which has of course been a matter of great concern.

Question 32 from Mr Kearney to the Cabinet Member for Growth

Question

Given the Governments publishing of the Timpson report which creates a clear vision for the future of High Streets and their diversification and intensification, can the Cabinet Member tell us how the Timpson Report has fed into the current proposals for the Seaway Car Park, in particular regarding to sustaining and growing the Seafront and High Streets economy?

Answer

The Timpson report was published on 20 December 2018 providing little time for its recommendations to be considered in the context of this report. However I certainly agree that the town centre of the future should attract local people to take part in a variety of activities - including dining, leisure and sport, culture and the arts, entertainment, medical services, and many more uses. As part of the Council's 2050 Ambition and Roadmap, developed from wide reaching consultation, there are several outcomes which

relate directly to the Town Centre. The Council recognises the need to have a fast-evolving, re-imagined and thriving town centre, with an inviting mix of shops, homes, culture and leisure opportunities.

The Council has also recognised the significant prosperity and job opportunities that key regeneration schemes including Seaway will bring to the borough.

The Council will be engaging further with residents and businesses as these Outcomes are developed and delivered.

Question 33 from Mrs Angel to the Cabinet Member for Growth

Question

Has the Council considered the implications of a development of this size in a residential area?

Answer

The Council has had long-held aspirations for a major leisure scheme to be delivered on this site. The detailed scale, massing and design elements are matters to be considered as part of the planning process and local residents have been consulted in this context.

Question 34 from Mrs Angel to the Cabinet Member for Growth

Question

Would any Council Member like to come and stay at my home and witness first hand people urinating in my garden and by my front door? It's bad enough with the existing clubs that's without what is proposed in the plans for 10 plus licenced premises?

Answer

I am sorry to hear of the difficulties you are currently experiencing.

The proposed scheme will significantly increase footfall in this location and greatly improve the public realm in the area and I would hope that as a result, such instances would cease to occur.

The businesses will of course be required to provide toilet facilities for their patrons.

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QUESTIONS FROM COUNCILLORS

Council Meeting – 21st February 2019

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Question 1 from Councillor Ayles to the Cabinet Member for Growth

Question

In the event of a major pier fire, would the cabinet holder responsible for the pier, be confident in the current firefighting system to be fit for purpose and not fail under all weather and fire conditions, considering that the main water supply pipe has been changed from plastic to steel?

Answer

Fire crews regularly visit the Pier to familiarise themselves with the site, test flow rates and carry out some small scale exercises. Two different fire crews have attended the Pier during January this year for familiarisation and to update their firefighting plans. We also participate in major exercises to test responses in various scenarios with the Coastguard, Fire, Police and Ambulance services.

The sprinkler system is serviced and tested on a regular basis, the sprinkler system has a frost protection mechanism which circulates water at low temperature to prevent the pipework freezing in extreme conditions. As well as the main sprinkler system there are breeching points for either a fire tender or tug boats to connect into should mains water supply fail. There is also a pumped sea water hydrant system to protect the pier head in addition to the main sprinkler system.

Question 2 from Councillor Ayles to the Cabinet Member for Growth

Question

I request a response as to why a cabinet holder diverted the supply of bicycles from the recycling centres at Stock Road and Leigh to the community reuse shop at Stock Road.

That led to the supply of bicycles to Southend Council bicycle recycling centre at Brunel road being curtailed. This led to the closure of the bicycle recycling centre that was opened and supported by Southend Council to encourage more residents to safely cycle, thus reducing pollution and assisting in healthy residents.

The cycles sold on from Stock Road are not serviced and checked for safety as the cycles from the Southend council bicycle recycling centre were, as well as fitted for size. If there are no bicycles to recycle you cannot recycle them.

Answer

Sustainable Motion, the company that ran the Recycle Centre, had an agreement with Community Reuse who are a sub-contractor of Veolia to supply up to 10 good quality bicycles per month to Sustainable Motion with the remaining being retained and sold through the Reuse Shop. The closure of Sustainable Motion was made on business grounds and wasn't in relation to the number or quality of the bicycles they received from Veolia.

Question 3 from Councillor Burton to the Cabinet Member for Infrastructure

Question

Can the Cabinet Member confirm a date when Pickett's Avenue will be resurfaced and whether this will be the entire road or a section of it?

Answer

Picketts Avenue is part of our Planned Maintenance Carriageway Resurfacing programme for next financial year 2019/20. The date for these works will be in the Autumn, once detailed specifications and survey work has been completed and discussed with our contractor.

Question 4 from Councillor McDonald to the Cabinet Member for Growth

Question

Please could the Cabinet Member provide the following information about public toilets in the Borough:

- The number of male toilets, female toilets and unisex toilets that are currently open and available for public use and their locations.
- The number of male toilets, female toilets and unisex toilets that are currently closed or not available for public use and their locations.

- The number of urinals or toilets that are made available temporarily on specific nights or occasions and their locations.

Answer

1. Currently, 92% of our public toilets (34 out of 37) are available for public use, including:

9 x unisex, 8 x female and 9 x male public toilets are open permanently and 4 x female and 4 x male toilets are open only during the summer season (April – September) and will all be available during that period as planned.

The location of permanent public toilets are:

Bell Wharf, Old Leigh High Street – Unisex
 Chalkwell Park, London Road – unisex
 Dalmatia Road – 1 x male 1 x female
 Elm Road – unisex
 George Street entrance to East Beach – 1 x male 1 x female
 Marine parade (Southend)/City Beach – 2 blocks Unisex
 Ness Road 1 x male 1 x female
 Seaway – 1 x male
 Shoebury Common Road– 1 x male 1 x female
 Shorefields, Western Esplanade – 1 x male 1 x female
 Sutherlands Boulevard – unisex
 Hamlet Court Road– unisex
 Crowstone, Chalkwell Esplanade – unisex
 3 Shells Lagoon, Western Esplanade – unisex
 Belfairs Park – 1 x male 1 x female
 Shoebury Park – unisex
 Priory Park – 1 male 1 x female
 Southchurch Park – 1 x male 1 x female
 Southchurch Park Café – unisex

The location of seasonal public toilets are:

Chalkwell Esplanade - 1 x male, 1 x female
 East Beach – 1 x male 1 x female
 Thorpe Bay Corner, Eastern Esplanade – 1 x male 1 x female
 Alexandra Bowling Green, Cambridge Road 1 x male 1 x female

2. In relation to the number of toilets that are currently closed or not available for public use, there are only 3 toilets that are currently closed and out of use:

- Eastwood Park – unisex (currently closed due to vandalism/anti-social behaviour, however these are opened for scheduled community events in park)
 - Southchurch Hall Gardens – unisex (currently closed due to vandalism and to disrupt anti-social behaviour, however we are aiming to get them open again for the summer season from April)
 - Seaway – 1 x female (currently closed due to fire damage)
3. In relation to the number of urinals or toilets that are made available temporarily on specific nights or occasions, this number fluctuates during each year depending on the number and type of events taking place and the anticipated footfall those events bring.

Locations for portable urinal locations (for use during the night time economy on Friday and Saturday evenings):

Alexandra Road - opposite old ABC Cinema
York Road - side of Marks and Spencers store
Whitegate Road - side of Halifax
Warrior Square - by Mayhem night club
Dead end of London Road - by WH Smith

During most years, events take place around the borough and depending on participation levels, some events include the provision of additional public toilets. Additional temporary toilets have also been sited on City Beach during busy periods, the amount has fluctuated so is not possible to confirm precisely what provision is made; however, the site is planned to be supplemented during School Holidays and weekend's from Easter – September.

Question 5 from Councillor Dent to the Cabinet Member for Infrastructure

Question

Does the portfolio holder for Infrastructure, in his capacity as the council's representative on the Pension Strategy Board of the Essex Pension Fund, feel that arms dealers and tobacco companies are appropriate investments for the council's pension fund?

Answer

The main responsibility of the Essex Pension Fund is to ensure it has sufficient funds available to pay pensions in relation to over 160,000 present and future pensioners. The Fund's asset strategy, as determined by the Investment Steering Committee (ISC), is therefore based on an objective of maximising investment return.

The ISC has appointed specialist external managers to a range of investment mandates.

The ISC does not place restrictions on investment managers in choosing legally permitted investments in companies, except in limiting the size of single investments. The ISC expects investment managers to place their primary consideration on financially material factors when selecting investments for inclusion in the portfolio, including any Environmental, Social & Governance factors considered to be financially material. The Fund's Investment Strategy Statement (ISS) is scheduled for review and consultation in the first half of 2019.

Question 6 from Councillor J Garston to the Cabinet Member for Infrastructure

Question

In recognising the help this Conservative administration has provided the Town Centre with parking, in terms of short stay at a reasonable cost, could my following suggestion be considered?

"Many yellow lines exist close to the High Street, if some of these were removed then some free spaces could be offered with a maximum stay of either half or one hour"

Answer

It is recognised that there are some areas of lines to be removed and while the progression of amendments was approved by the Traffic Regulation Working Party on 13th September 2018, this is programmed for consideration and investigation in March and April with any resulting amendments being proposed in the later part of May. Any comments received in relation to the proposals can be considered by the Working Party in June.

Short term paid for parking is to be provided in a new parking area in Pitmans Close and the existing car park in London Road west of the Cinema.

Question 7 from Councillor J Garston to the Cabinet Member for Infrastructure

Question

Does the Portfolio holder agree with me that Tylers Avenue Car park should have an entrance and exit in Tylers Avenue? This simple change would save congestion in this area and make access easier for motorists coming from the West of the Town.

Answer

The layout, entrance and exit arrangements for Tylers Avenue and York Road Car Parks are currently under review to allow for easier access.

Currently, vehicles can access the car park from Queensway via York Road (southern section) or from Chichester Road via York Road (northern section).

The entry arrangements are planned to be retained in Baltic Avenue to allow for ease of access from Queensway. Moving the entry to Tylers Avenue could be problematic as the western junction of the street is signal controlled and queues could prevent access to the car park when the signals are on red.

Providing an additional entry into the car park from Tylers Avenue would result in a significant loss of spaces due to the traffic flow requirements around the car park. This has been investigated as part of the layout work and moving the access and exit to Baltic Avenue provides a greater increase of parking bays.

The proposed new layout with an access and exit onto Baltic Avenue increases the current number of spaces to 381, an increase of 41 spaces.

This work is being done in conjunction with a new right turn facility to allow vehicles travelling southbound on Queensway to turn into York Road thus making access far easier than present arrangements which entail vehicles using Seaway Roundabout to then head northbound on Queensway and turn left into York Road.

Council – 21st February 2019

Agenda Item 7 : Council Budget – 2019/20

7

Amendments:

Amendment 1: Councillors Gilbert/Mulroney/Woodley

Amendment 2: Councillors Gilbert/Mulroney/Woodley

**Amendment 3: Councillors
Gilbert/Mulroney/Woodley/Cox/Hadley/Ward/Chalk**

Amendment 4: Councillors Woodley/Gilbert/Mulroney

Amendment 5: Councillors Woodley/Gilbert/Mulroney/Lamb

Amendment 6: Councillors Woodley/Gilbert/Mulroney

Council Budget – 2019/20

Budget amendment 1 to the proposed 2019/20 General Fund Revenue Budget

Proposed by Councillor Gilbert and Seconded by Councillors Mulroney and Woodley

£'s

Budget Amendment

General Fund Revenue budget

Selective Licensing Team 150,000

To introduce a private rented landlord licensing scheme for the most challenging wards in the centre of town. This is to cover properties in those wards up to 1,500 and not exceeding 20% of the total borough's private rented landlord properties, as required by regulation. The proposed charge would be for a five year period with the charging structure averaging at £500 per property. The scheme must be self-financing/cost neutral as required by Government and the cost of the team would be set at £150,000 pa but would need to be reflective of the income to be raised to ensure it is a self-financing/cost neutral scheme.

Total of budget amendment 150,000

That the additional increase in expenditure of £150,000 be offset as follows;

New Funding Proposal

Selective Licensing Income (150,000)

Income to be generated by applying a charge of £500 for each property to cover a five year period.

Total of funding proposal (150,000)

Chief Finance Officer (S151 Officer) statement pursuant to Standing Order 10.1(e)

I can confirm that as the Council's S151 Officer, that the proposal would not produce an unbalanced or unsound budget and that I am still able to state that the overall budget proposed is still sufficiently robust but challenging for approval by the Council.

Joe Chesterton

Strategic Director - Finance & Resources (S151 Officer)

20th February 2019

Council Budget – 2019/20

Budget amendment 2 to the proposed 2019/20 General Fund Revenue Budget and 2019/20 to 2023/24 General Fund Capital Budget

Proposed by Councillor Gilbert and Seconded by Councillors Mulroney and Woodley

£'s

Budget Amendment

General Fund Revenue budget

Free Swimming 20,000

To reintroduce free swimming on Wednesday mornings for those residents above pensionable age.

Capital Investment Programme

Street Lighting 16,000

To undertake a two year programme of street lighting infill at £125k per annum to deliver around 100 new lighting columns. Cost approximately £2.5k for each column including fitting. Expenditure relates to the required financing costs of borrowing £250k and minimal utility and maintenance costs.

Total of budget amendment 36,000

That the additional increase in expenditure of £36,000 be offset as follows;

New Funding Proposal

Tables and Chairs Licensing Fees (36,000)

To reintroduce the above fees as per the Fees and Charges schedule approved for the 2016/17 financial year (see attached schedule).

Total of funding proposal (36,000)

Chief Finance Officer (S151 Officer) statement pursuant to Standing Order 10.1(e)

I can confirm that as the Council's S151 Officer, that the proposal would not produce an unbalanced or unsound budget and that I am still able to state that the overall budget proposed is still sufficiently robust but challenging for approval by the Council.

Joe Chesterton

Strategic Director - Finance & Resources (S151 Officer)

20th February 2019

Council Budget – 2019/20

Budget amendment 3 to the proposed 2019/20 to 2023/24 General Fund Capital Budget

Proposed by Councillor Gilbert and Seconded by Councillors Mulroney, Woodley, Cox, Hadley, Ward and Chalk

£'s

Budget Amendment

Capital Investment Programme

Commercial Property Investment ~~7,500,000~~

To fund and own the freehold to two health centre developments at Shoeburyness and a site to be identified in the west of the borough. Both schemes would be financed by borrowing including the financing costs during the build period and then to be financed by an equivalent lease arrangement to meet at least the ongoing financing costs of the borrowing. This means there will be no revenue impact until the build is complete and the lease is in operation.

Subject to a viable business case for each centre allocating the required sums arising from the business cases to determine the final figures.

Total of capital budget amendment 7,500,000

Chief Finance Officer (S151 Officer) statement pursuant to Standing Order 10.1(e)

I can confirm that as the Council's S151 Officer, that the proposal would not produce an unbalanced or unsound budget and that I am still able to state that the overall budget proposed is still sufficiently robust but challenging for approval by the Council.

Joe Chesterton

Strategic Director - Finance and Resources (S151 Officer)

21st February 2019

Council Budget – 2019/20

Budget amendment 4 to the proposed 2019/20 to 2023/24 General Fund Capital Budget

Proposed by Councillor Woodley and Seconded by Councillors Gilbert and Mulroney

£'s

Budget Amendment

Capital Investment Programme

Extra Care Home 11,000,000

To develop and build an extra care home of 52 units and the Council to retain the freehold with Southend Care providing the extra care packages. The projected outlay of £11m is to be initially funded by borrowing including the financing costs during the build period and then to be financed by the sales of the built units. To be profiled accordingly in the capital investment programme once the full plans have been identified for the build programme.

Total of capital budget amendment 11,000,000

Chief Finance Officer (S151 Officer) statement pursuant to Standing Order 10.1(e)

I can confirm that as the Council's S151 Officer, that the proposal would not produce an unbalanced or unsound budget and that I am still able to state that the overall budget proposed is still sufficiently robust but challenging for approval by the Council.

Joe Chesterton

Strategic Director - Finance and Resources (S151 Officer)

20th February 2019

Council Budget – 2019/20

Budget amendment 5 to the proposed 2019/20 to 2023/24 General Fund Capital Budget

Proposed by Councillor Woodley and Seconded by Councillors Gilbert , Mulroney and Councillor Lamb

£'s

Budget Amendment

Capital Investment Programme

Tylers Avenue Car Park 0

To build a Multi Storey Car Park comprising of additional decking on Tylers Avenue with the capital investment financed by borrowing with associated income and running costs of the enlarged car park.

The scheme is to be subject to a viable business case and is to be added into the Capital Investment Programme under the heading of schemes subject to a viable business case.

Total of capital budget amendment 0

Chief Finance Officer (S151 Officer) statement pursuant to Standing Order 10.1(e)

I can confirm that as the Council's S151 Officer, that the proposal would not produce an unbalanced or unsound budget and that I am still able to state that the overall budget proposed is still sufficiently robust but challenging for approval by the Council.

Joe Chesterton

Strategic Director - Finance and Resources (S151 Officer)

21st February 2019

Council Budget – 2019/20

Budget amendment 6 to the proposed 2019/20 General Fund Revenue Budget and the proposed 2019/20 to 2023/24 HRA Capital Budget

Proposed by Councillor Woodley and Seconded by Councillors Gilbert and Mulroney

£'s

Budget Amendment

General Fund Revenue budget

Community Safety Team 100,000

To increase the capacity in the new Community safety team by a temporary increase of a further three officers for one year. This is to provide additional support at the weekend and evening for the Town Centre.

Parking Permits 25,000

To undertake a feasibility study to examine the impact of income and costs on the Council's budget of introducing a borough wide permit scheme for residents. This would be a set annual permit cost to allow seven day parking in Council car parks and Street parking for a nominal set amount and for a set amount of hours per day. For Blue Badge holders the permit would be free of charge.

Housing Revenue Account capital budget

Solar Panels 150,000

To ensure Council housing can benefit from the very latest energy efficiency measures – and for tenants to benefit from the increased warmth and fuel savings which such measures can bring – to agree to undertake a full assessment of the options available to provide energy efficiency measures for Council housing stock. This should include such things as solar panels, air source heat pumps and ground source heat pumps.

Making a provision for £150,000 in 2019/20 in the housing capital programme to carry out a comprehensive analysis would enable South Essex Homes to obtain the relevant specialist information and advice which could produce a plan and programme of works over the next few years to upgrade as many of our properties as possible with the latest innovative energy efficiency measures.

Not only would our own assets be improved but, vitally, our tenants would receive the benefit of warmer homes at much lower cost, we would be actively reducing the Council's carbon footprint could potentially even create an income from surplus electricity being fed back into the national grid.

Total of budget amendment 275,000

That the additional increase in expenditure of £275,000 be offset as follows;

New Funding Proposal

Community Safety Team (100,000)

This one-off funding for temporary staffing to be met from the Business Transformation Reserve

Parking Permits (25,000)

This one-off funding for a feasibility study to be met from the Business Transformation Reserve

Solar Panels (150,000)

This capital investment to be funded from the HRA capital investment reserve

Total of funding proposal (275,000)

Chief Finance Officer (S151 Officer) statement pursuant to Standing Order 10.1(e)

I can confirm that as the Council's S151 Officer, that the proposal would not produce an unbalanced or unsound budget and that I am still able to state that the overall budget proposed is still sufficiently robust but challenging for approval by the Council.

Joe Chesterton

Strategic Director - Finance & Resources (S151 Officer)

20th February 2019

Tables and Chairs - 2019/20**£**

Annual Licensing Fee

1 table	160
2 tables	320
3 tables	480
4 tables	640
5 tables	800
6 tables	960
7 tables	1,120
8 tables	1,280
9 tables	1,440
10+ tables	1,600

Seasonal Licensing Fee (April to September)

1 table	120
2 tables	240
3 tables	360
4 tables	480
5 tables	600
6 tables	720
7 tables	840
8 tables	960
9 tables	1,080
10+ tables	1,200

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Amendment to be proposed by Cllr Gilbert and seconded by Cllr Courtenay

That the following addition be made to the recommendations in Minutes 699 (5) of Cabinet and 714 (5) of Policy & Resources Scrutiny Committee:-

- (i) *Any profit accruing from being the senior lender to the LLP be swiftly invested in affordable housing to rent (at or below Local Housing Allowance (LHA) rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;*
- (ii) *Any surplus from the Better Queensway scheme returning to the Council be swiftly invested in affordable housing to rent (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the setting of a robust balanced budget;*
- (iii) *That the Council's representatives on the Board of the LLP seek to actively maximise the current affordable housing to rent numbers (at or below LHA rates on a continuous basis, over which the Council has nomination rights) with due regard to the viability and deliverability of the scheme*

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