

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

13 July 2016

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, Thursday, 21st July, 2016 at 6.30pm for the transaction of the following business.

R Tinlin
Chief Executive & Town Clerk

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Questions from Members of the Public**
- 4 Questions from Members of the Council**
- 5 Minutes of the Special Meeting of Council held on Thursday, 21st April 2016 (Pages 1 - 2)**
Minutes attached.
- 6 Minutes of the meeting of Council held Thursday, 21st April 2016 (Pages 3 - 16)**
Minutes attached.
- 7 Minutes of the meeting of Annual Council held Thursday, 12th May 2016 (Pages 17 - 18)**
Minutes attached.
- 8 Minutes of the meeting of Council held Thursday, 19th May 2016 (Pages 19 - 22)**
Minutes attached.
- 9 Minutes of the meeting of Licensing Sub Committee A held Thursday, 28 April 2016 (Pages 23 - 24)**
Minutes attached.

- 10 Minutes of the meeting of Appeals Committee A held Wednesday, 1 June 2016 (Pages 25 - 26)**
Minutes attached.
- 11 Minutes of the meeting of Development Control Committee held Wednesday, 8th June 2016 (Pages 27 - 48)**
Minutes attached.
- 12 Minutes of the meeting of Cabinet Committee held Thursday, 16 June 2016 (Pages 49 - 52)**
Minutes attached.
- 13 Minutes of the meeting of Cabinet held Tuesday, 28 June 2016 (Pages 53 - 70)**
Minutes attached.
- 14 Minutes of the meeting of Audit Committee held, Wednesday 29th June 2016 (Pages 71 - 74)**
Minutes attached.
- 15 Minutes of the meeting of Development Control Committee held, Wednesday 6th July 2016 (Pages 75 - 84)**
Minutes attached.
- 16 Minutes of the meeting of Place Scrutiny Committee held, Monday 11th July 2016**
Minutes to follow.
- 17 Minutes of the meeting of Licensing Sub Committee B held, Tuesday 12th July 2016**
Minutes to follow.
- 18 Minutes of the meeting of People Scrutiny Committee held, Tuesday 12th July 2016**
Minutes to follow.
- 19 Minutes of the meeting of Policy and Resources Scrutiny Committee held, Thursday 14th July 2016**
Minutes attached.
- 20 Notice of Motion - Estate Agent Fees**
Notice of Motion submitted by Councillor Davies and Councillor Callaghan - to follow
- 21 Establishment and Appointments to Holocaust Memorial Day Working Party (Pages 85 - 88)**
Report of the Corporate Director for Corporate Services attached.
- 22 Changes to the appointments to LSCB and SAB Scrutiny Panel**
To replace Councillor Courtenay as a member of the Panel: Appointment to be made from the members on People Scrutiny Committee.

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 21st April, 2016
Place: Council Chamber - Civic Suite

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Present: Councillor Moring (Chair)
Councillors Velmurugan (Vice-Chair), Arscott, M Assenheim, Aylen, B Ayling, Betson, M Borton, S Buckley, M Butler, Byford, Callaghan, Courtenay, Cox, M Davidson, L Davies, C Endersby, Evans, N Folkard, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, Moyies, Mulrone, C Nevin, Norman MBE, I Robertson, Longley, D McGlone, McMahon, Salter, M Stafford, K Robinson, Walker, Ward, Waterworth, Willis and Woodley

Start/End Time: 5.00 - 5.30 pm

797 Apologies for Absence

Apologies for absence were received from Councillors Crystall, Flewitt, Terry, Phillips, Van Looy and Ware-Lane.

798 Declarations of Interest

All Members of the Council – Minute 800 (Honorary Alderman/Alderwoman Nominations) – Non-pecuniary interest in so far as they may know or have served on the Council with one or more of the recipients for Honorary Alderman/Alderwoman.

799 Minutes of the meeting of General Purposes Committee held on Wednesday, 23rd March 2016

Minute 739 would be dealt with at the ordinary meeting of the Council at 6.30pm this evening.

Resolved:

That the recommendations contained in Minutes 741 and 742, be adopted.

800 Honorary Alderman/Alderwoman Nominations

Resolved:

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

Mr Chris Dandridge
Mr Alan Hurst
Mrs Sally Carr
Mr Brian Kelly
Mr Ron Price
Mr Tony North
Mr David Ascroft

801 Honorary Freedom of the Borough

Resolved:

That, pursuant to Section 249(5) of the Local Government Act 1972, the title of Freedom of the Borough of Southend-on-Sea be conferred upon RAF No.54 Reserve Squadron in recognition of the Squadron's long and distinguished service since its formation in 1916 and of its association with Southend-on-Sea during the Second World War and in recognition of the permanent Bond of Friendship between the Squadron and the Council awarded on 1st of April 1971.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 21st April, 2016
Place: Council Chamber - Civic Suite

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Present: Councillor Moring (Chair)
Councillors Velmurugan (Vice-Chair), M Assenheim, Arscott, Aylen, B Ayling, Betson, M Borton, S Buckley, M Butler, Byford, Callaghan, Courtenay, Cox, A Crystall, M Davidson, Evans, C Endersby, Flewitt, N Folkard, D Garston, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, Longley, D McGlone, McMahan, Mulrone, Moyies, C Nevin, Norman MBE, Phillips, I Robertson, K Robinson, M Stafford, Terry, Salter, Walker, Ward, Waterworth, Willis and Woodley

Start/End Time: 6.30 pm - 0.40 am

802 Apologies for Absence

Apologies were received from Councillors Davies, Van Looy and Ware-Lane.

803 Declarations of Interest

- **Councillor Assenheim**

- **Cabinet Committee – 10th March 2016**

- Minute 705 (Members Request List Ref No. 15/11 – Tyrone Road and Fermoy Road) – Non-pecuniary interest – Patient at doctor's surgery in the road affected;

- **Councillor Ayling**

- **Development Control Committee – 2nd March 2016**

- Minute 690 (15/01898/FULM) – Non-pecuniary interest – Have met with the school and residents;

- **Councillor Betson**

- **Cabinet Committee – 10th March 2016**

- Minute 703 (objections to Traffic Regulation Orders) – Non-pecuniary interest – lives in the vicinity of the junction of Neil Armstrong Way;

- **Place Scrutiny Committee – 11th April 2016**

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

- **Councillor Borton**

- **Council – 21st April 2016**

- Minute 807 – Petition (20mph Speed Limit in Rochester Drive) – Disclosable Non-Pecuniary interest – lives in Rochester Drive;

- **Councillor Buckley**
General Purposes Committee – 23rd March 2016
Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;
- **Councillor Callaghan**
General Purposes Committee – 23rd March 2016
Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;

Council – 21st April 2016
Minute 809 (Petition – Dual Diagnosis Worker) – Non-pecuniary interest – signed the petition;
- **Councillor Courtenay**
Cabinet – 15th March 2016
Minute 709 (Notice of Motion - C2C Timetable) – Non-pecuniary interest – attended a demonstration against the new C2C timetable;
- **Councillor Crystall**
People Scrutiny Committee – 12th April 2016

Minute 778 (Chairman’s Update) and Minute 777 (Southend Hospital report) – non-pecuniary – Governor at Southend Hospital;
- **Councillor Davidson**
People Scrutiny Committee – 12th April 2016
Minute 779 (In-depth Scrutiny project – transition arrangements from children’s to adult services) – non-pecuniary interest – member of SAFE (Supporting Aspergers Families in Essex);
- **Councillor Endersby**
General Purposes Committee – 23rd March 2016
Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;
- **Councillor Evans**

Minute 793 (16/00154/FUL) – Non-pecuniary interest: A Governor of the school is a personal friend;
- **Councillor Folkard**
General Purposes Committee – 23rd March 2016
Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;

People Scrutiny Committee – 12th April 2016

Minute 778 (Southend University Hospital Trust) and Minute 777 (Chairman's Update) – Non-pecuniary interest - ambassador for fundraising team at Southend Hospital; on reading panel at Southend Hospital for information leaflets and relative works at Broomfield Hospital;

- **Councillor Flewitt**

Cabinet – 15th March 2016

Minute 708 (C2C) – Non-pecuniary interest – spoken and lobbied on this and rail issues in general;

Minute 710 (HIV Motion) – Non-pecuniary interest – worked with Halve-It and THT charities;

Minute 722 – A127 Kent Elms – Non-pecuniary interest – Lobbying and commented on the consultation;

Minute 723 – PVX Policy – Non-pecuniary interest – lobbied for changes to procedures;

Minute 778 – PET CT Scanner – Non-pecuniary interest – Lobbied and commented on the need for scanner in Southend;

Council – 21st April 2016

Minute 809 (Petition: Dual Diagnosis Worker) – non-pecuniary interest – friend of lead petitioner;

Minute 826 (Southend Energy and Pre-election Purdah) – Non-pecuniary interest – OVO customer;

- **Councillor D Garston**

Development Control Committee – 2nd March 2016

Minute 690 (15/01842) – Non-pecuniary interest – son lives opposite the application site;

- **Councillor J Garston**

Development Control Committee – 2nd March 2016

Minute 690 (15/01842/FULM) – Disqualifying Non-pecuniary interest – lives opposite the application site (withdrew);

General Purposes Committee – 23rd March 2016

Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;

- **Councillor Gilbert**

Policy & Resources Scrutiny Committee – 14th April 2016

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

- **Councillor Hadley**
Development Control Committee – 13th April 2016
Minute 793 (15/02092/FUL) – Disqualifying non-pecuniary interest: Director of the company who sold the land to the developer (withdrew);
- **Councillor Jones**
Development Control Committee – 2nd March 2016
Minute 690 (15/01898/FULM) – Disqualifying Non-pecuniary interest – Executive Councillor;
Minute 690 (15/001842/FULM) – Non-pecuniary interest – lives in the adjacent road/street;

Cabinet – 15th March 2016
Minute 717 (Southend Children & Young People’s Plan) and Minute 718 (Annual Education Report)– Non-pecuniary interest – parent of school age child;

People Scrutiny Committee – 12th April 2016
Interest in the referred item – attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Council – 21st April 2016
Minute 826 (Southend Energy and Pre-election Purdah) – Non-pecuniary interest – OVO customer;
- **Councillor Kenyon**

General Purposes Committee – 23rd March 2016
Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;
- **Councillor McMahon**

Audit Committee – 30th March 2016
Minute 747 (BDO: Progress Report to those charged with Governance) – Non-pecuniary interest – member of Troubled Families Administrative Board and a close colleague works alongside the CQC and on Serious Case Reviews;
- **Councillor Moyies**

Place Scrutiny Committee – 11th April 2016
Interests in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011.

People Scrutiny Committee – 12th April 2016

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

- **Councillor Mulroney**

Development Control Committee – 13th April 2016

Minute 792 (16/00073; 16/00028; 15/00292 & 15/01792) – Non-pecuniary interest - Member of Leigh Town Council who were consultees to the applications;

Council – 21st April 2016

Minute 826 (Southend Energy and Pre-election Purdah) – Non-pecuniary interest – OVO customer;

- **Councillor Nevin**

People Scrutiny Committee – 12th April 2016

Minute 777 (Southend University Hospital Trust) and Minute 778 (Chairman's Update)– non-pecuniary – previous employee at Southend Hospital; NHS Employee at Barts; 2 children work at MEHT and sister works for the Department of Health;

Cabinet Committee – 10th March 2016

Minute 705 – Member's Request List Reference no. 15/11 (Tyrone Road and Fermoy Road) – Disclosable Non-Pecuniary Interest – brother lives in Tyrone Road (withdrew);

Council – 21st April 2016

Minute 826 (Southend Energy and Pre-election Purdah) – Non-pecuniary interest – OVO customer;

- **Councillor D Norman MBE**

Place Scrutiny Committee – 11th April 2016

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

Policy & Resources Scrutiny Committee – 14th April 2016

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

- **Councillor I Robertson**

People Scrutiny Committee – 14th April 2016

Minute 777 (Southend University Hospital Trust) – non-pecuniary interest – daughter works in Southend Hospital;

- **Councillor Robinson**

- **General Purposes Committee – 23rd March 2016**

- Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;

- **People Scrutiny Committee – 14th April 2016**

- Minute 779 (In-depth scrutiny project - transition arrangements from children's to adult services) – non-pecuniary interest – his employer was mentioned in the report;

- **Council – 21st April 2016**

- Minute 826 (Southend Energy and Pre-election Purdah) – Non-pecuniary interest – OVO customer;

- **Councillor Salter**

- **Health & Wellbeing Board – 7th April 2016**

- Minute 759 (Essex Success Regime Briefing) – Non-pecuniary interest – husband is a business unit Director at Southend Hospital for surgical services including oral surgery-urology;

- **People Scrutiny Committee – 12th April 2016**

- Minutes 777 (Southend University Hospital Trust) and Minute 778 (Chairman's Update report) – non-pecuniary interest – husband is Business Unit Director at Southend Hospital for surgical services and daughter works for Broomfield Hospital;

- **Councillor Terry**

- **Place Scrutiny Committee – 11th April 2016**

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

- **Councillor Van Looy**

- **Development Control Committee – 2nd March 2016**

- Minute 690 (15/01842/FULM) – Non-pecuniary interest – previously owned the restaurant next to the application site;

- Minute 690 (15/01898/FULM) – Non-pecuniary interest – Ward Councillor;

- Minute 690 (15/02053/OUTM, 15/01997/FUL & 15/02071/FUL) – Non-pecuniary interest – Knows the residents of the Garrison Site;

- Minute 690 (15/01990/FUL) – Non-pecuniary interest – Customer of the shop;

- **Cabinet Committee – 10th March 2016**

- Minute 703 (Objections to Traffic Regulation Orders) – Non-pecuniary interest – has a business in Southchurch Road;

Development Control Committee – 13th April 2016

Minute 793 (16/00073/FUL) – Non-pecuniary interest: Family live in the road;

Minute 793 (15/02084/FUL) – Non-pecuniary interest: Has used the restaurant;

Minute 793 (16/00204/FULM) – Disqualifying non-pecuniary interest: Knows the developer (withdrew);

- **Councillor Velmurugan**

Health & Wellbeing Board – 7th April 2016

Minute 759 (Essex Success Regime Briefing) – Non-pecuniary interest – practicing GP;

- **Councillor Walker**

General Purposes Committee – 23rd March 2016

Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;

Development Control Committee – 13th April 2016

Minute 793 (16/00343/AMDT) – Non-pecuniary interest: Applicant is known to him through a mutual friend.

- **Councillor Willis**

General Purposes Committee – 23rd March 2016

Minute 741 (Honorary Alderman/Alderwoman) – Non-pecuniary interest – Nominees for Alderman/Alderwoman were known to him;

- **Councillor Woodley**

Policy & Resources Scrutiny Committee – 14th April 2016

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

Cabinet Committee – 10th March 2016

Minute 705 (Member's Request List Reference no. 15/11 (Tyrone Road and Fermoy Road) - Disclosable non-pecuniary interest – lives in Tyrone Road (withdrew)

Council – 21st April 2016

Minute 805 (Questions from Members of the Council regarding Shoebury Common Sea-Defences) – Non-pecuniary interest – residents association referred to in the questions.

- **Cllr Moring**

Council – 21st April 2016

Minute 809 (Petition – Dual Diagnosis Worker) – Non-pecuniary interest – he and his wife signed the petition;

804 Questions from Members of the Public

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

805 Questions from Members of the Council

The relevant Executive Councillors responded to written questions received from Councillors Hadley, Cox, Ayles, McGlone and Willis.

806 Minutes of the meeting held on Thursday 25th February 2016

Resolved:-

That the Minutes of the Meeting held on 25th February 2016 be confirmed as a correct record and signed.

807 Petition - 20mph Speed Limit in Rochester Drive

Councillor Betson presented a petition on behalf of local residents requesting the introduction of a 20mph speed limit in Rochester Drive.

Resolved:

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

808 Petition - Alcohol Free Zone Westcliff Library

Councillor Willis presented a petition on behalf of local residents requesting the introduction of an alcohol free zone for the area around Westcliff library.

Resolved:

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

809 Petition - Dual Diagnosis Worker

Councillor Salter presented a petition on behalf of local residents requesting the employment and funding for a dual diagnosis worker.

Resolved:

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

810 Petition - PlayFootball Licenced Hours

Councillor Courtenay presented a petition on behalf of local residents requesting reconsideration of the licensed hours of trade of PlayFootball in Prittlewell Chase.

Resolved:

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

811 Minutes of the meeting of Licensing Sub Committee A held Friday 26th February 2016

Resolved:

That the minutes of this meeting be noted.

812 Minutes of the meeting of Development Control held Wednesday 2nd March 2016

Resolved:

That the minutes of this meeting be noted.

813 Minutes of the meeting of Appeals Committee A held Monday 7th March 2016

Resolved:

That the minutes of this meeting be noted.

814 Minutes of the meeting of Cabinet Committee held Thursday 10th March 2016

Resolved:

That the minutes of this meeting be noted.

815 Minutes of the meeting of Cabinet held 15th March 2016

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 713, 714 and 717, be adopted.

816 Minutes of the meeting of Appointments & Disciplinary Committee held Tuesday 15th March 2016

Resolved:

That the minutes of this meeting be noted.

817 Minutes of the meeting of General Purposes Committee held Wednesday 23rd March 2016

Minutes 741 and 742 were dealt with at the Special Council meeting held earlier this evening.

Resolved:

That the minutes of this meeting be noted.

818 Minutes of the meeting of Audit Committee held Wednesday 30th March 2016

Resolved:

That the minutes of this meeting be noted.

819 Minutes of the meeting of Health & Wellbeing Board held Thursday 7th April 2016

Resolved:

That the minutes of this meeting be noted.

820 Minutes of the meeting of Place Scrutiny Committee held Monday 11th April 2016

Resolved:

That the minutes of this meeting be noted.

821 Minutes of the meeting of People Scrutiny Committee held Tuesday 12th April 2016

Resolved:

That the minutes of this meeting be noted.

822 Minutes of the meeting of Policy & Resources Scrutiny Committee held 14th April 2016

Resolved:

That the minutes of this meeting be noted.

823 Minutes of the Development Control Committee held on Wednesday 13th April 2016

Resolved:

That the minutes of this meeting be noted.

824 Notice of Motion - Trade Union Bill

Resolved:

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

Trade Union Bill

This Council recognises:

- The positive contribution that trade unions and trade union members make in our workplaces. This Council values the constructive relationship that we have with our trade unions and we recognise their commitment, and the commitment of all our staff, to the delivery of good quality public services.
- This Council notes with concern the Trade Union Bill which is currently being proposed by the Government and which would affect this Council's relationship with our trade unions and our workforce as a whole. This Council rejects this Bill's attack on local democracy and the attack on our right to manage our own affairs.
- This Council is clear that facility time, negotiated and agreed by us and our trade unions to suit our own specific needs, has a valuable role to play in the creation of good quality and responsive local services. Facility time should not be determined or controlled by Government in London.
- This Council is happy with the arrangements we currently have in place for deducting trade union membership subscriptions through our payroll. We see this as an important part of our positive industrial relations and a cheap and easy to administer system that supports our staff. This system is an administrative matter for the Council and should not be interfered with by the UK Government.

This Council resolves:

- To support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.
- This Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.'

Proposed: Cllr Cheryl Nevin

Seconded: Cllr Margaret Borton

825 Changes in Electoral Arrangements

The Council considered a report of the Chief Executive and Town Clerk which was deferred from Council held on 25th February 2016. The report provided background information to enable the Council to make a decision on the notice of motion on proposed changes to the Council's electoral arrangements.

In accordance with Council Procedure Rule 10.1 Councillors Lamb and Flewitt submitted 2 amendments to the proposals concerning:-

Amendment 1: In the third line of paragraph 3.1(i) of the report, delete “2018” and replace with “2020” and delete paragraph 3.1(ii)

Amendment 2: To delete paragraph 3.1(ii);

In accordance with Council Procedure Rule 12 a requisition for a named vote on each amendment was made and the voting was as follows:-

Amendment 1

For the amendment:

Cllrs Arscott, Aylen, Buckley, Byford, Courtenay, Davidson, Evans, Flewitt, Folkard, D Garston, Hadley, Kenyon, Lamb, Phillips, Robertson, Salter (17)

Against the amendment:

Cllrs Assenheim, Ayling, Betson, Borton, Butler, Callaghan, Cox, Crystall, Endersby, J Garston, Gilbert, Habermel, Jarvis, Jones, Longley, McGlone, McMahon, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Velmurugan, Walker, Ward, Waterworth, Willis and Woodley (30)

Abstentions:

Cllr Moring (1)

Absent for the vote:

Cllrs Davies, Van Looy and Ware-Lane (3)

The amendment (1) was not carried.

Amendment 2:

For the amendment:

Cllrs Arscott, Betson, Buckley, Courtenay, Crystall, Davidson, Flewitt, Folkard, D Garston, Mulroney, Phillips, Terry (12)

Against the amendment:

Cllrs Assenheim, Aylen, Ayling, Borton, Butler, Byford, Callaghan, Cox, Endersby, Evans, J Garston, Gilbert, Habermel, Hadley, Holland, Jarvis, Jones, Kenyon, Lamb, Longley, McGlone, McMahon, Moyies, Nevin, Norman, Robertson, Robinson, Salter, Stafford, Velmurugan, Walker, Ward, Waterworth, Willis and Woodley (35)

Abstentions

Cllr Moring (1)

Absent for the vote:

Cllrs Davies, Van Looy and Ware-Lane (3)

The amendment (2) was not carried.

In accordance with Council Procedure Rule 12 a requisition for a named vote on the recommendations contained in 3.1(i) and 3.1(ii) was made and the voting was as follows:-

For the recommendations:

Cllrs Callaghan, Cox, Gilbert, Jarvis, Longley, Moyies, Stafford, Terry, Ward and Woodley (10)

Against the recommendations:

Cllrs Arscott, Assenheim, Aylen, Ayling, Betson, Borton, Buckley, Butler, Byford, Courtenay, Crystall, Davidson, Endersby, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jones, Kenyon, Lamb, McGlone, McMahon, Mulrone, Nevin, Norman, Phillips, Robertson, Robinson, Salter, Velmurugan, Walker, Waterworth and Willis (37)

Abstentions:

Cllr Moring (1)

Absent for the vote:

Cllrs Davies, Van Looy and Ware-Lane.

The recommendations contained in 3.1(i) and 3.1(ii) of the submitted report were not carried.

Resolved:

That the recommendations contained in 3.1(i) and 3.1(ii) of the submitted report concerning changes to the cycle for electing Councillors and a reduction in the number of Councillors not be adopted.

826 Southend Energy and Pre-election Purdah

The Council considered a report of the Chief Executive and Town Clerk on a breach of the pre-election purdah rules.

During consideration of the report a requisition for a named vote for a 'vote of no confidence in the Leader of the Council' was made and the voting was as follows:

For vote of no confidence:

Cllrs Arscott, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Phillips, Robertson, Salter, Walker and Waterworth (23)

Against vote of no confidence:

Cllrs Assenheim, Ayling, Betson, Borton, Callaghan, Crystall, Endersby, Gilbert, Jones, Kenyon, Longley, McMahon, Moyies, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Velmurugan, Ward, Willis and Woodley (23)

Abstentions:

*Cllr Moring (1)

Absent for the vote:

Cllrs Davies, Van Looy and Ware-Lane (3)

*As a result of an equality of votes the Worshipful the Mayor used his casting vote and voted against the motion of no confidence in the Leader.

The motion was not carried.

Resolved:

That the circumstances which have resulted in the breach of the pre-election purdah rules, the steps which have been taken, and are proposed to be taken, to prevent it happening again, and the apology offered by the Chief Executive & Town Clerk as Head of Paid Service for the breach, be noted.

827 Retiring Councillors

The Worshipful the Mayor extended his thanks and appreciation on behalf of the Council to Councillors Crystall, Longley and Robertson who were not standing for re-election on 5th May 2016 and to those Members who were standing but may not be returned.

828 Council Procedure Rule 1.7

During consideration of Minute 825 (Changes in Electoral Arrangements) the hour of 11 p.m. having been reached, the Council:

Resolved:

That the remaining business on the agenda be proceeded with.

829 Exclusion of the Public

Resolved:-

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

830 Minute 606 of People Scrutiny Committee held Tuesday 26th January 2016

Resolved:

That minute 606 of People Scrutiny Committee held 26th January 2016 be noted.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 12th May, 2016
Place: Council Chamber - Civic Suite

7

Present: Councillor Moring (Chair)
Councillors Assenheim, Ayling, Borton, Butler, Cox, Endersby, N Folkard, D Garston, Gilbert, Hadley, Holland, Jarvis, Kenyon, Van Looy, Ward, Courtenay, Nevin, Arscott, Evans, Flewitt, J Garston, Jones, Lamb, Phillips, Davies, Mulroney, S Buckley, Byford, M Davidson, Habermel, McGlone, McMahan, Stafford, Terry, Waterworth, Woodley, Willis, Robinson, Walker, Ware-Lane, Norman MBE, Salter, Boyd, Bright, Burzotta, McDonald and Wexham

Start/End Time: 3.30 - 4.50 pm

1 Apologies for Absence

Apologies for absence were received from Councillors Callaghan and Moyies.

2 Introduction of New Members

The Worshipful The Mayor welcomed to the meeting newly elected and returned Members who were elected at the Local Elections held on 5th May 2016.

3 Election of Mayor for Municipal Year 2016/17

On the nomination of Councillor Ian Gilbert, seconded by Councillor D Norman MBE, and with the unanimous support of the Council:-

Resolved:

That Councillor Judith McMahan be appointed to the Office of Mayor of the Borough of Southend-on-Sea for the Municipal Year 2016/17.

4 Appointment of Mayor's Chaplain

The Worshipful the Mayor announced that she will be supported by the Southend Christian Fellowship during her year of office.

5 The Worshipful the Mayor's Charity

The Worshipful the Mayor announced that the Mayoral Charity for her year of office would be the Southend YMCA.

6 Appreciation of Outgoing Mayor

Councillor David Garston proposed and Councillor Steve Buckley seconded and the motion having been supported by other speakers, it was unanimously:

Resolved:

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

2. That the best thanks of the Council be tendered to Mrs Louise Moring for the dignified manner in which she has performed the duties of the Mayoress during the past year and that as a token of the Council's appreciation of such service she be presented with a Past Mayoress' Badge suitably inscribed.

7 Election of Deputy Mayor for Municipal Year 2016/17

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

Resolved:

That Councillor Faye Evans be appointed to the Office of Deputy Mayor of the Borough of Southend-on-Sea for the Municipal Year 2016/17.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 19th May, 2016
Place: Council Chamber - Civic Suite

8

Present: Councillor McMahon (Chair)
Councillors Evans (Vice-Chair), Moring, Assenheim, Aylen, Ayling, Borton, Butler, Cox, Endersby, Folkard, D Garston, Gilbert, Hadley, Holland, Jarvis, Kenyon, Moyies, Van Looy, Ward, Courtenay, Nevin, Arscott, Callaghan, Flewitt, J Garston, Jones, Lamb, Phillips, Davies, Mulrone, Buckley, Byford, Davidson, Habermel, McGlone, M Stafford, Terry, Waterworth, Woodley, Willis, Robinson, Walker, Ware-Lane, Norman MBE, Salter, Boyd, Bright, Burzotta, McDonald and Wexham

Start/End Time: 6.30 - 7.15 pm

8 Apologies for Absence

There were no apologies for absence at this meeting.

9 Administration for 2016-17 following May 2016 Local Elections and position of Leader

The Worshipful the Mayor drew attention to the Memorandum of Understanding / Confidence and Supply Agreement signed by the Conservative and UKIP Groups to enable a Conservative Administration to operate. In light of this agreement, the Leader gave notice that he had resigned with immediate effect and therefore a new Leader of the Council needed to be elected as provided for in the Constitution.

Resolved:

That Councillor Lamb be appointed as Leader of the Council.

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

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

Resolved:

1. That the revised 8 portfolios confirmed by Councillor Lamb as set out in Appendix 1 to the submitted report, be noted.

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

3. That the appointments to Cabinet Committee and substitutes made by Councillor Lamb as set out in List B, as circulated at the meeting, be noted.

4. That the following changes be made to the Constitution:

(a) Amend the membership of the Performance Related Pay Panel in Section 4.3 of Part 3 Schedule 2 of the Constitution so that it comprises the Leader, the Deputy Leader, one other Cabinet member, the Leaders of the two largest opposition groups and a person independent of the Council;

(b) Amend the Contracts Procedure Rules in Part 4G in line with European legislation requirements as set out in Section 3.5(b) at Appendix 2 to the submitted report.

(c) To revise the Board structure of South Essex Homes which now comprises 11 members of which 3 shall be Southend Councillors, and changes to the Articles of Association as detailed in the Special Resolution set out at Appendix 3 of the submitted report.

(d) To make any necessary changes to the Constitution consequent upon (a) – (c) above and to reflect the new titles of the portfolios.

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

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

Resolved:

That the Members set out in List C, as circulated at the meeting, be appointed as members and substitutes of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2016/17.

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

Upon a requisition for a named vote in accordance with Council Procedure Rule 12.1, a recorded vote was taken concerning the appointment of Chairman and Vice-Chairman of Development Control Committee and the Chairman of the Licensing Committee. The voting was as follows:-

1. Development Control Committee Chairman:

For Cllr Waterworth

Cllrs Arscott, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Moring, Phillips, Salter, Walker and Waterworth (26)

For Cllr D Norman MBE

Cllrs Assenheim, Ayles, Ayling, Borton, Callaghan, Davies, Endersby, Gilbert, Jones, Kenyon, McDonald, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ward, Ware-Lane, Wexham, Willis and Woodley (24)

Abstentions:

Cllr McMahon (1)

Accordingly Councillor Waterworth was appointed Chairman of Development Control Committee.

2. Development Control Committee Vice-Chairman

For Cllr D Garston

Cllrs Arscott, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Moring, Phillips, Salter, Walker and Waterworth (26)

For Cllr Assenheim

Cllrs Assenheim, Ayles, Ayling, Borton, Callaghan, Davies, Endersby, Gilbert, Jones, Kenyon, McDonald, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ward, Ware-Lane, Wexham, Willis and Woodley (24)

Abstentions:

Cllr McMahon (1)

Accordingly Councillor D Garston was appointed Vice-chairman of Development Control Committee.

3. Chairman of Licensing Committee

For Cllr Hadley

Cllrs Arscott, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Moring, Phillips, Salter, Walker and Waterworth (26)

For Cllr Mulroney

Cllrs Assenheim, Ayles, Ayling, Borton, Callaghan, Davies, Endersby, Gilbert, Jones, Kenyon, McDonald, Moyies, Mulroney, Nevin, Norman, Robinson, Stafford, Terry, Van Looy, Ward, Ware-Lane, Wexham, Willis and Woodley (24)

Abstentions:

Cllr McMahon (1)

Accordingly Councillor Hadley was appointed Chairman of the Licensing Committee.

Resolved:

That the Members set out in List C be appointed as Chairmen and Vice-

Chairmen of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2016/17.

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

Resolved:

That the Members set out in List D, as circulated at the meeting, be appointed as members and substitutes of Working Parties, Panels, Forums etc for the Municipal Year 2016/17.

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

Resolved:

That the Members set out in List D be appointed as Chairmen and Vice-Chairmen of Working Parties, Panels, Forums etc for the Municipal Year 2016/17.

15 Appointments to Outside Bodies

Resolved:

That the Members indicated in List E, as circulated at the meeting, be appointed to the outside bodies for the Municipal Year 2016/17.

16 Calendar of Meetings 2016/17

Resolved:

That the calendar of meetings for the municipal year 2016/17, be approved.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Thursday, 28th April, 2016
Place: Committee Room 1 - Civic Suite

9

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

In Attendance: T Row, M Newton and P Tremayne

Start/End Time: 9.30 am - 12.20 pm

17 **Apologies for Absence**

There were no apologies for absence.

18 **Declarations of Interest**

No interests were declared at the meeting.

19 **8 Queens Road, Southend-on-Sea, Essex, SS1 1LU - Application for the Grant of Premises Licence**

The Sub Committee received a report by the Corporate Director for Place regarding an application by Revolution Bars Ltd for the grant of a premises licence in respect of 8 Queens Road, Southend on Sea, Essex SS1 1LU.

The application was presented by Mr Lyons, the Applicant's legal representative. Mr Russell, Director of Property, also attended on behalf of the Applicants. In support of their application the Applicants also provided a witness statement and presentation from Mr Russell, specimen menus and the Members of the Sub Committee were able to peruse the Applicant's staff training document. A large scale plan of the proposed redevelopment of the premises was presented and displayed at the meeting.

The Sub Committee noted that whilst three of the Responsible Authorities namely Essex Police, the Licensing Authority and the Environmental Protection Team, had initially objected to the application, conditions had been agreed between these parties should the application be granted which addressed their concerns. Accordingly, those initial objections had been withdrawn on this basis.

Objections had however, been received from 4 other interested parties, namely three local residents and one local landlord. One of the objections from one of the local residents had been subsequently withdrawn prior to the hearing. None of the objectors attended the hearing.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The Sub Committee also had regard to the National

Guidelines and the Borough Council's Statement of Licensing Policy and considered the four licensing objectives, namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm, as they related to this application.

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

Resolved:

That the application be granted subject to:

- (i) The mandatory conditions set out in Appendix 1 to the report of the Corporate Director for Place;
- (ii) The conditions agreed between the applicant and the Licensing Authority, Environmental Protection Team (acting as Responsible Authorities), and Essex Police as set out in Appendix 3 to the report of the Corporate Director for Place; and
- (iii) The Policies set out in Appendix 4 to the report of the Corporate Director for Place.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A
Date: Wednesday, 1st June, 2016
Place: Committee Room 1 - Civic Suite

10

Present: Councillor Walker (Chair)
Councillors *N Folkard, Aylen, Hadley, Jones and S Buckley

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Mr R Harris and Ms S Putt

Start/End Time: 10.30 am - 3.20 pm

20 Apologies for Absence

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

21 Declarations of Interest

There were no declarations of interest at this meeting.

22 Minutes of the Meeting held on 7th March 2016

Resolved:-

That the Minutes of the Meeting held on 7th March 2016 be confirmed as a correct record and signed.

23 Exclusion of the Public

Resolved:-

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

24 Appeal Against Dismissal - Employee CW

The Committee considered an appeal against dismissal submitted by employee CW. The Council's case was presented by JO, supported by NV. 1 witness, MH, was called by the Council and responded to questions. The appellant, CW was in attendance and presented their case, supported by SC (Unison).

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

Resolved:-

That the decision to dismiss employee CW on the grounds of incapability due to ill health, be upheld.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 8th June, 2016
Place: Committee Room 1 - Civic Suite

11

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

In Attendance: Councillors M Davidson, D Jarvis, D McGlone and M Terry
P Geraghty, D Hermitage, C Galforg, J Rowley, I Harrison,
M Warren, P Tremayne and T Row

Start/End Time: 2.00 pm - 4.45 pm

25 Apologies for Absence

Apologies for absence were received from Councillor Norman MBE.

26 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor Assenheim – 16/00504/FUL – Non-pecuniary interest: The applicant is his GP;
- (b) Councillor Folkard - 16/00184/FUL – Non-pecuniary interest: Customer of the business next door;
- (c) Councillor D Garston -16/000328/FUL – Non-pecuniary interest: Resident of Bellway Court behind The Shore is well known to him;
- (d) Councillor Anne Jones – 16/00184/FUL – Non-pecuniary interest: Acquainted with the Church Elders;
- (e) Councillor Mulroney – 16/00460/FUL & 16/00467/FUL – Non-pecuniary interests: member of Leigh Town Council;
- (f) Councillor Walker – 16/00504/FUL: Non-pecuniary interest: Neighbour is known to him;
- (g) Councillor Waterworth – 15/0024_UNAU_B – Non-pecuniary interest: One of the objectors is known to him (withdrew – the chair for this item was taken by the Vice-Chairman).

27 Minutes of the Meeting held on Wednesday 2nd March 2016

Resolved:

That the Minutes of the meeting held on Wednesday 2nd March 2016 be received, confirmed as a correct record and signed.

28 Minutes of the Meeting held on Wednesday 13th April 2016

Resolved:

That the Minutes of the meeting held on Wednesday 13th April 2016 be received, confirmed as a correct record and signed.

29 Supplementary Report

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

30 Report on Planning Applications - Pre-Meeting Site Visits

(a) West Shoebury Ward

16/00551/FUL

Demolish existing bungalow and erect two storey building of four self-contained flats, layout amenity space, parking, cycle and bin stores and form vehicle crossovers on to St Andrews Road

30 Thorpedene Gardens, Shoeburyness, Southend-on-Sea, Essex, SS3 9JB

Mr R Golding

APS Design Associates Ltd.

Mr McDermott, a local resident, spoke as an objector to the application. Mr Seager, the applicant's, agent responded.

Planning permission REFUSED for the following reasons:

The proposed development, by reason of its excessive bulk, design, massing and forward projection would result in an incongruous and discordant feature at this location within the streetscene to the detriment of the character and appearance of area. This would be contrary to the provisions of the National Planning Policy Framework, policy KP2 and CP4 of the Core Strategy (DPD1) policy DM1 of the Development Management DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1).

COUNCILLOR D GARSTON IN THE CHAIR

**(b) West Leigh Ward
15/00242/UNAU-B**

Without planning permission, the erection of an outbuilding which exceeds 2.5m in height and is located within 2.0m of a boundary of the curtilage of the dwellinghouse.

15 Aberdeen Gardens, Leigh-on-Sea, Essex, SS9 3RH

DEFERRED to enable further discussions with the Council's Environmental Health Team regarding the potential issue of anti-social behaviour being caused to the occupants of the properties at the rear of the site through light pollution.

COUNCILLOR WATERWORTH IN THE CHAIR

**(c) Chalkwell Ward
16/00328/FUL**

Convert ground floor 3 bed flat into two flats, convert existing flat roofed areas to roof terraces (6th - 9th floor), alter hard and soft landscaping at frontage of the site, alter elevations and erect free standing sign

The Shore, 22 - 23 The Leas, Westcliff-on-Sea, Essex

The Shore Limited

Daniel Watney LLP

Planning Permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: TWI-1250-AF-D101 B, TWI-1250-AF-D102 A, TWI-1250-AF-D103 A, TWI-1250-AF-D104 C, TWI-1250-AF-D105 B, TWI-1250-AF-D106 B, TWI-1250-AF-D107 B, TWI-1250-AF-D108 B, TWI-1250-AF-D109 B, TWI-1250-AF-D110 B, TWI-1250-AF-D111 B, TWI-1250-AF-D112 B, TWI-1250-AF-D113 B, TWI-1250-AF-D114 B, TWI-1250-AF-D115 B, TWI-1250-AF-D116 C, TWI-1250-AF-D117 B, TWI-1250-AF-D118 C, TWI-1250-AF-D119 B, TWI-1250-AF-D120 C, TWI-1250-AF-D121 B, TWI-1250-AF-D122 C, TWI-1250-AF-D123 B, TWI-1250-AF-D124 D, TWI-1250-AF-D125 B, TWI-1250-AF-D126 B, TWI-1250-AF-D127 C, TWI-1250-AF-D128 B, TWI-1250-AF-D129 B, TWI-1250-AF-D130 B, TWI-1250-AF-D131 C, TWI-1250-AF-D132 A, TWI-1250-AF-D133 A, TWI-1250-AF-D135 A

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

03 The landscaping of the land to the rear (North) of the building at the rear of the site shall be undertaken in accordance with condition 05 of planning permission 14/01663/AMDT. Such planting shall be undertaken within 12 calendar months of the first occupation of any of the flats hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD2.

04 The materials used in the works hereby approved shall only be in accordance with the plans hereby approved unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt, no other alterations to the materials previously approved are hereby approved

Reason: To ensure the adequate management of surface water drainage at the site in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy (DM1).

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

Informative:

1. The grant of this permission does not affect the terms of planning permissions 07/00820/FULM and 14/01663AMDT. All conditions attached to those permissions and the requirements of the associated legal agreement are still required to be complied with.

31 Report on Planning Applications - Main Plans List

(a) 16/00758/FULM

Prittlewell

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

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

Southend High School For Boys

Rees Pryer Architects LLP

Mr Cole, a local resident, spoke as an objector to the application. Ms Wilkie, the applicant's agent, responded.

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 14 1448 LP1; 14 1448 07; 14 1448 04; 14 1448 05; 14 1448

02 Revision C; 14 1448 03 Revision B; 14 144806 Revision B; 14 1448 01 Revision L and the details of the boundary walls on drawing 14 1448 09.

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 received on the 3rd May 2016 including windows and doors constructed from Technal beaded aluminium system- RAL colour 7016 (dark grey), external walls Trespa Cladding-colour Papyrus white and buff brick; Bauder flat roof membrane colour grey; tarmac to the vehicle access; parapet detailing as shown on drawing 14 1448 SK 100; Brise Soleil detailing on drawing titled '560001 and 560002 blades on Geode curtain; Timber framing to Brise Soleil wall 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 Within 6 months of the development hereby permitted commencing, a detailed playing field specification based on the proposals in the submitted Agrostis Site Investigation Study and an implementation programme, prepared in consultation with Sport England, shall be submitted to and approved in writing by the Local Planning Authority. The approved specification and implementation programme shall be complied with in full prior to the completion of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure provision of adequate improvements to the quality of the playing field and to accord with the Borough Local Plan Policy CP7 of the Core Strategy DPD1.

05 The playing field enhancement works shall be completed prior to commencement of any car parking and external works in phase 2 of the development hereby permitted as shown on Drawing No: 14 1448 T33 A unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with policy CP7 of the Core Strategy DPD1.

06 The playing field enhancement works of the development hereby permitted shall be completed prior to occupation of the development hereby approved.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy CP7 of Core Strategy DPD1.

07 The replacement throwing cage shall be completed in accordance with the submitted Athletics Direct specification for an IAAF Steel Hammer/Discus Cage prior to commencement of any car parking and external works in phase 2 of the

development hereby permitted as shown on Drawing No: 14 1448 T33 A unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures continuity of use [phasing provision] and to accord with Development Plan Policy CP7 of the Core Strategy.

08 The temporary construction compound shall be removed and the area affected to be subsequently reinstated to playing field use before the new building opens, unless otherwise agreed in writing with the local planning authority. Such a condition is justified to ensure that the compound is removed in practice at the end of the construction period and the affected playing field area is reinstated to playing field use.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy CP7 of the Core Strategy.

09 Prior to occupation of the development hereby permitted details of a community use agreement for the school's playing field shall be submitted to and approved by the local planning authority (in consultation with Sport England).

Reason: To ensure the development is available for the community and is fit for purpose and sustainable and to accord with Development Plan Policy CP7 of the Core Strategy.

10 All planting in the approved landscaping as shown on drawings 'Car Parking Planting Plan' LOC 1507/04 Revision C and 'Front of School Planting Plan' LOC 1507/05 Revision C, together with the 'Landscaping Planting Design Statement, Plant Schedule, Summary Planting Specification and Management Plan carried out by Landscapes of Change dated April 2016 shall be carried out within the first planting season of 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 as may be agreed with the local planning authority.

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

11 The development hereby permitted shall not be occupied until the highways works identified on drawings 14 148801 Revision L have been completed.

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).

12 The 124 car parking spaces shall be implemented prior to occupation of the school building in accordance with drawing 14 1448 01 Revision L 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).

13 Prior to first occupation of the development hereby approved, a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to school, details of local resident involvement in the adoption and implementation of the travel plan, identifying sustainable transport modes including cycling and modes of public transport shall be submitted to and agreed in writing by the local planning authority, prior to the first use of the approved parking area as shown on drawing 14 148801 Revision L. At the end of each academic year the Schools Travel Plan monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

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

14 Prior to use of the additional car parking spaces as shown on drawing 14.1448-.01 Revision L, details of an acoustic fence to be installed on the northern boundary between nos. 46 to 70 Earls Hall Avenue shall be submitted to and agreed in writing by the local planning authority. The fence shall be installed in accordance with the approved details and be permanently retained thereafter, unless otherwise agreed in writing by the local planning authority.

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

15 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.

16 The development hereby approved shall be carried out in accordance with the Drainage Strategy carried out by Peter Dann Consulting Engineers and

drawings 10-6127_XX-DR-D201 Revision T3, 10-6127_XX-DR-D200 Revision T3. The sustainable drainage system shall 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 .

17 Development shall not commence on any part of the site until the mitigation measures and recommendations as set out in the Phase 1 Habitat Survey Ecology Appraisal and the recommendations 17.06.2016 reference 1216-Southend High School-Ecology Appraisal Phase have been implemented unless otherwise agreed in writing by the local planning authority.

Reason: To reduce the effect the development has on the biodiversity of the environment in accordance with the National Planning Policy Framework and DPD1 (Core Strategy) 2007 policy KP2 and CP4.

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

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

19 During construction/demolition loading or unloading of goods or materials shall take place on the land between 0730-1800 Monday to Friday 0800-1300 Saturday, and not at all on Sundays or Bank Holidays.

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

20 The “portacabin” hereby approved shall be removed within 5 years from the date of this permission.

Reason: The siting of the “portacabin” would be unacceptable on a permanent basis in terms of its design and appearance, in accordance with policy DM1 of the Development Management DPD.

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 In relation to Condition 12, you are advised to contact Highways Engineer – Martin Warren (Tel: 01702 534328 Email: martinwarren@southend.gov.uk) to discuss the requisite Highways Licence and approved contractors. You are

advised that a Highways Licence needs to be in place before any works are carried out to the public highway and you will need to employ a Council approved contractor to carry out any works to the public transport infrastructure, namely bus stops in this instance.

03 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.

04. In relation to condition 09- a community use agreement sets out a school's policy and arrangements for community use of its facilities and covers matters such as hours of use, pricing policy, types of bookings accepted, restrictions on community use, facility management arrangements etc. The agreement is between a school and the relevant local authority or leisure trust (e.g. Southend-on-Sea Borough Council) but may involve additional bodies and shall remain in perpetuity for the lifetime of the development.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers

(b) St. Lukes Ward

16/00413/AMDT

Application to vary condition 02 (Approved Plans), condition 10 (Amended Energy Statement and revised Photovoltaics) and condition 15 (Drainage Strategy) (Minor Material Amendment) of planning permission 15/01884/FUL dated 2 Feb 2016

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

Veolia ES (UK) Ltd

Mr O. Diamond (Veolia)

Planning permission GRANTED

01 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers: 37272/A/CVD/001/A, 37272/A/CVD/002/B, 37272/A/CVD/003/B, 37272/A/CVD/012/A, 37272/A/CVD/013/A, 37272/A/CVD/014/A, 37272/A/CVD/027/A, 37272/A/CVD/029/A, 37272/A/CVD/030/A, 37272/A/CVD/031/A, 21507/101 A, A034/01/012, A034/01/012, 3602530 (7 Plans), 1508-C02 F, 1508-C05 G, 1508-C06 A and E359/E/04 D.

Reason: In the interests of residential amenity and general environmental quality, in the interests of sustainability, amenity and highways efficiency and safety, in the interests of visual amenity in accordance with DPD1 (Core

Strategy) policies KP1, KP2, CP1, CP3, CP4, CP6, DPD2 (Development Management) policies DM1, DM2, DM14 and DM15 and SPD1 (Design and Townscape Guide).

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

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

03 All hard and soft landscape works shall be carried out in accordance with the approved details submitted in accordance with 37272/A/CVD/012/A. The works shall be completed within the first planting season following practical completion of the development or in accordance with a programme submitted to and approved by the Local Planning Authority. If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species.

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

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

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

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

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

06 The hardstanding shown on the approved plans shall be installed prior to first occupation of the development and shall be permanently maintained thereafter. The condition of the hardstanding should be reviewed on a 6 monthly basis and

any hardstanding which is in a poor state of repair should be replaced unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that any contamination is treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2.

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

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

08 All lighting shall be installed and maintained in perpetuity in accordance with the lighting scheme approved under the terms of application 16/00411/AD unless otherwise agreed in writing by the Local Planning Authority.

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

09 Prior to first use of the buildings hereby approved photovoltaic cells shall be installed along the south facing roof of the WTS in accordance with details set out in the Renewable Energy Statement dated 03/03/16 and submitted with the application and shown on drawing 1508-C05 E. The cells shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

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

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

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

11 Prior to the first occupation of the Waste Transfer Station hereby approved remediation verification details to demonstrate that the remediation works that have occurred at the site have adequately mitigated the land contamination risk shall be submitted to and approved in writing by the Local Planning Authority. This shall include further soil tests where necessary to demonstrate that the land is suitably clear of contaminants. In the event that the remediation strategy as undertaken is considered insufficient, further remediation work shall be carried out to the satisfaction of the local planning authority including identifying any

requirements for monitoring of pollutant linkages, maintenance and arrangements for contingency action. These requirements shall relate to hardstanding and groundwater in the west of the site in the vicinity of the former fuel tanks only.

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

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

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

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

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

14 The Waste Transfer Station building hereby approved shall not be put to use until the surface water drainage strategy (set out within the Drainage Design Statement dated 03/02/16 and shown on plan E359/E/04 D) has been fully implemented.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 The construction of the Waste Transfer Station shall only be undertaken in accordance with the insulation and materials details that have been approved under the terms of application 15/02154/AD unless otherwise agreed in writing by the Local Planning Authority.

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

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

Informative

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as

amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil .

(c) Chalkwell Ward

16/00704/LBC

Replace existing windows to north elevation

Palace Theatre, 430 London Road, Westcliff-on-Sea, Essex SS0 9LA

Southend-on Sea Borough Council

Metson Architects Ltd

Listed Building Consent 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 1604-TP-01, 1604-TP-02, 1604-TP-03

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

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

(d) Milton Ward

16/00184/FUL

Change of use of building from storage and distribution use (Class B8) to a House in Multiple Occupation, erect dormers to front and rear, increase depth of existing basement, creation of lightwells to front, layout cycle parking and alter elevations

49 Milton Road, Westcliff-on-Sea, Essex, SS0 7JP

LT Properties

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

Planning permission REFUSED for the following reasons:

1. The proposed development would have insufficient parking to meet the needs of occupiers and would result in vehicles parking on the highway to the detriment of highway safety and the free flow of traffic. The proposal would therefore be

contrary to the National Planning Policy Framework and policies DM3 and DM15 of the Council's Development Management DPD.

2. The proposal would result in an additional HMO, further adding to a concentration of HMOs in the vicinity, which would be detrimental to the overall character of the area and residential amenities. This would be contrary to policy KP2 and CP4 of the Core Strategy 2007 and policy DM1 of the Development Management DPD 2015.

(e) West Leigh Ward

16/00467/FUL

Demolish existing dwelling and erect two semi-detached dwellinghouses, amenity space to rear, layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)

34 Percy Road, Leigh-on-Sea, Essex, SS9 2LA

Mrs H Collins

Knight Gratrix Architects

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

Planning permission REFUSED for the following reasons:

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

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

Informative

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.

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

revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

(f) Eastwood Park Ward

16/00504/FUL

Demolish existing dwelling and garage and erect two storey dwellinghouse with rooms in roof, balcony at rear, two storey size extension to form habitable accommodation with attached link to main building, layout landscaping, parking to front and install new vehicular access on to Green Lane.

143 Green Lane, Eastwood, Essex, SS9 5QL

Mr And Mrs Siddique

SKArchitects

DEFERRED

(g) St. Laurence Ward

16/00546/FUL

Application to vary condition 2 of planning application 97/0651 dated 17/09/1997 to allow deliveries to take place between 07:00 hours and 23:00 hours Mondays to Saturdays and 08:00 hours and 17:00 hours on Sundays and Bank Holidays.

Morrison's, Western Approaches, Eastwood, Southend-on-Sea, Essex, SS2 6SH

WM Morrison's Plc

Peacock and Smith

WITHDRAWN

(h) Southchurch Ward

16/00419/FULH

Convert garage into habitable accommodation, erect single storey rear extension, first floor side extension and alter elevations.

23 Wansfell Gardens, Thorpe Bay, Essex SS1 3SW

Mr & Mrs Padbury

Knight Gratrix Architects

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 012 Amended

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

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

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

04 The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 23 Wansfell Gardens and shall not be sold or let separately.

Reason: To ensure the building is used as an annexe and remains as an ancillary building to the main dwelling in accordance with policy DM3 of the Development Management DPD2.

Informative

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers

**(i) Leigh Ward
16/00460/FULH**

Raise roof height to form chalet style dwelling, erect dormers to front and rear, form two storey front gable projection, layout parking and install new vehicular access on to Marguerite Drive

80 Marguerite Drive, Leigh-on-Sea, Essex, SS9 1NW

Mr And Mrs Adams

Brian Davison Associates

Mr Russell, a local resident, spoke as an objector to the application. Mr Adams, the applicant, responded.

DEFERRED (PMSV)

(j) Victoria Ward
16/00482/FULH
Erect roof extension with dormer to rear
13 Glenhurst Road, Southend-on-Sea, Essex, SS2 5DR
Ms Lisa Steadman

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Revised 1 (dated 25/05/16), 2, Revised 3 (dated 25/05/16) (C01D)

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan. (R01D)

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission. (C23D)

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 set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy KP2 and CP4, Development Management DPD Policy DM1, 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

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

32 Enforcement of Planning Control

(a) Milton Ward

EN/15/00176/UNAU

Without planning permission installed PVC framed windows to front and side elevations

1-3 Warrior Square Southend-on-Sea

Resolved: That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised PVC windows in elevations facing Warrior Square and Chichester Road. This is because of the detriment to the historic and visual character and amenities of the Conservation Area, contrary to Policies DM1 and DM5 of the DPD, Policies KP2 and CP4 of the Core Strategy, and advice contained within the Design and Townscape Guide (SPD1).

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

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

(b) St Lukes Ward

15/00177/UCOU-B

Without planning permission, the change of use of the land from residential within Class C3 of the Town and Country (Use Classes) Order 1987 (as amended) to day care centre (Class D1).

161 Westbury Road, Southend-on-Sea, Essex, SS2 4DL

Resolved: That consideration of this matter deferred

(c) Shoeburyness Ward

15/00241/UNAU-B

Without planning permission, the erection of an outbuilding which exceeds 2.5m in height and is located within 2.0m of a boundary of the curtilage of the dwellinghouse.

47 High Street, Shoeburyness, Southend-on-Sea SS9 3RH.

Resolved: That NO FURTHER ACTION be taken in respect of this matter.

(d) Victoria Ward

EN/15/00279/UNAU-B

Without planning permission, the erection of a fence exceeding 1.0m in height to the eastern boundary of the site adjacent to a highway.

Southend Bowls Club, 7 Tunbridge Road, Southend-on-Sea, Essex SS2 6LT

Resolved: That consideration of this matter be DEFERRED.

**(e) Milton Ward
EN/16/00086/UNAU**

**Installation of external ventilation equipment to the rear of the premises without planning permission
68 London Road, Southend-on-Sea**

Resolved: That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised external ventilation equipment at the rear. This is because of the detriment to residential amenities contrary to the NPPF, Policy DM1 of the DPD and Policies KP2 and CP4 of the Core Strategy.

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

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

**(f) St Lukes Ward
16/00097/UNAU_B**

**Without planning permission, the erection of a two storey side extension not in accordance with the approved plans under application 10/01749/FULH.
174 Royston Avenue, Southend-on-Sea, Essex**

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the dormer on the grounds that the unauthorised development is detrimental to the character and visual amenity of the area by reason of its bulk and design results in an incongruous addition contrary to the National Planning Policy Framework (NPPF) Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

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

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

33 16/00876/DOV - 3 Acacia Drive, Thorpe Bay, Essex SS1 3JU

(a) Thorpe Ward

16/00876/DOV

Deed of Variation

Modification of planning obligation (Section 106 agreement) dated 28th January 2015 pursuant to application 14/01434/FULM to vary the requirement to provide affordable housing.

3 Acacia Drive, Thorpe Bay, Essex SS1 3JU

Elmore Homes Ltd

The Chairman agreed that this item be considered at this meeting as an urgent additional item to enable a decision to be made at the earliest opportunity.

DELEGATED to the Corporate Director for Place, Head of Planning and Transport or the Group Manager for Planning and Building Control to AGREE A MODIFICATION OF THE PLANNING OBLIGATION dated 28th January 2015 pursuant to planning application 14/01434/FULM to provide a commuted sum payment for affordable housing of £175,000 in lieu of on-site provision prior to occupation of the 6th market housing unit. This modification will be time limited for one year from the date of the Deed of Variation.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 16th June, 2016
Place: Committee Room 1 - Civic Suite

12

Present: Councillor Cox (Chair)
Councillors Byford (Vice-Chair) and Flewitt

In Attendance: Councillors Arscott, M Assenheim, Aylen, M Borton, M Butler, Callaghan, D Garston, J Garston, Salter, M Stafford, Ware-Lane and Woodley
T Row, P Geraghty and C Hindle-Terry

Start/End Time: 6.30 pm - 8.25 pm

34 Apologies for Absence

There were no apologies for absence.

35 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor D Garston – Agenda Item 5 (West Leigh Area – Report on Ward Councillor Consultation for Parking Controls) – Non-pecuniary interest: Son lives in Salisbury Road;

(b) Councillor J Garston – Agenda Item 5 (West Leigh Area – Report on Ward Councillor Consultation for Parking Controls) – Non-pecuniary interest: Brother lives in Salisbury Road;

(c) Councillor Aylen – Urgent Additional Item – The Fairway, A127 and Bellhouse Lane – Temporary Traffic Management – Non-pecuniary interest: Lives in the area affected; and

(d) Councillor Butler – Urgent Additional Item – The Fairway, A127 and Bellhouse Lane – Temporary Traffic Management – Non-pecuniary interest: Lives in the area affected.

36 Minutes of the Meeting held on Thursday, 10th March, 2016

Resolved:-

That the Minutes of the Meeting held on Thursday, 10th March 2016, be received, confirmed as a correct record and signed.

37 Objections to Traffic Regulation Orders – Various Locations

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

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

Resolved:

1. That no further action be taken and that the Traffic Regulation Orders not be confirmed in respect of the following:

- The introduction of no waiting junction protection 11.00 a.m. to 12.00 noon Mondays to Fridays in Marcus Avenue;
- The introduction of no waiting junction protection at any time for 10m from Johnstone Road southwards; and
- The introduction of no waiting at any time in Burgess Terrace from March to October from 9.00 a.m. to 6.00 p.m. on the west side between Burgess Terrace and Thorpe Esplanade.

2. That the Corporate Director for Place be authorised to confirm the traffic regulation order as advertised for the introduction of no waiting in St James Avenue from 11.00 a.m. to 12.00 noon Monday's to Fridays and to arrange for the proposals to be implemented.

Reason for decision

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

Other Option

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

Note:- This is an Executive Function

Referred direct to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

38 West Leigh Area – Report on Ward Councillor Consultation for Parking Controls

The Cabinet Committee received a report of the Corporate Director for Place which appraised Members of the results of the consultation on parking controls in the West Leigh area, that had been undertaken by the Ward Councillors and, having considered the views of the Traffic & Parking Working Party, sought Members' approval on the appropriate way forward.

The Cabinet Committee noted the outcome of the consultation had showed that the level of response fell below the agreed policy thresholds and therefore was not able to accede to the request.

Resolved:

1. That the Ward Councillors be thanked for their efforts in compiling the and distributing the questionnaires in relation to the consultation.
2. That no further action be taken in respect of this request on the basis that the outcome of the consultation does not meet minimum policy thresholds for formal public consultation.

Reason for Decision

Following a survey of all residential streets, the response fails to meet the Council's criteria for progressing with a Parking Management Scheme.

Other Options

Proceed with the formal proposal for the parking scheme. The results do not meet the required criteria for progressing with a Parking Management Scheme.

Note:- This is an Executive Function

Referred direct to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

39 Greenways – Residents’ Permit Parking Scheme Update

Further to Minute 703 of its meeting held on 10th March 2016, the Cabinet Committee received a report of the Corporate Director for Place concerning the Members’ request for a resident’s parking scheme in The Greenways. The report outlined the further consultation work that had been undertaken by the Ward Councillors and, having regard to the views of the Traffic & Parking Working Party, sought Members' approval to proceed with the implementation of the proposed scheme.

Resolved:

1. That Officers comments as set out in paragraph 4.1 be noted and, recognising the safety of children and parents in the vicinity of the school, the Corporate Director for Place be authorised to advertise the necessary traffic regulation orders and notices for the introduction of a Residents’ Parking Scheme (RPS) in The Greenways, covering 8am to 5pm, Mondays to Fridays.
2. Subject to there being no objections received following statutory advertisement, the Corporate Director for Place be authorised to arrange for the orders to be sealed and the proposals implemented.
3. That all unresolved objections be referred to the Traffic & Parking Working Party and Cabinet Committee for consideration.

Reason for Decision

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

Other Options

If this proposal is not approved the status quo will remain. However, officers will continue to work with the school to encourage their staff to better utilise the car park at Southchurch East at to reduce parking stress in The Greenways.

Note:- This is an Executive Function

Referred direct to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

40 Temporary Traffic Management Measures - The Fairway, A127 and Bellhouse Lane

The Chairman agreed that, in view of the exceptional circumstances, this item be considered at this meeting as an urgent additional item to enable Members to consider the temporary traffic management measures for the forthcoming gas main replacement works in The Fairway that were due to commence on 23rd July 2016. These works involved the closure of sections of The Fairway on a phased basis

The Cabinet Committee received an oral report of the Corporate Director for Place that informed Members of the proposed measures that had been agreed to be implemented; the procedures, mechanisms and constraints for introducing temporary traffic measures; and the other measures that could be considered to mitigate the anticipated disruption and delays likely to be experienced.

On the basis of the advice received and having considered the views of the Traffic & Parking Working Party it was:

Resolved:

That Officers be requested to investigate as a matter of extreme urgency, the phasing of the traffic control signals (traffic lights at the junctions of The Fairway and Bellhouse Lane with the A127, the possibility of introducing a traffic regulation to prohibit U turns at these junctions and any other appropriate measures to minimise the impact of the works on traffic congestion and disruption.

Reason for Decision

To safely minimise the impact of the works on traffic congestion and disruption.

Other Options

Implement the measures already agreed with the parties without amendment.

Note:- This is an Executive Function

Referred direct to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 28th June, 2016
Place: Committee Room 1 - Civic Suite

13

Present: Councillor Lamb (Chair)
Councillors Holland (Vice-Chair), Courtenay, Cox, Flewitt and Salter

In Attendance: Councillors M Butler, Jones and Mulrone
R Tinlin, S Holland, J K Williams, A Lewis, A Atherton, J Chesterton,
J Ruffle, C Gamble, S Leftley, M Sargood.

Start/End Time: 2.00 pm - 3.30 pm

41 Apologies for Absence

Apologies for absence were received from Councillor Byford and Councillor Moring.

42 Declarations of Interest

(a) Councillor Flewitt – Annual report – Regulation of Investigatory Powers- JP on East London bench – Non-pecuniary interest.

(b) Councillor Lamb – Council Procedure Rule 46 (West Leigh Junior School) – School Governor of the school – Non-pecuniary interest.

(c) Councillor Mulrone – Council Procedure Rule 46 (Elm Road Development Brief) – Member of Leigh Town Council – Non-pecuniary interest.

43 Minutes of the Meeting held on 15th March 2016

Resolved:-

That the Minutes of the Meeting held on 15th March 2016 be confirmed as a correct record and signed.

44 Petition - Alcohol Free Zone Westcliff Library

At the meeting of Council held on the 21st April 2016, Councillor Willis presented a petition comprising 775 signatures requesting the Council to introduce an Alcohol Free Zone around Westcliff Library on London Road, Westcliff on Sea.

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

Resolved:-

That the matter be reviewed in 6 months to identify if there is sufficient evidence to prove the activities highlighted in the petition are of a persistent and continuing nature to warrant the making of a Designated Public Place Order.

Reason for Decision

To respond to the petition.

Other Options

None.

Note:- This is an Executive Function.
Referred directly to Place Scrutiny Committee.
Executive Councillor:- Flewitt

45 Petition - Dual Diagnosis Worker

At the meeting of Council held on 21st April 2016, Councillor Salter presented a petition containing 726 signatures requesting the employment and funding of a dual diagnosis worker.

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

Resolved:-

That additional dual diagnosis support is provided through the service developments rather than via recruitment of a “dual diagnosis worker” post, given that dual diagnosis work is not the exclusive province of a specific profession but rather a combined effort of the multi-disciplinary team.

Reason for Decision

To respond to the petition.

Other Options

None.

Note:- This is an Executive Function.
Referred directly to People Scrutiny Committee.
Executive Councillor:- Salter

46 Petition - PlayFootball Licenced Hours

At the meeting of Council held on 21st April 2016, Councillor Courtenay presented a petition containing 33 signatures requesting the Council to reconsider the licensed hours of trade of PlayFootball in Prittlewell Chase.

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

Resolved:-

1. That it be noted that the Council is unable to take any formal action in respect of the operating hours of the PlayFootball facility in Prittlewell Chase.
2. That the Council assists in facilitating mediation between PlayFootball and the local residents to improve the understanding of the concerns of each other and develop a voluntary code of conduct for use outside.

Reason for Decision

To respond to the petition.

Other Options

None.

Note:- This is an Executive Function.
Referred directly to Place Scrutiny Committee.
Executive Councillor:- Flewitt

47 Notice of Motion - Trade Union Bill

At the meeting of Council held on 21st April 2016, Members received a notice of motion requesting the Council to support the campaign against the Trade Union Bill.

Resolved:-

1. That it be noted that the Trade Union Bill has been passed and is a legal requirement on all employers
2. That it also be noted that the Council will continue to work in partnership with trade union colleagues to facilitate productive working relationships.

Reason for Decision

To respond to the Notice of Motion

Other Options

None

Note:- This is an Executive function
Referred directly to Policy and Resources Scrutiny Committee
Executive Councillor : - Lamb

48 In Depth Scrutiny Report - Transition arrangements from Children's to Adult Life

The Cabinet considered a report of the Corporate Director for Corporate Services presenting the final report of the in-depth scrutiny project 'Transition arrangements from Children's to Adult Life'.

On behalf of members of the Cabinet, the Leader of the Council thanked the relevant Members and Officers for their contribution towards the production of an excellent report.

Resolved: -

1. That the report and recommendations from the in depth scrutiny project as set out in Appendix 1 to the submitted report, be approved.
2. That it be noted that approval of any recommendations with budget implications will require consideration as part of future years' budget processes prior to implementation.

Reason for Decision

To achieve improved outcomes for young people.

Other Options

None.

Note:- This is an Executive function
Referred directly to People Scrutiny Committee
Executive Councillor : -Courtenay

49 Corporate Plan and Annual Report - 2016

The Cabinet considered a report of the Chief Executive presenting the Council's draft Corporate Plan and Annual Report for 2016.

Recommended:-

That the draft Corporate Plan and Annual Report 2016, be approved. ||

Reason for Decision

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

Other Options

None.

Note:- This is a Council Function
Referred directly to all three Scrutiny Committees
Executive Councillor:- Lamb

50 2015/16 Year End Performance Report

The Cabinet considered a report of the Chief Executive detailing the end of year position of the Council's corporate performance.

Resolved:-

That the 2015/16 end of year position and accompanying analysis be noted.

Reason for Decision

To note the Council's corporate performance for 2015/16.

Other Options

None.

Note:- This is an Executive Function
Referred directly to all three Scrutiny Committees
Executive Councillor:- Lamb

51 Information Management Strategy

The Cabinet considered a report of the Corporate Director for Corporate Services presenting the Council's revised Information Management Strategy.

Resolved:-

That the Council's Information Management Strategy, as set out at Appendix 1 to the submitted report, be approved.

Reason for Decision

To ensure the Council's information security and data protection policies and practices are as robust as possible and that the Council is making best use of its information.

Other Options

Not updating the strategy and related action plan could mean the Council's information security and data protection arrangements will not be as robust as required. This could leave the Council vulnerable to malicious use of its information and heavy fines from the Information Commissioners Office.

Note:- This is an Executive Function
Referred directly to all three Scrutiny Committees
Executive Councillor:- Lamb

52 Annual Treasury Management Report

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the treasury activity for the period from April 2015 to March 2016 and reviewed performance against the Prudential Indicators for 2015/16.

Recommended:-

1. That the Annual Treasury Management Report for 2015/16 and the outturn Prudential Indicators for the period from April 2015 to March 2016, be approved.
2. That it be noted that the financing of capital expenditure of £37.850m has been funded in accordance with the schedule set out in Table 1 of section 4 of the submitted report, with a reduced financing requirement of £1.287m.
3. That it be noted that Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2015/16.
4. That, in respect of the return on investment and borrowing, the following be noted:
 - (a) The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
 - (b) That £1.22m of interest was earned during the whole of 2015/16 at an average rate of 1.27%. This is 0.91% over the benchmark of the 7 day LIBID (London Interbank Bid Rate) and 0.77% over bank base rate.
 - (c) That an average of £60.6m of investments were managed in-house. These earned £0.40m of interest during the year at an average rate of 0.65%. This is 0.29% over the average 7 day LIBID and 0.15% over the bank base rate.
 - (d) That an average of £24.1m of investments were managed by our external fund manager. These earned £0.18m of interest during the year at an average rate of 0.76%. This is 0.40% over the average 7 day LIBID and 0.26% over bank base rate.
 - (e) That an average of £10.7m was managed by two property fund managers. This earned £0.64m during the year from a combination of an increase in the value of the units and income distribution, giving a combined return of 5.95%.
 - (f) That the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) decreased from £237.8m to £227.8m (Housing Revenue Account (HRA): £78.0m, General Fund (GF): £149.8m) by the end of 2015/16.

(g) That the level of financing for 'invest to save' schemes increased from £0.14m to £3.21m by the end of 2015/16.

Reason for decision

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

Other Options

None.

Note:- This is a Council Function
Referred directly to Policy & Resources Scrutiny Committee
Executive Councillor:- Moring

53 Debt Management - Position to 31 March 2016

The Cabinet considered a report of the Corporate Director for Corporate Services informing Members of the current outstanding debt to the Council as at 31st March 2016 and debts that had been or are recommended for write-off in the current financial year.

It was noted that in Appendix A of the report (summary of outstanding debt) under the column titled 'libraries' (Debt Position in respect of 2015/16), the figure of '280' should be deleted and replaced by '28'.

Resolved:-

1. That the current outstanding debt position as at 31st March 2016 and the position of debts written off to 31st March 2016 as set out in Appendices A and B to the submitted report, be noted.
2. That the write-off as set out in Appendix B to the submitted report, be approved.

Reason for decision

All reasonable steps to recover the debt have been taken and therefore, where write-off is recommended, it is the only course of action available. If the Council wishes to pursue debts for bankruptcy proceedings, it will follow the agreed and published recovery policy that covers this.

Other Options

None.

Note:- This is an Executive Function
Referred directly to Policy & Resources Scrutiny Committee
Executive Councillor:- Moring

54 **Provisional Capital Outturn 2015/16**

The Cabinet considered a report of the Corporate Director for Corporate Services outlining the capital programme outturn for 2015/16 and sought approval for the relevant budget carry forwards, accelerated delivery requests and in-year amendments to the current approved programme.

Recommended:-

1. That it be noted that the expenditure on the capital programme for 2015/16 totalled £37.850m against a budget of £39.137m, a delivery of 96.7%.
2. That the relevant budget carry forwards and accelerated delivery requests totalling a net £1.411m as set out in Appendices 1 and 2 to the submitted report, be approved.
3. That the virements, re-profiles and amendments and new external funding for schemes, as detailed in Appendices 3, 4 and 5 to the submitted report, be noted.
4. That the relevant changes to the budget identified since the approved capital programme was set at Council on 25th February 2016, as detailed in Appendix 6 to the submitted report, be approved.
5. That it be noted that the above changes will result in an amended Capital Programme of £191.656m for the period 2016/17 to 2019/20, as detailed in Appendix 7 to the submitted report.

Reason for Decision

To inform Members of the activity in 2015/16.

Other Options

None.

Note:- This is a Council Function
Referred directly to Policy & Resources Scrutiny Committee
Executive Councillor:- Lamb

55 **Provisional Revenue Outturn 2015/16**

The Cabinet considered a report of the Corporate Director for Corporate Services on the provisional revenue outturn for 2015/16.

Recommended:-

1. That the provisional revenue outturn for the General Fund and HRA for 2015/16 be noted.
2. That the appropriation of revenue funds to and from earmarked reserves, as set out in paragraph 4.6 and paragraph 5.4 to the submitted report, be approved.

Reason for Decision

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

Other Options

None.

Note:- This is a Council Function

Referred directly to Policy & Resources Scrutiny Committee

Executive Councillor:- Lamb

56 Annual Report - Regulation of Investigatory Powers Act 2015/16

The Cabinet considered a report of the Corporate Director for Corporate Services on the Council's use of the surveillance powers available to it under the Regulation of Investigatory Powers Act 2000 ("RIPA") in respect of the period 1st April 2015 to the 31st March 2016 and set out the Council's "Policy and Procedures for undertaking Directed Covert Surveillance and the use of Covert Human Intelligence Sources".

Resolved:-

1. That it be noted that the Council has not used the surveillance powers available to it under RIPA between 1st April 2015 and the 31st March 2016 and neither has it used any covert human intelligence sources during this period.
2. That the Council's "Policy and Procedures for undertaking Directed Covert Surveillance and the use of Covert Human Intelligence Sources" set out at Appendix 1 to the submitted report with the amendments highlighted, be endorsed.

Reason for Decision

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

Other Options

None

Note:- This is an Executive Function

Referred directly to Policy & Resources Scrutiny Committee

Executive Councillor:- Moring

57 Proposal to Establish a Southend Education Board

The Cabinet considered a report of the Corporate Director for people on the proposed establishment of an Education Board for Southend on Sea.

Recommendation :-

1. That the establishment of the Education Board be approved.
2. That officers be requested to work with the current Schools Forum to ensure the efficient transition to a new Board.

Reason for Decision

The rationale for the establishment of the Board is set out in the submitted report (paragraph 5 of the report refers).

Other Options

It would be possible in the short term to retain the Schools Forum as it currently stands, although with National Funding it will increasingly lack influence. The Schools Forum will eventually no longer exist, and any formal relationship with schools and education providers would be lost at that point.

Note:- This is a Council Function
Referred directly to People Scrutiny Committee
Executive Councillor:- Courtenay

58 Hackney Carriage Unmet Demand Survey

The Cabinet considered a report of the Corporate Director for Place presenting the conclusions of a Hackney Carriage Demand Study 2015 undertaken by CTS Traffic & Transportation on behalf of this Authority.

Recommended:-

That the authority maintains the current entry control and limit of 276 Hackney Carriages.

Reason for Decision

That the Unmet Demand Survey 2015 has identified that there is no evidence of significant unmet demand for Hackney Carriages in Southend.

Other Options

The Unmet Demand Survey 2015 report recommends that the current limit on licences remains in place. However, there are other options the authority could consider, including agreeing to issue any number of additional plates as it sees fit, either in one allocation or a series of allocations or to remove the numerical restriction currently in place.

Note:- This is a Council Function
Referred directly to Place Scrutiny Committee
Executive Councillor:- Flewitt

59 Preparation of New Southend Local Plan for Southend on Sea

The Cabinet considered a report of the Corporate Director for Place on the preparation of a new Local Plan for Southend on Sea.

Recommended:-

1. That the preparation of the new Southend-on-Sea Local Plan as a corporate priority, which will provide a positive planning framework to manage and guide regeneration and development in Southend on Sea over at least the next 15 year period, be approved.
2. That it be noted that preparation of a new Local Plan for Southend-on-Sea will include a financial and human resource commitment on behalf of the Council to facilitate delivery of a robust, long term strategic planning policy document, in a timely manner.
3. That it be noted that the new Southend-on-Sea Local Plan will replace, once adopted, the Core Strategy and associated local development documents, where indicated.
4. That a number of key evidence based documents be produced to support the preparation of the new Southend-on-Sea Local Plan, including an environmental constraints and green belt review at an early stage.
5. That the Corporate Director for Place, in consultation with the Executive Councillor for Housing, Planning and Public Protection, in conjunction with the LDF Working Party, be authorised to make the necessary amendments which may be required, and agree a draft Local Plan and associated documentation for all statutory public consultation under Regulation 18 of the Town and Country Planning Regulations (Local Planning) (England) 2012.

Reason for decision

To ensure the expeditious production of a new Local Plan for Southend-on-Sea and associated evidence base to manage and guide future growth and development in Southend on Sea in a positive and timely manner, where the Council has control of decision making in the public interest as representatives of the local community.

Other Options

1. A failure to undertake the preparation of a new Local Plan would result in the Council becoming increasingly unable to positively influence the scale, nature and location of change within Southend on Sea. This would lead to the potential increase in the risk of “planning by appeal” with the responsibility for decision making in effect being passed from the Council and the local community to both the Planning Inspectorate and the Secretary of State. It would also be likely that the Council would also incur increasing costs in attempting to defend refusals of planning permission based on an increasingly older Core Strategy and evidence base.

2. The preparation of a new Southend on Sea Local Plan is the only option which would allow for the proper consideration of a range of spatial options and policies which address more recent changes in national and regional planning policy, including the need to identify land to meet future housing and employment land requirements.

Note:- This is a Council Function
Referred directly to Place Scrutiny Committee
Executive Councillor:- Flewitt

60 Southend Central Area Action Plan

This item was withdrawn (this will be considered at the September meeting of the Committee)

61 Feed and Food Safety Service Plan 2016/17

The Cabinet considered a report of the Corporate Director for Place presenting the Official Feed and Food Controls Service Plan 2016/17 required by the Food Standards Agency (FSA).

Recommended:-

That the Official Feed and Food Controls Service Plan 2016/17 set out in Appendix 1 to the submitted be approved. ||

Reason for Decision

To comply with the Food Standards Agency Framework Agreement and the Food Standards Agency audit findings reported to Cabinet on 18th June 2013.

Other Options

The Food Standards Agency Framework Agreement sets out the statutory duty for Southend on Sea Borough Council in developing the Service Plan. There is no alternative to the statutory duty.

Note:- This is a Council Function
Referred directly to Place Scrutiny Committee
Executive Councillor:- Flewitt

62 Community Infrastructure Levy Financial Report 2015/16

The Cabinet considered a report of the Corporate Director for Place presenting the (CIL) Community Infrastructure Levy Annual Financial Report for the financial year 2015/16.

Recommended :-

That the content of the CIL Annual Financial Report 2015/16 be noted, and that the CIL receipts to date (except Leigh Town Council Neighbourhood Allocation and 5% administrative expenses) be carried forward to the next financial year (2017/18), when spending plans will be reviewed. ||

Reason for Decision

The CIL receipts to date are relatively nominal sums of money. More significant CIL receipts are anticipated over the next two years and it may be more beneficial to wait until these receipts are received before deciding how to apply them to infrastructure projects.

Other Options

To spend the 2015/16 receipts in 2016/17.

Note:- This is a Council Function
Referred directly to Place Scrutiny Committee
Executive Councillor:- Flewitt

63 Former Beecroft Art Gallery Building - Artist Studios Feasibility Study

The Cabinet considered a report of the Corporate Director for Place providing an update on the outcome of the feasibility study for using the Station Road, Westcliff building for artist studios and sought approval for further work to be undertaken.

Recommended:-

1. That the potential for a viable business case to support the creation and management of artist studios within the former gallery building be acknowledged (by the Council acting as the Beecroft Art Gallery Trustees).
2. That the preparation of a formal bid to Arts Council England's Capital Grant funds and other external funding sources to undertake the works, be approved (by the Council acting as Trustees).

Resolved: -

3. That a grant of £20k for the preparation of the bid be made to the Trust to be met from the Council's contingency.

Reason for Decision

To enable the proposed use of the building as artist studios to be progressed.

Other Options

None

Note:- The recommendations in 1 and 2 above constitute a Council Function. The decision in 3 above constitutes an Executive Function
Referred directly to Place Scrutiny Committee
Executive Councillor:- Flewitt

64 **Devolution**

The Cabinet considered a report of the Corporate Director for Place outlining the recent activity in relation to the devolution negotiations.

Resolved :-

1. That the position and activity in relation to devolution negotiations, be noted.
2. That the emergence of the Thames Estuary 2050 Growth Commission, be noted.

Reason for Decision

To update members on the devolution negotiations.

Other Options

None

Note:- This is an Executive Function
Referred directly to Place Scrutiny Committee
Executive Councillor:- Lamb

65 **Physical Activity Strategy**

The Cabinet considered a report of the Director of Public Health presenting the Southend-on-Sea Physical Activity Strategy 2016-2021

Resolved:-

That the Southend-on-Sea Physical Activity Strategy 2016-2021 and associated action plan, be approved.

Reason for Decision

The Southend-on-Sea Physical Activity Strategy and the associated action plan will help to improve the health and wellbeing of the local population and strengthen partnership working across the borough for this agenda.

Other options

The Southend-on-Sea Physical Activity Strategy provides a strategic framework and action plan to increase participation in physical activity for everyone and reduce the level of physical inactivity. The other option would be for such work to continue without a strategic framework to guide priorities.

Note:- This is an Executive Function
Referred directly to People Scrutiny Committee
Executive Councillors:-Salter/Holland

66 Senior Management Arrangements

The Cabinet considered a report of the Chief Executive proposing amendments to the senior management structures and departmental arrangements to reflect continuing reductions in staff numbers, budget pressures and the need to consolidate the public health service in the wider Council structure.

Recommended:-

1. That the proposed amendments to the senior management numbers and structures be approved and that, subject to no substantive adverse response to consultations, the implementation of the proposals be delegated to the Chief Executive in consultation with the Leader of the Council.
2. That the Chief Executive be delegated the authority to make the necessary adjustments to responsibilities and duties as a result of these changes and that appropriate amendments be made to the Constitution to reflect the new senior management structure once implemented.
3. That it be noted that the Chief Executive will bring forward a second report in the Autumn to address the outcome of the review of the public health function and to address other structural issues to facilitate recruitment and retention and succession planning and that the Chief Executive, in consultation with the Leader of the Council, be authorised to take other decisions to facilitate the recommendations in the report.

Reasons for Decision

To ensure that the overall reductions in staffing are appropriately reflected in the senior structure, that the peer review recommendations to review and re-site the public health function are carried through, that specific activities within the public health function which relate to similar activities elsewhere in the Council are better aligned, and in a report to come forward in the Autumn, that the Council begins to address issues of retention and succession.

Other Options

1. Given the slim and competitive current senior management structure the Council could decide to not amend and reduce the number of senior management posts, allowing continued capacity to address and deliver the challenges facing the Council. This alternative option would, however, not reflect the continued reduction in staffing overall within the Council as a result of financial challenges.
2. The Council could decide to not review and refresh the public health function but this would not address the recommendations of the Peer Review and would not properly ensure the targeted and effective functioning of the service.

3. The Council could carry out a complete review of the entire senior leadership structure but this is not considered necessary, and would cause unnecessary and potentially damaging uncertainty and disruption to the delivery of services. A wholesale review would also ignore that the current and proposed structures reflect best practice across unitary councils.

Note:- This is a Council Function

Referred directly to Policy and Resources Scrutiny Committee

Executive Councillor:- Lamb

67 Council Procedure Rule 46

Resolved:-

That the submitted report, be noted.

Note:- This is an Executive Function

Referred directly to the relevant Scrutiny Committee as appropriate for the item

Executive Councillor:- As appropriate to the item

68 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.

69 Southend Clinical Commissioning Group – Invest to Save Support

The Cabinet considered a report of the Corporate Director for Corporate Services on a proposal to offer financial support to Southend Clinical Commissioning Group for their invest to save programme.

Resolved :-

1. That the investment of the sum, identified in the submitted report, into Southend Clinical Commissioning Group's 2016/17 Invest to Save Programme, be approved.
2. That the repayment profile through return on investment be noted.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function
Referred directly to People Scrutiny Committee
Executive Councillor:- Salter

70 Waste Disposal - Contract Issues

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

Resolved:-

That the submitted report be noted.

Reason for Decision

As set out in the submitted report

Other Options

None

Note:- This is an Executive Function
Referred directly to Place Scrutiny Committee
Executive Councillor:- Cox

71 Council Procedure Rule 46 - Confidential Sheet

Resolved:-

That the submitted report, be noted.

Note:- This is an Executive Function
Referred directly to Policy and Resources Scrutiny Committee
Executive Councillor:- Moring

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 29th June, 2016
Place: Committee Room 1 - Civic Suite

14

Present: Councillor M Davidson (Chair)
Councillors S Buckley (Vice-Chair), B Ayling, Bright, D Garston,
Moyies, C Nevin and Ware-Lane

In Attendance: S Holland, J Chesterton, C Gamble, T MacGregor, V Dewsbury,
L Everard, E Allen, J Denham, D Bonner (Mazars),
D Joyce (South Essex Homes), D Lincoln (South Essex Homes) and
A Langridge (BDO)

Start/End Time: 6.30 - 8.25 pm

72 Apologies for Absence

Apologies for absence were received from Councillor Stafford.

73 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Davidson – Agenda Item No. 5 (South Essex Homes: Annual Governance Statement 2015/16 and supporting reports) – Disclosable Non-pecuniary interest: Member of the South Essex Homes Board (withdrew) – (The chair for this item was taken by the Vice-Chairman, Cllr Buckley);

(b) Councillor Ware-Lane – Agenda Item No. 5 (South Essex Homes: Annual Governance Statement 2015/16 and supporting reports) – Non-pecuniary interest: Daughter is an employee of South Essex Homes.

74 Minutes of the Meeting held on 30th March 2016

Resolved:-

That the Minutes of the Meeting held on 30th March 2016 be confirmed as a correct record and signed.

75 Housing Benefit

Pursuant to the decision taken at the last meeting of the Committee, Members received a presentation given by Veronica Dewsbury, Housing Benefit Manager, on housing benefit administration.

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

Arising from the presentation, the Head of Finance and Resources undertook to prepare a report to a future meeting of the Committee on debt management across the Authority.

(Councillor Buckley in the Chair)

76 South Essex Homes: Annual Governance Statement 2015/16 and Supporting Reports

The Committee considered a report of the Corporate Director for People presenting South Essex Homes' Annual Governance Statement and supporting reports.

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

On consideration of the report, reference was made to the reduction in the number of Southend Councillors on the board of South Essex Homes from four to three representatives. Members of the Committee asked for clarification as to who took this decision and when it was taken.

Resolved:-

That the assurance provided by South Essex Homes regarding the operation of its risk management, control and governance arrangements throughout 2015/16, be accepted.

(Councillor Davidson in the Chair)

77 Internal Audit Services, Quarterly Performance Report

The Committee considered a report of the Corporate Director for Corporate Services presenting the results of the audit reviews completed since the last meeting of the committee.

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

Resolved:-

That the assurance provided by the audit work completed this quarter, be noted.

78 Head of Internal Audit Annual Report 2015/16

The Committee considered a report of the Corporate Director for Corporate Services providing the following for the 2015/16 financial year:

- The rationale for and an audit opinion on the adequacy and effectiveness of Southend-on-Sea Borough Council's (the Council's) risk management, control and governance processes.

- A statement on conformance with the UK Public Sector Internal Audit Standards (the Standards) and the results of the Quality Assurance and Improvement Programme.

Resolved:-

That the Head of Internal Audit's Annual Report for 2015/16, be accepted.

79 Annual Governance Statement 2015/16

The Committee considered a report of the Chief Executive & Town Clerk presenting the Annual Governance Statement for 2015/16 together with actions for 2016/17 and an update on progress made with the 2015/16 action plan.

Resolved:-

That, subject to any further views expressed by External Audit, the Annual Governance Statement for 2015/16, be approved and recommended to the Leader of the Council and Chief Executive for authorisation and signature.

80 BDO: Planning Letter 2016/17

The Committee considered a report of the Corporate Director for Corporate Services presenting the External Audit Planning Letter for 2016/17.

Resolved:-

That the Planning Letter for 2016/17, be approved.

81 Corporate Risk Register 2016/17

The Committee considered a report of the Chief Executive & Town Clerk presenting the 2016/17 Corporate Risk Register.

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

On consideration of the waste management risk, Members expressed concern about the performance of Veolia, the waste collection contractor. Members requested the Corporate Director for Place to advise them of the actions taken to address the problems identified and to improve the quality of the service together with details of the penalties that could be imposed against the contractor for failure to deliver the service in accordance with the terms of the contract.

In the light of the above concerns, Members also requested that the actions to mitigate the risk in relation to waste collection management be reviewed.

Resolved:-

That the 2016/17 Corporate Risk Register be endorsed.

82 **BDO: Progress Report to Those Charged with Governance**

The Committee considered a report of the Corporate Director for Corporate Services on the progress made in delivering the 2015/16 Annual Audit Plan.

Resolved:-

That the progress made in delivering the Annual Audit Plan for 2015/16, be accepted.

Information items

The Committee noted the following documents:

- CIPFA Better Governance Forum, Audit Committee Update, Helping Audit Committees to be Effective, Issue 19:
 - Good Governance in Local Government - 2016 Framework
 - Appointing local auditors
- Fighting Fraud & Corruption Locally, The local Government counter fraud and corruption strategy 2016-2019

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 6th July, 2016
Place: Committee Room 4a - Civic Suite

15

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

In Attendance: Councillor D Jarvis
J K Williams, P Geraghty, D Hermitage, I Harrison, C Galforg,
L Tweedie, M Warren and T Row

Start/End Time: 2.00 pm - 3.30 pm

83 Apologies for Absence

There were no apologies for absence.

84 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Evans – 16/00460/FULH – Disqualifying non-pecuniary interest: One of the objectors is a close personal friend (withdrew);

(b) Councillor Jones – EN/16/00027/UNAU_B – Non-pecuniary interest: Friend lives in the vicinity;

(c) Councillor Mulroney – 16/00460/FULH – Non-pecuniary interest: Member of Leigh Town Council but not a member of its Planning Committee and the neighbour to the application is known to her;

(d) Councillor Mulroney – 16/00832/FUL – Non-pecuniary interest: Member of Leigh Town Council but not a member of its Planning Committee;

(e) Councillor Van Looy – 15/01191/BC3 – Non-pecuniary interest: Daughter attends the college;

(f) Councillor Walker – 16/00460/FULH – Non-pecuniary interest: A resident who lives close by is known to him.

85 Supplementary Report

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

86 Reports on Planning Applications - Pre-Meeting Site Visits

**(a) Leigh Ward
16/00460/FULH**

Raise roof height to form chalet style dwelling, erect dormers to front and rear, form two storey front gable projection, layout parking and install new vehicular access on to Marguerite Drive

80 Marguerite Drive, Leigh-on-Sea, Essex, SS9 1NW

Mr and Mrs Adams

Brian Davison Associates

Mrs Peters, a local resident spoke, as an objector to the application. Mr Adams, the Applicant responded.

Planning permission REFUSED for the following reasons

01 The proposed development by reason of the increase in height and bulk of the roof would result in a dwellinghouse that is out of proportion and dominates its surroundings to the detriment of the character of the existing dwelling and streetscene contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009 (SPD1).

02 The proposed development by reason of its siting, scale and rear dormer windows would result in an overbearing form of development and result in loss of privacy to No.67 and 71 Cliffsea Grove, contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM1 of Development Management Document DPD2, and the Design and Townscape Guide.

87 Reports on Planning Applications - Main Plans List

**(a) Blenheim Park Ward
16/01030/AMDT**

Application to vary condition 13 of planning permission 15/01785/AMDT to extend the timeframe by which details of the access, appearance, landscaping, layout and scale (hereinafter called the reserved matters) shall be submitted to the local planning authority to 18th July 2016.

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

Venture Capital Associates Ltd

Phase 2 Planning and Development

(a) DELEGATED to the Corporate Director for Place, Head of Planning & Transport or Group Manager of Planning & Building Control, to GRANT PLANNING PERMISSION subject to the completion of a S106 legal agreement seeking:

(i) a commuted sum payment for affordable housing of £134,673 in lieu of on-site provision (subject to the conditions set out in paragraph 4.11 above);

(ii) £37,458.58 education contribution;

(iii) S106 monitoring fee

(b) The Corporate Director for Place, Head of Planning and Transport or the Group Manager (Development Control & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

01 Details of the access, appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to the local planning authority not later than 18th July 2016. The development hereby permitted shall begin not later than the 19th March 2018.

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

02 The development hereby permitted shall be carried out in accordance with plans 356.207.00; 356.206.02; 356.207.00; 356.208.00.

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

03 Within sixth months of the date of the last reserved matters approved details of materials shall be submitted to and 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 Document) policy DM1, and SPD1 (Design and Townscape Guide).

04 No flat shall be occupied until 23 car parking spaces have been provided, together with a properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority. The car parking hereby approved shall be retained for the use of occupiers or visitors to the residential units in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

05 Within sixth months of the date of the last reserved matters approved details of hard and soft landscaping shall be submitted to and agreed in writing by the local planning authority.

All planting in the approved landscaping plan drawing PR024-01B landscape plan shall be carried out within the first planting season of 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 as may be agreed with the local planning authority.

Reason: In the interests of visual amenity and 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 Document) policy DM1, and SPD1 (Design and Townscape Guide).

06 The details of renewable energy shall be implemented in accordance with the Sustainability and Energy Report by David Plant Architecture agreed under application as shown on drawing 356.201.02, shall be implemented prior to occupation of the flats to provide at least 10% onsite renewable energy, unless otherwise agreed in writing by the local planning authority.

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

07 The acoustic fence shall be installed to the northern boundary as shown on drawing 356.205.00 and the supporting information from David Plant Architecture submitted on the 26.03.2015 shall be installed prior to the occupation of the flats hereby approved unless otherwise agreed in writing by the local planning authority.

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

08 No flats hereby approved shall be occupied until cycle parking spaces have been provided in accordance with the approved plan 356.207.00, and cycle parking shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy and Policy DM15 of the Development Management DPD 2015.

09 No flat roofed areas of the proposed development, with the exception of the roof terrace specified on plan 356.208.00, are to be used for sitting out or as any type of amenity space unless otherwise agreed in writing by the Local Planning Authority.

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

10 The privacy screens shall be implemented in accordance with drawings 356.306.03 and 356.304.03, and shall be installed prior to the first occupation of the residential flats hereby approved, unless otherwise agreed in writing by the local planning authority. The screens shall be permanently retained, thereafter.

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

11 Prior to first occupation of the development the gate to the undercroft shall be installed in accordance with drawing 356.204.01 and shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure the protection of residential amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

12 The waste management details as shown on drawing dapa_356_207.00 shall be implemented prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and waste management 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) and the Waste Management Guide.

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, shall be submitted to the local planning authority for approval the development shall be carried out in accordance with the approved details.

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

Informatives

1 As this application has been made pursuant to Section 73 of the Town and Country Planning Act 1990, Community Infrastructure Levy (CIL) Regulation 128A applies. You are advised that in this instance there will be no CIL charge on this permission as there is no net increase in floorspace between the original permission and the S73 permission.

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

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

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 06.09.2016 the Corporate Director for Place, Head of Planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development fails to:- 1) provide for education facilities to serve the development, 2) provide affordable housing to meet the needs of the Borough. As such would result in increased pressure on public services and infrastructure to the detriment of the general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4, CP6 and CP8 of the Core Strategy, Policies DM1, DM3, DM7, DM15 and the Design and Townscape Guide (2009).

(b) West Shoebury Ward

16/00688/FUL

Erect five terraced dwellinghouses with parking to rear (Amended Proposal)

12 Bridge Cottages, North Shoebury Road, Shoeburyness, Southend-on-Sea, Essex, SS3 8UN

Mr S. Riaz (Pimco UK Ltd)

Glen Eldridge Architects

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

Planning permission REFUSED for the following reason:

01 The proposed development, by virtue of the scale, form and architectural features of the proposed dwellings, would cause harm to the appearance of the neighbouring dwellings and be a discordant and incongruous addition to the street-scene. The proposal is therefore contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy), policy DM1 of DPD2 (Development Management) and the advice contained within SPD1 (Design and Townscape Guidance)

(c) West Leigh Ward

16/00832/FUL

Demolish existing dwellinghouses at 104-106 Salisbury Road, erect three detached dwellinghouses with garages to rear and alter existing vehicular crossovers onto Salisbury Road (Amended Proposal)

104 Salisbury Road, Leigh-on-Sea, Essex SS9 2JN

Mr D. MacDonald

Mr G. Coxall (Third Dimension Arch. Design Ltd)

Planning permission REFUSED for the following reason:

01 The proposed dwellings, by reason of their elevational design would be out of context and visually harmful to the detriment of the surrounding area. This is contrary to the National Planning Policy Framework policies KP2 and CP4 of the Core Strategy DPD1, Policies DM1 and DM3 of Development Management Document DPD2 and policies and the Design and Townscape Guide.

(d) Kursaal Ward

15/01191/BC3

Install biomass boiler plant, a flue, screening fencing and associated equipment to the rear of the main building.

Southend Adult Community College, Ambleside Drive, Southend-on-Sea, Essex, SS1 2UP

Mr Stephen Lay (Southend Adult Community College)

Dr Terence Lewis (Southend Borough Council)

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: SACC-002 A, SACC Southend/003 C and 1370/P/01.

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

03 The installation and operation of the biomass boiler shall be restricted to the specification provided within the application. The boiler specified in the application is the Lindner & Sommereaur SL110 110Kw biomass boiler.

Reason: In the interests of protecting residential amenity and preventing pollution as required by the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide).

04 Prior to initial operation of the biomass boiler, a completed Biomass Boiler Information Request Form detailing on site operation and maintenance of the boiler shall be submitted to, and approved by, the Local Planning Authority.

Reason: In the interests of protecting residential amenity and preventing pollution as required by the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide).

05 Deliveries of fuel associated with the use of the biomass boiler shall not take place before 08:00 or after 18:00 Monday to Friday, before 09:00 or after 13:00 Saturday, nor at anytime on Sundays or Bank Holidays.

Reason: In the interests of protecting residential amenity as required by the

National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM1 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.

Informatives:

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.

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

88 Enforcement of Planning Control

(a) Chalkwell Ward

EN/16/00080/UNAU_B

Without planning permission installed fences on both sides of garden at front of the dwellinghouse

105 Crowstone Road, Westcliff on Sea Essex

Resolved: That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised fences at the front of the site. This is because of their poor appearance and height, and loss of sight lines, to the detriment to pedestrian safety, and detriment to visual and residential amenity, contrary to Policy DM1 of the DM DPD, Policies KP2 and CP4 of the Core Strategy, and advice contained within the Design and Townscape Guide (SPD1).

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

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

(b) Chalkwell Ward

EN/15/00277/UNAU

Without planning permission installed PVC framed windows to front and side elevations

Crowstone House, Crowstone Road, Southend on Sea

Resolved: That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised PVC windows in elevations facing Chalkwell Esplanade and Crowstone Avenue. This is because of the detriment to the historic and visual character and amenities of the locally listed building and the Conservation Area, contrary to Policies DM1 and DM5 of the DPD, Policies KP2 and CP4 of the Core Strategy, and advice contained within the Design and Townscape Guide (SPD1).

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

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

(c) Thorpe Ward

16/00048/UNAU-B

Without planning permission, the erection of an outbuilding which exceeds 2.5m in height and is located within 2.0m of a boundary of the curtilage of the dwellinghouse.

42 Kensington Road, Southend-on-Sea SS1 2SY.

DEFERRED

(d) Milton Ward

16/00108/UNAU_B

Without planning permission installation of windows, erection of porch and provision of soil pipe to South elevation.

49 Milton Road, Southend on Sea

DEFERRED

(e) Victoria Ward

EN/16/00027/UNAU-B

Without planning permission, the erection of an enclosed raised platform/balcony at first floor level to the rear of the property.

323a London Road, Westcliff-on-Sea, Essex SS0 7BX

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the raised platform/balcony constructed to the rear of the property at first floor level on the grounds that the unauthorised development is detrimental to the character and visual amenities of the area by reason of its height, bulk, poor design and inappropriate materials which render its appearance incongruous and out of keeping in the area contrary to the National Planning Policy Framework (NPPF), Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of

the Development Management DPD and the Design & Townscape Guide (SPD1).

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

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

Chairman: _____

Southend-on-Sea Borough Council

Report of Corporate Director for Corporate Services

to
Council

on

21st July 2016

Report prepared by:

Colin Gamble Group Manager Democratic Services

Agenda
Item No.

21

Establishment of the Holocaust Memorial Day Working Party

Executive Councillor: Councillor Lamb

Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 To re-establish the Holocaust Memorial Day Working Party and make a number of consequential changes to the terms of reference of the Cultural, Tourism and Events Working Party.

2. Recommendations

- 2.1 That the Holocaust Memorial Day Working Party be re-established and consequential changes be made to the terms of reference of the Cultural, Tourism and Events Working Party, as set out in Appendix 1.
- 2.2 Arising from this, nominations be made to the Holocaust Memorial Day Working Party in the proportion 4 Conservative, 2 Labour, 1 Independent, 1 Southend Independence Group.

3. Background

- 3.1 A review of Cabinet Working Parties was undertaken in 2014 with the objective of achieving some consolidation. The Council on 17th July 2014 endorsed the consolidation of a number of Working Parties and these were aligned to one of the seven portfolio areas at the time. Subsequently with a change of Administration of the Council the Leader has proposed to the re-constitution of the Holocaust Memorial Day Working Party.
- 3.2 This task has been carried out and a re-constituted Holocaust Memorial Day Working Party and its terms of reference have been produced as detailed in Appendix 1. As a result the Cultural, Tourism and Events Working Party terms of reference have been amended to remove 3.5.3(f) from its terms of reference.
- 3.3 The Council is required to make appointments to the re-constituted Holocaust Memorial Day Working Party in the proportion 4 Conservative; 2 Labour, 1 Independent, 1 Southend Independence Group.

4. Background Papers

None

5. Appendices

Appendix 1 Cabinet Holocaust Memorial Day Working Party terms of reference and amendments to the Cabinet Cultural, Tourism and Events Working Party.

Re-constitution of the Holocaust Memorial Day Working Party / Amendments to the Terms of Reference of the Cultural, Tourism and Events Working Party

1. Holocaust Memorial Day Working Party

Membership

8 Members of the Council

Substitutes: Permitted in accordance with Standing Order 31

Proportionality: By convention political proportionality shall apply

The Chairman shall be the Leader or such other Executive Councillor as the Leader shall appoint.

Quorum

3

Terms of Reference

- To recommend arrangements to commemorate Holocaust Memorial Day, 27th January each year.

Status of Meetings

Private

Reports to

The Cabinet

2. Cultural, Tourism and Events Working Party

(to delete 3.5.3(f) from the terms of reference)

Membership

8 Members of the Council

Substitutes: Permitted in accordance with Standing Order 31

Proportionality: By convention political proportionality shall apply

The Chairman shall be the Leader or such other Executive Councillor as the Leader shall appoint.

Quorum

3

Terms of Reference

- To carry out study work and formulate proposals and recommendations in respect of Cultural Projects.
- To review the current programme of events in Southend and the funding thereof, and to consult stakeholders on improvements which could be made.
- To develop and recommend a new Events Strategy for Southend.
- To formulate proposals and recommendations in respect of the Pier and Foreshore.
- To consider commemorative activities to mark the anniversary of the start of World War 1.
- ~~To recommend arrangements to commemorate Holocaust Memorial Day, 27th January each year.~~

Status of Meetings

Private

Reports to

The Cabinet