

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

7 April 2017

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, **Thursday, 20th April, 2017 at 7.00pm** for the transaction of the following business.

Simon Leftley
Acting Chief Executive & Town Clerk

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Youth Mayor and Deputy Youth Mayor Appointments**
- 4 Communications**
- 5 Questions from Members of the Public**
- 6 Questions from Members of the Council**
- 7 Minutes of the special meeting held on Thursday, 23rd February 2017 (Pages 1 - 2) - Minutes attached.**
- 8 Minutes of the meeting held on Thursday, 23rd February 2017 (Pages 3 - 32) - Minutes attached**
- 9 Minutes of the special meeting held on Tuesday 21st March 2017 (Pages 33 - 34) – Minutes attached**
- 10 Petition - Increase Pedestrian Safety in Whitehouse Road (Pages 35 - 36) – Petition attached**
- 11 Petition - Western Approaches Zebra Crossing Installation (Pages 37 - 38) – Petition attached.**
- 12 Minutes of the meeting of Standards Committee held Tuesday, 28 February 2017 (Pages 39 - 40) – Minutes attached.**

- 13 Minutes of the meeting of Development Control held on Wednesday, 1st March 2017 (Pages 41 - 76) – Minutes attached.**
- 14 Minutes of the meeting of Licensing Committee held on Friday, 3rd March 2017 (Pages 77 - 78) – Minutes attached.**
- 15 Minutes of the meeting of Cabinet Committee held on Thursday, 9th March 2017 (Pages 79 - 86) – Minutes attached**
- 16 Minutes of the meeting of Cabinet held on Tuesday, 14th March 2017 (Pages 87 - 98) - Minutes attached.**
- 17 Minutes of the meeting of Special Cabinet held on Tuesday, 28th March 2017 (Pages 99 - 106) - Minutes attached.**
- 18 Minutes of the Audit Committee held on Wednesday, 29th March 2017 (Pages 107 - 110) - Minutes attached.**
- 19 Minutes of the meeting of Development Control Committee held on Wednesday, 5th April 2017 - Minutes to follow**
- 20 Minutes of the Licensing Sub Committee B held on Thursday 6th April 2017 – Minutes to follow**
- 21 Minutes of the meeting of Special People Scrutiny Committee held on Thursday, 6th April 2017 – Minutes to follow**
- 22 Minutes of the meeting of Licensing Sub Committee A held on Friday, 7th April 2017 – Minutes to follow**
- 23 Minutes of the meeting of Place Scrutiny Committee held on Monday, 10th April 2017 – Minutes to follow**
- 24 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 11th April 2017 - Minutes to follow.**
- 25 Minutes of the meeting of Policy & Resources Scrutiny Committee held on Wednesday, 12th April 2017 – Minutes to follow**
- 26 Notice of Motion - Muscular Dystrophy and Motability (Pages 111 - 112) – Notice of Motion attached**
- 27 Opposition Business - Planning Policy**
- 28 Changes to Committee Appointments**

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 23rd February, 2017

Place: Council Chamber - Civic Suite

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

Start/End Time: 6.30 - 7.00 pm

769 Apologies for Absence

Apologies for absence were received from Councillors Nevin, Van Looy, Wexham and Willis.

770 Declarations of Interest

All Members of the Council declared a non-pecuniary interest – Nominee for Honorary Freedom of the Borough was known to them.

771 Minutes of the General Purposes Committee held Monday, 16th January 2017

Minute 631, Resolution 1 would be dealt with at the ordinary meeting of the Council at 7.00pm this evening.

Resolved:

That the recommendations contained in Minute 631, Resolution 2, be adopted.

772 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 Mr Rob Tinlin in recognition of the eminent and outstanding public service he has rendered to the Borough of Southend-on-Sea as its Chief Executive and Town Clerk from 2005 to 2017..

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 23rd February, 2017

Place: Council Chamber - Civic Suite

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

Start/End Time: 7.00 - 11.45 pm

773 Apologies for Absence

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

774 Declarations of Interest

- **Councillor Arscott**

Development Control Committee – 14th December 2016

Minute 439 – 16/01661/FULH - 54 Glenbervie Drive, Leigh-on-Sea – Disqualifying non-pecuniary interest: Resident of Glenbervie Drive (withdrew);

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Development Control Committee – 11th January 2017

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee;

Audit Committee – 18th January 2017

Minute 640 – Internal Audit Service Quarterly Performance Report – non-pecuniary – School governor, Our Lady of Lourdes Catholic Primary School/Head teacher of Sacred Heart Primary School is safeguarding mentor/advisor for school governors;

People Scrutiny Committee – 24th January 2017

Minute 698 - Fostering Service – non-pecuniary – member of Southend Fostering Panel;

Minute 702 - Schools Progress report – non pecuniary – Governor at Our Lady of Lourdes Catholic Primary School;

- **Councillor Assenheim**

Development Control Committee – 14th December 2016

Minute 530 – 16/01256/FUL - 23 Blenheim Crescent, Leigh-on-Sea, SS9 3DT – Non-pecuniary interest: Knows the applicant;

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Special People Scrutiny Committee – 20th December 2016

Minute 574 - Success Regime - non-pecuniary – member of Task & Finish Group re Shoeburyness Health Centre;

Cabinet Committee – 9th January 2017

Minute 578 (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of the Patients Forum of the Doctor's Surgery in Tyrone Road;

Development Control Committee – 11th January 2017

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee;

Place Scrutiny Committee – 23rd January 2017

Minutes 655, 656, 657, 658, 659 and 660 - Corporate Performance Management 2017/18, Draft Capital Programme 2017/18 to 2020/21, Draft Fees & Charges 2017/18, Draft General Fund Revenue Budget 2017/18, Monthly Performance Report) and Notice of Motion - Affordable Housing and Viability Issues – Non-pecuniary interest: Sister is a tenant of South Essex Homes;

Minute 665 - Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road – Non-pecuniary interest: Member of the Patients Forum of the Doctor's Surgery in Tyrone Road;

Policy & Resources Scrutiny Committee – 25th January 2017

Minute 709 - draft HRA – non-pecuniary – sister lives in sheltered housing accommodation;

Minute 711 - Fees and Charges – member of Jewish Community and Jewish cemetery mentioned as part of debate;

- **Councillor Aylen**

Cabinet Committee – 9th January 2017

Minute 579 – (Requests for New or Amended Traffic Regulation Orders – Belfairs Park Drive) – Non-pecuniary interest: Friends live in the street;

- **Councillor Ayling**

Development Control Committee – 14th December 2016

Minute 530 - 16/01256/FUL - 23 Blenheim Crescent, Leigh-on-Sea, SS9 3DT – Non-pecuniary interest: Knows the applicant;

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Policy & Resources Scrutiny Committee – 25th January 2017

Minute 720 - in depth scrutiny report update – non-pecuniary – son is a Police Special;

- **Councillor Betson**

Development Control Committee – 11th January 2017

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee;

- **Councillor Borton**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Special People Scrutiny Committee – 20th December 2016

Minute 574 - Success Regime - non-pecuniary – daughter is a nurse at Rochford Hospital / employer is SEPT;

Development Control Committee – 11th January 2017

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee;

People Scrutiny Committee – 24th January 2017

Minute 702 - School Progress report – non-pecuniary – Governor at Milton Hall School;

Minute 695 - MPR – non-pecuniary – SEPT mentioned and is daughters' employer;

- **Councillor Boyd**

People Scrutiny Committee – 24th January 2017

Minute 702 - School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, south east Essex Teaching School Alliance;

- **Councillor Bright**

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

Place Scrutiny Committee – 23rd January 2017

Minute 665 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him;

Place Scrutiny Committee – 23rd January 2017

Minute 673 (Update on Petition Requesting Permit Parking Controls (Southend East)) – Non-pecuniary interest: part of the area is within his Ward;

- **Councillor Buckley**

Development Control Committee – 14th December 2016

16/01580/FUL – Roslin Hotel, Thorpe Esplanade, Thorpe Bay, Southend-on-Sea – Non-pecuniary interest – considered traffic related issues at the Cabinet Committee;

Minute 535 – 16/02060/TPO - Land at Junction of Prince Avenue A127 and Rochford Road, Westcliff on Sea – Non-pecuniary interest: Ward Councillor;

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Development Control Committee – 14th December 2016

16/02060/TPO – Land at Junction of Prince Avenue A127 and Rochford Road – non-pecuniary interest – has discussed with residents and local media as the Ward Councillor;

Cabinet Committee – 9th January 2017

Minute 580 – Petition of Action on Excessive Speeds, Wells Avenue – non-pecuniary interest – lobbied for residents as Ward Councillor;

Cabinet – 19th January 2017

Minute 647 – Draft HRA – non-pecuniary interest - Friends and family members are tenants of South Essex Homes;

Minute 649 – Draft Fees and Charges 2017/18 – non-pecuniary interest – use of Porters on 18th February 2017;

Council – 23rd February 2017

Agenda Item 7 – Council Budget – non-pecuniary interest – friends and family are tenants of South Essex Homes;

- **Councillor Burzotta**

Place Scrutiny Committee – 23rd January 2017

Minute 657 (Draft Fees & Charges 2017/18) and 13 (Ballot for Business Improvement District (BID) Renewal) – Non-pecuniary interest: Family business in the Town Centre;

Minutes 655, 656, 657, 658, 659 and 660 (Corporate Performance Management 2017/18), (Draft Capital Programme 2017/18 to 2020/21), (Draft Fees & Charges 2017/18), (Draft General Fund Revenue Budget 2017/18), (Monthly Performance Report) and 10 (Notice of Motion - Affordable Housing and Viability Issues) – Non-pecuniary interest: Non-Executive Director on the South Essex Homes Board;

Policy & Resources Scrutiny Committee – 25th January 2017

Minute 709 - draft HRA - attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Butler**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

- **Councillor Byford**

Cabinet Committee – 9th January 2017

Minute 578 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him;

Policy & Resources Scrutiny Committee – 25th January 2017

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

- **Councillor Callaghan**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Cabinet Committee – 9th January 2017

Minute 580 - (Petition for Action on Excessive Speeds, Wells Avenue) – Non-pecuniary interest: Brother Lives in the road;

Place Scrutiny Committee – 23rd January 2017

Minutes 655, 656, 657, 658, 659 and 660 (Corporate Performance Management 2017/18), (Draft Capital Programme 2017/18 to 2020/21),

(Draft Fees & Charges 2017/18), (Draft General Fund Revenue Budget 2017/18), (Monthly Performance Report) and 10 (Notice of Motion - Affordable Housing and Viability Issues) – Non-pecuniary interest - Sister is a tenant of South Essex Homes;

Minute 657 - (Draft Fees & Charges 2017/18) – Pecuniary interest: Hackney Carriage Driver (matter not discussed);

Minute 667 - (Petition for Action on Excessive Speeds, Wells Avenue) – Non-pecuniary interest - Brother Lives in the road;

Licensing Committee – 24th January 2017

Minute 684 – Application to be recognised as an association for taxi drivers – non-pecuniary interest – Taxi Driver;

- **Councillor Courtenay**

People Scrutiny Committee – 24th January 2017

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

- **Councillor Cox**

Cabinet Committee – 9th January 2017

Minute 578 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him;

Cabinet – 10th January 2017

Minute 602 – Development & Expansion of National Jazz Archive (Beecroft) – disclosable non-pecuniary interest – person named in report is a work colleague (withdrew);

Place Scrutiny Committee – 23rd January 2017

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

Minute 657 - (Draft Fees & Charges 2017/18) – Non-pecuniary interest: Wife is a blue badge holder;

Minute 662 (Development & Expansion of National Jazz Archive – Beecroft) – Disqualifying non-pecuniary interest: Person mentioned in the report is a work colleague (withdrew);

Place Scrutiny Committee – 23rd January 2017

Minute 665 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him;

- **Councillor Davidson**

Audit Committee – 18th January 2017

All minutes in so far as they relate to Southend Hospital – non-pecuniary interest - Southend Council appointed Governor to Southend University Hospital NHS Trust Foundation;

All minutes in so far as they relate to South Essex Homes – non-pecuniary interest – Non-Executive Director, SEH;

Place Scrutiny Committee – 23rd January 2017

Minutes 655, 656, 657, 658, 659 and 660 (Corporate Performance Management 2017/18), (Draft Capital Programme 2017/18 to 2020/21), (Draft Fees & Charges 2017/18), (Draft General Fund Revenue Budget 2017/18), (Monthly Performance Report) and 10 (Notice of Motion - Affordable Housing and Viability Issues) – Non-pecuniary interest: Non-Executive Director on the South Essex Homes Board;

- **Councillor Davies**

Policy and Resources Scrutiny Committee – 25th January 2017

Minute 713 – Notice of Motion (York Road) – non-pecuniary interest – previously lived in York Road and worked as part of a Street Pastor Team patrolling roads which included York Road;

- **Councillor Endersby**

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

- **Councillor Evans**

Development Control Committee – 11th January 2017

16/01693/FUL – 104 Salisbury Road, Leigh-on-Sea, Essex SS9 2JN – Non-pecuniary interest: Governor at St. Michael's School which is attended by the applicant's children;

16/02040/FULH – 43 Theobalds Road, Leigh-on-Sea – Non-pecuniary interest: Owns a property in the road;

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

Development Control – 8th February 2017

16/02213/FUL - 7-9 Landsdowne Avenue, Leigh on Sea – Non-pecuniary interest: Customer at the premises;

- **Councillor Flewitt**

Development Control Committee – 14th December 2016

16/01580/FUL – Roslin Hotel, Thorpe Esplanade, Thorpe Bay, Southend-on-Sea – Non-pecuniary interest – considered traffic related issues at the Cabinet Committee;

16/02060/TPO – Land at Junction of Prince Avenue A127 and Rochford Road – non-pecuniary interest – discussed with residents and local media as a Ward Councillor;

Cabinet Committee – 9th January 2017

Minute 580 – Petition for action on excessive speeds, Wells Avenue – non-pecuniary interest – lobbied for residents as ward councillor;

Place Scrutiny Committee – 23rd January 2017

Interests in all the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011; Minutes 655, 656, 657, 658, 659 and 660 (Corporate Performance Management 2017/18), (Draft Capital Programme 2017/18 to 2020/21), (Draft Fees & Charges 2017/18), (Draft General Fund Revenue Budget 2017/18), (Monthly Performance Report) and 10 (Notice of Motion - Affordable Housing and Viability Issues) – Non-pecuniary interest - Friends and family members are tenants of South Essex Homes;

Cabinet – 19th January 2017

Minute 647 – Draft HRA – non-pecuniary interest – friends and relatives tenants of SEH;

Minute 649 – Fees and Charges – non-pecuniary interest – use of Porters on 18th February 2017;

Policy & Resources Scrutiny Committee – 25th January 2017

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

Minute 709 - draft HRA – non-pecuniary – friends and relatives tenants of SEH;

Cabinet – 14th February 2017

Minute 760 – HRA Account – non-pecuniary interest – friends and family are tenants of South Essex Homes Ltd;

Minute 763 – Fees and Charges – non-pecuniary interest – use of Porters on 18th February 2017;

- **Councillor Folkard**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Place Scrutiny Committee – 23rd January 2017

Minute 665 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him;

- **Councillor D Garston**

Development Control Committee – 14th December 2016

Minute 530 – 16/01256/FUL - 23 Blenheim Crescent, Leigh-on-Sea, SS9 3DT – Non-pecuniary interest: Applicant is known to him;

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Cabinet Committee – 9th January 2017

Minute 578 - (Objections to Traffic Regulation Orders – Salisbury Road) – Non-pecuniary interest: Family member lives in the street;

Minute 579 – (Requests for New or Amended Traffic Regulation Orders – Westcliff Parade) – Non-pecuniary interest: Family member lives nearby;

Minute 582 – (Petition for One-Way Traffic Flow, Westcliff Parade) – Non-pecuniary interest: Family member lives nearby;

Development Control Committee – 11th January 2017

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee;

- **Councillor J Garston**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Cabinet Committee – 9th January 2017

Minute 578 - (Objections to Traffic Regulation Orders – Salisbury Road) – Non-pecuniary interest: Family member lives in the street;

Minute 579 – (Requests for New or Amended Traffic Regulation Orders – Westcliff Parade) – Non-pecuniary interest: Lives nearby;

Minute 582 – (Petition for One-Way Traffic Flow, Westcliff Parade) – Non-pecuniary interest: Lives nearby;

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

Place Scrutiny Committee – 23rd January 2017

Minute 665 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him and family member lives in the street;

Minute 666 (Requests for New or Amended Traffic Regulation Orders – Westcliff Parade) – Non-pecuniary interest: Lives nearby;

Minute 669 (Petition for One-Way Traffic Flow, Westcliff Parade) – Non-pecuniary interest: Lives nearby;

- **Councillor Habermel**

Special People Scrutiny Committee – 20th December 2016

Minute 574 - Success Regime - non-pecuniary – sister is a nurse at Southend Hospital;

Development Control Committee – 11th January 2017

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee;

16/00189/UNAU_B – 96 The Ridgeway, Westcliff-on-Sea – Non-pecuniary interest: Lives in the vicinity of the restaurant;

- **Councillor Hadley**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Place Scrutiny Committee – 23rd January 2017

Minute 665 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him;

Minute 657 (Draft Fees & Charges 2017/18) – Non-pecuniary interest: Allotment holder;

Development Control – 8th February 2017

16/02207/BC4M - Centurion Close, Shoeburyness – Non-pecuniary interest: Member of the Management Committee of the Community Centre;

16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Disqualifying non-pecuniary interest: Chairman of the Licensing Committee (withdrew);

- **Councillor Holland**

Place Scrutiny Committee – 23rd January 2017

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

Minutes 655, 656, 657, 658, 659 and 660 (Corporate Performance Management 2017/18), (Draft Capital Programme 2017/18 to 2020/21), (Draft Fees & Charges 2017/18), (Draft General Fund Revenue Budget 2017/18), (Monthly Performance Report) and 10 (Notice of Motion - Affordable Housing and Viability Issues) – Non-pecuniary interest: Son works for South Essex Homes;

Policy & Resources Scrutiny Committee – 25th January 2017

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

All minutes in so far as they relate to the Budget – disclosable non-pecuniary – son works for Council;

Minute 720 - in depth scrutiny report update – non-pecuniary – son is a Police Sgt.

Cabinet – 14th February 2017

All minutes as they relate to the Budget – non-pecuniary interest – Vice-Chairman of the Essex Fire Authority and son works for the Council;

- **Councillor Jarvis**

Place Scrutiny Committee – 23rd January 2017

Minute 665 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Member of Parliament for the Rochford and Southend East Constituency lives in Tyrone Road and is known to him;

Licensing Committee – 24th January 2017

Minute 685 – Consultation of the Proposed Gambling Policy for 2017 – Non-pecuniary interest – Member of Genting Club, the Rendezvous Casino and the Shoebury Conservative Club;

- **Councillor Jones**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Development Control Committee – 11th January 2017

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee;

People Scrutiny Committee – 24th January 2017

Minute 702 - Schools Progress report – non-pecuniary – parent of child attending school and governor;

Minute 698 - Fostering Service – non-pecuniary – member of Fostering Panel;

Development Control – 8th February 2017

16/02061/FUL - Rear of 2-10 Camper Road, Southend-on-Sea – Non-pecuniary interest: Objector/public speaker is known to her via Labour Party (RSE);

- **Councillor Kenyon**

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

- **Councillor Lamb**

Place Scrutiny Committee – 23rd January 2017

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

People Scrutiny Committee – 24th January 2017

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

Minute 700 - Scrutiny update - non-pecuniary – Governor at Southend Hospital;

Minute 702 - Schools progress report – non-pecuniary – Governor at West Leigh Junior School; Governor of Southend Adult Community College;

Policy & Resources Scrutiny Committee – 25th January 2017

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

Minute 719 - Summary Report – Hospital - non-pecuniary - Partner Governor, representing SAVS at Southend Hospital;

Cabinet – 14th February 2017

Minute 764 – General Fund Revenue Budget – non-pecuniary interest – Chairman of Kent & Essex IFCA – Levy;

- **Councillor McDonald**

Place Scrutiny Committee – 23rd January 2017

Minute 673 - (Update on Petition Requesting Permit Parking Controls (Southend East)) – Non-pecuniary interest: part of the area is within her Ward;

- **Councillor McGlone**

Development Control – 8th February 2017

16/02066/FULM - Southend High School For Girls, Southchurch Boulevard – Non-pecuniary interest: Ex-employee of the School;

16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Disqualifying non-pecuniary interest: Vice-Chairman of the Licensing Committee (withdrew);

- **Councillor Moring**

Policy & Resources Scrutiny Committee – 25th January 2017

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

- **Councillor Mulroney**

Place Scrutiny Committee – 23rd January 2017

Minute 675 (Petition for Maintenance Works, Ashleigh Drive Leigh on Sea) – Non-pecuniary interest: The road is within her Ward;

Development Control Committee – 14th December

Minute 530– 16/01256/FUL - 23 Blenheim Crescent, Leigh-on-Sea, SS9 3DT – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 533 – 16/01572/FUL - The Sarah Moore Public House, 57-59 Elm Road, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 538 – 16/01693/FUL - 104 Salisbury Road, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 539 – 16/01661/FULH - 54 Glenberrie Drive, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Special People Scrutiny Committee – 20th December 2016

Minute 574 - Success Regime - non-pecuniary - registered at Pall Mall Surgery which was specifically mentioned.

Development Control Committee – 11th January 2017

16/01693/FUL – 104 Salisbury Road, Leigh-on-Sea, Essex SS9 2JN – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

16/01760/FULH - 78 Hadleigh Road, Leigh-on-Sea - – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

16/02040/FULH – 43 Theobalds Road, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

16/01572/FUL – The Sarah Moore Public House, 57 - 59 Elm Road, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

16/02097/AMDT - 50 Vernon Road, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

16/02036/FULH - The Old Coach House, 2a Lymington Avenue, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning) and resident of Southsea Avenue;

Place Scrutiny Committee – 23rd January 2017

Minute 675 – Ashleigh Drive Petition – non-pecuniary interest – property is in her ward;

Development Control – 8th February 2017

16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Cabinet – 14th February 2017

Minute 764 – General Fund Revenue Budget – non-pecuniary interest – Chairman of Leigh Town Council;

Council – 23rd February 2017

Agenda Item 7 – Council Budget – non-pecuniary interest – Chairman of Leigh Town Council;

- **Councillor Moyies**

Special People Scrutiny Committee – 20th December 2016

Minute 574 - Success Regime - non-pecuniary – member of Task & Finish Group re Shoeburyness Health Centre;

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

- **Councillor Nevin**

Special People Scrutiny Committee – 20th December 2016

Minute 574 - Success Regime - non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; NHS employee outside area; previous employee at Southend and MEHT Hospitals;

Audit Committee – 18th January 2017

All minutes in so far as they relate to Southend Hospital – non-pecuniary interest – previous employee of Southend University Hospital NHS Foundation Trust;

People Scrutiny Committee – 24th January 2017

Minute 700 - Scrutiny update - non-pecuniary – 2 children work at MEHT; sister works at Basildon Hospital; NHS employee outside area; previous employee at Southend and MEHT Hospitals;

- **Councillor Norman**

Development Control Committee – 14th December 2016

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Development Control Committee – 11th January 2017

16/02097/AMDT - 50 Vernon Road, Leigh-on-Sea – Disqualify non-pecuniary interest: Lives opposite the application site (withdrew);

Policy & Resources Scrutiny Committee – 25th January 2017

Minute 709 - draft HRA - attended pursuant to the dispensation agreed by the Standards Committee on 19th February 2015, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Phillips**

Licensing Committee – 24th January 2017

Minute 685 – Consultation on the Proposed Gambling Policy for 2017 – Non-pecuniary interest – Member of Genting Club and the Rendezvous Casino;

- **Councillor Robinson**

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

- **Councillor Salter**

Special People Scrutiny Committee – 20th December 2016

Minute 574 - Success Regime – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;

People Scrutiny Committee – 24th January 2017

Minutes 694 and 700- Draft General Fund Revenue Budget; Scrutiny update – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP;

daughter is a doctor at Broomfield Hospital; Highlands Practice mentioned during debate;

Health & Wellbeing Board – 1st February 2017

Minute 731 – Sustainability and Transformation Plan (STP) Status Briefing – Non-pecuniary interest – husband is consultant surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is a GP; daughter is a doctor at Broomfield Hospital;

- **Councillor Terry**

Development Control Committee – 14th December

Minute 527 – 16/01580/FUL - Roslin Hotel, Thorpe Esplanade, Thorpe Bay, Southend-on-Sea, SS1 3BG – Non-pecuniary interest: Knows the applicant through the Southend Business & Tourism Partnership;

Minute 528 – 16/01757/FUL - 10 Clieveden Road, Thorpe Bay, Southend-on-Sea, SS1 3BL – Non-pecuniary interest: Knows the applicant through the Southend Business & Tourism Partnership;

Cabinet Committee – 9th January 2017

Minute 578 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Residents in the streets are known to him;

Minute 585 – (Petition Requesting Permit Parking Controls, Roots Hall Avenue) – Non-pecuniary interest: Season Ticket Holder at Southend United FC;

Place Scrutiny Committee – 23rd January 2017

Minute 657 (Draft Fees & Charges 2017/18) – Non-pecuniary interest: Knows the owner of Mikes Boatyard;

Minute 665 (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Residents in the streets are known to him;

Minute 672 - (Petition Requesting Permit Parking Controls, Roots Hall Avenue) – Non-pecuniary interest: Season Ticket Holder at Southend United FC;

People Scrutiny Committee – 24th January 2017

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

- **Councillor Van Looy**

Development Control Committee – 14th December

Minute 530 – 16/01256/FUL - 23 Blenheim Crescent, Leigh-on-Sea, SS9 3DT – Non-pecuniary interest: Applicant is known to him;

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Development Control Committee – 11th January 2017

16/00189/UNAU_B – 96 The Ridgeway, Westcliff-on-Sea – Non-pecuniary interest: Knows a person at the restaurant;

Development Control – 8th February 2017

16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Non-pecuniary interest: Applicant is known to him;

16/02061/FUL - Rear Of 2-10 Camper Road, Southend-on-Sea – Non-pecuniary interest: Applicant is known to him;

- **Councillor Walker**

Development Control Committee – 14th December

Minute 527 – 16/01580/FUL - Roslin Hotel, Thorpe Esplanade, Thorpe Bay, Southend-on-Sea, SS1 3BG – Non-pecuniary interest: Applicants supported charity during his Mayoralty;

Minute 528 – 16/01757/FUL - 10 Cliveden Road, Thorpe Bay, Southend-on-Sea, SS1 3BL – Non-pecuniary interest: Applicants supported charity during his Mayoralty;

Minute 533 – 16/01572/FUL - The Sarah Moore Public House, 57-59 Elm Road, Leigh-on-Sea – Non-pecuniary interest: Applicant is known to him and has spoken with him regarding the application (Councillor Walker remained in the room but took no part in the debate or voting thereon);

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

Development Control Committee – 11th January 2017

16/01572/FUL – The Sarah Moore Public House, 57 – 59 Elm Road, Leigh-on-Sea, Essex – Non-pecuniary interest: Applicant is known to him and has spoken with him regarding the application (withdrew);

16/01773/FUL – 19 Kings Road, Westcliff-on-Sea, Essex, SS0 8LL – Non-pecuniary interest: Applicant is a co-opted Member of the Council's People Scrutiny Committee, one of the applicant's son is a member of the choir managed by his wife at West Leigh Junior School and another son is in the infants choir.

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

Development Control – 8th February 2017

16/02213/FUL - 7-9 Lansdowne Avenue. Leigh-on-Sea – Non-pecuniary interest: Applicant is known to him;

- **Councillor Waterworth**

Development Control Committee – 14th December

Minute 541 -16/01772/FULH - 20 Chadwick Road, Westcliff-on-Sea – non-pecuniary interest - on the basis that a fellow Councillor resided in the street.

- **Councillor Willis**

General Purposes Committee – 16th January 2017

Minute 631 – Nominations for Honorary Awards – non-pecuniary interest – nominees for Honorary Awards were known to them;

- **Councillor Woodley**

Cabinet Committee – 9th January 2017

Minute 578 – (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Lives in Tyrone Road.

Place Scrutiny Committee – 23rd January 2017

Minute 665 (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Lives in Tyrone Road.

Officer Interests

- **Mr P Geraghty**

Development Control – 8th February 2017

16/02207/BC4M - Centurion Close, Shoeburyness – Disqualifying non-pecuniary interest: Sits on the project board (withdrew).

775 Communications

The Council stood in silent tribute to Mr Ric Morgan, former Councillor, who passed away recently.

776 Questions from Members of the Public

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

777 Questions from Members of the Council

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

778 Minutes of the Council Meeting held on Thursday 15th December 2016

Resolved:-

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

779 Council Budget 2017/18

The Council considered a report of the Corporate Management Team which presented the Cabinet's revenue budget and Council Tax for 2017/18 financial year, together with Minutes 646 to 650 of Cabinet held 19th January 2017 and Minutes 760 to 764 of Cabinet held on 14th February 2017, and Scrutiny Minutes 656 to 658, 692 to 694 and 708 to 712.

The Council suspended the relevant parts of Council Procedure Rule 10 to permit the extended budget speeches of the Leader of the Council and of the Leaders of the Opposition Groups.

In accordance with Council Procedure Rule 10.1(e) Councillors Woodley and Gilbert had submitted one amendment to the Budget.

The amendment was voted on by way of a named vote as required by law. The voting was as follows:-

For the amendment:

Cllrs Assenheim, Ayling, Borton, Callaghan, Davies, Endersby, Gilbert, Jones, Kenyon, McDonald, Moyies, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Ward, Ware-Lane and Willis (20).

Against the amendment:

Cllrs Arscott, Ayles, 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 (27)

Abstentions:

The Worshipful the Mayor, Cllr McMahon (1)

Absent:

Cllrs Van Looy, Wexham and Woodley (3)

The amendment was not carried.

The substantive budget proposals were then voted on by way of a named vote as required by law. The voting was as follows:-

For the budget proposals 2017/18:

Cllrs Arscott, Ayles, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Davies, Evans, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Moring, Phillips, Salter, Walker, Waterworth (28)

Against the budget proposals 2017/18:

Cllrs Borton, Gilbert, Jones, McDonald, Moyies, Mulrone, Nevin, Norman, Robinson, Terry, Ware-Lane and Willis (12)

Abstentions: Cllrs McMahon, Assenheim, Ayling, Callaghan, Endersby, Kenyon, Stafford, Ward (8)

Absent: Cllrs Van Looy, Wexham and Woodley (3)

The Council Budget 2017/18 proposals were carried, as set out below:

Resolved:

With regard to the Housing Revenue Account Budget 2017/18 and rent setting:

1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Act 2016, be approved.

2. That an average rent increase of 4.41% on shared ownership properties, be approved.
3. That the proposed rent changes in 1 and 2 above be effective from 3rd April 2017.
4. That the increases in other charges as set out in Section 5 of the submitted report to Cabinet on 14th February 2017, be approved.
5. That the proposed management fee and the proposed increases in service charges and heating charges by South Essex Homes, as set out in Section 6 of the report to Cabinet on 14th February 2017, be approved.
6. That the appropriations to the Repairs Contract Pensions earmarked reserve and the HRA Capital Investment earmarked reserve, as set out in Section 8 of the report to Cabinet on 14th February 2017, be approved.
7. That subject to 1-6 above, the HRA budget as set out in Appendix 1 to the Cabinet report, be approved.
8. That the HRA Medium Term Financial Plan as set out in Section 9 and appendix 2 to the Cabinet report, be noted.
9. That the value of the Council's capital allowance for 2017/18 be declared as £25.965M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

With regard to the Capital Programme 2017/18 to 2020/21

10. That the current approved Programme for 2017/18 to 2019/20 of 125.4m, as set out in appendix 1 to the Cabinet report on 14th February 2017, be noted.
11. That the changes to the approved Programme as set out in Appendix 2 to the Cabinet report, be approved.
12. That the proposed new schemes and additions to the Capital Programme for 2017/18 to 2020/21 totalling £79.0m of which £72.8m is for the General Fund and £6.2m for the Housing Revenue Account, as set out in appendices 6 and 7 to the Cabinet report, be approved.
13. That the proposed new schemes and additions as set out in appendices 6 and 7 to the Cabinet report, and other adjustments as set out in appendix 2 to the report will result in a proposed capital programme of £213.0m for 2017/18 to 2020/21 set out in Appendix 8, be noted.
14. That it be noted that of the total programme of £213.0m for the period 2017/18 to 2020/21, the level of external funding supporting this programme is £80.8m, as set out in paragraph 9.1 of the Cabinet report.

15. That it be noted that a final review has been undertaken on the 2016/17 projected outturn and that the results have been included in the Cabinet report.

16. That the proposed Capital Programme for 2016/17 to 2020/21, as set out in appendix 8 to the Cabinet report, be approved.

17. That the Capital Strategy for 2017/18 to 2020/21, as set out in appendix 9 to the Cabinet report, be approved.

With regard to Treasury Management and Prudential Indicators 2017/18:

18. That the Treasury Management Policy Statement set out at Appendix 1 to the Cabinet report, be approved.

19. That the Treasury Management Strategy set out in Appendix 2 to the Cabinet report, be approved.

19. That the Annual Investment Strategy set out at Appendix 3 to the Cabinet report, be approved.

20. That the Minimum Revenue Provision (MRP) Policy set out at Appendix 5 to the Cabinet report, be approved.

21. That the prudential indicators set out at Appendix 6 to the Cabinet report, be approved.

22. That the operational boundary and authorised limits for borrowing for 2017/18 be set at £285m and £295m respectively as set out in Appendix 1 to the Cabinet report.

With regard to Fees and Charges 2017/18:

23. That the proposed fees and charges for each Department as contained within the body of the Cabinet report and its appendices, be approved.

With regard to the General Fund Revenue Budget 2017/18:

In respect of 2016/17:

24. That the forecast outturn of £123.206 million, be noted.

25. That the appropriation of the sums to earmarked reserves totalling £6.468 million, as set out in detail in Appendix 16 to the Cabinet report, be approved.

26. That the appropriation of the sums from earmarked reserves totalling £7.226 million, as set out in detail in Appendix 16 to the Cabinet report, be approved.

In respect of 2017/18 and later years:

27. That the Section 151 Officer's (Director of Finance and Resources) report on the robustness of the proposed budget, the adequacy of the Council's reserves and the Reserves Strategy as set out in Appendix 1 to the report, be acknowledged.

28. That a General Fund net revenue budget for 2017/18 of £123.153 million, set out in Appendix 3 to the Cabinet, and any required commencement of consultation, statutory or otherwise, be approved.

29. That a Council Tax increase of 4.99% for the Southend-on-Sea element of the Council Tax for 2017/18, being 1.99% for general use and 3% for Adult Social Care, be approved.

30. That it be noted that the 2017/18 revenue budget has been prepared on the basis of using £1.637 million for earmarked reserves for the core budget to allow for a smoothing of the budget gap across the next three financial years with a consequent replenishment of those reserves in 2017/18 and 2018/19. Also, that it be noted that £2.222 million of the Business Rates Retention reserve is being used to equalise the projected 2017/18 business rates yield.

31. That the position of the Council's preceptors be noted as follows:

- Essex Police Authority – approved Council Tax increase of 3.25%;
- Essex Fire Authority – approved Council Tax increase of 1.99%
- Leigh-on-Sea Town Council – approved precept increase of 1.59%

32. That no Special Expenses be charged other than Leigh-on-Sea Town Council precept for 2017/18.

33. That the appropriation of the sums to earmarked reserves totalling £1.009 million, as set out in Appendix 16 to the Cabinet report, be approved.

34. That the appropriation of the sums from earmarked reserves totalling £17.150 million, as set out in Appendix 16 to the Cabinet report, be approved.

35. That the Schools' budget and its relevant distribution as recommended by the Schools' Forum and as set out in Appendix 2 to the Cabinet report, be approved.

36. That the pressures required of £3.000 million, as set out in Appendices 12 and 13 to the Cabinet report, and the General Fund and Public Health savings required of £7.502 million, as set out in Appendices 14 and 15 of the Cabinet report, and the subsequent individual service cash limits for 2017/18, as contained in Appendices 3 to 11 to the Cabinet report, be approved.

37. That the direction of travel for 2018/19 and beyond, as set out in Section 11 of the Cabinet report, be endorsed.

38. That the revised Medium Term Financial Strategy up to 2020/21, as set out in Appendix 17 to the Cabinet report, be approved.

39. That authority be delegated to the Director of Finance and Resources (S151 Officer), in consultation with the Leader, to make the required changes to the Council Budget following the final Local Government Finance settlement and other related Government announcements.

With regard to the Council Tax 2017/18:

40. That it be noted that on 19th January 2017 the Cabinet calculated the Council Tax Base 2017/18 as follows:

(a) for the whole Council area as 56,917.61

(b) for dwellings in those parts of its area to which a Parish precept relates (Leigh Town Council) as 8,717.19

41. That the Council Tax requirement for the Council's own purposes for 2017/18 (excluding town/parish precepts) be determined as £72.054,279.

42. That the following amounts be calculated for the year 2017/18 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) £385,556,904 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by town/parish councils.

(b) -£313,101,721 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £72,455,183 – Being the amount by which the aggregate of 42(a) above exceeds the aggregate at 42(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (including town/parish precepts).

(d) £1,272.98 – Being the amount at 42(c) above, divided by the Council Tax Base shown at 40(a) above, as the basis amount of its Council Tax for the year (including town/parish precepts).

(e) £400,904 – Being the aggregate amount of all special items (town/parish precepts) referred to in Section 34(1) of the Act as set out below:

Band A: 30.66; Band B: 35.77; Band C: 40.88; Band D: 45.99; Band E: 56.21; Band F: 66.43; Band G: 76.65; Band H: 91.98

(f) £1,265.94 – Being the amount at 42(d) above less the result given by dividing the amount at 42(e) above by the Council Tax Base shown at 40(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no town/parish precept relates.

43. That it be noted that the Essex Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Act for each category of dwellings in the Council's area as indicated below:

Essex Police: Band A: 104.70; Band B: 122.15; Band C: 139.60; Band D: 157.05; Band E: 191.95; Band F: 226.85; Band G: 261.75; Band H: 314.10

Essex Fire Authority: Band A: 46.02; Band B: 53.69; Band C: 61.36; Band D: 69.03; Band E: 84.37; Band F: 99.71; Band G: 115.05; Band H: 138.06

44. That the Council, in accordance with Sections 30 and 36 of the Act, hereby sets the aggregate amounts shown below as the amounts of Council Tax for 2017/18 for each part of its area and for each of the categories of dwellings:

Band A: 994.68; Band B: 1,160.46; Band C: 1,326.24; Band D: 1,492.02; Band E: 1,823.58; Band F: 2,155.14; Band G: 2,486.70; Band H: 2,984.04

45. That the Council's basic amount of Council Tax for 2017/18 be determined as not excessive in accordance with the principles approved under Section 52ZB of the Act, and as show in the calculation below.

(a) Percentage increase defined by the Secretary of State as constituting an excessive increase for 2017/18: 5.0%

(b) Percentage increase in the Council's basic amount of Council Tax:

2016/17 amount: £1,205.82

2017/18 amount: £1,265.94

Percentage increase: 4.99%

The figure at 45(b) is less than the figure at 45(a) above and therefore the Council's basic amount of Council Tax for 2017/18 is not excessive and no referendum is required.

46. That the amounts payable in each town/parish at each band, comprising aggregate sums derived from all precepts be as set out below:

Unparished Area: Band A: 994.68; Band B: 1,160.46; Band C: 1,326.24; Band D: 1,492.02; Band E: 1,823.58; Band F: 2,155.14; Band G: 2,486.70; Band H: 2,984.04

Parish Area: Band A: 1,025.34; Band B: 1,196.23; Band C: 1,367.12; Band D: 1,538.01; Band E: 1,879.79; Band F: 2,221.57; Band G: 2,563.35; Band H: 3,076.02.

780 Minutes of the meeting of Development Control Committee held Wednesday, 14 December 2016

Resolved:

That the minutes of this meeting be noted.

781 Minutes of the meeting of Special People Scrutiny Committee held Tuesday, 20th December 2016

Resolved:

That the minutes of this meeting be noted.

782 Minutes of the meeting of Cabinet Committee held Monday, 9 January 2017

Resolved:

That the minutes of this meeting be noted.

783 Minutes of the meeting Cabinet held Tuesday, 10 January 2017

Resolved:

That the minutes of this meeting be noted.

784 Minutes of the meeting of Development Control Committee held Wednesday, 11 January 2017

Resolved:

That the minutes of this meeting be noted.

785 Minutes of the meeting of Appointments and Disciplinary Committee held Friday, 13 January 2017

Resolved:

That the minutes be noted and the recommendations contained in Minute 626, be approved.

786 Minutes of the meeting of General Purposes Committee held on Monday, 16 January 2017

Minute 631, Resolution 2 was dealt with at the Special Council meeting held earlier this evening.

Resolved:

That the minutes be noted and the recommendations contained in Minute 631, Resolution 1, be approved.

787 Minutes of the meeting of Audit Committee held Wednesday, 18th January 2017

Resolved:

That the minutes of this meeting be noted.

788 Minutes of the meeting of Cabinet held Thursday, 19 January 2017

Minutes 646 to 650 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 643, 644 and 645 of this meeting be noted.

789 Minutes of the Place Scrutiny Committee held Monday, 23rd January 2017

Minutes 656 to 658 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 651, 652, 653, 654, 655, 659, 660, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680 of this meeting be noted and the recommendations in Minute 661, be approved.

790 Minutes of the meeting of Licensing Committee held Tuesday, 24 January 2017

Resolved:

That the minutes of this meeting be noted.

791 Meeting of the People Scrutiny Committee held Tuesday, 24th January 2017

Minutes 692 to 694 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 687, 688, 689, 690, 691, 695, 696, 697, 698, 699, 700, 701 and 702 of this meeting be noted.

792 Minutes of the meeting of Policy and Resources Scrutiny Committee held Wednesday, 25 January 2017

Minutes 708 to 712 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 703, 704, 705, 706, 707, 714, 715, 716, 717, 718, 719, 720, 721 and 722 of this meeting be noted and the recommendations contained in Minute 713, be approved.

793 Meeting of the Health and Wellbeing Board held Wednesday, 1st February 2017

Resolved:

That the minutes of this meeting be noted.

794 Minutes of the meeting of Appeals Committee B held Thursday, 2 February 2017

Resolved:

That the minutes of this meeting be noted.

795 Minutes of the meeting of Licensing Sub Committee A held Monday, 6th February 2017

Resolved:

That the minutes of this meeting be noted.

796 Minutes of the meeting of Development Control Committee held Wednesday, 8th February 2017

Resolved:

That the minutes of this meeting be noted.

797 Minutes of the meeting of Cabinet held Tuesday, 14th February 2017

Minutes 760 to 764 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 758 and 759 of this meeting be noted.

798 Notice of Motion - National Funding Formula

The Notice of Motion regarding the Schools National Funding Formula was WITHDRAWN.

799 Notice of Motion - International Holocaust Remembrance Alliance definition of anti-Semitism

Resolved:

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

‘This council expresses alarm at the rise in anti-Semitism in recent years across the UK including incidents when criticism of Israel has been expressed using anti-Semitic tropes. Criticism of Israel can be legitimate, but not if it employs the tropes and imagery of anti-Semitism.

This Council therefore:

- Welcomes the UK Government’s announcement on December 11th 2016 that it will sign up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines;
- Welcomes the cross-party support within the Council for combating anti-Semitism in all its manifestations; and
- Adopts the below definition of anti-Semitism as set out by the International Holocaust Remembrance Alliance and pledges to combat this pernicious form of racism:

“Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism

are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

The guidelines highlight manifestations of anti-Semitism as including:

- “• Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it behaviour not expected or demanded of any other democratic nation.’
- Using the symbols and images associated with classic anti-Semitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

800 Pay Policy Statement

The Council considered a report of the Leader of the Council which recommended the Pay Policy Statement 2017/18 in the context of the Council's overall Reward Strategy.

Resolved:

1. That the Pay Policy Statement, as recommended by the Performance Related Pay Panel, be approved.
2. That the amendments to the Performance Related Pay Panel terms of reference as detailed in Appendix B7 to the submitted report, be approved.

801 Draft Calendar of Meetings 2017/18

Resolved:

That, subject to final ratification in May 2016, the draft Calendar of Meetings 2017/18, be approved:

802 Changes to Committee Appointments

Resolved:

That the following changes to Committees, be noted:

- Councillor Mulronee to replace Councillor Wexham on the People Scrutiny Committee; and
- Councillor Wexham to replace Councillor Mulronee on the Policy & Resources Scrutiny Committee.

803 Opposition Business - Planning Policy

This item was deferred to the next ordinary meeting of the Council.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Tuesday, 21st March, 2017
Place: Council Chamber - Civic Suite

9

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

Start/End Time: 6.30 - 6.40 pm

872 Apologies for Absence

Apologies for absence were received from Councillors Buckley, Flewitt, D Garston, Holland, Stafford and Van Looy.

873 Declarations of Interest

There were no declarations of interest at this meeting.

874 Minutes of the Appointments and Disciplinary Committee held on Tuesday 21st February 2017

Resolved:

That the minutes of this meeting, be noted.

875 Minutes of the Appointments and Disciplinary Committee held on Tuesday 7th March 2017

Resolved:

That the minutes of this meeting be noted.

876 Minutes of the meeting of The Appointments and Disciplinary Committee held Wednesday 15th March 2017

The above minutes were considered in conjunction with the report of the Director of Legal & Democratic Services on the appointment of the new Chief Executive & Town Clerk as referred to in minute 877 below.

Resolved:

That the minutes of this meeting be noted.

877 Appointment of Chief Executive & Town Clerk

The Council considered a report of the Director of Legal & Democratic Services which sought the Council's approval to the appointment of a new Chief Executive and Town.

Resolved:

1. That the appointment of Alison Griffin to the post of Chief Executive and Town Clerk, Head of the Council's Paid Service, Returning Officer and Electoral Registration Officer in accordance with the recommendation of the Appointments and Disciplinary Committee, subject to the completion of normal pre-employment checks, be approved.
2. That authority be delegated to the Director of Transformation, in consultation with the Leader of the Council, to deal with the pre-employment checks, finalise the conditions of employment & start date and offer the post to Alison Griffin.
3. That the Acting Up arrangements agreed at Council on 23rd February 2017 be implemented with effect from 1st April 2017 and continue until the new Chief Executive & Town Clerk takes up her post.

Chairman: _____

E-Petition: To increase pedestrian safety in Whitehouse Road

10

We the undersigned petition the council to (1) install railings and a raised kerb at the junction of Whitehouse Road and Blatches Chase. This location in question has a downhill section of road, a slightly adverse camber and right hand kink in the road, meaning the natural trajectory of vehicles is drawn left towards the pavement that is directly adjacent to the road. (2) In conjunction with point 1, consider making this crossing point a zebra crossing. (3) to review the location of the zebra crossing adjacent to Rochford Corner on Whitehouse Rd. It is unnecessarily close to the busy junction with Rayleigh Road and would benefit from being moved to the section of road between the junctions of Benvenue Avenue and Heycroft Rd.

Having lived in Eastwood all my life I am aware of how busy Whitehouse Road continues to become. I now live on this very street and have seen countless collisions, kerb strikes, tyre blow outs and near misses caused by vehicles travelling too fast and/or not paying attention to the road.

Indeed, Essex Police has regularly conducted vehicle speed checks on this road in the last 12 months to help address the issue. This road is used as a cut-through by traffic avoiding the A127 to get to Rochford and beyond. I have grave concerns about the safety of pedestrians at the location identified in (1).

The location in point (1) has been the subject of several vehicles striking the kerb in recent years (at least 4 tyre blow outs in the last 12 months, all unreported to the authorities due to driver error) plus a number of vehicle collisions. The pavement has a section of grass verge that could be paved to compensate the railings and raised kerb. All members of the local community use this vulnerable section of pavement; school children, adults and elderly who frequently cross at this point to access the local Morrisons store and access the number 9 bus route in Western Approaches or Cherry Orchard county park.

At the site mentioned in point (3) many children struggle to cross the congested road at the start and end of the school day to access Heycroft School since their parents park in roads south of Whitehouse Road to avoid congesting Benvenue Avenue.

Started by: Kev Malone (Concerned resident)

This ePetition ran from 24/01/2017 to 20/03/2017 and has now finished.

67 people signed this ePetition.

The e-petition is supplemented by a hard copy petition signed by 122 residents.

Western Approaches Zebra Crossing

11

We the undersigned petition the council to Install as a matter of urgency a Zebra Crossing across Western Approaches, close to the Surgery, Scott's Park, Eastwood Community Centre and Morrison's as well as being close to the entrance to Heycroft Primary School.

Western Approaches is a fast and busy road, with a regular Bus Service ,that slopes down and passes close to the busiest entrance to Heycroft Primary School, as well as the Health Centre, Scotts Park, Eastwood Community Centre and Morrison's Store. In addition the well used No. 9 bus stops at this point, both towards Southend and Rayleigh. We stress that there are large number of vulnerable pedestrians accessing these important community buildings by crossing this busy road at this point. We would recommend the installation of a Zebra Crossing to the east of the junction with The Bentleys, just before the new Bus Stop bay on the north side of Western Approaches.

Started by: Paul Collins (Concerned residents of Eastwood)

This ePetition ran from 14/01/2017 to 14/03/2017 and has now finished.

162 people signed this ePetition.

The e-petition is supplemented by a hard copy petition signed by 232 residents.

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Standards Committee

Date: Tuesday, 28th February, 2017
Place: Committee Room 4 - Civic Suite

12

Present: Councillor D Jarvis (Chair)
Councillors J Garston (Vice-Chair), M Assenheim, M Butler, F Evans and M Terry
Mrs J Tetley and Mrs J Morgan (Independent Persons – non-voting observers)

In Attendance: R Harris and J K Williams

Start/End Time: 5.30 - 6.40 pm

804 Apologies for Absence

Apologies for absence were received from Councillor C Parker (LTC).

805 Declarations of Interest

There were no declarations of interest at this meeting.

806 Minutes of the Meetings held on 15th January 2015 and 19th February 2015

Resolved:-

That the Minutes of the Meetings held on 15th January 2015 and 19th February 2015 be confirmed as a correct record and signed.

807 Requests for Dispensations (South Essex Homes)

The Committee considered a report of the Director of Legal & Democratic Services regarding applications for dispensations under S.30 Localism Act 2011 that had been submitted by Councillors Burzotta, Davidson and Norman MBE, who are Council appointed Board members of South Essex Homes Ltd (SEH).

Resolved:

1. That dispensations be granted to Councillors Burzotta, Davidson and Norman MBE to enable them to participate, speak and vote at all Council meetings where South Essex Homes Ltd (SEH) business is considered and they would otherwise have to withdraw. In reaching this decision, the Committee recognised that the knowledge and expertise of the Councillors would be of considerable benefit to the Council and there would be no damage to public confidence.

2. That these dispensations shall operate until 31st May 2020.

808 Monitoring Officers Report

The Committee considered a report of the Director of Legal & Democratic Services that provided an update on ethical issues and the need to promote and maintain high standards of conduct for elected and co-opted Members.

The Committee was invited to submit any ideas or suggestions on additional training it would like to see for all Members in 2017/18 to the Director of Legal & Democratic Services.

Resolved:

That the report be noted.

**809 Committee on Standards in Public Life Annual Report 2015/16
(Published July 2016)**

The Committee received the Committee on Standards in Public Life Annual Report 2015/16 which was published in July 2016 and considered Sections 78-82 in particular which related to Local Government Standards.

Resolved:

That the Annual Report 2015/16, be noted.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

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

13

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: Councillors I Gilbert, H McDonald and L Salter
D Hermitage, J Rowley, M Warren, I Harrison, K Walters, A Brown
and T Row

Start/End Time: 2.00 p.m. - 4.30 p.m.

810 Apologies for Absence

There were no apologies for absence.

811 Declarations of Interest

The following interests were declared at the meeting:

(a) All Councillors present – Agenda Item No. 7: 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER – Non-pecuniary interest: Applicant is known to them;

(b) Councillor Assenheim – Agenda Item No. 11: 17/00055/BC4 - Southend Bowls Club, 7 Tunbridge Road, Southend-on-Sea, Essex SS2 6LT – Non-pecuniary interest: Applicant is known to him;

(c) Councillor D Garston – Agenda Item No. 8: 16/01780/FULM - 1307 London Road, Leigh-on-Sea, Essex, SS9 2AD – Non-pecuniary interest: Owns a car in the garage at this location for restoration;

(d) Councillor Jones – Agenda Item No. 9: 16/02284/FULM - 30 Stephenson Road, Eastwood, Essex, SS9 5LY – Non-pecuniary interest: Son currently attends South Essex College;

(e) Councillor Mulroney – Agenda Item No. 8: 16/01780/FULM - 1307 London Road, Leigh-on-Sea, Essex, SS9 2AD – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

(f) Councillor Mulroney – Agenda Item No. 10: 17/00071/FUL - 97 Salisbury Road, Leigh-on-Sea, Essex, SS9 2JN – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); and

(g) Councillor Mulroney – Agenda Item No. 16: 16/02283/FUL - 85 Herschell Road, Leigh-on-Sea, Essex, SS9 2PU – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning).

812 Minutes of the Meeting held on Wednesday 14th December 2016

Resolved: That the Minutes of the meeting held on Wednesday 14th December 2016 be received, confirmed as a correct record and signed.

813 Minutes of the Meeting held on Wednesday, 11th January 2017

Resolved: That the Minutes of the meeting held on Wednesday, 11th January 2017 be received, confirmed as a correct record and signed.

814 Minutes of the Meeting held on Wednesday, 8th February 2017

Resolved: That the Minutes of the meeting held on Wednesday, 8th February 2017 be received, confirmed as a correct record and signed.

815 Supplementary Report

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

816 16/02277/FUL - The Britannia, 6 Eastern Esplanade, Southend-on-Sea, Essex, SS1 2ER (Kursaal Ward)

Proposal: Retain front facade, part demolish rear of existing public house, demolish all outbuildings, erect three self-contained flats with ground floor restaurant use (Class A3), install dormers to front elevation, erect four storey block comprising of six self-contained flats to rear with balconies to front, layout parking, cycle store and bin stores (Amended Proposal)

Applicant: Stockvale Investments Ltd

Agent: SKArchitects Ltd

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

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: 303/P01 Revision D; 303P07 Revision A; 303P03 Revision B; 303P02 Revision B; 303P08 Revision A; 303P05 Revision B; 303P04 Revision A; 303P06 Revision C.

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

03 The development hereby permitted shall operate at all time in accordance with the 'Flood Risk Assessment' dated May 2016 reference 405.06372.00001 carried out by SLR Global Environmental Solutions.

Reason: To ensure that the Flood Warning and Evacuation Plan meets with the requirements of the Environment Agency's Flood Warning Service, and is safe in the event of a flood in accordance with Policy KP2 of the Core Strategy DPD2

04 Finished first floor levels are to be set no lower than 6.30 metres above Ordnance Datum (AOD).

Reason: To ensure ground floor levels are provided above the flood level with the NPPF and policy KP2 of Core Strategy.

05 No development shall take place until samples of the materials to be used on all the external elevations, including front building-lime render mix, plinth, brick, slate, windows, doors, cills, parapet, roof, guttering, external staircases, signage and design details including sash windows, door, fanlight, dormers, parapet, signage, roof to bays. Rear building- materials, and product detailing for cladding, balconies, roof, windows, doors, coping, balustrade, guttering, edge detailing of roof and undercroft area, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area and steps have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies DM1, DM5 and DM6 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

06 No development shall take place until a detailed design and method statement relating to the front façade retention has been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved design and method statement unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies DM1, DM5 and DM6 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

07 Final glazing, acoustic insulation and ventilation details for the scheme are to be submitted to, and approved by, the Local Planning Authority prior to installation. Glazing and ventilation should be selected with relevant acoustic properties as outlined in the Noise Impact Assessment dated 3rd-8th February 2017. Appropriate mitigation must be given to ensure that cumulative noise levels in accordance with BS4142:2014 meet relevant internal noise criteria in accordance with BS8233:2014, along with tonal and impulsive penalties where necessary and remain in perpetuity.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1

(Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

08 Before the A3 use hereby permitted is occupied, details of any equipment to be installed to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the unit is brought into use. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

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

09 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment installed at the site shall be at least 5dB(A) below the prevailing background at 3.5 metres from ground floor façades of the nearest noise sensitive property and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

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

10 The Use Class A3 use hereby permitted shall not be open to customers outside the following times: 07:00 to 00:00 hours.

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

11 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

12 The development shall not be occupied until 9 car parking and 18 cycle parking spaces have been provided, all in accordance with the approved plans. The parking and cycle spaces shall be permanently retained thereafter for the parking of occupiers of residential flats.

Reason: To ensure that adequate car parking and cycle provision is provided and retained to serve the development in accordance with Policy DM15 of the

Council's Development Management DPD and policy CP3 of the Core Strategy DPD1.

13 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

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 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

14 A scheme of external lighting to be installed within the development shall be submitted to and approved in writing by the local planning authority before the development is occupied or brought into use. Development shall be carried out in accordance with the approved details before the development is occupied or brought into use. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

15 Construction hours restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

16 Prior to the commencement of the development hereby approved, details of the siting and appearance of the cycle and refuse store shall be submitted to and agreed in writing by the Local Planning Authority. The proposed development shall then be carried out in accordance with the approved details and the refuse and cycle store shall be provided prior to the occupation of any flats at the site and the commercial premises.

Reason: In order to protect the character and visual amenities of the area and the environment for residents in accordance with policy DM1 of the Council's Development Management DPD and Policies KP2 and CP4 of the Core Strategy DPD1.

17 A full asbestos survey of the building(s) to be demolished shall be carried out by a suitably qualified person prior to demolition. Any asbestos containing material(s) (ACM) must be removed and disposed off-site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.

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

18 No meter boxes shall be installed on the front of the building or side elevations of that face a highway and the meter boxes installed thereafter in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies DM1 and MD3 of the Development Management DPD 2015 and the Design and Townscape Guide 2009.

19 No development shall take place until details of the implementation, adoption, maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the local planning authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation, and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

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.

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

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

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

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

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.

22 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. These details shall include, for example:-

- i. proposed finished levels or contours;
- ii. means of enclosure, including any gates to the car parks;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.) This shall include details of details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established, details of measures to enhance biodiversity within the site and tree protection measures to be employed during demolition and construction.

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

Informative

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development.

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

02 Compliance with this decision notice 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. Contact 01702 215005 for more information.

03 The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2013 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG.

04 For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK

817 16/01780/FULM - 1307 London Road, Leigh-on-Sea, Essex, SS9 2AD (Belfairs Ward)

Proposal: Demolish existing building and erect three storey building comprising of 16 self-contained flats on first and second floor with balconies and roof terrace with retail unit on ground floor, lay out parking bin store and alter vehicular access at 1307-1313 London Road

Applicants: Dove Jeffry Homes

Resolved: (a) That the Deputy Chief Executive (Place), Director for Planning & Transport or the Group Manager Planning & Building Control be DELEGATED to GRANT planning permission subject to the completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to seek the provision of:

- (a) 2 x 1 bedroom affordable units (Affordable Rented); and
- (b) 1 x 2 bedroom affordable units (Shared Ownership)

(b) That the Deputy Chief Executive (Place), Director for Planning & Transport or the Group Manager Planning & 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 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

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

02 The development shall be carried out in accordance with the approved plans: 001 P1, 200 P5, 201 P1, 202 P2 and 203 P1.

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the floor slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening, fenestration, front porches and hoods have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the BLP and Policy DM1 of the Development Management DPD 2015

04 No construction works above the floor slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The development shall be implemented in full accordance with the approved details before it is occupied or brought into use.

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 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

05 The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 201 P1 for cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking spaces shall be permanently retained thereafter for the parking of occupiers, staff and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

06 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety

and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

07 The development shall not be occupied until details of the secure, covered cycle parking spaces to serve the residential development and cycle parking spaces to serve the retail/commercial unit have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and shall be retained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

08 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) loading and unloading of plant and materials
- (iii) storage of plant and materials used in constructing the development
- (iv) the erection and maintenance of security hoarding
- (v) measures to control the emission of dust and dirt during construction
- (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

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 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

09 Before the A2 use hereby permitted is occupied, details of any equipment to be installed to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the unit is brought into use. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

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

10 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment installed at the site shall be at least 5dB(A) below the prevailing background at 3.5 metres from ground floor façades of the nearest noise sensitive property and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the

area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

11 The Use Class A2 use hereby permitted shall not be open to customers outside the following times: 07:00 to 23:00 hours.

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

12 No deliveries or refuse collection shall be taken at or despatched from the Use Class A2 unit outside the hours of 07:00-19:00hours Mondays to Fridays and 08:00-13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

13 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in accordance with the approved remediation measures before development the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

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

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and Policies DM1 and DM14 of the Development Management DPD 2015.

14 No construction works above the floor slab level shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and

maintained in accordance with the approved details before the development is occupied and brought into use. Those details shall include:

(i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;

(ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;

(iii) a timetable for its implementation; and

(vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy 2007 and area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD 2015.

15 Details of any external lighting to be installed in the development shall be submitted to and approved in writing by the local planning authority before the development is occupied or brought into use. Development shall be carried out in accordance with the approved details before the development is occupied or brought into use. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the area, and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and with CP4 of the Core Strategy DPD1 and Policies DM1 of the Development Management DPD 2015.

16 The development shall be undertaken in accordance with the Energy and Sustainability Statement prepared by Fusion 13 that has been submitted with the application before the development is occupied or brought into use. The PV panels shown on plan 201 P1 shall be fully installed prior to the first occupation of any of the flats hereby approved and all approved measures shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy and Development Management Document policy DM2.

17 Demolition or construction works associated with this permission shall not take place outside 07:30hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays nor at any time on Sundays or Bank Holidays.

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

18 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscaping of the site shall be managed in accordance with the approved plan in perpetuity.

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 DPD 2015.

19 The development shall be undertaken in full accordance with the recommendations set out at section 4.2 of the Noise Assessment prepared by Adrian James Acoustics Limited (Dated 23/03/16) that has been submitted with the application before the development is occupied or brought into use.

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

20 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the installation of any shopfront at the site, the details of the design, materials, glazing, doors, shutters, signage and lighting of the shopfront shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before the A2 use is brought into use and retained thereafter.

Reason: In order to protect the character and visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be installed within the development or on the buildings unless otherwise previously agreed in writing by the Local Planning Authority.

Reason: In order to protect the character and visual amenities of the development and surrounding area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

22 The commercial floorspace hereby approved shall be used only for purposes falling within Use Class A2 and for no other purpose including any within Classes A1, A3, A4, A5, B1, C3 or D1 of the Town and Country Planning (Use Classes) Order 1987 as amended (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force).

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

23 No demolition or other works associated with this permission shall take place until an Arboricultural Method Statement & Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall only be undertaken in full compliance with the approved details and the content of Section 6.0 (Recommendations) of the "Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan" dated 16/09/16 that has been submitted within this application.

Reason In the interests of amenity, to protect existing trees and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 Policy DM1 of the Development Management DPD 2015

24 No construction works above the level of the floor slab shall take place until details of the new accesses, removal of the existing redundant crossovers and the reinstatement of the kerb have been submitted to and approved in writing by the Local Planning Authority and a full scheme of works and the relevant highways approvals are in place. The development shall be carried out in accordance with the approved details before the development is commenced and retained thereafter.

Reason: In the interests of sustainability, accessibility, highways management, efficiency and safety in accordance DPD1 (Core Strategy) 2007 policy KP2, KP3 and CP3, Policy DM1 and DM15 of the Development Management DPD 2015.

25 Before it is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 2 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' and the remaining flats comply with building regulation part M4(2) 'accessible and adaptable dwellings'.

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

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

systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details and retained in perpetuity.

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

27 Prior to the occupation of the flats hereby approved details of the proposed glazed screens shown on the roofspace shall be submitted and approved in writing by the Local Planning Authority. The screens and rooftop amenity area shall subsequently be installed/provided prior to the first occupation of any of the flats hereby approved and retained in perpetuity.

Reason: To safeguard the design and appearance of the building and the amenities of neighbouring residents and in the interest of the standard of accommodation and to ensure that satisfactory amenity space remains for the amenities of future occupiers, in accordance with Development Management Document Policies DM1, DM3 and DM8 and the Design and Townscape Guide, 2009 (SPD1).

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) In the event that the planning obligation referred to in part (a) above has not been completed by 1st June 2017 the Deputy Chief Executive (Place), Director 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 will not provide for affordable housing. As such, the proposal would be contrary to Policies KP2, KP3, CP6 and CP8.

818 16/02284/FULM - 30 Stephenson Road, Eastwood, Essex, SS9 5LY (Eastwood Park Ward)
Proposal: Change of use from storage (class B8) and office (class B1(a)) to an education centre (class D1) (28 - 30 Stephenson Road)
Applicant: South Essex College
Agent: VRG Planning Ltd

Resolved: That planning permission is 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: (PA)001, (PA) 002, (PA) 003, (PA) 004, (PA) 005, (PA) 006, (PA)007, (PA) 008 Rev P2, (PA) 009 Rev P2, (PA) 010 Rev P1 and SK (003) Rev P1.

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

03 Notwithstanding the provisions of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015, the buildings at the site shall be used for no purposes other than as a vocational education and training centre for the construction, motor-vehicle and engineering industries and not for any other uses falling within Use Class D1. Notwithstanding the content of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 or any legislation amending, revoking or re-enacting this order, the buildings shall be used for no other purposes falling within Use Class D1 as defined by the Town and Country Planning (Use Classes) Order 1987.

Reason: To enable future control to be retained in relation to the use of the building and to reflect the specific circumstances that have provided justification for the proposed use at the application site.

04 With reference to BS4142, the noise rating level arising from all plant and equipment used at the site should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades of the nearest noise sensitive property and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: In the interests of the amenities of neighbouring residents in accordance with the National Planning Policy Framework, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009.

05 Before the use hereby permitted commences, a scheme for the installation of equipment to control the emission of fumes and smell from the spray painting booths installed at the premises shall be submitted to, and approved in writing by, the Local Planning Authority and the approved scheme shall be implemented in full. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of neighbouring residents in accordance with the National Planning Policy Framework, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009.

06 Prior to the occupation of either of the buildings for these uses hereby approved, a scheme of improvements to the building relating to energy efficiency and water efficiency shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme before it is brought into use.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy and Development Management Document policy DM2.

07 Prior to the commencement of the development hereby approved, details of the phasing of the change of use of the application site in terms of the delivery of floorspace and parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented only in full accordance with the approved phasing details.

Reason: To ensure that adequate parking is available for the uses at the site in accordance with Development Management Document Policy DM15.

08 Prior to the occupation of the buildings for these uses hereby approved, details shall be provided of the accessibility measures to be implemented within the building to ensure the building is available for use by as a wide a range of users as possible. The development shall be implemented in accordance with the approved details prior to it being brought before it is brought into use or occupied.

Reason: In the interests of providing adequate accessibility within the building in accordance with Development Management Document policy 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

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.

819 17/00071/FUL - 97 Salisbury Road, Leigh-on-Sea, Essex, SS9 2JN (West Leigh Ward)

Proposal: Demolish existing bungalow, erect two semi-detached dwellings and install hardstanding with vehicular access onto Salisbury Road (Amended Proposal).

Applicant: Mr M. Bailey (N Bailey Properties)

Agent: BGA Architects

Resolved: That planning permission is 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: 0-001, 0-002, 0-600, 1-001, 1-600 B, 1-602, 1-603 and 2-600

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

04 Prior to the occupation of the dwelling hereby approved the car parking spaces and access to them from the public highway shall be provided in accordance with the approved plans. The car parking space and access shall be kept available for the parking of motor vehicles at all times and permanently retained.

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

05 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and be retained in perpetuity.

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

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

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

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

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

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

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

09 Prior to the occupation of the dwelling hereby approved, details of the soft landscape works for the site shall be submitted to and approved in writing by the local planning authority. The approved soft landscaping works shall be undertaken within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area and the amenities of the occupants of the proposed development in accordance with policies DM1, DM3, DM5 and DM8 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy.

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

Informative

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

sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

820 17/00055/BC4 - Southend Bowls Club, 7 Tunbridge Road, Southend-on-Sea, Essex SS2 6LT (Victoria Ward)

Proposal: Erect boundary fence (Amended Proposal)

Applicant: Mr Peter Lovett (Southend Bowls Club)

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site Plan and Bowl-1

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

03 The soft landscaping shown on the submitted plan (as described in the description of development within the application form) shall be planted during the first planting season after the erection of the fence hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

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

Informative

01 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations

2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

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

821 17/00093/BC4 - Lower flat 17 Portland Avenue, Southend-on-Sea, Essex, SS1 2DD (Milton Ward)
Proposal: Convert garage into habitable accommodation
Applicant: Mr Fackerall
Agent: Contour Architectural Designs Limited

Resolved: That planning permission is 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: CAD/PP/16096/001; CAD/PP/16096/002.

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 existing vehicular access to the property shall be re-instated to footway (with necessary highways consents in place) prior to occupation of the habitable room hereby approved.

Reason: In the interests of pedestrian safety and visual amenities in accordance with the National Planning Policy Framework, policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

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.

822 16/02254/AMDT - Former 3 Acacia Drive, Thorpe Bay, Essex, SS1 3JU (Thorpe Ward)

Proposal: Application to vary condition 02 (Drawing Numbers) and 08 (Landscaping/Boundary Treatment) (Minor Material Amendment) of planning permission 14/01434/FULM Demolition of existing bungalow at 3 Acacia Drive, erect three storey building comprising fourteen self-contained flats, dated 28.01.2015

Applicant: Elmore Homes Limited

Resolved: That planning permission is GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the approved plans 732/01 H; 732/02 G; 732/03 G; 732/04 G; 732/05 G; 732/06 H; 732/07 H; 732/08 G; 732;09 G; Landscape and Management Plan.

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

02 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment carried out by Ambiental Technical Solutions Ltd referenced 1907 dated January 2014.

Reason: 1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

2. To reduce the impact of flooding on the proposed development and future occupants.

3. To ensure that the "Non Occupation and Evacuation Plan" is up to date with the Environment Agency's Flood Warning Service.

03 Fourteen car parking spaces shall be provided in accordance with plan no. 732/01 Revision H prior to the occupation of the flats hereby approved and shall thereafter be permanently retained in connection with the residential use of the site which it forms part and their visitors and for no other purpose 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 occupants of the new dwelling(s) and in the interests of residential amenity and highway efficiency and safety, in accordance with DPD1 (Core

Strategy) 2007 policy KP2, DPP2 (Development Management Document) and SPD1 (Design and Townscape Guide).

04 The waste management and cycle storage details submitted on the 01.07.2016 agreed under application 16/01075/AD shall be implemented prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority and retained thereafter.

Reason: To protect the environment and provide suitable cycle and waste storage in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4 and policies DM1 and DM15 of the DPD2 Development Management Document.

05 The landscaping scheme as shown on drawing Landscape and Management Plan Revision A dated 08.12.2016 shall be implemented within the first planting season following occupation of the flatted development hereby approved, unless otherwise agreed in writing by the local planning authority. 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 Document) policy DM1, and SPD1 (Design and Townscape Guide).

06 The details of the acoustic fence on the schedule of materials revision C and the landscaping scheme Revision A dated 08.10.2014 shall be implemented prior to occupation of the development, unless otherwise agreed in writing by the local planning authority and remain in perpetuity.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties in accordance with policy CP4 of the Core Strategy DPD1 and policy DM1 of the Development Management Document DPD2.

07 The renewable energy measures as detailed in MH Energy Consultations Statement 08.10.2014 and drawing 732/01H, 732/08G; 732/05 Revision A, shall be installed prior to first occupation of the development and shall be permanently maintained thereafter.

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, and SPD1 (Design and Townscape Guide).

08 The first and second floor windows in the north and east elevations shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple

or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

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

09 The details of the public art received on the 15.12.2016 including a site plan and elevation drawing of the Celestial Armillary Sphere Pedestal agreed under application 16/01075/AD shall be implemented prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority and retained thereafter.

Reason: In the interest of visual amenities of the townscape in accordance with policies KP2 and CP4 of the Core Strategy, the Design and Townscape Guide, 2009 (SPD1) and the Planning Obligations: A Guide to Section 106 and Developer Contributions (SPD2).

Informatives

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

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

823 17/00171/AMDT - 40 Westbury Road, Southend-on-Sea, Essex, SS2 4DP (St Lukes Ward)

Proposal: Application to vary condition 02 (Approved Plans) (Minor Material Amendment to planning permission 14/00198/FUL dated 21 May 2014)

Applicant: Dr Saqib Mahmud

Agent: Mr Graham Miles

Resolved: That planning permission is REFUSED for the following reason:

01 The proposed conservatory, by virtue of its design, its size and its relationship to the existing building, is harmful to the character and appearance of the existing building and the surrounding area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Southend Core Strategy (2007), policies DM1 and DM3 of the Southend Development Management Document (2015) and the advice contained within the Southend Design and Townscape Guide (2009).

824 17/00083/FUL - Essex Ambulance Service, 4 - 5 Victoria Business Park, Short Street, Southend-on-Sea, Essex, SS2 5BY (Victoria Ward)
Proposal: Change of Use from Ambulance Station (Sui Generis) to adult day centre (Class D1)
Applicant: Eco Wings And Nights Ltd
Agent: Dovetail Architects Ltd

Resolved: That planning permission is 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. 3588_PL01; PL02; PL03A; PL04A and PL05A

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

03 Notwithstanding any provisions to the contrary, including those within the Town & Country Planning (General Permitted Development) Order 2015, or subsequent orders, the use shall be limited to that of an adult day centre for adults with learning or physical disabilities, and for no other use.

Reason: To define the scope of this permission in the context of the social care needs of the borough in accordance with policy CP6 of the Southend on Sea Core Strategy 2007.

Reason for Approval: The nature of the proposed use, in that it will provide a much needed social care facility within central Southend, and the specialist employment opportunities it will provide, coupled with the sui generis nature of the lawful use of the site justified granting planning permission in this instance. The Committee are of the view that these specific circumstances would not prejudice the application of relevant policies or set a precedent for future development.

825 16/02283/FUL - 85 Herschell Road, Leigh-on-Sea, Essex, SS9 2PU (West Leigh Ward)
Proposal: Erect semi-detached chalet bungalow and form vehicular crossover on to Herschell Road
Applicant: Mr J Riley
Agent: Architectural Services Ltd

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Existing Plan, Proposed Plan Revision A, AS2137/N1, AS2137/N2A, AS2137/N3, AS2137/N4, AS2137/N5A, AS2137/N6A and AS2137/N7.

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

03 The development hereby permitted shall be constructed using the materials shown on the plans hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) Policy DM1 and SPD1 (Design and Townscape Guide).

04 Details of the materials to be used in the formation of the hardstanding within the application site shall be submitted to and approved in writing to the Local Planning Authority prior to their installation. The hardstanding at the frontage of the site shall be permeable unless otherwise agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details before the dwelling is first occupied.

Reason: To ensure the adequate provision of parking at the site in accordance with policy DM15 of the Development Management DPD.

05 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the dwelling hereby approved not be occupied until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping. This shall include details of the number, size and location of the trees and shrubs to be planted at the frontage of the together with a planting specification. The landscaping shall be implemented in accordance with the agreed details during the first planting season following the first occupation of the dwelling unless otherwise first 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, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009.

06 Notwithstanding the details shown on the plans hereby approved, the proposed vehicle crossover shall not extend for more than 4.8 metres from the point of the highway that is parallel with the north boundary of the application site.

Reason: In the interests of highway safety in accordance with Policy CP4 of the Core Strategy, Policies DM1, DM3 and DM15 of the Development Management Document and the Design and Townscape Guide, 2009.

07 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in full accordance with the approved details before the development is occupied and be retained as such in perpetuity thereafter.

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).

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

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

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

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

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

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

11 Hours of construction related to the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring residents in accordance with the National Planning Policy Framework, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009

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

Informative

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

02 For the avoidance of any doubt, it is the position of the Local Planning Authority that the development hereby permitted has already commenced and therefore the permission has been implemented.

826 16/01727/FUL - Element, 13 - 17 Alexandra Street, Southend-on-Sea, Essex SS1 1BX (Milton Ward)

Proposal: Change of use of basement and part of ground floor from Nightclub (Sui Generis) to a mixed use of Public House/Bar and Restaurant (Class A3/A4), first and second floor to five self-contained flats (Class C3), demolish part of roof to form amenity space, install new shopfront, refuse store and alter elevations (Amended Proposal)

Applicant: Mr Robin Levy

Agent: The Planning And Design Bureau Ltd

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: Location Plan; Proposed site plan within surrounding context Revision F Proposed floor plans, sections and elevations Revision R.

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

03 The basement and ground floor of the building at the site as hereby approved shall be used for no purposes other than a bar/restaurant falling within use class A3 or A4 or combination thereof. Notwithstanding the content of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 (As amended), the buildings shall be used for no other purposes falling within Use Class A3/A4 as defined by the Town and Country Planning (Use Classes) Order 1987.

Reason: To enable future control to be retained in relation to the use of the building and to reflect the specific circumstances that has provided justification for the proposed use at the application site.

04 Notwithstanding the submitted information, prior to first occupation of the restaurant/bar hereby approved, a Servicing Management Strategy for shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, servicing of the site shall only take place in accordance with the agreed Strategy.

Reason: Interests of amenity and highway efficiency and safety in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) 2015, and SPD1 (Design and Townscape Guide).

05 Final glazing, acoustic insulation and ventilation details for the scheme are to be submitted to, and approved by, the Local Planning Authority prior to installation. Glazing and ventilation should be selected with relevant acoustic properties as outlined in the Noise Impact Assessment dated 29th November 2016. Appropriate mitigation must be given to ensure that cumulative noise levels in accordance with BS4142:2014 meet relevant internal noise criteria in accordance with BS8233:2014, along with tonal and impulsive penalties where necessary prior to occupation of residential units and remain in perpetuity.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

06 The rating level of noise for all activities (including amplified and unamplified music and human voices) should be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445:2003. A detailed assessment should be carried out prior to occupation of the residential units by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

07 Activities at the site shall not give rise to structure borne noise to any noise sensitive premises.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

08 The use of the kitchen extract ventilation system serving the cafe located to the ground floor of the development should be restricted to use between the hours of 8am-6pm Monday to Saturday and 9am -5pm on Sundays and Bank Holidays.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

09 Before the A3/A4 use hereby permitted begins, a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

10 All deliveries and collections to be between: 07:00-19:00hrs Monday to Friday; and 08:00-13:00hrs Saturday; with no deliveries on Sundays or Bank Holidays.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

11 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment should be at least 10dB (A) below the prevailing background at the closest receptor with no tonal or impulsive character.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

12 External lighting shall be directed, sited and screened so as not to cause detrimental intrusion of light into residential property. Prior to installation of external lighting 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. Lighting shall thereafter only be installed in accordance with the agreed details.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

13 Construction hours restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of the residential occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the DM DPD and SPD1 (Design and Townscape Guide).

14 No part of the development shall be occupied until bicycle parking spaces have been provided externally to the restaurant, public house and residential flats in accordance with plans and details which shall have been previously submitted to and agreed by the Local Planning Authority and the bicycle parking spaces shall be permanently maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority. The cycle parking shall remain in perpetuity.

Reason: To ensure that satisfactory secure bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) 2015 and SPD1 (Design and Townscape Guide).

Informative

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

02 Compliance with this decision notice 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. Contact 01702 215005 for more information.

03 The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2013 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG.

04 For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK

05 Please note that any residential occupiers of the development hereby approved are unlikely to be eligible for any permit parking scheme.

827 17/00110/FUL - 1 Hobleythick Lane, Westcliff-on-Sea, Essex, SS0 0RP (Prittlewell Ward)

Proposals: Change of use from dwellinghouse (Class C3) to non-residential education/training centre (Class D1), demolish existing boundary wall, install layout parking and vehicular access onto Prittlewell chase

Applicant: Ms Eileen Koh

Agent: Mr Dwight Breley

Resolved: That planning permission is REFUSED for the following reasons:

01 The proposed change of use would result in the loss of a single family dwellinghouse and thereby the reduction of housing supply within the Borough to the detriment of the area. No evidence has been submitted demonstrating the need of the proposed educational use in this location and therefore, the proposal is unacceptable in principle and contrary to the National Planning Policy Framework and Policy CP8 of the Southend-on-Sea Core Strategy (2007).

02 The applicant has failed to demonstrate that the educational use of the premises would not result in undue noise or disturbance to the adjoining occupiers to the detriment of the residential amenity thereof. This is considered to be harmful to the amenities of the occupiers of nearby residential properties. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

03 The proposed use would result in an increased demand for parking, which cannot be provided on site. The applicant has also failed to demonstrate adequate traffic movements can be made, and this would be to the detriment of highway safety and efficiency. The development would therefore result in additional on-street parking on a road with limited on-street parking availability and high levels of parking stress to the detriment of highway safety and the local highway network contrary to Policy CP3 of the Core Strategy and Policy DM15 of the Development Management DPD.

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.

Informatives

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

- 828 17/00041/FULH - 3 Thorpe Bay Gardens, Thorpe Bay, Essex, SS1 3NS
(Thorpe Ward)
Proposal: Convert existing rear garage into habitable accommodation and alter elevations
Applicant: Mr And Mrs Pace
Agent: Knight Gratrix Architects**

Resolved: That planning permission is 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: 1035 020.

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

03 All new work to the outside of the building must match the choice of materials, method of construction and finished appearance of the existing outbuilding, unless otherwise shown on the drawings hereby approved.

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, Development Management DPD Policies DM1 and DM3, and SPD1 (Design and Townscape Guide).

04 The converted outbuilding hereby permitted shall only be used for purposes incidental to the residential use of the dwelling known as No. 3 Thorpe Bay Gardens.

Reason: To safeguard the character and amenities of the area and to safeguard the amenities of adjoining residential properties, in accordance with the Development Management DPD policies DM1 and DM3.

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.

829 17/00085/FULH - 137 Burges Road, Thorpe Bay, Essex, SS1 3JN (Thorpe Ward)

Proposal: Convert and extend existing garage to rear to form garden room/storage and alter elevations

Applicant: Mr B Sullivan

Agent: Mr Paul Seager

Resolved: That planning permission is 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: 2508 04; 2508 05 & 2507 06 (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 be of the choice of materials, method of construction and finished appearance as shown on the drawings hereby approved.

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, Development Management DPD policies DM1 and DM3, and SPD1 (Design and Townscape Guide).

04 The outbuilding hereby permitted shall only be used for purposes incidental to the residential use of the dwelling known as No. 137 Burges Road.

Reason: To safeguard the character and amenities of the area and to safeguard the amenities of adjoining residential properties, in accordance with the Development Management DPD policy 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

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

830 Dean Hermitage - Group Manager Planning & Building Control

The Chairman explained that this would be the last meeting of the Committee to be attended by Mr Dean Hermitage, the Council's Group Manager Planning & Building Control as he would shortly be taking up a new post at the London Borough of Haringey. The Committee thanked Mr Hermitage for his hard work and help during his time at the Council and wished him well in his new role and for the future.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Committee

Date: Friday, 3rd March, 2017
Place: Committee Room 1 - Civic Suite

14

Present: Councillor D McGlone (Chair)
Councillors R Hadley (Vice-Chair), B Ayling, M Borton, T Callaghan,
N Folkard, S Habermel, D Jarvis, D Kenyon, C Mulroney, G Phillips,
J Ware-Lane, *C Walker and *A Jones

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris, P Tremayne and A Penn

Start/End Time: 10.00 - 10.40 am

831 Apologies for Absence

Apologies for absence were received from Councillors Buckley (substitute: Cllr Walker), McDonald (substitute: Cllr Jones) and Butler (no substitute).

832 Declarations of Interest

Councillor Callaghan – Application to be Recognised as a Taxi Drivers' Association – Disclosable Non-Pecuniary Interest – member of the SLTDA and is a taxi driver in the borough (withdrew);

833 Minutes of the Meeting held on Tuesday 24th January 2017

Resolved:-

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

834 Application to be Recognised as a Taxi Drivers' Association

The Committee considered a report of the Interim Director for Public Protection which invited members to consider an application from the AC Drivers Association (ACDA) to be recognised as a taxi drivers association by the local authority for the purposes of consultation, where appropriate and representation on behalf of licenced Hackney Carriage and Private Hire drivers, together with other representatives of the trade who have been similarly recognised.

The Committee asked a number of questions which were responded to by officers and the Chairman of the AC Drivers' Association (ACDA).

Resolved:

1. That the AC Drivers' Association, where appropriate, be recognised for the purpose of seeking their views by consultation and representation in relation to Hackney Carriage and Private Hire licensing matters.
2. That the recognition shall be limited to the same extent as that currently enjoyed by other similar organisations representing the trade, namely (at the current time) the Southend Licensed Taxi Drivers Association, the Southend Private Hire Association, the GMB Union and the Thames Axis Group of the Unite Union (formerly Transport and General Workers Union).

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 9th March, 2017
Place: Committee Room 1 - Civic Suite

15

Present: Councillor T Cox (Chair)
Councillors T Byford (Vice-Chair) and J Lamb*
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors M Assenheim, S Ayles, M Borton, T Callaghan,
J Garston, R Hadley, C Mulroney, M Stafford, M Terry, C Walker,
N Ward and J Ware-Lane
P Geraghty, Z Ali, C Hindle-Terry and T Row

Start/End Time: 6.00 p.m. - 9.00 p.m.

839 Apologies for Absence

Apologies for absence were received from Councillor Flewitt (Substitute: Councillor Lamb).

840 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Borton – Agenda Item No. 9 (Additional Parking Spaces around the Seaway Car Park Area – Non-pecuniary interest: Fellow Councillor lives in Pleasant Road;

(b) Councillor Byford – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Various Locations: The Maze) – Non-pecuniary interest: Ward Councillor and has assisted residents in the road;

(c) Councillor Callaghan – Agenda Item No. 5 (Members' Request List: Request Reference No. 16/07 – Waiting Restrictions in Campfield Road) – Non-pecuniary interest: Knows the owner of a business in this location;

(d) Councillor Callaghan – Agenda Item No. 6 (Requests for Waiting Restrictions – Lucy Road) – Non-pecuniary interest: Taxi Driver;

(e) Councillor J Garston – Agenda Item No. 6 (Requests for Waiting Restrictions – Southchurch Avenue) – Pecuniary interest: Owns a property at this location (withdrew).

841 Minutes of the Meeting held on Monday 9th January 2017

Resolved:-

That the Minutes of the Meeting held on Monday 9th January 2017 be confirmed as a correct record and signed.

842 **Objections to Traffic Regulation Orders - Various Locations**

The Cabinet Committee received a report of the Deputy Chief Executive (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 reports sought the Cabinet Committee's approval on the way forward in respect of all of these proposals, 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, subject to the following amendments, the Southend-on-Sea Borough Council (High Street Shoeburyness) (Zone SH) (Prohibition of Waiting & Permit Parking Places) Order 2017 be confirmed as advertised (including the introduction of the waiting restriction in Terminal Close):

(i) The following roads only shall be included in the permit parking area:

Dane Street, George Street, Hinguar Street, High Street Shoeburyness (from East Gate northwards to a point opposite the southern boundary of Grove Lodge only) John Street, Rampart Street, Rampart Terrace and, Smith Street.

(ii) The following disabled parking bays shall remain advisory bays only:

Friars Street o/s Nos. 6, 20, & 1C;
Waking Avenue o/s No. 20; and
High Street Shoebury o/s No. 106.

(iii) That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notices for the introduction of limited waiting "pay and display" parking bays in Rampart Street and subject to there being no objections received following statutory notice, to arrange for the order to be sealed and the proposals implemented.

(iv) That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notices for the introduction of the use of the East Beach Car Park by commuters, the hours of which to accommodate the time of the first train departure from Shoeburyness Station and an appropriate closing time in the evening.

(v) That an appropriate marketing campaign be undertaken to deter commuter parking in the residential streets in the area around Shoeburyness Station (as illustrated in the plan attached to the draft order) and to encourage the use of East Beach Car Park instead.

(vi) That the impact of the traffic regulation order as amended be reviewed during the first six months from the date of implementation to ascertain whether the scheme should be extended to include the roads in the original proposals if necessary.

2. That no further action be taken in respect of the proposals for Belle Vue Road, Southend on Sea and that the Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones (Consolidation Order) 2016 (Amendment No. 1) Order 2017 with the exclusion of Belle Vue Road.

3. That no further action be taken in respect of the proposals for Rayleigh Road, Leigh on Sea and that the Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones (Consolidation Order) 2016 (Amendment No. 2) Order 2017 with the exclusion of Rayleigh Road.

4. That consideration of the proposed introduction of waiting restrictions in The Maze be deferred.

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 Options

Each proposal needs to be considered on its individual merits and their impact on public safety, traffic flows or parking and wider impact on the surrounding network. Members may consider taking no further action if they feel it is appropriate.

Note:- This is an Executive Function

Eligible for call-in to the Place Scrutiny Committee

Executive Councillor: Councillor Cox

843 Members' Request List

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of the requests received from Members of the Council together with officers' recommendations relating to those requests. The Appendix setting out each request, together with officers' comments and recommendation in respect of each of the requests was circulated at the meeting.

The Council's Team Leader - Traffic Management and Road Safety Team also reported orally on two additional requests that had been received since the publication of the Agenda. These related to the review of the waiting restrictions recently installed in Elm Road, Leigh on Sea and excessive vehicle movements in the Prince Avenue service road during works along this section of the A127.

Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the update in respect of the following requests as set out in the report be noted:

Request Reference No. 15/07 – Pedestrian Crossing in Elmsleigh Drive near Rayleigh Drive;

Request Reference No. 15/19 – Introduction of a one way system in Saxon Gardens;

Request Reference No. 16/01 – Introduction of waiting restrictions or a parking management scheme to deter airport parking in Rochford Road service road;

Request Reference No. 16/04 – Hardening of verges in Silversea Avenue;

Request Reference No. 16//07 – Introduction of waiting restrictions on the bend in Campfield Road, Shoeburyness by Cumberland Packaging;

Request Reference No. 16/11 – Introduction of waiting restrictions in Colbert Avenue west of church; and

Request Reference No. 17/02 – Hardening of verges in Mansell Close;

2. That, with regard to request reference no. 15/18 regarding the creation of new parking facilities and the review of waiting restrictions in Saxon Gardens, Delaware Crescent, Blyth Avenue and Bunters Avenue, the Deputy Chief Executive (Place) be authorised to advertise the necessary traffic regulation order for the amendment of any areas of waiting restrictions suitable for reduction or removal throughout the borough as and when identified during the 17/18 financial year.

3. That no further action be taken in respect of the following requests and that they be removed from the list:

Request Reference No. 17/01 – Introduction of waiting restrictions in Walters Close; and

Request Reference No. 17/03(a) – Introduction of informal horse crossing signage at A127 and Progress Road Junction.

4. That, with regard to request reference no. 17/04, the Deputy Chief Executive (Place) be authorised to advertise the necessary traffic regulation order for the introduction of a borough-wide prohibition of the offering the sale of vehicles parked in formal parking bays and subject to there being no objections following statutory advertisement to arrange for the order to be sealed.

5. That, with regard to the request to review the waiting restrictions recently installed in Elm Road, Leigh on Sea, the Deputy Chief Executive (Place) be authorised to advertise the necessary traffic regulation order for the removal of the waiting restrictions outside the surgery at 84 Elem Road.

6. That the request to address excessive vehicle movements in the Prince Avenue service road during works at this location, be retained on the list to enable further investigations to undertaken and any appropriate controls to be identified.

7. That consideration of request reference No. 17/03 (b) regarding the introduction of weight restriction signage at A127 and The Fairway Junction be deferred.

Reasons for Decision

To provide a rationalised and consistent management and decision-making process for all formal requests for highways and traffic management improvements by Ward Councillors via the Traffic and Parking Working Party & Cabinet Committee.

Other Options

Each request needs to be considered on its individual merits and their impact on public safety, traffic flows or parking and wider impact on the surrounding network. Members may consider taking no further action if they feel it is appropriate.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

844 Requests for Waiting Restrictions

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that sought Members' approval to authorise the advertisement of the amendments and/or new waiting restrictions at the locations indicated in Appendix 1 to the report, in accordance with the statutory processes and, subject to there being no objections received following statutory advertisement, to arrange for the relevant orders to be sealed and implement the proposals.

With reference to the request to amend the existing hackney carriage stand to shared hackney carriage stand and parking bays, the Cabinet Committee was informed that the appointment, removal and amendment to hackney carriage stands were a matter for the Council's Licensing Committee. Any proposals would therefore need to be referred to the Licensing Committee for consideration.

The proposals for the amendment of the existing limited waiting bays on the north side of Marine Parade, Southend on Sea to coach drop off and loading bays and the amendment of the existing disabled drop off point on the south side of Marine Parade to shared disabled and coach drop off point were considered in conjunction with Agenda Item No. 9 of this meeting entitled "Additional Parking Spaces around the Seaway Car Park Area".

Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order to amend the existing waiting restrictions in Lucy Road, Southend on Sea to provide parking bays and a loading area and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented.

2. That subject to the approval by the Council's Licensing Committee, the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order to

amend the existing hackney carriage stand in Lucy Road to a shared space to enable then introduction of “pay and display” parking bays from 9.00 a.m. to 6.00 p.m. daily and a hackney carriage stand at all other times and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented.

3. That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order to provide a coach drop-off point south of Woodgrange Drive, and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented.

4. That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order to introduce permit parking controls in the area around Heygate Avenue, Herbert Grove Chancellor Road, and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented.

5. That consideration of the proposals in respect of Marine Parade, Southend on Sea be deferred pending a site visit, to which the Members of the Traffic & Parking Working Party and representatives of the seafront traders be invited to attend and that, subject to the outcome of the site visit, the Deputy Chief Executive (Place), in consultation with the Executive Councillor for Transport, Waste and Cleansing, be authorised to publish the relevant statutory notices and undertake the necessary consultation for a traffic regulation order to introduce, amend or remove restrictions as may be required and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented.

Reason for Decisions:

Where recommended the objective is to mitigate for likelihood of traffic flows being impeded, to improve safety or increase parking availability.

Other Options

Each request needs to be considered on its individual merits and their impact on public safety, traffic flows or parking and wider impact on the surrounding network. Members may consider taking no further action if they feel it is appropriate.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

845 Darlington Grove, Leigh-on-Sea

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of a petition comprising 277 signatures requesting the provision of a School Crossing Patrol Officer and parking enforcement activity in the area of Darlington School. Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the petition be noted.
2. That the comments set out in paragraph 3.5 of the report be noted and that no further action be taken in respect of the provision of a School Crossing Patrol Officer on the basis that this site does not meet the national criterion set by Road Safety GB for provision of such facilities
- 3 That the comments set out in paragraph 3.6 of the report be noted and that no further action be taken in respect of the provision of a pedestrian crossing facility.
4. That the Deputy Chief Executive (Place) be authorised to publish the statutory notices and undertake the necessary consultation for the relevant traffic regulation order for the installation of loading restrictions on Darlinghurst Grove adjacent to the raised crossing point and, subject to there being no objections received following statutory advertisement, to arrange for the order to be sealed.

Reason for Decisions

To reflect the outcome of the investigations and ensuring best use of limited resources.

Other Options

Other options that may be considered are to agree to the petitioners' request. However, as this report sets out, the site does not meet the accepted assessment criteria.

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

846 Station Road Pedestrian Crossing

The Cabinet Committee received a report of the Corporate Director for Place which appraised Members of the results of an investigation to assess requests for pedestrian crossing facility in Station Road, Thorpe Bay. Having regard to the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the results of the investigations be noted and that no further action be taken in respect of the formal pedestrian crossing facility at this location.
2. That officers be requested to investigate the possibility of alternative engineering solutions to assist pedestrians crossing in this area such as an "island" or "pedestrian refuge" and the possibility of introducing a formal pedestrian crossing facility at an alternative location in the street.

Reasons for Decisions

The recommendation is in accordance with the agreed policy on the assessment of pedestrian facilities.

Other Options

Agree to install a crossing facility. This would be contrary to the agreed policy to provide a facility at a location with low levels of activity. A pedestrian refuge has also been considered to allow pedestrians to cross the road in two stages; however the width of the road prevents this option from being pursued.

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

847 Additional Parking Spaces around the Seaway Car Park Area

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of a request from the Seafront Traders Association for additional parking places along streets adjacent to the seafront and surrounding Seaway Car Park. This item was considered in conjunction with the request to amend the existing limited waiting bays on the north side of Marine Parade, Southend on Sea to coach drop off and loading bays and the amendment of the existing disabled drop off point on the south side of Marine Parade to shared disabled and coach drop off point as set out in Agenda Item No. 6 of this meeting entitled "Requests for Waiting Restrictions". It was noted that the Seaway Car Park would not be included as part of the review. Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

That consideration of the request be deferred pending a site visit, to which the Members of the Traffic & Parking Working Party and representatives of the seafront traders be invited to attend and that, subject to the outcome of the site visit, the Deputy Chief Executive (Place), in consultation with the Executive Councillor for Transport, Waste and Cleansing, be authorised to publish the relevant statutory notices and undertake the necessary consultation for a traffic regulation order to introduce, amend or remove restrictions as may be required and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented.

Reason for Decision

To assess the suitability, feasibility and impact of any proposals on the potential for improving parking in the area and recommended where appropriate.

Other Options

Do Nothing – Parking problems may occur as a result.

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

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 14th March, 2017
Place: Committee Room 1 - Civic Suite

16

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

In Attendance: Councillors C Mulronee and P Wexham
J K Williams, A Lewis, A Atherton, J Chesterton, C Gamble, E Cooney, A Fiske, S Houlden, A Keating, J Lansley, Brin Martin and Robinson

Start/End Time: 2.00 - 2.45 pm

848 Apologies for Absence

Apologies for absence were received from Councillors Flewitt and Moring

849 Declarations of Interest

- (a) Councillor Holland – Agenda Item No.8 - HRA Development, Future Phases Update - Non-pecuniary interest : Son works for Council.
- (b) Councillor Lamb – Agenda Item No.16 – FLAG Report – Non pecuniary interest : Director of Leigh Port Partnership.
- (c) Councillor Mulronee – Agenda Item No.16 – FLAG Report – Non-pecuniary Interest : Director of Leigh Port Partnership, Chairman of Leigh-on-Sea Town Council, Member of Leigh Coastal Communities Team and Leigh Society.
- (d) Councillor Wexham – Agenda Item No.16 – FLAG Report - Non-pecuniary Interest – Director of Leigh Port Partnership.

850 Minutes of the Meetings held on 10th and 19th January and 14th February 2017

Resolved:-

That the Minutes of the Meetings held on Tuesday 10th and Thursday 19th January and Tuesday 14th February 2017 be confirmed as a correct record and signed.

851 Notice of Motion - International Holocaust Remembrance Alliance definition of anti-Semitism

At the meeting of Council held on 23rd February 2017, Members received a Notice of Motion proposing the adoption of the International Holocaust Remembrance Alliance definition of anti-Semitism. The motion was proposed by Councillor Walker and seconded by Councillor Byford (this had been referred to Cabinet in accordance with standing order 8.4).

Resolved:-

That the motion be adopted.

Reason for Decision

To respond to the notice of Motion

Other Options

None

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

852 Monthly Performance Report

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function
Eligible for call in to all three Scrutiny Committees
Executive Councillor:- As appropriate to the item

853 Quarter Three Treasury Management Report - 2016/17

The Cabinet considered a report of the Chief Executive detailing the treasury management activity for both quarter three and the period from April to December 2016.

Recommended:-

1. That the Quarter Three Treasury Management Report for 2016/17, be approved.
2. That The Revised Minimum Revenue Provision Policy 2016/17, as set out at Appendix 3 to the submitted report (the changes to which are set out in Section 14) be approved.
3. That it be noted that Treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to December 2016.
4. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.

5. That it be noted that an average of £49.2m of investments were managed in-house. These earned £0.21m of interest during this nine month period at an average rate of 0.57%. This is 0.34% over the average 7 day LIBID and 0.21% over the average bank base rate.
6. That it be noted that an average of £13.1m of investments were managed by our former external fund manager. These earned £0.14m of interest during this nine month period at an average rate of 1.37%. This is 1.14% over the average 7 day LIBID and 1.01% over the average bank base rate.
7. That it be noted that during September 2016 £22.7m was recalled from our former external fund manager and £15m was invested equally across two short dated bond funds and £5m was invested into an enhanced cash fund.
8. That it be noted that an average of £6.1m was managed by two short dated bond fund managers. This earned £0.22m since it was invested from a combination of an increase in the value of the units and income distribution, giving a combined return of 1.32%.
9. That it be noted that an average of £1.7m was managed by an enhanced cash fund manager. This earned £0.007m since it was invested at an average rate of 1.60%.
10. That it be noted that an average of £14.7m was managed by two property fund managers. This earned £0.278m during this nine month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 2.50%.
11. That it be noted that the level of borrowing from the Public Works Loan Board (PWLb) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, GF: £150.8m) during the period from April to December 2016.
12. That it be noted that the level of financing for 'invest to save' capital schemes increased from £3.21m to £6.78m during the period from April to December 2016.

Reason for Decision

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2016/17 sets out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other Options

There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

Note:- This is a Council Function.

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

Executive Councillor :- Moring

854 Annual Procurement Plan

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the Council's Annual Procurement Plan for 2017/18.

Resolved:-

That subject to the inclusion of the Water Maintenance Contract, the Annual Procurement Plan 2017/18, as set out in Appendix 1 to the submitted report, be approved.

Reason for Decision

Approval of the Annual Procurement Plan is a requirement of the Council's Constitution.

Other Options

None

Note:- This is an Executive Function.

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

Executive Councillor :- Moring

855 HRA Development - Future Phases Update

The Cabinet considered a report of the Deputy Chief Executive (People) providing an overview of the future phases of the HRA Land Review Project and sought agreement to progress with the second phase of the project.

Recommended:-

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

Reason for Decision

The development will have wider community benefits, ensure a longer term revenue income to the HRA and will meet the Council's ambition for building further affordable housing.

Other Options

1. Do Nothing – This option considered leaving the existing garage areas in their current underused state. This option would not increase community safety and reduce antisocial behaviour and its associated costs. It also would not meet the Council's ambition of developing further affordable housing in the Borough. Therefore it does not meet the Council's corporate priorities.
2. Transfer Land to a Registered Provider – This option would follow a development route used in previous projects to develop underused garage sites whereby land is transferred to a Registered Provider to develop the site in exchange for nominations rights in perpetuity. This approach means a loss of capital assets and potential future revenue income to the HRA.
3. Sale of Sites on the Open Market – This option would allow some of the sites to be sold on the open market with the receipts reinvested in the HRA, potentially to be used for future housing development phases. This approach would result in a loss of potential future revenue income to the HRA.

Note:- This is a Council Function.

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

Executive Councillor :- Flewitt

856 School Places Report

The Cabinet considered a report of the Deputy Chief Executive (People) providing an update on the progress of a strategy for the provision of secondary school places as overseen by the School Places Working Party.

Resolved:-

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

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

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

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

3. That an initial exploration takes place with a small number of Academy Trusts regarding a secondary free school.
4. That the exploration of expansion opportunities takes place with schools that currently require improvement.

5. That officers continue dialogue with faith schools regarding future expansion, where there is excess demand but places should be for Southend children only.

Reason for Decision

1. The need for school places from September 2018 is intended to be met by expansion of 'good or better' secondary schools.
2. Additional need from September 2019 is expected to be met through a successful free school application to the DfE.
3. Additional need from 2020 onwards is aimed to be met from expansions at currently underperforming schools (and faith schools if data evidences an increased cohort of Catholic pupil's resident within Southend).

Other Options

As set out in the submitted report.

Note:- This is an Executive Function.
Eligible for call-in to People Scrutiny Committee.
Executive Councillor :- Courtenay

857 Admission Arrangements annual update

The Cabinet considered a report of the Deputy Chief Executive (People) on the admission arrangements for community schools for the academic year 2018/19.

Resolved:-

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

Reason for Decision

The Council has a responsibility to determine in relation to school admissions the Admission Arrangements for Community Schools.

Other Options

None

Note:- This is an Executive Function.
Eligible for call-in to People Scrutiny Committee.
Executive Councillor :- Courtenay

858 Annual Education Report

The Cabinet considered a report of the Deputy Chief Executive (People) on the relative performance of Southend schools in the academic year 2015-16.

Resolved:-

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

Reason for Decision

To ensure that Members are provided with a comprehensive overview of school standards and educational equality.

Other Options

None

Note:- This is an Executive Function.
Eligible for call-in to People Scrutiny Committee.
Executive Councillor :- Courtenay

859 School Term Dates

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the proposed school term and holiday dates for the academic year 2018/19.

Resolved:-

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

Reason for Decision

As set out in the submitted report

Other Options

None

Note:- This is an Executive Function.
Eligible for call-in to People Scrutiny Committee.
Executive Councillor :- Courtenay

860 Smoke & Carbon Monoxide Alarm Enforcement

The Cabinet considered a report of the Deputy Chief Executive (People) providing an update on new legislation and regulations which have come in to force concerning new duties imposed on relevant landlords to provide and maintain smoke and carbon monoxide (CO²) alarms in privately rented properties.

Recommended:-

That all the enforcement powers under the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 be delegated to both the Deputy Chief Executive (People) and the Director of Adult Services and Housing and that paragraph 4.7 of

the Scheme of Delegation in Part 3 Schedule 3 to the Constitution be amended accordingly.

Reason for Decision

The Council has a legal responsibility to meet these new Regulations and Officers need to have Members agreement to introduce penalty charges if a landlord is in breach of the Regulations.

Other Options

The Council has no alternative but to comply with the Regulations, but it may decide not to introduce a penalty charge. However without the threat of a penalty charge it would weaken the Council's position to enforce the Regulations.

Note:- This is a Council Function.

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

Executive Councillor :- Flewitt

861 Annual Public Health Report

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the 2016 Annual Report of the Director of Public Health.

Resolved:-

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

Reason for Decision

The Health and Social Care Act 2012 requires Directors of Public Health to prepare an annual report on the health of the local population.

Other Options

None.

Note:- This is an Executive Function.

Eligible for call-in to People Scrutiny Committee.

Executive Councillor :- Salter

862 Airport Business Park Report

The Cabinet considered a report of the Deputy Chief Executive (Place) on the progress of the Airport Business Park Southend (ABPS) development, specifically in relation to the Phase 1 works currently underway and the acceleration of Phase 2 works following the announcement of £19.89m from the Local Growth Fund (LGF) on 2 February 2017. The report sought agreement from Members for the appropriate delegations to enable the Phase 2 works to commence.

Resolved:-

1. That the progress of the Airport Business Park Southend development, including the commencement of the Phase 1 works, be noted and endorsed.
2. That the announcement of £19.89m Local Growth Fund (round 3) investment to enable the Phase 2 works, be noted.
3. That the following delegations to enable the phase 2 works to progress at pace and in line with funding conditions be approved :-
 - (i) That the Deputy Chief Executive (Place), in consultation with the Leader, be authorised to approve and submit a revised business case in order to draw down the funding from the South East Local Enterprise Partnership (SELEP) at the appropriate time.
 - (ii) That the Deputy Chief Executive (Place), in consultation with the Leader, be authorised to take all necessary steps to deliver the Innovation Centre including: commissioning feasibility work to develop a scheme, submission of a detailed planning application, commissioning construction and procuring an operator.
 - (iii) That the Deputy Chief Executive (Place), in consultation with the Leader, be authorised to agree the detailed planning applications for Phase 2 works and associated evidence and assessments, for submission to Rochford District Council and to enter into any relevant planning or highways agreements necessary to facilitate the development.
 - (iv) That the Deputy Chief Executive (Place), in consultation with the Leader, be authorised to undertake all necessary work to deliver the new rugby club clubhouse and any additional infrastructure as required by the scheme with Henry Boot Developments Ltd and their appointed contractors and to enter into all relevant documentation including the new lease to the Rugby Club to facilitate and complete the relocation of the Club.
4. That the Management Company function be established, as per the Development Management Agreement with Henry Boot Development Ltd, and to commit the necessary resources and appropriate Council representation for the company to commence operation.

Reason for Decision

The LGF announcement is significant for Southend not only in its value, as the largest allocation within SELEP, but also the scale of the infrastructure it will allow the Council to deliver and to do so more quickly than would otherwise have been possible or expected. A set of clearly defined delegated responsibilities are therefore needed in order to maintain this pace, meet the funding requirements and to deliver the Phase 2 works.

Other Options

None

Note:- This is an Executive Function.

Eligible for call-in to Place Scrutiny Committee.

Executive Councillors :- Lamb, Holland and Moring

863 FLAG Report

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the establishment of the North Thames Fisheries Local Action Group (FLAG).

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

Resolved:-

1. That the North Thames Fisheries Local Action Group (FLAG) be supported given its potential to make a positive impact on the fisheries sector locally.
2. That the draft Partnership Agreement, as set out in Appendix 1 to the submitted report, be approved in principle and that authority be delegated to the Director of Regeneration and Business Development in consultation with the Portfolio Holder for Culture, Tourism and the Economy to agree the final Partnership Agreement and sign it on behalf of the Council.
3. That FLAG capital projects be forward funded by the Council up to a maximum of £120,000 p.a. (inc VAT) over 3 years which will be fully repaid in arrears and that authority be delegated to the Director of Finance and Resources and Director of Regeneration and Business Development in consultation with the Portfolio Holder for Culture, Tourism and the Economy to agree any financial contribution to the FLAG by the Council on a case by case basis.
4. That the initial Leigh Port feasibility study be funded by the Council at a total cost of £65k to be funded from the Business Transformation reserve which will be reimbursed by the FLAG in arrears following MMO approval.
5. That existing funding which is already within the Council's budget for related projects is used as match funding and/or to lever additional investment for FLAG projects where appropriate and relevant.

Reason for Decision

The fishing industry, while representing a small proportion of Southend's economy, is a significant contributor to the national shell fishing sector and plays an important role in the heritage, community and offer of Leigh-on-Sea. It has not benefitted from investment of this kind previously so this offers a unique opportunity to better tell the story of fisheries in Leigh while deriving the benefits outlined in paragraph 3.5 of the submitted report.

Other Options

The Council has the option to participate in the FLAG as set out in the Partnership Agreement, to seek alterations to the Partnership Agreement or to decline to support the FLAG. The latter of these options does not accord with the Council's prosperous corporate priority or its desire to support and enable community-led economic growth. Nor does it reflect the support provided by Members and officers in securing FLAG status. Officers have considered the Partnership Agreement and believe the roles and responsibilities set out in there are reasonable and that

proportionate and appropriate measures to manage the resource commitment to the FLAG can be put in place so that the partnership agreement can be signed and the FLAG formally supported by the Council.

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

864 Gambling Policy Report

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the outcome of the formal consultation process in respect of the Gambling Licensing policy and set out a proposed final statement for the purposes of the Gambling Act 2005 (in order to meet the timetable for publication by 24th April 2017)

Recommended:-

1. That the Statement of Gambling Licensing Policy, set out in Appendix 2 to the submitted report, be adopted.
2. That amendments to the local area profile be delegated to the Director of Public Protection.

Reason for Decision

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

Other Options

Should the Council fail to approve a final Statement of Policy, it will be in breach of its statutory duty under Section 349 of The Gambling Act 2005 which requires the policy to be reviewed. It is not considered that another option exists.

Note:- This is a Council Function.
Eligible for call-in to Place Scrutiny Committee.
Executive Councillor :- Flewitt

865 Standing Order 46

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function
Eligible for call-in as appropriate to the item
Executive Councillor:- As appropriate to the item

866 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.

867 Capital Re-development of Delaware, Priory and Viking

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

Resolved:-

1. That it be noted that the Outline Business Case (OBC) as set out at Appendix 1 to the submitted report has confirmed that the preferred option is the re-provision of the Viking Learning Disability Day Centre and the construction of a new 60 bed dual registered dementia care home, on a single site (Priory). The existing Avro (Viking) site and the Delaware site could then be sold.
2. That the capital investment and funding requirement for the re-development programme on the Priory site, be noted.
3. That the Local Authority Trading Company (LATC), Southend Care, will operate this new facility on the Priory site under a long term commercial lease from the Council. The Deputy Chief Executive (People) and the Director of Finance and Resources to be given delegated authority to negotiate and agree the lease with Southend Care and to authorise completion of the lease.
4. That the procurement for the design and build of the proposed development on the Priory site be commenced and that the Deputy Chief Executive (People) be granted delegated authority to instruct the contractor(s) in accordance with the award criteria.
5. That it be noted that that the proposed development on the Priory site is dependent upon the adjacent Priory school site being granted relevant permissions from the Department for Education

Reason for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note:- This is an Executive Function.
Eligible for call-in to People Scrutiny Committee.
Executive Councillor :- Salter

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 28th March, 2017
Place: Committee Room 1 - Civic Suite

17

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

In Attendance: Councillors Callaghan and Mulrone
J K Williams, S Leftley, A Lewis, A Atherton, J Chesterton, J Ruffle,
C Gamble, I Ambrose, E Cooney, M Sargood and G Webb

Start/End Time: 2.00 - 2.20 pm

888 Apologies for Absence

Apologies for absence were received from Councillors Cox and Flewitt.

889 Declarations of Interest

There were no declarations of interest at this meeting.

890 Decant Policy

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the proposal for the adoption of a borough-wide Decant Policy that would apply to any Council tenants who may have to move either on a permanent or temporary basis as a result of a regeneration project.

Resolved:-

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

Reason for Decision

With the Queensway project progressing, it is important that the Council has a clear Decant Policy which will enable tenants to be compensated for the disturbance associated with the regeneration projects.

Other Options

The Council has legal responsibilities to meet to its tenants whose home is subjected to demolition, or major refurbishment.

This is an Executive function
Referred directly to Policy & Resources Scrutiny Committee
Executive Councillor:- Flewitt

891 Local Lettings Policy

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the proposal for the adoption of a Local Lettings Policy for Council Tenants on the Queensway Estate which would give them additional priority to move from the Estate, in advance of redevelopment/regeneration, to alternative Council housing provision if they choose to do so.

Resolved:-

1. That the terms of the Local Lettings Policy for Queensway tenants be approved.
2. That the Deputy Chief Executive (People) and the Deputy Chief Executive (Place) each be individually authorised, in consultation with the Executive Councillor for Housing, Planning and Public Protection Services, to determine the timing of the implementation of the Policy.
3. That the proposals be publicised on the Council's On the Move website.

Reason for Decision

As the Better Queensway Scheme progresses there may be a number of tenants who wish to leave the Estate but the Council's Allocation Policy does not enable them to do so and the only option would be to introduce a Local Lettings Policy which would enable them to move.

Other Options

The other option would be to include the Local Lettings Policy alongside a wider review of the Allocation Policy but this would take some months to complete.

Note: This is an Executive function
Referred direct to Policy & Resources Scrutiny Committee
Executive Councillor:- Flewitt

892 Better Queensway

Further to the meeting of the Cabinet held on 20th September 2016, Members considered a report of the Deputy Chief Executive (Place) which sought approval to progress the Better Queensway project to procurement stage to identify a preferred partner(s) and set out a series of processes that need to be undertaken in order to meet the proposed procurement timetable.

Recommended:-

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

Finance

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

Procurement

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

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

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

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

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

Governance

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

(ii) That the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, in the context of the sponsoring group, to take decisions during the procurement process to ensure agile and timely decision making keeping the procurement to timetable and protecting the Council's position.

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

Planning

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

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

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

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

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

Housing

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

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

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

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

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

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

(vii) That the Council's tender documentation encourages tenderers to consult with South Essex Homes (SEH) as the Council's existing Arm's Length

Management Organisation (ALMO) and managers of the Council's existing housing stock with regards to their approach to the scheme.

Transport

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

Land

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

Communication

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

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

Quality of Place

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

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

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

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

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

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

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

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

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

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

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

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

Reason for Decision

It is critical that the Council has an agreed, robust and transparent position on each of the matters presented in the report in order to shape the procurement documents and to ensure that the Council's ambitions for the Queensway site are delivered through the partnership. Not reaching agreement on any of these matters risks delaying the procurement process or leaving the Council exposed in the partnership with no defined red lines or tolerances on specific matters.

Other Options

As set out in the report.

Note: This is a Council function
Referred direct to Place Scrutiny Committee
Executive Councillor:- Holland

893 Revocation of Pier Cycling Byelaw

The Chairman agreed to accept the above matter as an urgent item of business to enable steps to be taken to revoke the byelaw as soon as possible.

The Cabinet considered a report of the Deputy Chief Executive (Place) requesting consideration to be given to the proposed revocation of byelaw 18 of the Council byelaws regulating and governing the riding or use of bicycles or other wheeled vehicles on Southend Pier.

Recommended:

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

Reason for decision

The byelaws are obsolete and unnecessary and the provisions within them can now be managed by the Pier's entry arrangements separately.

Other options

As set out in the report.

Note: This is a Council function
Referred direct to Place Scrutiny Committee
Executive Councillor: Holland

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 29th March, 2017
Place: Committee Room 1 - Civic Suite

18

Present: Councillor M Davidson (Chair)
Councillors D Garston (Vice-Chair), A Bright, J Moyies, C Nevin,
M Stafford, J Ware-Lane and B Arscott*

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Mr K Pandya, E Allen, D Bonner, J Chesterton, L Clampin (BDO),
N Corrigan, J Denham, L Everard, S Houlden, C Gamble, R
Merrington, D Helps and R Gill

Start/End Time: 6.30 - 8.30 pm

894 Apologies for Absence

Apologies for absence were received from Cllr Buckley (Substitute Cllr Arscott) and Cllr Ayling (no substitute).

895 Vice-Chairman

Cllr D Garston was appointed Vice-Chairman for the meeting.

896 Declarations of Interest

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

897 Minutes of the Meeting held on 18 January 2017

Resolved:

That the minutes of the meeting held on 18th January 2017 be confirmed and signed as a correct record.

898 Liquid Logic

Further to the meeting of the Audit Committee on 18th January 2017, Members considered a report of the Director for Digital Futures outlining the nature and status of the project to fundamentally re-provide the Children & Adults Social Case Management systems. The Care First system would cease to be used in favour of the new Liquid Logic system.

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

On consideration of the report, Members requested the Director of Digital Futures to write to members of the Committee to clarify the number of local authorities which had acquired the new Care system (both phase 1 and 2)

Resolved:-

That the contents of the report be noted, including that the project to replace the ageing social care case management would move forward on the basis of the amended 'go live' dates of October 2017 for Children's Services and January 2018 for Adults Services (phase 1).

899 Section 75 Partnership Agreement Integrated Equipment Service

Further to the meeting of the Audit Committee held on 18th January 2017, Members considered a report of the Deputy Chief Executive (People) on the progress of the Section 75 Agreement in relation to the Southend Integrated Equipment Service following the findings of the Internal Audit report.

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

Resolved:-

That the actions taken to address the issues arising from the Internal Audit report on the Section 75 Partnership Agreement in relation to the Southend Integrated Equipment Service, be noted.

900 Internal Audit Services, Risk Management Audit Update

This item was deferred to the next meeting of the Committee.

901 BDO: Grants Claims and Returns Certification Report for the Year ended 31 March 2016

The Committee considered a report of the BDO External Auditor presenting the Grant Claim and Return Certification Report for 2015/16.

The Committee asked a number of questions which were responded to by the External Auditor and officers.

Resolved:-

That the Grant Claim and Return Certification Report for 2015/16, be accepted.

902 BDO: Progress Report to Those Charged with Governance

The Committee considered a report of the BDO External Auditor on the progress made in delivering the 2015/16 and 2016/17 Annual Audit Plans.

Resolved:-

That the progress made in delivering the Annual Audit Plans for 2015/16 and 2016/17, be accepted.

903 Counter Fraud & Investigation Directorate: Quarterly Progress Report and Counter Fraud & Investigation Strategy for 2017/18

The Committee received a report of the Chief Executive on the performance of the Counter Fraud & investigation Directorate to date and requested that consideration be given to the Counter Fraud & Investigation Strategy & Work Plan for 2017/18.

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

Resolved:-

1. That the performance of the Counter Fraud & Investigation Directorate to date, be noted.
2. That the Counter Fraud Work Plan for April to June in year 2017/18, be approved.

904 Internal Audit Service Quarterly Performance Report

The Committee considered a report of the Chief Executive on the progress made in delivering the Internal Audit Strategy for 2016/17.

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

In referring to the internal audit review in relation to Mental Health Direct Payments and in response to the outcome of such review, the Chairman requested the Deputy Chief Executive (People) to prepare a progress report to the next meeting of the Committee. In addition, she asked the Deputy Chief Executive (Place) to prepare a progress report, to the same meeting, in response to the Forum Governance Arrangements internal audit review. All the relevant officers to be invited to attend the meeting.

Resolved:-

That the progress made in delivering the 2016/17 Internal Audit Strategy, be noted.

905 BDO: Audit Plan 2016/17

The Committee considered a report of the BDO External Auditor presenting the External Auditor's Audit Plan for 2016/17.

The Committee asked a number of questions which were responded to by the External Auditor.

Resolved:-

That the BDO's Audit Plan for 2016/17, be accepted.

906 Internal Audit Charter, Strategy and Audit Plan for 2017/18

The Committee considered a report of the Chief Executive presenting the Internal Audit Charter with the supporting Strategy and Audit Plan for 2017/18.

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

On consideration of the report, the Head of Internal Audit confirmed that an assessment would be undertaken of the risks attached to the results of the Pan-Essex review, to scope a joint Commissioning arrangement across the relevant Councils, to determine whether or not an audit review would be necessary. The position on the matter would be reported to the next meeting of the Committee.

Resolved:-

That the Charter, Strategy and Audit Plan for 2017/18, be approved.

907 Information Items

The Committee noted the following documents:-

CIPFA Better Governance Forum, Audit Committee Update, Helping Audit Committees to be Effective, Issue 22:

- Developing an Effective Annual Governance Statement
- Regular Briefing on Current Developments
- Audit Committee training.

Chairman: _____

Muscular Dystrophy and Motobaility

26

Thousands of people have lost access to Motability vehicles through being switched from the Disability Living Allowance to the Personal Independence Payments since 2013.

According to Muscular Dystrophy UK the number of people returning Motability vehicles is over 900 a week, in addition to the 51,000 people who have already returned their cars.

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

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

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

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

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

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

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

Muscular Dystrophy UK is calling for the DWP:

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

It is proposed by Councillor Carole Mulronev

Seconded by Councillor Ian Gilbert

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

2 April 2017