### **Public Document Pack**

## Southend-on-Sea Borough Council

**Department of the Chief Executive** 

John Williams - Director of Democratic & Legal Services

Our ref:Rh/CouncilYour ref:13th April 2017Date:13th April 2017Contact Name:Robert Harris

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Dear Councillor,

#### THE COUNCIL - THURSDAY, 20TH APRIL, 2017

I attach a copy of the supplementary pack containing the following items which were not available when the Council went to print. I would remind Members that the reservation of any minute for debate should be notified to the committeesection@southend.gov.uk by no later than noon on the day of the Council meeting, **including any Black-lined Minutes**, in accordance with Council Procedure Rule 7.4.

Agenda Item

No

- 19 <u>Minutes of the meeting of Development Control Committee held on</u> <u>Wednesday, 5th April 2017</u> (Pages 1 - 14) – Minutes attached
- 20 <u>Minutes of the Licensing Sub Committee B held on Thursday 6th April 2017</u> (Pages 15 - 16) – Minutes attached
- 21 <u>Minutes of the meeting of Special People Scrutiny Committee held on</u> <u>Thursday, 6th April 2017</u> (Pages 17 - 20) – Minutes attached
- 22 <u>Minutes of the meeting of Licensing Sub Committee A held on Friday, 7th</u> <u>April 2017</u> (Pages 21 - 22) – Minutes attached
- 23 <u>Minutes of the meeting of Place Scrutiny Committee held on Monday, 10th</u> <u>April 2017</u> (Pages 23 - 32) – Minutes attached
- 24 <u>Minutes of the meeting of People Scrutiny Committee held on Tuesday, 11th</u> <u>April 2017</u> (Pages 33 - 38) – Minutes attached
- 25 <u>Minutes of the meeting of Policy & Resources Scrutiny Committee held on</u> <u>Wednesday, 12th April 2017</u> (Pages 39 - 44) – Minutes attached

Robert Harris Principal Democratic Services Officer Legal & Democratic Services





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#### SOUTHEND-ON-SEA BOROUGH COUNCIL

#### Meeting of Development Control Committee

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

# Present:Councillor F Waterworth (Chair)<br/>Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton,<br/>M Butler, T Callaghan, F Evans, N Folkard, J Garston, R Hadley,<br/>A Jones, C Mulroney, D Norman MBE, P Van Looy and C Walker

In Attendance: Councillor J Lamb (for Minute 913) and D Burzotta (for Minute 920) J K Williams, P Geraghty, K Waters, C Galforg, M Warren, I Harrison and F Abbott

**Start/End Time:** 14.00 / 15.30

#### 913 Councillor Mr M Assenheim

The Committee stood in silent tribute in memory of Councillor Mike Assenheim, who had sadly passed away earlier in the week following a suspected heart attack.

#### 914 Apologies for Absence

There were no apologies for absence.

#### 915 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillor Mulroney agenda item relating to TPO 1/2017 29 Hadleigh Road, Leigh-on-Sea, SS9 2DY - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);
- (b) Councillor Van Looy agenda item relating to 16/01901/FUL 1 Mayfair Place, Southend-on-Sea, SS1 2FR - Non-pecuniary interest: Knows the applicant;
- (c) Councillor Ayling agenda item relating to 16/01901/FUL 1 Mayfair Place, Southend-on-Sea, SS1 2FR - Non-pecuniary interest: Knows the applicant;
- (d) Councillor Ayling agenda item relating to 16/02194/FULM Shoeburyness High School, Caulfield Rd, Shoeburyness, SS3 9LL - Nonpecuniary interest: Son works in department at school;
- (e) Councillor D Garston agenda item relating to 17/00362/FUL The Shore, 22-23 The Leas, Westcliff-on-Sea Non-pecuniary interest: Neighbour is known to him.

#### 916 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.

#### 917 TPO 1/2017 - 29 Hadleigh Road, Leigh-on-Sea (Leigh Ward) Proposal - Tree Preservation Order 01/2017 Applicant: Mr Jeremy Holmes Agent: N/A

The Committee considered a report by the Deputy Chief Executive (Place). This asked the Committee to consider whether to confirm the provisional Tree Preservation Order (TPO 01/17) at 29 Hadleigh Road, Leigh on Sea. The provisional TPO provides temporary protection for the trees for period of 6 months. If it is confirmed it will become permanent if it not confirmed then it will lapse.

Resolved:

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

Informative – further works to the tree will require the consent of the LPA.

#### 918 16/02194/FULM - Shoeburyness High School, Caulfield Road, Shoeburyness (West Shoebury Ward) Proposal: Demolish existing outbuildings and classroom, erect two storey block to form classrooms and dining hall with balcony to west elevation at first floor and form 26 additional parking spaces Applicant: Shoeburyness High School Agent: The Draughtsman

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 Location plan; SHS/NAK/05 Revision 5; SHS/NAK/06 Revision C; SHS/NAK/01 Revision C; SHS/NAK/02 Revision C; SHS/NAK/03 Revision C; SHS/NAK/04 Revision C; SHS/NAK/05 Revision B; SHS/NAK/06 Revision B; SHS/NAK/07 Revision C.

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

03 The development shall be carried out in accordance with the details set out in the materials and landscaping schedule received on the 22.02.2017 including north elevation- main wall panels Trespa Meteon colour silver grey, windows Comar 5Pi window system colour white, face brickwork to lower wall Ibstock 65mm Bristol Buff, Face brickwork to lower wall 65mm Staffs Slate Blue engineering brick; east elevation-, brick fashion wall panels to be Trespa Meteon in silver grey, winter grey, pure white; face brickwork to lower wall Ibstock 65mm 0657 Bristol buff multi, face brickwork to lower wall Ibstock 65mm Staffs Slate Blue engineering brick, entrance portal white painted sand and cement render; south elevation-main wall panels to be Trespa Meteon colour silver grey; west elevation- windows to be Comar 5Pi window and door system, colour white, exposed steelwork carried out in accordance with BS 5493; brise soleil aluminium aerofoil profile powder coated white; curved roof Kingspan panels product KS1000CR colour grey, soffit and fascia to be white powder coated plastol sheet profile to suit curved roof radius, glass balustrading to be toughed clear glass and tubular stainless steel frame 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 surrounding locality. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) 2015 policy DM1 and SPD1 (Design and Townscape Guide).

04 All planting in the approved landscaping as shown on drawings 'SHS/NAK/006 and the materials and landscaping schedule received on the 22.02.2017 shall be carried out within the first planting season following first occupation of the development. 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 is agreed with the local planning authority.

05 The car parking spaces shall be provided before the development is occupied in accordance with drawing SHS/NAK/06 Revision C hereby approved and shall thereafter be permanently retained, unless otherwise agreed in writing by the local planning authority. Permeable paving shall be used for the hardstanding area.

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

06 Prior to occupation of the development hereby approved details of the 50 bicycle parking spaces to be provided at the site should be submitted to and agreed in writing by the Local Planning Authority and the bicycle parking spaces shall be provided prior to the occupation of the building and permanently maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure adequate cycle storage in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) policy DM15.

07 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, NPPF, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

08 A scheme detailing how at least 10% of the total energy needs of the new building 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 in accordance with the approved details prior to the first occupation of the building. 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 A full asbestos survey shall be carried out by a suitably qualified person on the building(s) to be demolished. Any asbestos containing material (ACM) must be removed and disposed off site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.

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

10 Demolition and construction hours of work associated with this permission are restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday. No demolition or construction shall be carried out on Sundays or Bank Holidays.

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

11 Full details of mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the construction and demolition works associated with this permission must be submitted in writing for approval by the local planning authority prior to demolition or construction commencing and these must take into considered control measures detailed in *Best Practice Guidance "The control of dust and emissions from construction and demolition"*. The development shall be implemented in accordance with the approved details.

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

12 No development shall commence until details including a management and maintenance plan of the sustainable drainage system features to be installed at the site have been submitted to and agreed by the local planning authority. The sustainable drainage system shall be provided prior to the occupation of the development and be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

Informatives:

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

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

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

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.

#### 919 16/01901/FUL - 1 Mayfair Place,Southend-on-Sea, Essex (Thorpe Ward) Proposal: Erect two storey side extension to form terraced house and layout parking Applicant: Stockvale Properties Limited Agent: SKArchitects

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: P01 Revision D; P04 Revision B; P05.

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

03 The ground floor levels shall be provided at a minimum level of 3.3m AOD.

Reason: To minimise the impact of flooding upon the building and to provide refuge above the flood level during the extreme flood event in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy.

04 The first floor levels shall be provided at a minimum level of 6.2mAOD

Reason: To minimise the impact of flooding upon the building and to provide refuge above the flood level during the extreme flood event in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy.

05 No development shall take place until a site investigation of the nature and extent of land 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 before development commences. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any further 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 before the development is occupied. The remediation of the site shall incorporate the approved further measures before the development is occupied.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to DPD2 (Development Management document) policy DM14.

06 Prior to the commencement of the development hereby approved, details of the external materials to be used in the construction of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall subsequently be used in the construction of the dwelling hereby approved 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).

07 The dwelling shall not be occupied until the parking has been laid out, in accordance with the approved plans, such provision shall be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order).

Reason: To ensure that satisfactory off-street car parking is provided for occupants of the new dwelling and in the interests of residential amenity and highway efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, CP3, policy DM15 of the Development Management Document and SPD1 (Design and Townscape Guide).

08 The first floor level windows to the west elevation of the dwelling 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 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 development is occupied. 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 obscured glazing shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

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

09 Prior to occupation of the dwellinghouse hereby approved details of the refuse storage and cycle storage, to be provided at the site, shall be submitted to and agreed in writing by the local planning authority. The approved refuse and cycle storage shall be installed in accordance with the approved details before the development is occupied and be permanently retained thereafter.

Reason: To protect the environment and to ensure adequate waste and cycle storage in the interests of highway safety, visual and residential amenity and general environmental quality in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) policies DM8 and DM15.

10 No development shall take place until full details of both hard and soft landscape works to be carried out at the site, including the trees to be retained on the western boundary 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 levels or contours;

ii. means of enclosure, including any gates to the car parks;

- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;

vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.); vii. details of SUDS;

viii. details of the number, size and location of the trees, shrubs and plants to

be retained and planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established; ix. details of measures to enhance biodiversity within the site;

x. tree protection measures to be employed during demolition and construction; xi. means of enclosure

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

11 A Landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscape management plan shall be implemented as approved.

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

12 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).

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

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

14 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 protect the privacy and environment of people in neighbouring residential properties and ensure sufficient amenity space is retained for future

occupiers pursuant to DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

15 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).

16 Construction and demolition shall only take place between 0730 and 1800 Monday to Friday, 0800 and 1300 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: In the interests of the character and amenity of the area in accordance with NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (Development Management Document) policy DM1.

17 Prior to commencement of construction of the dwelling hereby approved, the existing fence and wall along the western boundary of the site shall be removed and details of a resited replacement boundary treatment shall be submitted to and agreed in writing by the local planning authority. The approved boundary treatment shall be implemented as approved prior to first occupation of the dwelling hereby approved and retained in perpetuity thereafter.

Reason: To maintain adequate access to the existing and proposed dwellings and in the interests of the character of the area and amenities of occupiers in accordance with NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (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 within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative:

01 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 <u>www.southend.gov.uk/cil</u>.

# 920 17/00362/FUL - The Shore, 22 - 23 The Leas, Westcliff-on-Sea (Chalkwell Ward) Proposal: Layout 16 car parking spaces to rear and install replacement entrance gate and acoustic fencing (Amended Proposal). Applicant: The Shore Limited Agent: Daniel Watney LLP

Planning Permission REFUSED for the following reasons:-

01 The proposed development, by reason of the resultant traffic generation, would cause an unacceptable level of noise and disturbance to neighbouring residents, in particular in Grosvenor Mews, contrary to the National Planning Policy Framework, Policy CP4 of the Core Strategy, Development Management Document Policy DM1 and the Design and Townscape Guide.

02 The proposed development, by reason of the narrow width of the vehicular access and the resultant conflicts between vehicular and pedestrian movements and associated traffic generation, would be detrimental to highway safety and the efficiency of the local highway network, contrary to the National Planning Policy Framework, Policy CP3 of the Southend Core Strategy and policy DM15 of the Southend Development Management Document.

03 The proposed development would result in an unacceptable loss of amenity space resulting in a poor environment for occupants thereof contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies DM1 and DM8 of the Development Management Document and advice contained within the Design and Townscape Guide.

921 17/00208/OUT - 69 The Fairway, Leigh-on-Sea (Belfairs Ward) Proposal: Erect first floor extension to form two storey building, install

dormer to side, alter elevations and convert building into four self contained flats (Outline)

#### Applicant: Regan Services Limited Agent: Domino Sky Building Design Limited

Outline Planning Permission REFUSED for the following reasons:-

01 The introduction of flats would be out of keeping with and harmful to the established character and appearance of this road, which is characterised by houses. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Southend-on-Sea Core Strategy Policies KP2 and

CP4 (2007), Southend-on-Sea Development Management Document Policies DM1 and DM3 (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 The proposed development would lead to increased activity at this site and the generation of additional traffic and vehicle movements, at a location where this intensively used road bends, creating conditions that are prejudicial to the free flow of traffic and highway safety. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Southend-on-Sea Core Strategy (2007) Policies KP2 and CP3 and Southend-on-Sea Development Management Document Policies DM1, DM3 and DM15.

#### 922 17/00406/BC3 - Pier Amusement Arcade, The Pier, Western Esplanade, Southend-on-Sea (Milton Ward) Proposal: Change of use of Amusement Arcade to Pier entrance, increase height and install roof lights, alter elevations and install access ramp and replace part of existing fence. Applicant: Southend on Sea Borough Council Agent: N/A

DELEGATED to the Deputy Chief Executive (Place), Group Manager, Planning & Building Control, to grant Planning Permission following expiry of the public consultation period and subject to the following conditions:

01 The development hereby permitted shall begin not later than 3 (three) years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1464/01; 1464/02; 1464/03A; 1464/04

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

03 No development shall take place until details and samples of the facing materials to be used, including the window frames and doors and brick plinth, HPL cladding timber cladding and details of the rooflight product 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 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 listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

04 No development shall take place until details of the kiosk servery including depth of framing, associated signage, materials and lighting at a scale of not more than 1:20 have been submitted to and approved by the Local Planning

Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

05 No development shall take place until details of the kiosk servery including depth of framing, associated signage, materials and lighting at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

06 No development shall take place until details of the terrace at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority including detailed design, materials, furniture and any balustrading or proposed planting. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

07 No signage shall be displayed on the building until details of the signage at a scale of not more than 1:20 including details of materials and illumination have been submitted to and approved by the Local Planning Authority, the signage shall be displayed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

08 Prior to commencement of development details of any illumination, including luminance and direction of lighting and hours of illumination, shall be submitted to and approved by the Local Planning Authority, the building shall be illuminated only in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area and to protect biodiversity in accordance with DPD1 (Core Strategy) policies KP2 and CP4. This is as set out in the DPD1 (Core Strategy)

2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1 and DM5, DM6 and SPD1 (Design and Townscape Guide).

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

Informative:

01 The applicant is reminded that Listed Building Consent is also required for this development.

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#### SOUTHEND-ON-SEA BOROUGH COUNCIL

#### Meeting of Licensing Sub-Committee B Date: Thursday, 6th April, 2017 Place: Committee Room 1 - Civic Suite

Present:	Councillor R Hadley (Chairman)
	Councillors M Butler and C Mulroney

**In Attendance:** Mr R Harris, Mr A Smith, Mr M Newton and Mr L Coombs.

Start/End Time: 9.30 - 11.50 am

#### 923 Apologies for Absence

There were no apologies for absence at this meeting.

#### 924 Declarations of Interest

There were no declarations of interest at this meeting.

#### 925 Application for Review of Premises Licence - Paso Wines, 208 London Road, Southend-on-Sea, Essex

The Sub Committee considered a report of the Deputy Chief Executive (Place) concerning an application by Essex Police for a review of the premises licence in respect of Paso Wines, 208 London Road, Southend-on-Sea, Essex.

PC Hemsworth of the Police Licensing Unit attended the hearing and presented the application for review. Mr A Penn of the Licensing Authority was also in attendance and made representations in support of the application for review of the licence. Sergeant D Jon and PC P Barron were also in attendance and gave evidence.

Mr Karakas (licensee/Designated Premises Supervisor) together with Mr M Smith (legal representative) also attended the hearing to make their representations against the application for the review of the licence.

The Sub Committee found that the licensee was in breach of his premises licence in that 7 out of the 11 conditions had been breached and the licensee had failed to uphold the licensing objectives relating to the prevention of crime and disorder and the protection of children from harm. The Sub Committee took this matter extremely seriously and therefore:

Resolved:

That the premises licence in respect of Paso Wines, 208 London Road, Southend-on-Sea, Essex be revoked.

Chairman:

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#### SOUTHEND-ON-SEA BOROUGH COUNCIL

#### Meeting of People Scrutiny Committee

#### Date: Thursday, 6th April, 2017 Place: Committee Room 1 - Civic Suite

#### 21 Present: Councillor J Moyies (Chair) Councillors C Nevin (Vice-Chair), M Borton, H Boyd, S Buckley, C Endersby, A Jones, D McGlone, C Mulroney, G Phillips, M Stafford and C Walker L Crabb (co-opted member)

In Attendance: Councillors Salter (Executive Councillor) Councillors McDonald and Ware-Lane F Abbott, J Lansley and Dr Atherton E Feddon and N Ahmed – Youth Council observers

Start/End Time: 6.00 - 9.15 pm

#### **Apologies for Absence** 926

At the start of the meeting the Chairman announced the sad news that Councillor Mike Assenheim had passed away very suddenly and that his funeral had been held earlier in the day.

Apologies for absence were received from Councillors Arscott, Butler, D Garston and Habermel (no substitutes), Ms E Lusty, Ms A Semmence and Mr M Rickett (co-opted members).

The Chairman welcomed the new Youth Mayor, Edward Feddon and Nadia Ahmed, Deputy Youth Mayor, to the meeting.

#### **Declarations of Interest** 927

The following interests were declared at the meeting:-

- (a) Councillor Salter - agenda item relating to Success Regime - nonpecuniary 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 Nevin agenda item relating to Success Regime non-pecuniary (b) - 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area

#### Questions from Members of the Public 928

There were no questions received from members of the public.

# 929 Mid and South Essex Sustainability and Transformation Plan and Success Regime

Further to Minute 574 from the special meeting held on 20<sup>th</sup> December 2016, the Chairman welcomed the following health representatives to the meeting for this item:-

- Dr Celia Skinner Group Medical Director for Basildon, Broomfield and Southend Hospitals
- Ian Stidston Accountable Officer, Castle Point and Rochford and Southend CCGs
- Dr Anita Donley Independent Chair, Mid and South Essex Success Regime
- Wendy Smith Communications Adviser to Mid and South Essex Success Regime

Yvonne Blucher, Managing Director Southend University Hospital NHS Foundation Trust was also present for the item.

The Committee considered a report from the Programme Director, Mid and South Essex Success Regime which provided an update on the progress of the Success Regime (SR) and Sustainability and Transformation Plan (STP) and also received a detailed update presentation on a number of issues / developments, including:

- Current system fragmented, over reliant on hospitals which is unaffordable
- Southend localities overview
- Building capacity in local services
- Complex care initiative
- Broomfield, Southend, Basildon Hospitals and rationale for change no change for existing centres of excellence and majority stays local. A&E will continue at all 3 sites for the majority of patients (and will be front door 24/7 for every walk in patient)
- Outlined possible options & current thinking Option 2A Southend be cancer centre, local emergency centre, centre for planned care - Option 1A – Southend be cancer care, emergency centre elective surgery
- Both options will go to pre consultation business case, to be signed off by CCG Trust Boards and public consultation later in year (October)
- Continuing engagement with local people

This was followed by Q&A from the members of the Committee, covering a number of issues:

- (a) Localities / primary care developments
- (b) Hospital services and reconfiguration
- (c) A&E & options
- (d) General issues on overall plan, data sharing, transport, recruitment, workforce, role of voluntary sector

In summary, the Chairman said that health must be clearer in their communications and need to be more precise in language and about what they are describing. There has to be clarity on governance and responsibility for delivery and outcomes; residents need to have a very clear and truthful account of what changes are actually proposed for A&E at Southend hospital. Members

need to see the clinical evidence that is underpinning the proposals and models and need to see a clear plan for patient data sharing and clarity of who is responsible for delivering the data plan for this area and when.

The Committee welcomed the suggestion for further meetings going forward and also for the Ambulance Trust to be invited to future meetings. The Ambulance Trust have also offered the opportunity for members to visit the Operations Control Room.

Resolved:

- 1. That the representatives be thanked for the informative presentation and update.
- 2. That the Ambulance Trust be invited to a future meeting of the Committee when the STP / Success Regime is considered.
- 3. That a meeting of the Committee be arranged for early in the next Municipal Year to consider the pre consultation business case.

Note:- This is a Scrutiny Function.

#### 930 Southend University Hospital NHS Foundation Trust

This item was deferred to a future meeting.

Chairman:

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#### SOUTHEND-ON-SEA BOROUGH COUNCIL

#### Meeting of Licensing Sub-Committee A

Date: Friday, 7th April, 2017 Place: Committee Room 1 - Civic Suite 22

- Present:Councillor D McGlone (Chair),<br/>Councillors D Jarvis and D Kenyon
- In Attendance: Councillor J Garston A Brown, T Row, M Newton and R Layzell

**Start/End Time:** 10.00 am - 1.10 pm

#### 931 Apologies for Absence

There were no apologies for absence.

#### 932 Declarations of Interest

No interests were declared at the meeting.

#### 933 Seven Hotel, 7 Clifton Terrace, Southend-on-Sea, Essex, SS1 1DS -Application for the Grant of Premises Licence

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application made by Seven Hotels Ltd for the grant of a Premises Licence in respect of Seven Hotel, 7-9 Clifton Terrace, Southend-on-Sea, Essex, SS1 1DT.

The Application was presented by the applicant's solicitor, Mr S Thomas. Mr S Chickte, the Designated Premises Supervisor, was also in attendance.

The sub-committee noted that no letters of objection to this application were received from the Responsible Authorities and measures have been agreed between the applicant and Essex Police and the Licensing Authority as set out in Appendix 3 to the report of the Deputy Chief Executive (Place) should the application be granted.

Representations had however, been received from twenty one local residents and one of the Ward Councillors. Four of those residents, namely Mr Harrison, Mr Kirschner and Mr & Mrs Feakes attended the hearing. Only Mr Harrison and Mr Kirschner spoke and gave evidence at the hearing. Councillor J Garston also attended the hearing and gave evidence. He also spoke on behalf of a number of the other residents who were unable to the hearing.

The residents' concerns focussed on the licensing objectives of the prevention of crime and disorder and prevention of public nuisance and, in particular, noise nuisance as the premises was located in a residential conservation 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 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 set out in Appendix 2 to the report of the Deputy Chief Executive (Place),

(iii) The conditions set out in Appendix 3 to the report to the Deputy Chief Executive (Place) agreed between the applicant and the Essex Police and the Licensing Authority, subject to the following amendment to condition 5:

"A 'challenge 25' scheme shall be adopted whereby any persons who appear under the age of 25 are challenged for proof of age. The only acceptable forms of ID shall be a Passport, card style driving licence, UK forces ID card and any 'PASS' accredited card."

(iv) The following additional conditions:-

(a) 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.

(b) A notice shall be prominently displayed advising departing customers to leave the premises quietly and to close their car doors quietly.

(c) At least one director or the duty manager of the hotel shall be on the premises at all times between the hours of 10.00 a.m. until one hour after the terminal hour for the sale of alcohol to non-residents.

(d) A contact telephone number shall be clearly displayed on the hotel's website, should a member of the public wish to discuss any matter relating to the premises.

Chairman:

#### SOUTHEND-ON-SEA BOROUGH COUNCIL

#### Meeting of Place Scrutiny Committee

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

# 23

- Present:Councillor K Robinson (Chair)<br/>Councillors P Wexham (Vice-Chair), A Bright, D Burzotta,<br/>T Callaghan, M Davidson, F Evans, N Folkard, J Garston,<br/>S Habermel, D Jarvis, D Kenyon, H McDonald, D McGlone, M Terry<br/>and C Willis
- In Attendance: Councillors T Cox, M Flewitt, A Holland and J Lamb (Executive Councillors) Councillors C Mulroney and J Ware-Lane A Lewis, J K Williams, E Cooney, P Mathieson, T MacGregor C Burr, and T Row

**Start/End Time:** 6.30 p.m. - 8.45 p.m.

#### 944 Councillor Assenheim

The Committee stood in silent tribute in memory of Councillor Mike Assenheim, who had sadly passed away last week.

#### 945 Apologies for Absence

There were no apologies for absence.

#### 946 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors Cox, Flewitt, Holland and Lamb (Executive Councillors) – interests in all the called-in/referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

(b) Councillor Burzotta – Agenda Item No. 7 (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;

(c) Councillor Callaghan – Agenda Item No. 7 (Better Queensway: Process to appoint a preferred project partner) – Non-pecuniary interest: Friends are tenants of South Essex Homes Ltd;

(d) Councillor Davidson – Agenda Item No. 7 (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;

(e) Councillor Flewitt – Agenda Item No. 7 (Better Queensway: Process to appoint a preferred project partner) – Non-pecuniary interest: Friends and family are tenants of South Essex Homes Ltd;

(f) Councillor Holland – Agenda Item No. 5 (Monthly Performance Report: page 37 item (d)) – Non-pecuniary interest: Member of the Forum Board;

(g) Councillor Holland – Agenda Item No.6 – North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Proposed Council appointee to the Board;

(h) Councillor Lamb – Agenda Item No.6 – North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Director of Leigh Port Partnership;

(i) Councillor Mulroney – Agenda Item No.6 – 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;

(j) Councillor Terry – Agenda Item No.6 – North Thames Fisheries Local Action Group (FLAG) – Non pecuniary interest: Contacts and friends in the fishing industry; and

(k) Councillor Wexham – Agenda Item No.6 – North Thames Fisheries Local Action Group (FLAG) – Disqualifying non-pecuniary Interest – Director of Leigh Port Partnership (withdrew).

#### 947 Questions from Members of the Public

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

#### 948 Minutes of the Meeting held on Monday 23rd January 2017

#### Resolved:-

That the Minutes of the Meeting held on Monday 23<sup>rd</sup> January 2017 be received, confirmed as a correct record and signed.

#### 949 Monthly Performance Report (MPR)

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

Resolved:-

That the report be noted.

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

#### 950 North Thames Fisheries Local Action Group (FLAG)

The Committee considered Minute 863 of the meeting of Cabinet held on 14th March 2017, which had been called-in to Scrutiny, together with the report of the Deputy Chief Executive (Place) providing an update on the establishment of the North Thames Fisheries Local Action Group (FLAG).

The North Thames FLAG had been awarded £800k over 3 years (2017-2020) to deliver a range of projects against their 5 priority themes.

Resolved:-

That the following decisions of Cabinet be noted:

"1. That the North Thames Fisheries Local Action Group (FLAG) be supported given its potential to make a positive impact on the fisheries sector locally.

2. That the draft Partnership Agreement, as set out in Appendix 1 to the submitted report, be approved in principle and that authority be delegated to the Director of Regeneration and Business Development in consultation with the Portfolio Holder for Culture, Tourism and the Economy to agree the final Partnership Agreement and sign it on behalf of the Council.

3. That FLAG capital projects be forward funded by the Council up to a maximum of £120,000 p.a. (inc VAT) over 3 years which will be fully repaid in arrears and that authority be delegated to the Director of Finance and Resources and Director of Regeneration and Business Development in consultation with the Portfolio Holder for Culture, Tourism and the Economy to agree any financial contribution to the FLAG by the Council on a case by case basis.

4. That the initial Leigh Port feasibility study be funded by the Council at a total cost of £65k to be funded from the Business Transformation reserve which will be reimbursed by the FLAG in arrears following MMO approval.

5. That existing funding which is already within the Council's budget for related projects is used as match funding and/or to lever additional investment for FLAG projects where appropriate and relevant."

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

#### 951 Better Queensway: Process to appoint a preferred project partner

The Committee considered Minute 892 of the meeting of Cabinet held on 28th March 2017, which had been referred direct to Scrutiny by Cabinet, together with the report of the Deputy Chief Executive (Place) which sought approval to progress the Better Queensway project to procurement stage to identify a preferred partner(s) and set out a series of processes that need to be undertaken in order to meet the proposed procurement timetable. The Committee also received a Powerpoint presentation which summarised the traffic modelling for the scheme and the preferred option for the road transport layout.

Resolved:-

1. That the following recommendations of Cabinet be noted:

"1. That the following key elements be included in the procurement documentation to set out the Council's ambitions, parameters and expectations of Better Queensway and to enable the procurement process:

#### Finance

(i) That the intention for the Council to act as senior lender be approved and included in the procurement documentation while clearly stating that the Council will assess the position at the time to ensure that this meets the Council's best interests.

#### Procurement

(i) That Competitive Dialogue be approved as the procurement approach to securing a preferred project partner(s).

(ii) That commencement of the competitive dialogue process, based on the timetable set out in paragraph 5.4 of the submitted report, be approved.

(iii) That the term "Partnership Approach" be used in defining the approach to be developed by tenderers in response to the Council's objectives and that this be used throughout the procurement documentation.

(iv) That the proposed Better Queensway objectives/requirements be approved, in principle, as an appropriate and comprehensive set of underpinning statements to be included in procurement documentation and to form the basis for evaluation questions and that the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to refine and confirm the final objectives and requirements.

(v) That the outline evaluation criteria and weightings be approved, in principle, and that the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to refine and confirm the final evaluation criteria.

#### Governance

(i) That a sponsoring group be established within the project structure including the Leader of the Council, Portfolio Holder for Culture, Tourism and the Economy, Chief Executive, Deputy Chief Executive (Place) and Deputy Chief Executive (People).

(ii) That the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, in the context of the sponsoring group, to take decisions during the procurement process to ensure agile and timely

decision making keeping the procurement to timetable and protecting the Council's position.

(iii) That the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, and the Director of Finance and Resources to negotiate to purchase residential and commercial properties which become available within the 'Better Queensway' site if this offers value for money and proves to be advantageous to the project.

#### Planning

(i) That the draft site boundary, as per the plan set out in Appendix 1 to the report, be approved as the preferred regeneration area for which a partner(s) is sought but in order that adjustments, which may be required to optimise the final scheme, can be made the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to approve the final site.

(ii) That a preference for buildings of no more than 12 storeys is reflected in the procurement documentation.

(iii) That a preference for a minimum of 1:1 residential parking is reflected in the procurement documentation.

(iv) That the outline for the Design Code be approved and authority delegated to the Deputy Chief Executive (Place), in consultation with the Portfolio Holder for Housing, Planning and Public Protection Services to approve the final document.

(v) That the demolition of the towers, as per the decision taken at Cabinet in September 2016 (Minute 261, item 4 refers), be approved as a minimum criterion in the procurement documentation.

#### Housing

(i) That a minimum of 441 affordable homes is included in the specification and that the composition of tenancy type for the remaining housing units (private sale and private rented) is finalised through competitive dialogue.

(ii) That the overall total number of housing units to be provided on the scheme, subject to compliance with Council planning policies, will be finalised through competitive dialogue.

(iii) That a viable mix of 1, 2 and 3 bed residences will be developed as part of the overall Better Queensway scheme and finalised through competitive dialogue.

(iv) That Assured Tenancies, containing the same terms and conditions as current Secure Tenancies, must be offered to returning current Council tenants.

(v) That the option of offering a 'Right To Buy' clause for returning Council tenants should be retained.

(vi) That the partnership approach procured should entail the whole funding, development and management approach for all elements of the Better Queensway scheme (affordable, private, commercial and community).

(vii) That the Council's tender documentation encourages tenderers to consult with South Essex Homes (SEH) as the Council's existing Arm's Length Management Organisation (ALMO) and managers of the Council's existing housing stock with regards to their approach to the scheme.

#### Transport

(i) That the plan, as set out in Appendix 2 to the report, be approved as the preferred road transport layout for the regeneration area but in order that adjustments can be made, which may be required to optimise the road layout, authority be delegated to the Deputy Chief Executive (Place), in consultation with the Portfolio Holder for Transport and Waste, to approve the final layout.

Land

(i) That land and premises outside the Council's ownership, but which may be of strategic significance for the project, are identified and considered on a case by case basis for acquisition.

#### Communication

(i) That the communication and engagement activity includes the wider resident base, business community and stakeholders.

(ii) That a general public awareness event be held prior to the submission of an outline planning application.

#### Quality of Place

(i) That a sustainable energy and environment approach is taken in the design and development of Queensway, to be determined by the market.

(ii) That a Smart Cities approach is taken in regards to Queensway, designing in current and future-proofed capability to ensure that the site benefits from cutting-edge technology for the benefit of residents, businesses and in its management.

(iii) That local skills and employment benefits be sought where possible from the design, development and delivery of Queensway.

(iv) That external funding be sought for as many elements of the project as possible noting that external funding often requires match funding which may be able to be found in the partnership, but which may need to come back to Cabinet for approval as part of future budget rounds.

(v) That the principle of a community fund, to maximise participative community development and integration, be included in the procurement documentation for development through competitive dialogue.

(vi) That roads surrounding the regeneration site (excluding primary highway roads) are considered for 'home zone' or equivalent treatment.

2. That, on the basis of the objectives, expectations and processes set out in 1 above, commencement of the procurement process in accordance with the timetable set out, be approved.

3. That a further £1.25m financial support to the project, as set out in paragraph 15.2 of the report, be approved.

4. That in agreeing the additional financing for the project there is approval for an addition to the capital programme of  $\pounds$ 1m and an adjustment to reserves of  $\pounds$ 0.25m to fund these costs.

5. That it be noted that the costs of any Sustainable Urban Drainage System (SUDS) interventions and relevant highways works beyond those directly related to the project be considered as part of the review of the Capital Programme in the 2018/19 budget setting.

6. That it be noted that there may be additional funding requests for the Capital Programme in respect of commercial and residential acquisitions during 2017/18.

7. That the status of the financial viability of the project as, set out in paragraphs 4.1 to 4.3 of the report, be noted."

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

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

#### 952 Revocation of Pier Cycling Byelaw

The Committee considered Minute 893 of the meeting of Cabinet held on 28th March 2017, which had been referred direct to Scrutiny by Cabinet, together with the report of the Deputy Chief Executive (Place) requesting that consideration to be given to the proposed revocation of byelaw 18 of the Council byelaws regulating and governing the riding or use of bicycles or other wheeled vehicles on Southend Pier.

Resolved:-

1. That the following recommendation of Cabinet be noted:

"That authority be given for the preparation of all necessary draft orders, undertaking of consultation and to seek confirmation of the Secretary of State for the Department of Communities and Local Government where required to enable members to determine whether or not to revoke byelaw 18."

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

Note: This is a Council function Executive Councillor: Holland

# 953 In-depth Scrutiny Project - 'To investigate the case for additional enforcement resources for Southend'

The Committee considered a report by the Chief Executive which sought formal approval to the draft final report and recommendations from the joint in-depth scrutiny project with the Policy & Resources Scrutiny Committee for 2016/17 entitled 'To investigate the case for additional enforcement resources for Southend'.

Resolved:-

1. That, subject to concurrence of the Policy & Resources Scrutiny Committee, the draft report and the recommendations from the in-depth scrutiny project be endorsed for submission to Cabinet, with the amendment to recommendation 1.2 to include the words "with the support of the Police & Crime Commissioner for Essex" to the end of the recommendation.

2. That the Chairman of the Policy & Resources Scrutiny Committee, in consultation with the Chairman of the Place Scrutiny Committee, be authorised to agree any final minor amendments to the draft report.

3. That in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), to agree that the Chairman of the Project Team present the final report to a future Cabinet meeting.

4. That the Members and Officers involved with the study be thanked for their hard work.

Note: This is a Scrutiny Function.

#### 954 Industrial Strategy Green Paper

The Chairman agreed that this item be considered at this meeting as an urgent additional item to enable the comments of the Scrutiny Committee to be included in the Council's response to the Green Paper prior to its submission before the required deadline.

The Committee considered a report of the Deputy Chief Executive (Place) that set out the Council's proposed response to the recently published 'Building our Industrial Strategy Green Paper January 2017'. A copy of the Green Paper was attached to the report at Appendix 1. The report also sought Members' input, comment and endorsement of the proposed consultation response (attached at Appendix 2 to the report) prior to its submission to the Department for Business, Energy and Industrial Strategy by the deadline of 17<sup>th</sup> April 2017.

#### Resolved:-

1. That the 'Building Our Industrial Strategy Green Paper January 2017', attached to the report at Appendix 1, is noted.

2. That, subject to the inclusion of any comments by Members before Thursday 13<sup>th</sup> April 2017, the proposed consultation response (attached at Appendix 2 to the report) be submitted to the Department for Business, Energy and Industrial Strategy.

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

Chairman:

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#### SOUTHEND-ON-SEA BOROUGH COUNCIL

#### Meeting of People Scrutiny Committee

#### Date: Tuesday, 11th April, 2017 Place: Committee Room 1 - Civic Suite

# 24

- Present:Councillor J Moyies (Chair)<br/>Councillors C Nevin (Vice-Chair), B Arscott, M Borton, H Boyd,<br/>S Buckley, C Endersby, D Garston, S Habermel, A Jones,<br/>D McGlone, C Mulroney, G Phillips and C Walker<br/>L Crabb (co-opted member)
- In Attendance: Councillors L Salter and J Courtenay (Executive Councillors) Councillor and J Ware-Lane F Abbott, S Leftley, A Atherton, D Simon, B Martin, J O'Loughlin and S Houlden

**Start/End Time:** 6.30 - 8.05 pm

#### 955 Apologies for Absence

Apologies for absence were received from Councillor Stafford (no substitute) and Councillor Butler (no substitute), E Lusty, A Semmence and M Rickett (coopted members), E Feddon and N Ahmed (Youth Council – observers).

#### 956 Declarations of Interest

The following interests were made at the meeting:-

- (a) Councillors Salter and Courtenay (Executive Councillors) 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;
- (b) Councillor Salter agenda item relating to 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;
- (c) Councillor Nevin agenda item relating to Public Health Annual Report non-pecuniary niece works for Public Health England;
- (d) Councillor Nevin agenda item relating to 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;
- (e) Councillor Arscott agenda items relating to School Admissions Arrangements; Annual Education Report; School Term Dates 2018/19; Schools Progress report – non pecuniary – Governor at Our Lady of Lourdes Catholic Primary School;
- (f) Councillor Boyd agenda items relating to Future provision of secondary places in Southend; School Admissions Arrangements; Annual Education Report; School Progress report – non- pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, south east Essex Teaching School Alliance;

- (g) Councillor Borton agenda items relating to Future provision of secondary places in Southend; School Admissions Arrangements; Annual Education Report; School Term dates 2018/19; Schools Progress report – non-pecuniary – Governor at Milton Hall School;
- (h) Councillor Borton agenda item relating to Scrutiny Committee updates non-pecuniary daughter nurse at Rochford Hospital;
- (i) Councillor Jones agenda items relating to Future provision of secondary places in Southend; School Admissions Arrangements; Annual Education Report; School Term dates 2018/19; Schools Progress report – non-pecuniary – parent of child attending school and Governor at Milton Hall School.

#### 957 Minutes of the Meeting held on Tuesday, 24th January, 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday, 24<sup>th</sup> January 2017 be confirmed as a correct record and signed.

#### 958 Minutes of the Special Meeting held on Tuesday, 20th December, 2016

Resolved:-

That the Minutes of the Special Meeting held on Tuesday, 20<sup>th</sup> December 2016 be confirmed as a correct record and signed.

#### 959 Questions from Members of the Public

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

#### 960 Monthly Performance Report

The Committee considered Minute 852 of Cabinet held on 14<sup>th</sup> March 2017 together with the Monthly Performance Report (MPR) covering the period to end February 2017, which had been circulated recently.

Resolved:-

That the report be noted.

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

#### 961 The Future Provision of Secondary Places in Southend

The Committee considered Minute 856 of the meeting of Cabinet held on 14<sup>th</sup> March 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) which provided an update on the progress of a strategy for the provision of secondary school places as overseen by the School Places Working Party.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the recommendations made at the School Places Working Party (as set out in paragraph 2.2 of the submitted report and in 2-5 below), held on 6th February 2017, be noted and approved.

In order to meet the immediate need for secondary school places by September 2018:-

2. That the expansion discussions with Good and Outstanding Schools, be continued.

In order to meet the additional need for school places for September 2019:-

- 3. That an initial exploration takes place with a small number of Academy Trusts regarding a secondary free school.
- 4. That the exploration of expansion opportunities takes place with schools that currently require improvement.
- 5. That officers continue dialogue with faith schools regarding future expansion, where there is excess demand but places should be for Southend children only."

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

#### 962 School Admissions Arrangements for Community Schools and the Coordinated Admission Scheme for Academic year 2018/19

The Committee considered Minute 857 of the meeting of Cabinet held on 14<sup>th</sup> March 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) on the admission arrangements for community schools for the academic year 2018/19.

Resolved:-

That the following decision of Cabinet be noted:-

"That the final Admissions Arrangements for Community Schools for the academic year 2018/19, be noted."

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

#### 963 Annual Education Report

The Committee considered Minute 858 of the meeting of Cabinet held on 14<sup>th</sup> March 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) on the relative performance of Southend schools in the academic year 2015-16.

The Council's Director of Learning clarified that the report was a retrospective review and there would be more detailed evaluation of the Education Board in the next report.

In response to some questions, the Executive Councillor said that he would review the report to ensure there is consistency in this report on 'Areas for further development' and will circulate the revised report to the Committee members.

Resolved:-

That the following decision of Cabinet be noted:-

"That the draft Annual Education Report (AER), as set out in Appendix 1 to the submitted report, be noted and approved."

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

#### 964 School Term Dates 2018/19

The Committee considered Minute 859 of the meeting of Cabinet held on 14<sup>th</sup> March 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) setting out the proposed school term and holiday dates for the academic year 2018/19.

In response to a question, the Executive Councillor said that he would ensure the proposed school term dates are circulated across the Council.

Resolved:-

That the following decision of Cabinet be noted:-

"That the school term and holiday dates for 2018/19, as set out in Appendix 1 to the submitted report, be approved."

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

#### 965 The 2016 Annual Report of the Director of Public Health

The Committee considered Minute 861 of the meeting of Cabinet held on 14<sup>th</sup> March 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People) presenting the 2016 Annual Report of the Director of Public Health.

The Director of Public Health responded to a number of questions around immunisation, screening, environmental factors, emergency planning, vaccination programmes and said that she would circulate information to the Committee in due course. Resolved:-

That the following decision of Cabinet be noted:-

"That the content and recommendations of the 2016 Annual Report of the Director of Public Health, be noted."

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

#### 966 Scrutiny Committee - updates

The Committee received a report of the Chief Executive which updated the Committee on a number of health scrutiny matters and other matters relating to the work of the Committee.

With reference to the update regarding the St Luke's Primary Centre, the coopted member asked the Scrutiny Officer to seek assurances from the CCG that there are no negative implications from the move of the GP practice into the Cumberlege Lodge, co located with the Intermediate Care Centre.

Resolved:-

1. That the report and actions taken be noted.

2. That the Summary Report of the Task & Finish Group set out at Appendix 1, looking at mental health issues for children and young people in Essex be received and noted. The Committee to receive feedback on the review and the key performance data.

Note:- This is a Scrutiny Function.

# 967 In depth scrutiny report - 'Alternative provision - off site education provision for children and young people'

The Committee received a report of the Chief Executive which sought formal approval to the draft final report and recommendations of the in depth scrutiny project – 'Alternative provision – off site education provision for children and young people'.

Resolved:-

- 1. That the report and the recommendations from the in depth scrutiny project, attached at Appendix 1 be agreed.
- 2. That the Chairman be authorised to agree any final amendments to the draft report.
- 3. That in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), to agree that the Chairman of the Project Team present the final report to a future Cabinet meeting.

4. That the members and Officers involved with the study be thanked for their hard work.

Note:- This is a Scrutiny Function.

#### 968 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.

#### 969 Schools Progress Report

The Committee considered a report by the Corporate Director for People which informed Members of the current position with regard to schools causing concern, including Academy developments.

Resolved:-

That the report be noted.

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

Chairman:

#### SOUTHEND-ON-SEA BOROUGH COUNCIL

#### Meeting of Policy and Resources Scrutiny Committee

#### Date: Wednesday, 12th April, 2017 Place: Committee Room 1 - Civic Suite

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- Present:Councillor B Ayling (Chair)<br/>Councillors B Arscott, D Burzotta, N Folkard, D Garston, J Garston\*,<br/>I Gilbert, R Hadley, D McGlone, D Norman MBE, G Phillips,<br/>M Stafford, J Ware-Lane, P Wexham and R Woodley\*<br/>\*Substitute in accordance with Council Procedure Rule 31.
- In Attendance: Councillors M Flewitt and A Moring (Executive Councillors) J K Williams, S Leftley, F Abbott, S Houlden, J Ruffle, J Chesterton and A Fiske

Start/End Time: 6.30 - 8.20 pm

#### 970 Apologies for Absence

Apologies for absence were received from Councillor Kenyon (substitute Cllr Woodley), Councillor Butler (substitute Cllr J Garston) and Councillor Walker (no substitute).

#### 971 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Flewitt and Moring (Executive Councillors) 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;
- (b) Councillor Buzotta agenda item relating to HRA Disclosable nonpecuniary 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;
- (c) Councillor D Norman MBE 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;
- (d) Councillor Flewitt agenda item relating to HRA non-pecuniary interest: friends and family are tenants of South Essex Homes Ltd;
- (e) Councillor Ware Lane agenda item relating to HRA non-pecuniary interest: daughter works for SEH;
- (f) Councillor McGlone agenda item relating to HRA non-pecuniary interest: Ward Councillor for St Laurence Ward;
- (g) Councillor Wexham agenda item relating to PCC Consultation nonpecuniary interest: son is a fireman;
- (h) Councillor Woodley agenda item relating to PCC Consultation: Disqualifying non pecuniary interest: withdrew;

- (i) Councillor Ware-Lane agenda item relating to PCC Consultation: Disqualifying non pecuniary interest: withdrew;
- (j) Councillor Ayling agenda item relating to PCC Consultation nonpecuniary interest: son is a Police Special.

#### 972 Questions from Members of the Public

Two written questions had been received from Mr Webb for the meeting. Mr Webb was not at the meeting so the responses will be circulated.

#### 973 Consultation - Police and Fire & Rescue Collaboration Local Business Case

The Chairman welcomed Mr Roger Hirst the Essex Police & Crime Commissioner and Mr Adam Kendall, Assistant Director of Performance to the meeting for this agenda item. Mr Hirst provided a brief outline of the Police and Crime Commissioner (PCC) consultation and the Local Business case and answered questions on the options and the preferred option for greater collaboration between Police and Fire & Rescue Services in Essex. The PCC launched a 12 week consultation with the public, local authorities, police and fire staff which closes on 10<sup>th</sup> May 2017.

The Committee then considered a report by the Chief Executive which provided further details on the consultation and sought the views/comments from Members of the Committee on a proposed Council response. The Committee noted that an all Member Briefing session had been held on 28th March 2017.

#### Resolved:-

- 1. That the Council's formal response to the PCC consultation document should be to support the option for greater collaboration between the Police and Fire & Rescue Service in Essex through the Governance Model.
- 2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council.

Note:- This is an Executive Function Executive Councillor:- Flewitt and Lamb

#### 974 Minutes of the Meeting held on Wednesday, 25th January, 2017

Resolved:-

That the Minutes of the Meeting held on Wednesday, 25<sup>th</sup> January 2017 be confirmed as a correct record and signed.

#### 975 Monthly Performance Report

The Committee considered Minute 852 of Cabinet held on 14<sup>th</sup> March 2017 together with the Monthly Performance Report (MPR) covering the period to end February 2017, which had been circulated recently.

In response to questions on CP 1.1 (crime figures), the Executive Councillor for Housing, Planning & Public Protection confirmed that work on the amended statistics is being progressed and he will advise Members when the changes will be reported.

Resolved:-

That the report be noted.

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

#### 976 Future Phases of the Housing Revenue Account (HRA) Development Project

The Committee considered Minute 855 of the meeting of Cabinet held on 14<sup>th</sup> March 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People). This provided an overview of the future phases of the HRA Land Review Project and sought agreement to progress with the second phase of the project.

In response to questions, the Executive Councillor for Housing, Planning and Public protection confirmed that a meeting of the Housing Working Party would be arranged in the near future to consider the Council's response to the White Paper.

Resolved:-

That the following recommendations of Cabinet be noted:-

- "1. That the following sites within Phase 2 of the HRA Land Review Project be brought forward for development:-
  - Rochford Road 15 units
  - Audleys Close 1 unit
- 2. That resident consultation be undertaken and that following completion of such exercise the Deputy Chief Executive (People), in consultation with the Portfolio Holder for Housing, Planning and Public Protection Services, be authorised to finalise the plans and submit a detailed planning application.
- 3. That the proposed method of funding for the project from the 2017/18 capital programme to be met from the HRA Capital Investment Reserve, be approved.
- 4. That further feasibility work be undertaken in respect of a number of sites that would form future phases of the HRA Land Review Project."

Note:- This is a Council Function. Executive Councillor :- Flewitt

#### 977 Decant Policy

The Committee considered Minute 890 of the meeting of Cabinet held on 28<sup>th</sup> March 2017, which had been referred direct to Scrutiny by Cabinet, together with a report of the Deputy Chief Executive (People). This set out the proposal for the adoption of a borough-wide Decant Policy that would apply to any Council tenants who may have to move either on a permanent or temporary basis as a result of a regeneration project.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the terms of the Decant Policy be approved.

2. That there is an allowance made in the capital programme on a scheme by scheme basis for any costs that are incurred in respect of the Policy."

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

#### 978 Local Lettings Policy - Better Queensway

The Committee considered Minute 891 of the meeting of Cabinet held on 28<sup>th</sup> March 2017, which had been referred direct to Scrutiny by Cabinet, together with a report of the Deputy Chief Executive (People). This set out the proposal for the adoption of a Local Lettings Policy for Council Tenants on the Queensway Estate which would give them additional priority to move from the Estate, in advance of redevelopment/regeneration, to alternative Council housing provision if they choose to do so.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the terms of the Local Lettings Policy for Queensway tenants be approved.

2. That the Deputy Chief Executive (People) and the Deputy Chief Executive (Place) each be individually authorised, in consultation with the Executive Councillor for Housing, Planning and Public Protection Services, to determine the timing of the implementation of the Policy.

3. That the proposals be publicised on the Council's On the Move website."

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

# 979 Joint In-depth Scrutiny Report – "To investigate the case for additional enforcement resources for Southend"

The Committee considered a report by the Chief Executive which sought formal approval to the draft final report and recommendations from the joint in-depth

scrutiny project with the Place Scrutiny Committee for 2016/17 entitled 'To investigate the case for additional enforcement resources for Southend'.

The Committee also had before it Minute 953 from the Place Scrutiny Committee held on 10<sup>th</sup> April 2017.

Resolved:-

1. That the draft report and the recommendations from the in-depth scrutiny project be endorsed for submission to Cabinet, with the amendment to recommendation 1.2 to include the words "with the support of the Police & Crime Commissioner for Essex" to the end of the recommendation.

2. That the Chairman of the Policy & Resources Scrutiny Committee, in consultation with the Chairman of the Place Scrutiny Committee, be authorised to agree any final minor amendments to the draft report.

3. That in accordance with Scrutiny Procedure Rule 10 (Part 4 (e) of the Constitution), to agree that the Chairman of the Project Team present the final report to a future Cabinet meeting.

4. That the Members and Officers involved with the study be thanked for their hard work.

Note: This is a Scrutiny Function.

Chairman:

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