

# Public Document Pack

## Southend-on-Sea Borough Council

Civic Centre  
Southend-on-Sea

13 April 2016

Dear Sir or Madam,



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

R Tinlin  
Chief Executive & Town Clerk

### **A G E N D A**

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Questions from Members of the Public**
- 4 Questions from Members of the Council**
- 5 Minutes of the meeting held on Thursday 25th February 2016 (Pages 1 - 20)**  
Minutes attached.
- 6 Petition - 20mph Speed Limit in Rochester Drive (Pages 21 - 22)**  
Petition attached.
- 7 Petition - Alcohol Free Zone Westcliff Library (Pages 23 - 24)**  
Petition attached.
- 8 Petition - Dual Diagnosis Worker (Pages 25 - 26)**  
Petition attached.
- 9 Petition - PlayFootball Licenced Hours (Pages 27 - 28)**  
Petition attached.
- 10 Minutes of the meeting of Licensing Sub Committee A held Friday 26th February 2016 (Pages 29 - 30)**  
Minutes attached.
- 11 Minutes of the meeting of Development Control held Wednesday 2nd March 2016 (Pages 31 - 72)**  
Minutes attached.

- 12 Minutes of the meeting of Appeals Committee A held Monday 7th March 2016 (Pages 73 - 74)**  
Minutes attached.
- 13 Minutes of the meeting of Cabinet Committee held Thursday 10th March 2016 (Pages 75 - 80)**  
Minutes attached.
- 14 Minutes of the meeting of Cabinet held 15th March 2016 (Pages 81 - 94)**  
Minutes attached.
- 15 Minutes of the meeting of Appointments & Disciplinary Committee held Tuesday 15th March 2016 (Pages 95 - 96)**  
Minutes attached.
- 16 Minutes of the meeting of General Purposes Committee held Wednesday 23rd March 2016 (Pages 97 - 100)**  
Minutes attached.
- 17 Minutes of the meeting of Audit Committee held Wednesday 30th March 2016 (Pages 101 - 104)**  
Minutes attached.
- 18 Minutes of the meeting of Health & Wellbeing Board held Thursday 7th April 2016 (Pages 105 - 108)**  
Minutes attached.
- 19 Minutes of the meeting of Place Scrutiny Committee held Monday 11th April 2016**  
Minutes to follow
- 20 Minutes of the meeting of People Scrutiny Committee held Tuesday 12th April 2016**  
Minutes to follow
- 21 Minutes of the meeting of Policy & Resources Scrutiny Committee held 14th April 2016**  
Minutes to follow.
- 22 Notice of Motion - Trade Union Bill (Pages 109 - 110)**  
Notice of Motion attached.
- 23 Changes in Electoral Arrangements (Pages 111 - 118)**  
Report of the Chief Executive & Town Clerk attached. (Item deferred from the meeting of The Council held on 25<sup>th</sup> February 2016).
- 24 Southend Energy and Pre-election Purdah**  
Report of Chief Executive & Town Clerk (to follow).
- 25 Exclusion of the Public**

To agree 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 involves 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.

**26 Minute 606 of People Scrutiny Committee held Tuesday 26th January 2016  
(Pages 119 - 120)**

Minute 606 of People Scrutiny Committee held on 26<sup>th</sup> January 2016 attached (The minute was deferred by Council on 25<sup>th</sup> February 2016 and is for debate only).

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of The Council

**Date: Thursday, 25th February, 2016**

**Place: Council Chamber - Civic Suite**

# 5

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

**Start/End Time:** 6.30 pm - 1.00 am

### **653 Apologies for Absence**

Apologies for absence were received from Councillors Endersby, D Garston and Norman MBE.

### **654 Presentation to the Youth Mayor and Deputy Youth Mayor**

The Worshipful the Mayor presented the chain of office to this year's Youth Mayor, Ms Bertha Sibanda, and the Chain of Office to this year's Deputy Youth Mayor, Ms Devang Thaker.

### **655 Communications**

The Worshipful the Mayor thanked all Members who attended the Memorial Service for Gwen Horrigan MBE which took place on Sunday 24<sup>th</sup> January 2016, who will be remembered with great fondness.

### **656 Declarations of Interest**

Members declared the following interests:

- **Councillor Arscott**

#### **Development Control Committee - 3rd February, 2016**

Minute 627 - Application No. 15/01792/FUL - Non-Pecuniary — Friends live in neighbouring properties (withdrew)

- **Councillor Assenheim**

#### **Council – 25<sup>th</sup> February 2016**

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – Board Member South Essex Homes and relative lives in sheltered housing accommodation;

#### **Cabinet Committee – 4<sup>th</sup> January, 2016**

Minute 514 – Members requests list - Non-Pecuniary - Members' Request Reference No. 15/11 – Registered at Doctor's Surgery in the road;

**Cabinet - 5th January, 2016**

Minute 522 - Notice of Motion - Local Connection Housing Allocation Policy - Non-Pecuniary - Board Member of South Essex Homes

**Development Control Committee - 13th January, 2016**

Minute 548 - Application No. 15/01877/FUL - Non-Pecuniary – Applicant is his registered GP;

Minute 548 - Application No. 15/ 01046/ADV – Lives near to the roundabout;

**Place Scrutiny Committee - 25th January, 2016**

Minute 586 - Member's Requests List - Non-Pecuniary - Members' Request Ref No. 15/11 - The Doctor's Surgery where he is registered is in the road.

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 606 - Establishment of a Local Authority Trading Company for Adult Social Care and site feasibility study for Delaware, Priory and Viking - Disclosable Non-Pecuniary - Board member South Essex Homes - 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

**Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 621 - Review of Sheltered Housing - Disclosable Non-Pecuniary - Board member South Essex Homes - 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 Ayling**

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 - Application No. 15/01884/FUL – Non-Pecuniary - Lives in the vicinity of the application site;

**Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 617 - Notice of Motion - Southend Borough Patrol - Non-Pecuniary - son is a Special Constable;

- **Councillor Betson**

**Cabinet Committee - 4th January, 2016**

Minute 514 - Member's Requests List - Non-Pecuniary interest - Members' Request Reference No. 15/24 – Lives in the vicinity of Green Lane and Members' Request Reference No. 15/39 – Husband owns property in Rutland Avenue;

**Cabinet – 5<sup>th</sup> January 2016**

Minute 535 - Fostering Service Annual Report - Non-Pecuniary interest - Member of Fostering Panel

Minute 532 - Appropriation of Assets - Non-Pecuniary interest - Board Member of South Essex Homes and knows tenant of 75 Southchurch Avenue;

**Cabinet – 19<sup>th</sup> January 2016**

Minute 559 - Draft Housing Revenue Account Budget 2016/17 and Rent Setting - Non-Pecuniary interest - South Essex Home Board Member

**Place Scrutiny Committee - 25th January, 2016**

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

- **Councillor Borton**

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 - Application No. 15/01052/ADV - Non-Pecuniary - Lives in the vicinity of the roundabout;

- **Councillor Buckley**

**Cabinet Committee – 4<sup>th</sup> January 2016**

Minute 514 – Members Requests List – Non-Pecuniary – Members’ Request Reference No.15/37 – Lobbied for change with residents;

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 – Application No. 15/01917/FUL – Non-Pecuniary – Asked for attention as to highway impact for residents;

**Development Control Committee – 3<sup>rd</sup> February 2016**

Minute 627 – Application No. 15/02065/BC4 – Non-Pecuniary – Lobbied as to potential impact on surrounding highway for local residents;

•**Councillor Callaghan**

**Cabinet Committee – 4<sup>th</sup> January 2016**

Minute 514 - Member’s Requests List - Non-Pecuniary - Members’ Request Reference No. 15/26 – A client of the accountants located in Monometer House;

•**Councillor Tony Cox**

**Policy and Resources Scrutiny Committee - 28th January, 2016**

Minute 618 - Corporate Peer Review - Pecuniary - employers were part of the review (withdrew);

- **Councillor Crystal**

**Development Control Committee - 13th January, 2016**

Minute 548 - Application No. 15/01493/FUL – Non-Pecuniary - Site is adjacent to the dental surgery where he is registered;

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 598 - Monthly Performance Report - Non-Pecuniary - discharge from Hospital;

Minute 603 - Urgent Care Services Review Update - Non-Pecuniary - Partner Governor at Southend Hospital;

- **Councillor Davies**

**Council – 25<sup>th</sup> February 2016**

Minute 658 – Questions from Members of the Council (relating to his question) – Non-Pecuniary – has recently had dealings with estate agents;

**Policy & Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 619 – Notice of Motion (Southend Borough Patrol) – Non-Pecuniary – part of the Street Pastors team provided in the borough;

- **Councillor Davidson**

**People Scrutiny Committee - Tuesday, 26th January, 2016**

Minute 597 - Draft General Fund Revenue Budget 2016/17 - Non-Pecuniary - volunteer for Healthwatch Southend;

- **Councillor Flewitt**

**Cabinet Committee – 4<sup>th</sup> January 2016**

Minute 514 – Members Requests List – Non-Pecuniary – Members’ Request Reference No.15/37 – Lobbied for change with residents;

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 – Application No. 15/01917/FUL – Non-Pecuniary – Asked for attention as to highway impact for residents;

**Development Control Committee – 3<sup>rd</sup> February 2016**

Minute 627 – Application No. 15/02065/BC4 – Non-Pecuniary – Lobbied as to potential impact on surrounding highway for local residents;

**Place Scrutiny Committee – 25<sup>th</sup> January 2016**

Minute 586 - Member's Requests List - Non-Pecuniary - Members’ Request Ref No. 15/37 – Lobbied for investigations and speed reduction measures at the school entrance in Hornby Avenue;

Minute 584 - Essex and Southend Replacement Waste Local Plan - Non-Pecuniary - Knows some of the consultees who are cited and named;

Minute 581 - Draft Fees and Charges 2016/17 - Non-Pecuniary - Has a discounted permit for green waste;

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 606 - Establishment of a Local Authority Trading Company for Adult Social Care and site feasibility study for Delaware, Priory and Viking - Non-Pecuniary - employers acted as legal advisors to consultants and SEH mentioned during discussion – friends and relatives tenants of SEH;

Minute 599 - Reference back from Council, 10th December 2015 - Notice of Motion - HIV Testing - Non-Pecuniary - lobby for THT and worked with Halve-It Charity;

Minute 601 - Annual Report on Safeguarding Children and Adults - Non-Pecuniary - sits as a JP in east London area

**Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 612 - Draft Housing Revenue Account Budget 2016/17 & Rent Setting - Non-Pecuniary - SEH mentioned during discussion – friends and relatives tenants of SEH; lobbied and held surgeries at one location mentioned;

Minute 621 - Review of Sheltered Housing - Non-Pecuniary - SEH mentioned during discussion – friends and relatives tenants of SEH; lobbied and held surgeries at one location mentioned;

**Council – 25<sup>th</sup> February 2016**

Agenda Item 8 (Budget 2016/17) – Non-Pecuniary – Family & Friends are tenants of South Essex Homes Limited;

- **Councillor Folkard**

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 603 - Urgent Care Services Review – update - Non-Pecuniary - ambassador for fundraising team at Southend Hospital; on reading panel at Southend Hospital for information leaflets;

- **Councillor D Garston**

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 - Application No. 15/01340/FULH – Non-Pecuniary - Agent is well-known to him;



Minute 548 - Application No. 15/01785/FULM – Non-Pecuniary - Applicant's spokesperson is a neighbour of his son and is known to him

**Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 612 - Draft Housing Revenue Account Budget 2016/17 & Rent Setting - Non-Pecuniary - private landlord in borough;

Minute 614 - Draft Fees & Charges 2016/17 - Non-Pecuniary - private landlord in borough;

- **Councillor J Garston**

**Development Control Committee – 3<sup>rd</sup> February 2016**

Minute 627 - Application No. 15/02014/BC3 – Non-pecuniary – Knows residents in the area who are affected by the works;

- **Councillor Gilbert**

**Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

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

- **Councillor Holland**

**Council – 26<sup>th</sup> February 2016**

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – son works for the Council;

**Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 623 - Council Tax Base & Non Domestic Rating Base 2016/17; Minute 612 – Draft Housing revenue Account Budget 2016/17 & Rent Setting; Minute 613 - Draft Capital Programme 2016/17 to 2019/20; Minute 614 - Draft Fees & Charges 2016/17; Minute 615 - Draft General Fund Revenue Budget 2016/17 - Non-Pecuniary - son works for Council;

Minute 617 - Notice of Motion - Southend Borough Patrol - Non-Pecuniary - son is police officer working with specials;

- **Councillor Jones**

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

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

Minute 607 - Schools Progress Report - Non-Pecuniary - child in secondary school cohort in 2015;

- **Councillor Lamb**

**Council – 25<sup>th</sup> February 2016**

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – involved in the HMS London-Shipwreck project;

**Policy and Resources Scrutiny Committee - 28th January, 2016**

Minute 619 - Summary Reports to Scrutiny Committee - Non-Pecuniary - Partner Governor, representing SAVS at Southend Hospital;

- **Councillor Longley**

**Council – 25<sup>th</sup> February 2016**

Minute 660 – Council Budget 2016/17 – Non-Pecuniary – daughter is director of Havens Hospice;

- **Councillor McGlone**

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 - Application No. 15/01917/FUL – Non-Pecuniary - Members of staff at the premises are known to him;

- **Councillor McMahon**

**Cabinet – 5<sup>th</sup> January 2016**

Minute 521 – Notice of Motion (Refugees) – Disclosable Non-Pecuniary – predominantly Christian and all proposers of the motion were personally known to her;

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 - Application No. 15/01763/FUL – Non-Pecuniary - Business has contacted previously in her capacity as Councillor (withdrew);

Minute 548 - Application No. 15/01877/FUL – Non-Pecuniary - Comments on the application have been made by the Chairman of a Kursaal Ward Residents' Association;

**Policy & Resources – 28<sup>th</sup> January 2016**

Minute 619 – Notice of Motion (Southend Borough Patrol) – Non-Pecuniary – part of the Street Pastors team provided in the borough;

- **Councillor Moyies**

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

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

- **Councillor Mulroney**

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 – Application No. 15/01340; Application No. 15/01741; Application No. 15/01616 – Non-Pecuniary – Member of Leigh Town Council and Leigh Society who were consultees;

**Development Control Committee – 3<sup>rd</sup> February 2016**

Minute 627 – Application No. 15/01792; Application No. 15/0219 - Non-Pecuniary – Member of Leigh Town Council and Leigh Society who were consultees;

- **Councillor Nevin**

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 603 - Urgent Care Services Review Update - Non-Pecuniary - employee in NHS Trust external to this area; previous employee at Southend Hospital;

Minute 599 - Reference back from Council, 10th December 2015 - Notice of Motion - HIV Testing - Non-Pecuniary - niece works at Public Health England;

### **Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 619 - Summary Reports to Scrutiny Committee - Non-Pecuniary - employee in NHS Trust external to this area; previous employee at Southend Hospital;

- **Councillor Norman MBE**

### **Place Scrutiny Committee – 25<sup>th</sup> January 2016**

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

- **Councillor Robinson**

### **People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 603 - Urgent Care Services Review – update - Non-Pecuniary - NHS employee of Trust in Southend outside scope of committee business

Minute 606 - Establishment of a Local Authority Trading Company for Adult Social Care and site feasibility study for Delaware, Priory and Viking - Non-Pecuniary - NHS employee of Trust in Southend outside scope of committee business;

Minute 601 - Annual Report on Safeguarding Children and Adults - Non-Pecuniary - NHS employee of Trust in Southend outside scope of committee business and his employer provided a statement at section 7;

### **Development Control Committee – 3<sup>rd</sup> February 2016**

Minute 627 - Application Nos. 15/01977BC3 & 15/01984/LBC – Non-Pecuniary - Lives in the road opposite the Palace Theatre;

- **Councillor Salter**

### **People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 603 - Urgent Care Services Review Update - Non-Pecuniary - husband is Business Unit Director at Southend Hospital for surgical services including oral surgery – urology;

### **Policy and Resources Scrutiny Committee – 28<sup>th</sup> January 2016**

Minute 612 - Draft Housing Revenue Account Budget 2016/17 & Rent Setting – and Minute 614 – Draft Fees & Charges 2016/17 - Non-Pecuniary - private landlord in borough;

Minute 619 - Summary Reports to Scrutiny Committee - Non-Pecuniary - husband is Business Unit Director at Southend Hospital for surgical services;

### **Health & Wellbeing Board – 9<sup>th</sup> February 2016**

Minute 636 - Success Regime Verbal Briefing - Non-Pecuniary - Husband is Business Unit Director at Southend Hospital for surgical services including oral surgery - urology;

- **Councillor Terry**

### **Cabinet – 5<sup>th</sup> January 2016**

Minute 539 - Flood Incident Report - URS (September 2014) - Non-Pecuniary - Lives in area affected;

### **Cabinet – 19<sup>th</sup> January 2016**

Minute 559 - Draft Housing Revenue Account Budget 2016/17 and Rent Setting - Non-Pecuniary - South Essex Homes Board Member

**Place Scrutiny Committee – 25<sup>th</sup> January 2016**

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

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

Minute 598 - Monthly Performance Report - Non-Pecuniary - ticket holder SUFC  
Disqualifying Non-Pecuniary - interest in the referred/called-in items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

**Policy and Resources Scrutiny Committee - 28th January, 2016**

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

- **Councillor Van Looy**

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 - Application No. 15/01785/FULM - Non-Pecuniary - – Applicant known to him in the seafront trade (withdrew);

Minute 548 - Application No. 15/01884/FUL – Non-Pecuniary – Ward Councillor;

Minute 548 - Application No. 15/01763/FUL – Non-Pecuniary - Applicant known to him

Minute 548 - Application No. 15/01741/FUL – Non-Pecuniary - Applicant known to him

- **Councillor Walker**

**Cabinet – 5<sup>th</sup> January 2016**

Minute 531 – Council Tax Discounts & Exemptions and Discretionary Relief Policy – Non-Pecuniary – Chairman of Trustees at Eastwood Memorial Hall;

**Development Control Committee – 13<sup>th</sup> January 2016**

Minute 548 - Application No. 15/01340/FULH - Non-Pecuniary — Knows a resident who lives close to the application site;

- **Councillor Nick Ward**

**Development Control Committee – 3<sup>rd</sup> February 2016**

Minute 630 - Modification of Section 106 Agreement - Heath House & Carby House - Application No. 15/02019/S106BA - Non-Pecuniary — The solicitor is known to him;

- **Councillor Ron Woodley**

**Cabinet Committee – 4<sup>th</sup> January 2016**

Minute 514 - Member's Requests List- Non-Pecuniary - Members' Request Reference No. 15/11 – Lives in the Tyrone Road;

**Place Scrutiny Committee – 25<sup>th</sup> January 2016**

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

**People Scrutiny Committee – 26<sup>th</sup> January 2016**

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

**Policy & Resources – 28<sup>th</sup> January 2016**

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

**657 Questions from Members of the Public**

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

**658 Questions from Members of the Council**

The relevant Executive Councillors responded to written questions received from Councillors Assenheim, Ware-Lane, Buckley, Nevin and Davies.

**659 Minutes of the Meeting held on Thursday, 10th December 2015**

Resolved:-

That the Minutes of the Meeting held on 10<sup>th</sup> December 2015 be confirmed as a correct record and signed.

**660 Council Budget 2016/17**

The Council considered a report of the Corporate Director for Corporate Services which presented the Cabinet's revenue budget and Council Tax for 2016/17 financial year, together with Minutes 558 to 562 of Cabinet held 19th January 2016 and Minutes 645 to 649 of Cabinet held on 11th February 2016, and Scrutiny Minutes 580-582, 595-597 and 613-617.

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 Lamb and Flewitt submitted 2 amendments to the Budget concerning:

Amendment 1:HRA Rental Income;

Amendment 2: No increase in parking charges and cremation fees & cemetery burial fees and no reduction in the expenditure savings for school improvement and teenage pregnancy;

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

Amendment 1 – HRA Rental Income

For the amendment:

Cllrs Arscott, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Phillips,

Robertson, Salter, Walker, Waterworth (22)

Against the amendment:

Cllrs Assenheim, Aylen, Ayling, Betson, Borton, Callaghan, Crystall, Davies, Gilbert, Jones, Kenyon, Longley, McMahon, Moyies, Mulroney, Nevin, Robinson, Stafford, Terry, Van Looy, Velmurugan, Ward, Ware-Lane, Willis, Woodley (25)

Abstentions:

The Worshipful the Mayor, Cllr Moring (1)

Absent:

Cllrs Endersby, D Garston and Norman MBE (3)

The amendment (1) was not carried.

Amendment 2 - No increase in parking charges and cremation fees & cemetery burial fees and no reduction in the expenditure savings for school improvement and teenage pregnancy

For the amendment:

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

Against the amendment:

Cllrs Assenheim, Ayling, Betson, Borton, Callaghan, Crystall, Davies, Gilbert, Jones, Kenyon, Longley, McMahon, Moyies, Mulroney, Neving, Robinson, Stafford, Terry, Van Looy, Velmurugan, Ward, Ware-Lane, Willis, Woodley (24)

Abstentions:

The Worshipful the Mayor, Cllr Moring (1)

Absent:

Cllrs Endersby, D Garston and Norman MBE (3)

Amendment (2) was not carried.

The Council Budget 2016/17 proposals were then voted on by way of a named vote as required by law. The voting was as follows:-

For the budget proposals 2016/17:

Cllrs Assenheim, Aylen, Ayling, Betson, Borton, Callaghan, Crystall, Davies, Gilbert, Jones, Kenyon, Longley, McMahon, Moyies, Mulroney, Nevin, Robinson, Stafford, Terry, Van Looy, Velmurugan, Ward, Ware-Lane, Willis, Woodley (25)

Against the budget proposals 2016/17:

Cllrs Arscott, Buckley, Butler, Byford, Courtenay, Cox, Davidson, Evans, Flewitt, Folkard, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, Phillips, Robertson, Salter, Walker, Waterworth (22)

Abstentions: The Worshipful the Mayor, Cllr Moring (1)

Absent: Cllrs Endersby, D Garston and Norman MBE (3)

The Council Budget 2016/17 proposals were carried, as set out below:

Resolved:

With regard to the Housing Revenue Account Budget 2016/17 and rent setting:

1. That a rent reduction of 1% on General Needs tenancies, as required by the Welfare Reform and Work Bill, be approved.
2. That a zero % rent increase on Sheltered Accommodation tenancies, be approved.
3. That an average rent increase of 3.39% on shared ownership properties, be approved.
4. That an increase in hostel rents to the appropriate Local Housing Allowance rate, less 10% plus £60, as allowed by national guidance, be approved.
5. That the proposed rent changes in 1-4 above be effective from 4 April 2016.
6. That the increases in other charges, as set out in section 5 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.
7. That the management fee proposed by South Essex Homes, as set out in section 6 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be noted.
8. That from 1 April 2016, South Essex Homes be charged with setting and recovering service, heating and water charges directly, on a cost recovery only basis, and their management fee be reduced accordingly.
9. 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 submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.
10. That, subject to 2 - 9 above, the HRA budget, as set out in Appendix 1 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.
11. That a report be brought back to Cabinet in the Autumn on the HRA Medium Term Financial Strategy and Plan, as set out in section 9 of the submitted report to Cabinet on 11<sup>th</sup> February 2016.
12. That the value of the Council's Capital allowance for 2016/17 be declared as £34.073M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

With regard to the Capital Programme 2016/17 to 2019/20:

13. That the current approved Programme for 2016/17 to 2018/19 of £129.6m, as set out in Appendix 1 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be noted.

14. That the changes to the approved Programme, as set out in Appendix 2 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

15. That the proposed new schemes and additions to the Capital Programme for 2016/17 to 2019/20 totalling £52.7m of which £44.7m is for the General Fund and £8.0m for the Housing Revenue Account, as set out in Appendices 6 and 7 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

16. That it be noted that, the proposed new schemes and additions, as set out in Appendices 6 and 7 of the submitted report to Cabinet on 11<sup>th</sup> February 2016 and other adjustments, as set out in Appendix 2 of the report, will result in a proposed capital programme of £188.1m for 2016/17 to 2019/20, as set out in Appendix 8 of the report.

17. That it be noted that, of the total programme of £188.1m for the period 2016/17 to 2019/20, the level of external funding supporting this programme is £65.0m.

18. That it be noted that a final review has been undertaken on the 2015/16 projected outturn and that the results have been included in the submitted report to Cabinet on 11<sup>th</sup> February 2016.

19. That the proposed Capital Programme for 2016/17 to 2019/20, as set out in Appendix 8 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

20. That the Capital Strategy for 2016/17 to 2019/20, be approved.

With regard to the Treasury Management and Prudential Indicators 2016/17

21. That the Treasury Management Policy Statement, as set out in Appendix 1 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

22. That the Treasury Management Strategy, as set out in Appendix 2 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

23. That the Annual Investment Strategy, as set out in Appendix 3 to the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

24. That the Minimum Revenue Provision (MRP) Policy, as set out in Appendix 5 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

25. That the prudential indicators, as set out in Appendix 6 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

26. That the operational boundary and authorised limits for borrowing for 2016/17 be set at £280m and £290m respectively.

27. That it be noted that decisions 21 to 23 above comply with the CIPFA Treasury Management Code of Practice.



28. That it be noted that decision 24 above complies with the Local Authority's general duty to charge an amount of MRP to revenue which it considers to be prudent.

29. That it be noted that decisions 25 and 26 above demonstrate compliance with the CIPFA Prudential Code for Capital Finance and Local Authorities.

With regard to Fees and Charges 2016/17:

30. That, subject to the minor amendment to the transport charge (Adult Social Care) as reported at the Cabinet meeting on 11<sup>th</sup> February 2016, the proposed fees and charges for each Department as set out in the submitted report to Cabinet on 10<sup>th</sup> February 2016 and the associated appendices, be approved.

With regard to the General Fund Revenue Budget 2016/17:

In respect to 2015/16:

31. That the forecast outturn of £126.093 million, be noted.

32. That the appropriation of the sums to earmarked reserves totalling £5.624 million, as set out in detail in Appendix 15 of the submitted report to Cabinet on 10<sup>th</sup> February 2016, be approved.

33. That the appropriation of the sums from earmarked reserves totalling £6.853 million, as set out in detail in Appendix 15 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

In respect of 2016/17:

34. That the Section 151 Officer's (Head 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 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be noted.

35. That a General Fund net revenue budget for 2016/17 of £123.206 million, as set out in Appendix 3 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, and any required commencement of consultation, statutory or otherwise, be approved.

36. That a Council Tax increase of 1.99% for the Southend-on-Sea element of the Council Tax for 2016/17, be approved.

37. That an Adult Social Care precept of 2%, be approved.

38. That it be noted that, the Council's preceptors Essex Police and Fire Authorities have confirmed their precept levels of 3.36% and 1.90% respectively for 2016/17 and the Leigh-on-Sea Town Council has confirmed its precept of £391,550 and a consequential increase of 5.67% in their Council Tax.

39. That no Special Expenses be charged other than Leigh-on-Sea Town Council precept for 2016/17.

40. That the appropriation of the sums to earmarked reserves totalling £5.785 million, as set out in Appendix 15 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

41. That the appropriation of the sums from earmarked reserves totalling £9.659 million, as set out in Appendix 15 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

42. That the schools' budget and its relevant distribution as recommended by the Schools' Forum and as set out in Appendix 2 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

43. That the pressures required of £1.355 million, as set out in Appendices 11 and 12 of the submitted report, and the General Fund and Public Health savings required of £10.467 million, as set out in Appendices 13 and 14 of the submitted report, and the subsequent individual service cash limits for 2016/17, as contained in Appendices 3 to 10 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

44. That the direction of travel for 2017/18 and beyond, as set out in Section 11 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be endorsed.

45. That the revised Medium Term Financial Strategy up to 2019/20, as set out in Appendix 16 of the submitted report to Cabinet on 11<sup>th</sup> February 2016, be approved.

46. That authority be delegated to the Head of Finance and Resources (S 151 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 including Public Health.

With regard to the Council Tax 2016/17:

47. That it be noted that on 19<sup>th</sup> January 2016 the Cabinet calculated the Council Tax Base 2016/17 as follows:

(a) for the whole Council area as 55,701.27

(b) for dwellings in those parts of its area to which a Parish precept relates (Leigh Town Council) as 8,645.94.

48. That the Council Tax requirement for the Council's own purposes for 2016/17 (excluding town/parish precepts) be determined as £67,165,705.

49. That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) £389,948,550 - 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) -£322,391,295 - Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

(c) £67,557, 255 - Being the amount by which the aggregate of 49(a) above exceeds the aggregate at 49(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) £1,212.85 - Being the amount at 49(c) above, divided by the Council Tax Base shown at 47(a) above, as the basic amount of its Council Tax for the year (including town/parish precepts).

(e) £391,550 - Being the aggregate amount of all special items (town/parish precepts) referred to in Section 34(1) of the Act, as set out below:

(f) £1,205.82 - Being the amount at 49(d) above less the result given by dividing the amount at 49(e) above by the Council Tax Base shown at 47(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.

50. 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: 101.40, Band B: 118.30, Band C: 135.20, Band D: 152.10, Band E: 185.90, Band F: 219.70, Band G: 253.50, Band H: 304.20

Essex Fire Authority: Band A: 45.12, Band B: 52.64, Band C: 60.16, Band D: 67.68, Band E: 82.72, Band F: 97.76, Band G: 112.80, Band H: 135.36

Leigh Town Council – 8,645.94: Band A: 30.18, Band B: 35.21, Band C: 40.24, Band D: 45.27, Band E: 55.33, Band F: 65.39, Band G: 75.45, Band H: 90.54

51. That the Council's basic amount of Council Tax for 2016/17 be determined as not excessive in accordance with the principles approved under Section 52ZB of the Act, and as shown in the calculation below:

(a) Percentage increase defined by the Secretary of State as constituting an excessive increase for 2015/16 - 4.0%:

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

2015/16 amount - £1,159.42;

2016/17 amount - £1,205.82;

Percentage Increase: 3.99%

The figure at 51(b) is less than the figure at 51(a) above and therefore the Council's basic amount of Council Tax for 2016/17 is not excessive and no referendum is required.

52. 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 – 950.40, Band B – 1,180.80, Band C – 1,267.20, Band D – 1,425.60, Band E – 1,742.40, Band F – 2,059.20, Band G – 2,376.00, Band H – 2,851.20

Parished Area: Band A – 980.58, Band B – 1,144.01, Band C – 1,307.44, Band D – 1,470.87, Band E – 1,797.73, Band F – 2,124.59, Band G – 2,451.45, Band H – 2,941.74

**661 Minutes of the meeting of Development Control Committee held Wednesday, 9th December 2015**

Resolved:

That the minutes of this meeting be noted.

**662 Minutes of the meeting of Licensing Sub-Committee A held Monday, 14 December 2015 of Licensing Sub-Committee A**

Resolved:

That the minutes of this meeting be noted.

**663 Minutes of the Cabinet Committee held on Monday, 4th January 2016**

Resolved:

That the minutes of this meeting be noted.

**664 Minutes of the Cabinet held on Tuesday, 5th January 2016**

The Council noted that Minute 526 would be considered in conjunction with the report on changes to the electoral arrangements under agenda item 27.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 530, 531 and 538, be adopted.

**665 Minutes of the Development Control Committee held Wednesday, 13th January 2016**

Resolved:

That the minutes of this meeting be noted.

**666 Minutes of the Appeals Committee B held Thursday, 14th January 2016**

Resolved:

That the minutes of this meeting be noted.

**667 Minutes of the Cabinet held Tuesday, 19th January 2016**

Minutes 558 to 562 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 555, 556, 557 and 564 of this meeting be noted.

**668 Minutes of the Audit Committee held on Wednesday, 20th January 2016**

Resolved:

That the minutes of this meeting be noted.

**669 Minutes of the Place Scrutiny Committee held Monday, 25th January 2016**

Minutes 580 to 582 had been dealt with previously as part of the budget proposals.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 584 and 587, be adopted.

**670 Minutes of the People Scrutiny Committee held Tuesday, 26th January 2016**

Minutes 595 to 597 had been dealt with previously as part of the budget proposals.

The Chief Executive advised that the item in Minute 606 (Establishment of a Local Authority Trading Company for Adult Social Care) was an Executive matter and the decision had taken effect. Therefore Minute 606 was only eligible for debate.

Resolved:

1. That the minutes of this meeting, be noted.

2. That minute 606 (Establishment of a Local Authority Trading Company for Adult Social Care) be deferred to the next ordinary meeting of the Council at which the decision would only be eligible for debate.

**671 Minutes of the Policy & Resources Scrutiny Committee held Thursday, 28th January 2016**

Minutes 613 to 617 have been dealt with previously as part of the budget proposals.

Resolved:

That the minutes, with the exception of Minute 619 (Notice of Motion – Southend Borough Patrol) which was referred back to Cabinet for further consideration, of this meeting be noted.

**672 Minutes of the Development Control Committee held Wednesday, 3rd February 2016**

Resolved:

That the minutes of this meeting, be noted.

**673 Minutes of the Health & Wellbeing Board held Tuesday, 9th February 2016**

Resolved:

That the minutes of this meeting, be noted.

**674 Minutes of the Cabinet held Thursday, 11th February 2016**

Minutes 645 to 649 had been dealt with previously as part of the budget proposals.

Resolved:

That minutes 643 and 644, be noted.

**675 Minutes of the Licensing Sub Committee B held Friday, 12th February 2016**

Resolved:

That the minutes of this meeting be noted.

**676 Notice of Motion - C2C**

Resolved:

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

*“That this Council recognises the adverse effect on the residents of Southend of the recent implementation of C2C’s new timetable.*

*The Council commends C2C’s efforts over recent years to improve the service from ‘the misery line’ to one of the best in the country and sees the new timetable as a retrograde step.*

*Residents of Southend have to spend longer travelling and those to the west of the town struggle to get a seat in the mornings, with residents from across the town often having to stand in the evenings.*

*It is therefore requested that the Cabinet:*

- 1. Records the Council’s disappointment in the implementation of the new timetable;*
- 2. Joins forces with our two local MPs to the lobby C2C and the Department for Transport to either revert to the old timetable or reduce the number of trains*

*that stop at London stations to reduce inbound and outbound journey times;  
and*

3. *Requests the Town Clerk to write to the Managing Director of C2C and the Secretary of State for Transport indicating the Council's disappointment and requesting that they revert to the old timetable."*

Proposed by Cllr Courtenay

Seconded by Cllr Cox and supported by Cllrs Arscott, Flewitt, Folkard, D Garston, J Garston, Lamb and Phillips.

#### **677 Pay Policy Statement**

The Council considered a report of the Leader of the Council which recommended the Pay Policy Statement 2016/17 in the context of the Council's overall Reward Strategy.

Resolved:

That the Pay Policy Statement, as recommended by the Performance Related Pay Panel, be approved.

#### **678 Changes to the Constitution**

The Council considered a report of the Corporate Director for Corporate Services which recommended a minor change to the Constitution.

Resolved:

That a minor amendment be made to the Terms of Reference of the General Purposes Committee in Part 3 Schedule 2 of the Constitution as set out in Appendix 1 to the submitted report.

#### **679 Notice of Motion - Changes in Electoral Arrangements**

The Council considered a report of the Chief Executive & Town Clerk which provided background information to enable the Council to make a decision on the notice of motion on proposed changes to the Council's electoral arrangements. The report was considered in conjunction with Minute 526 of the Cabinet held 5<sup>th</sup> January 2016.

Resolved:

That the matter be deferred to the next ordinary meeting of the Council.

#### **680 Draft Calendar of Meetings 2016/17**

Resolved:

That, subject to final ratification in May 2016 and the changes detailed below, the draft Calendar of Meetings 2014/15 be approved:

- The Cabinet meeting date on 21<sup>st</sup> June 2016 be moved to 28<sup>th</sup> June 2016;

- The Cabinet Committee meeting date on 23<sup>rd</sup> June 2016 be moved to 16<sup>th</sup> June 2016.

**681 Council Procedure Rule 1.7**

During consideration Minute 539 (Flood Incident Report) of Cabinet held 5<sup>th</sup> January 2016 the hour of 11 p.m. having been reached, the Council:

Resolved:

That the remaining business on the agenda be proceeded with.

**Chairman:** \_\_\_\_\_





20

# Plenty where People Live - Petition for 20mph default speed limit in Rochester Drive, Westcliff on Sea

I hereby petition for a 20 mph default speed limit in Rochester Drive, Westcliff on Sea. That this be introduced, with appropriate signage, as soon as possible. In addition, design solutions to self enforce the reduced speed limit be designed and implemented in association with, and the agreement of, the residents of Rochester Drive.

Name	Address and postcode	Signature
Vivien Burdon	63 Rochester Drive 550 0NS	V. Burdon
David Morgan	" " " "	<del>David Morgan</del>
Alli Mousaou Sedaghi	65 Rochester Drive " "	Alli Mousaou
Ahi Mousaou	" " " "	Ahi
J Burdon	55 Rochester DV " "	J Burdon
Don Morris	61 " " 550 0NS	Don Morris
A Burdon	69 " " 550 0NS	A Burdon
S KHAN	75 Rochester Drive " "	S Khan
S AKHTAR	" " " "	S Akhtar
CIRIL Bilby	81 Rochester Drive 550 0NS	C. Bilby
* BOSTON	85 ROCHESTER DRIVE 550 0NS	T Bilby
P Skelton	82 Rochester Drive 550 0NS	P Skelton
C. SEWTERING	82 ROCHESTER DRIVE 550 0NS	C. Sewtering

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# Westborough Community Association



## WESTCLIFF LIBRARY PETITION

We, Westborough Community Association, wish to petition Southend Borough Council and Southend Police Authority to make the area immediately surrounding Westcliff Library an **ALCOHOL FREE ZONE**.

If you agree with us, please sign this petition. Thank you.

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To whom it may concern,

We, the undersigned, are petitioning the council to employ and fund a dual diagnosis worker. This is in order to plug the gaps in the mental health provision of this town that many are falling through. We need to protect the vulnerable and make sure they have the support that they need.

8

As you know, at the moment if someone has both mental health issues and also an addiction problem, the mental health team say that they cant make an accurate diagnosis and so tell them to go away for 7 months, get clean and then come back. Unfortunately this is difficult to do and in my personal experience I see people who end up on the street because they fail to get the support they need. A dual diagnosis worker will help to bridge this gap and provide people with the support that they need.

Recent reports have highlighted the need for a dual diagnosis worker. The 2014 NHS England health report states that the best way to provide treatment is to treat the person holistically, the recent review of Essex and Southend Mental health stated that there was a severe lack of quality mental health workers in Essex and Southend and the recent review of Southend carried out by Shared Intelligence also highlighted the problem of complex needs/dual diagnosis as an issue here in Southend. Cllr Gilbert at the December Full Council meeting in 2015 stood up and said `addiction is the biggest health problem in Southend`. Finally the complex needs panel have identified 66 different individuals who all would benefit so far and that is just from the rough sleeping community. I can not give any evidence outside of this community as that is where my experience lies in. All this evidence, I believe shows the need for a dual diagnosis worker.

I understand that there is a cost involved and that we are living in a time when budgets are shrinking and hard choices have to be made. Cllr Moyies also said at the same council meeting as mentioned above that it is all about where the biggest outcomes will be felt. I would argue that the lack of a dual diagnosis worker has an effect on a lot of other budgets as people fail to get the support that they need. Some of the people who signed the petition talked about how they had relatives commit suicide because of the lack of help. I strongly believe that it has a knock on effect in terms of further health issues and ambulances needing to be called out, issues around crime and also as I said above issues around housing and not being able to secure tenancies. Therefore as well as having an immediate impact on the individual I believe a dual diagnosis worker will have an impact on further health budgets, the emergency services and also the housing team.

I urge you to support the petition and employ a dual diagnosis worker.

DEL THOMAS

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"We the undersigned petition the council to reconsider the licenced hours of trade of PlayFootball in Prittlewell Chase.

"At present PlayFootball is open until 10pm, 6 days a week and whilst we do not want to prevent customers from using the facilities, this has a significant impact on our lives. The noise levels prevent our children and those of us who work shifts from being able to sleep until well gone 10pm, once customers have left the site.

"We believe there could be a better balance of the needs of PlayFootball and their customers and the residents of the local area who were, after all, there before the facilities were installed and had no choice on the matter."

PRINTED NAME	SIGNATURE	ADDRESS + POSTCODE	COMMENT	DATE
KEVIN BELL		270 PRITTEWELL CHASE SS0 0PR	FOWL LANGUAGE, SHOUTING BANGING TILL 2200 DAILY	28-3-16
Sally Oakley		270 Prittlewell Chase SS0 0PR	Shouting, unable to go to bed until noise stops. Grandchildren cannot go to bed	28-3-16
Richard Nolan		202 Westbourne Grove SS0 0PS	Swearing & noise	28-3-16
Lise Spires		202 Westbourne Grove SS0 0PS	Swearing & noise	28-3-16
FRANCIS NERBERA		254 WESTBOURNE GROVE SS0 0PS	NOISE, SWEARING, ACROSTIC FENCE DOES NOT WORK	29/3/16
Kim Stone		252 WESTBOURNE GROVE SS0 0PS	SWEARING! FLOODLIGHTING TO BRIGHT	28-3-16
Linda Kemp		250 Westbourne Grove SS0 0PS	Swearing & yelling + SCREAMING ON ON another	28-3-16
JAMIE STONE		252 Westbourne Grove SS0 0PS	Swearing & yelling SCREAMING	28-3-16
PAMIL BATER		238 WESTBOURNE GROVE SS0 0PS	SWEARING NOISE FOR 5 HOURS ON 20-21-22-23-24-25-26	28-3-16
BRILLI BOLIN		" = 11 = "	" = 11 = "	-
Lydia Sair		236 Westbourne Grove SS0 0PS	Swearing + noise	28/3/16
Benjamin West		" = 11 = "	" = 11 = "	"

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee A**

**Date: Friday, 26th February, 2016**  
**Place: Committee Room 1 - Civic Suite**

10

**Present:** Councillor McMahon (Chair)  
Councillors Mulroney (Vice-Chair) and Kenyon

**In Attendance:** T Row, P Tremayne and A Penn

**Start/End Time:** 10.00 am - 12.20 pm

**682 Apologies for Absence**

There were no apologies for absence.

**683 Declarations of Interest**

No interests were declared at the meeting.

**684 Application for the Grant of Personal Licence**

The Sub Committee received a report of the Corporate Director for Place concerning an application by Mr Anthony Mizen for the grant of a personal licence.

Mr Mizen attended the hearing and presented his case.

Mr Sparrow, of the Essex Police Licensing Unit, also attended and presented the objection, on crime prevention grounds, on behalf of the Police.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The sub-committee did, however, disregard all previous spent convictions notified by the Police.

The Sub Committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy.

The Sub Committee accepted the concerns expressed by the Police and there were no exceptional and compelling circumstances which would justify the grant of the application. The Sub Committee therefore:

Resolved:

That the application for the grant of a personal licence be refused.

**Chairman:** \_\_\_\_\_

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Development Control Committee

**Date: Wednesday, 2nd March, 2016**  
**Place: Committee Room 4a - Civic Suite**

# 11

**Present:** Councillor A Crystall (Chair)  
Councillors B Ayling, M Borton, M Butler, Byford, Callaghan, Evans,  
N Folkard, J Garston\*, Hadley, Jones\*, Kenyon\*, D McGlone,  
K Robinson, M Stafford\*, Van Looy and Walker  
\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillors Arscott, Betson, Habermel, Moyies and Mulroney  
J K Williams, P Geraghty, D Hermitage, C Galforg, J Rowley, T Row  
and M Warren

**Start/End Time:** 2.00 - 4.55 pm

### 685 Apologies for Absence

Apologies for absence were received from Councillors M Assenheim (Substitute: Councillor Kenyon), D Garston (Substitute: Councillor J. Garston), J McMahon (Substitute: Councillor Jones) and N Ward (Substitute: Councillor Stafford).

### 686 Declarations of Interest

The following interests were declared at the meeting:

- (i) Councillor Ayling – 15/01898/FULM – Non-pecuniary interest: Have met with the school and residents;
- (ii) Councillor J Garston – 15/01842/FULM – Disqualifying non-pecuniary interest: Lives opposite the application site (withdrew);
- (iii) Councillor Jones – 15/01898/FULM – Disqualifying non-pecuniary interest: Executive Councillor;
- (iv) Councillor Jones – 15/00116/DOV, 15/018777/FUL and 15/0207FUL – Non-pecuniary interest: Lives in the adjacent;
- (v) Councillor Van Looy – 15/01842/FULM – Non-pecuniary interest: Previously owned the restaurant next to the application site;
- (vi) Councillor Van Looy – 15/01898/FULM – Non-pecuniary interest: Ward Councillor;
- (v) Councillor Van Looy – 15/02053/OUTM, 15/01997/FUL and 15/02071/FUL – Non-pecuniary interest: Knows residents of the Garrison site; and
- (vi) Councillor Van Looy – 15/01990/FUL – Non-pecuniary interest: Customer of the shop.

**687 Minutes of the Meeting held on Wednesday 9th December 2015**

Resolved:

That the Minutes of the Meeting held on Wednesday 9th December 2015 be received, confirmed as a correct record and signed.

**688 Minutes of the Meeting held on Wednesday 13th January 2016**

Resolved:

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

**689 Minutes of the Meeting held on Wednesday 3rd February 2016**

Resolved:

That the Minutes of the Meeting held on Wednesday 3<sup>rd</sup> February 2016 be received, confirmed as a correct record and signed.

**690 Reports on Planning Applications - Pre-meeting Site Visits**

The Committee received reports of the Corporate Director for Place which reported on applications which had been deposited with the Council.

The decision of the Committee in relation to each application is set out below:

**(a) Chalkwell Ward**

**15/02130/FUL**

**Erect two storey dwellinghouse on land at rear (Amended Proposal)**

**25 Britannia Road, Westcliff-on-Sea, Essex**

**Mrs Linda Harrison**

**Mercer Planning Consultants Ltd**

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

Planning permission REFUSED for the following reasons:

01 The proposed dwelling, by reason of its siting would be out of keeping with the existing layout and grain of development in the area resulting in infill development appearing conspicuous and visually harmful to the surrounding area. This is contrary to the National Planning Policy Framework policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of Development Management Document DPD2 and policies and the Design and Townscape Guide.

02 The proposal would result in a loss of parking provision to serve existing occupiers of 25 Britannia Road will result in additional on street parking in an area of parking stress to the detriment highway safety and the local highway network contrary to guidance contained within the NPPF, Policy DM15 of the

emerging Development Management DPD2, Policy CP3 of the DPD1 (Core Strategy), policy DM15 of the Development Management Document and the Design and Townscape Guide (SPD1).

03 The proposed development would result in an unacceptable loss of amenity space to no. 25 Britannia Road resulting in a poor environment for occupants thereof contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM1 of the Development Management Document and advice contained within the Design and Townscape Guide SPD1.

04 The proposed amenity space to serve the new dwelling would be unacceptably overlooked by the occupiers of 26 Britannia Road resulting a loss of privacy for future occupants contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM1 of the Development Management Document and advice contained within the Design and Townscape Guide SPD1.

05 The proposal by reason of lack of information which fails to demonstrate accessibility and adaptability of the dwellinghouse in accordance with Building Regulation M4 (2) will result in poor living environment for future occupiers. This is contrary to the NPPF, policies KP2 and CP4 of the Core Strategy, policies DM1, DM3 and DM8 of the Development Management DPD2 and National Technical Housing Standards DCLG 2015.

06 The proposed vehicular crossovers by reason of extent of hardstanding surface and proximity to both the street trees would be detrimental to the health of both of these trees and potentially result in their loss. This would be detrimental to the visual amenities of the streetscene and contrary to the National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Policies DM1 and DM15 of the Development Management Document and the Design and Townscape Guide (SPD1).

#### Informative

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

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

## 691 Reports on Planning Applications - Main Plans List

The Committee received reports of the Corporate Director for Place which reported on applications which had been deposited with the Council.

The decision of the Committee in relation to each application is set out below:

### **(a) Shoeburyness Ward**

**15/02053/OUTM**

**Erect 172 dwellinghouses,14,130sqm of Offices (Class B1(a) and Health Centre (Class D1) (outline application)(Amended Proposal)**

**Land Between Barge Pier Road and Ness Road, Shoeburyness, Southend-on-Sea, Essex**

**Garrison Developments LLP**

**Pomery Planning Consultants Ltd**

Ms V Byczynski, a local resident, spoke as an objector to the application. Mr Pomery, the applicant's agent, responded.

(a) DELEGATED to the Corporate Director for Place, Head of Planning & Transport or Group Manager for Planning & Building Control, to GRANT OUTLINE PLANNING PERMISSION subject to the removal of the Natural England objection and completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).

- Affordable Housing 30%- 52 houses 31 x 2 bed units; 19 x 3 bed units; 2 x 4 bed units;
- "Flood sea defence contribution" means a financial contribution the sum of which is to be agreed between the Owner and the Council once a scheme has been agreed for the flood sea defence.
- Prior to the commencement of the residential units a marketing strategy for the commercial element of the site;
- Area of Open Space as shown on plan 6100/1101 Rev G to be permanently retained for public access and flood alleviation; Open Space maintenance strategy to be submitted and agreed on submission of the landscaping details as a reserved matters planning application and no development shall commence on the site until this strategy has been agreed
- As a minimum, the Open Space must include a parkour facility, outdoor fitness equipment and raised walkways, all of which must remain publicly accessible at times of flood;
- Maintenance sum for a 10 year period (to include funding for a park ranger and interpretation signs) to be agreed prior to commencement;
- Open Space to be transferred to SBC after it has been maintained by the land owner for a two year period from the date of practical completion; maintenance sum payable on transfer.

### Drainage

- A minimum 5m wide strip must remain accessible to the Council at all times adjacent to the C-X ditch (which runs along the full length of the western side of the site) for maintenance purposes
- Maintenance strategy for Barge Pier drainage ditch to be submitted and agreed on submission of the landscaping details as a reserved matters planning

application and no development shall commence on the site until this strategy has been agreed.

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

01a. Application for approval of the reserved matters including appearance, access, scale, landscaping, layout and appearance shall be made to the local planning authority not later than 5 years beginning with the date of this permission.

01b. The development hereby permitted shall be begun not later than whichever is the later of the following dates:

- i) the expiration of 5 years beginning with the date of this permission;
- ii) the expiration of 2 years beginning with the approval of the last reserved matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be carried out in accordance with the approved plans 6100/1101 G; 6100/1002A.

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

03 Finished ground floor levels for the residential elements of the development shall be provided at a minimum level of 3.25mAOD.

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

04 Finished ground floor levels for the commercial development shall be provided at a minimum level of 3.1mAOD. Any void space beneath the commercial units must remain open to allow for the storage of flood water should the defences fail and no temporary storage of any materials, whether temporary otherwise, shall be permitted within this void space.

Reason: To ensure ground floor levels are provided above the flood level and the void space is maintained for floodplain storage over the lifetime of development in accordance with the NPPF and policy KP2 of Core Strategy.

05 Prior to the commencement of the construction of any residential and commercial units, flood defence improvements at Shoebury Common offering at least 1 in 200 year protection, to the west of the site, shall be agreed by the local planning authority and fully implemented, together with any onsite flood mitigation works. If the flood defence improvement scheme does not go ahead then the FRA will need to be revised to reflect the change in the standard of protection of the defences.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment NPPF and policy KP2 of Core Strategy.

06 A compensatory flood storage area of not less than 1.86ha shall be provided on site in accordance with the approved plans prior to the raising of land levels elsewhere on the site.

Reason: To provide compensation for land raising across the site, in order to ensure no additional off site flooding result from the development in accordance with the NPPF and policy KP2 of the Core Strategy.

07 No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm (including appropriate allowances for climate change) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall include confirmation of the following:

- Details of how and by whom individual elements of the scheme shall be maintained and managed after completion shall be submitted prior to first occupation of the development.
- It must be ensured that any replacement of permeable paving which may be required in the future in carried out with the same infiltration properties and storage capacity as designed.

Reason: To prevent the increased risk of flooding, both on and off site and to ensure that the SUDs hierarchy has been adequately addressed and to ensure the long term maintenance of the scheme NPPF and policy KP2 of Core Strategy.

08 The development hereby permitted shall operate at all time in accordance with the 'Flood Response Plan' dated December 2015 reference H521-007A.

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

09 No development shall take place until a Construction Environmental Management Plan has been submitted to and approved by the local planning authority. The Plan shall include the following details:

- (a) Programme of works;
- (b) Code of practice;
- (c) 24 hour emergency contact number;
- (d) Hours of building works and measures taken to ensure satisfactory access and movement within the site taking into consideration any existing occupiers;
- (e) Lorry routing and traffic management (including control of delivery of materials);
- (f) Control of noise;
- (g) Control of dust;
- (h) Site waste management;
- (i) Details of the local sourcing of material;
- (j) Measures to prevent pollution of ground and surface water;
- (k) Measures to protect areas of



vegetation and wildlife within the vicinity of the development during construction works; (l) Compliance with legal consents relating to nature conservation specifically protected species; (m) Details of how the Construction Environmental Management Plan will be monitored on site

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2 and CP4 and DPD2 (Development Management Document) 2015 policy DM1.

10 Development shall not commence on any part of the site until the mitigation measures and recommendations as set out in the Phase 1 Habitat Assessment 19th December 2014, Habitats Regulations Assessment Report April 2015 P14/68-1B and SSSI Impact Assessment reference: DFCEP 3398 dated 29th May 2015, have been carried out and completed in accordance with a Conservation Management Plan to be submitted to, and approved by, the local planning authority. The following surveys (details of which are to be submitted and approved by the local planning authority) prior to commencement of work on site including: Reptile Survey; Invertebrate survey; Bird survey; Great Crested Newt Survey.

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

11 No development or archaeological work shall take place until details including samples of the materials to be used on the external elevations; boundary treatments and hard surfaces have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless otherwise agreed in writing with 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, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) emerging policy DM1, DPD2 (Development Management Document) 2015 policy DM1 and SPD1 (Design and Townscape Guide).

12 All planting in the approved landscaping scheme for each phase of the development shall be carried out within 12 calendar months of the completion of that phase of development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the local planning authority.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policy DM1 of the Southend on Sea Borough Local Plan.

13 No development shall take place until a site investigation of the nature and extent of contamination (including ordnance risk) has been carried out in accordance with a methodology which has previously been submitted to and

approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

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

14 No development or preliminary groundwork of any kind shall take place until the applicant has secured the implementation of a programme of Archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow them to observe the excavations and record items of interest and finds.

Reason: To allow for the excavation and recording of any information of archaeological importance, pursuant to DPD2 (Development Management Document) 2015 policy DM5.

15 No part of the commercial and residential development shall be occupied until a Travel Plan has been submitted to and approved by the local planning authority, incorporating the principles set out in the Core Strategy Policy CP3, such details to include a timetable for the implementation of the plan.

Reason: To promote the principles of sustainable transport, in accordance with Policy CP3 of the Core Strategy and DPD2 (Development Management Document) 2015 policy DM15. and the Design and Townscape Guide.

16 No external lighting shall be erected until details of its siting, design; luminance, screening and dimensions 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 the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with Policy CP1 of the Core Strategy and DPD2 (Development Management Document) 2015 policy DM1.

17 The commercial units, hereby permitted, shall only be used for the purposes falling with Class B1 of the Schedule to the Town and Country Planning (Use

Classes) Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with Policy CP1 of the Core Strategy, DPD2 (Development Management Document) 2015 policy DM10 and DM11.

18 Details of the proposed hours and days of opening in conjunction with B1 and D1 Class uses shall be submitted to and approved in writing prior to occupation of each unit respectively. Thereafter the B1 and D1 uses shall be operated only in accordance with the approved hours of opening.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties in accordance with DPD2 (Development Management Document) 2015 policy DM1.

19 No dust or fume extraction or filtration equipment, or air conditioning, ventilation or refrigeration equipment shall be installed until full details of its design, siting, discharging points and predicted acoustic performance have been submitted to and approved by the local planning authority. The equipment as installed shall be retained in good working order at all times thereafter. The development shall only be implemented in accordance with the approved details.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with DPD2 (Development Management Document) 2015 policy DM1.

20 No dwelling shall be first occupied until two parking spaces to serve that dwelling have been laid out, together with properly constructed vehicular access to the adjoining highway, all in accordance with details which shall have been submitted to and approved by the local planning authority, such provision to be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order).

Reason: To make provision for parking off the highway, in the interests of highway and pedestrian safety and to safeguard the character and amenities of the area in accordance with Policy CP3 of the Core Strategy DPD1, DPD2 (Development Management) policy DM15 and the Design and Townscape Guide.

21 Before the development hereby permitted is begun a scheme for generating not less than 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

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

22 Prior to first occupation of the development a Waste Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority in relation to the residential and commercial premises. The plan shall detail how the development will provide for the collection of general refuse and re-usable and recyclable waste and what strategies will be in place to reduce the amount of general refuse over time. Waste management at the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the environment and ensure adequate and appropriate storage, recycling and collection of waste resulting from the development in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4.

23 The development hereby approved shall include not less than 14,130sqm of office B1 (a) floorspace, 870sqm for a health centre (D1) and no more than 172 dwellinghouses.

Reason: In order to define the scope of this permission in the context of the character and amenity of the area, in accordance with policies KP2 and CP4 of the Core Strategy 2007, DPD2 (Development Management Document) 2015 policy DM1, DM7, DM10, DM11. and to ensure the development meets the requirements of the development plan.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by the 17th March 2016 such that planning permission would have been granted, then the Corporate Director Place or Head of Planning & Transport or Group Manager be authorised to consider whether permission should be refused on the grounds that it has not proved possible to complete a S106 agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the obligation that would have been secured; if so, the Corporate Director of Place, Head of Planning & Transport are authorised to determine the application and agree appropriate reasons for refusal under delegated authority.

#### Informative

- This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to contributions to highways, affordable housing, sea defence, open space and monitoring fee.
- Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)
- You need to speak to our Highway and Traffic Management Service about any work which will affect public roads.

- This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults.
- You will have to pay all administration, design, supervision and other costs of the work. The Council as local highway authority will carry out any work which affects the highway. For more advice, please phone 01702 215003. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the Borough Council (as highway authority).
- The owner of the properties should register with the Agency's Flood Warning Service prior to occupancy of the development.
- The applicant is advised to limit commercial building heights to not more than 12.1m high, measured from the finished ground levels set out in the application, in the interests of the character of the area and residential amenity.
- Notwithstanding the indicative landscaping drawing 6100/1105 you are advised in any reserved matters submission the inclusion of allotments will not be acceptable.
- No development shall be within 15 metres from the boundary of a sewage pumping station if that development is sensitive to noise or other disturbance unless agreed in writing by the local planning authority.

**(b) Milton Ward  
15/01842/FULM**

**Demolish existing building, and erect 5 storey building comprising 23 self-contained flats with ground floor restaurant and basement parking, layout amenity area, refuse and cycle storage and landscaping, form new vehicular access onto Western Esplanade (Amended Proposal)  
The Esplanade Public House, Western Esplanade, Southend on Sea  
Mr CG Pettersson, Redab Commercial Ltd  
Stagg Architects Limited**

(a) DELEGATED to the Corporate Director for Place, Head of Planning and Transport or Group Manager of Planning to GRANT PLANNING PERMISSION subject to 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 following:

- Highways works contribution of £14,000 – including funding a TRO to facilitate the introduction of the loading bay, a re-provision of parking spaces and dropped kerbs;
- Travel Plan including provision of Travel Packs for residents;
- Public art contribution/provision to the value of £40,000;
- Replacement tree planting contribution of £5,500;
- Review mechanism requiring the viability to be reassessed if the scheme is not completed within 57 months of the completed S106 agreement to establish if a policy compliant position is viable in respect of affordable housing provision.

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

01 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 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers: 51415-P-01, 51415-P-02, 51415-P-03B, 51415-P-04, 51415-P-10; 51415-P-20 F, 51415-P-21 J, 51415-P- 22 F, 51415-P-23F, 51415-P-24 F, 51415-P- 25E, 51415-P- 26C, 51415-P-30, 51415-P-41F, 51415-42, 51415-P-43; 51415-P-44; 51415-P-45; 151415-P- 46; 01 51415-P- 50, 51415-P-51, 51415-P-60D, 51415-P- 61C, 51415-P- 62C, 51415-P- 63C

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

03 No development shall take place until samples of the materials to be used on all the external elevations, including, fenestration, wintergarden (including glazing product and frames), balconies, canopies, lobby including roof edge and glazing frame and, on any screen/boundary walls and fences, and on any access way, path or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area and the adjacent Conservation Area in accordance with KP2 and CP4 of the Core Strategy, Policies DM1 and DM5 of the Development Management DPD1 and SPD1 Design and Townscape Guide

04 No development shall take place until product details of fenestration, privacy screens including fixings, glu lam beam structure, glazing and frames, lobby doors, roof edge and glazing frame, terrace screen/boundary treatment, platform lift to terrace and fire escape doors 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 and the adjacent Conservation Area in accordance with KP2 and CP4 of the Core Strategy, Policies DM1 and DM5 of the Development Management DPD1 and SPD1 Design and Townscape Guide.

05 No development shall take place until details of the proposed car park shutter and the restaurant shopfront, and terrace at a scale of no less than 1:50 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 and the adjacent Conservation Area in accordance with KP2 and CP4 of the Core Strategy, Policies DM1 and DM5 of the Development Management DPD1 and SPD1 Design and Townscape Guide.

06 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 or subsequent amendments to that legislation no advertisements shall be displayed on the building hereby approved without the prior written consent of the Local Planning Authority

Reason: To safeguard character and appearance of surrounding area and in accordance with KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management DPD and SPD1 Design and Townscape Guide.

07. Prior to commencement of development of measures to ensure at least 10% of the energy needs of the development will come from onsite renewable options (and/or decentralised renewable or low carbon energy sources) shall be submitted to and approved by the Local Planning Authority and the approved details implemented and brought into use on first occupation of the development.

Reason: To ensure the development maximises the use of renewable and recycled energy, water and other resources, in accordance with Policy KP2 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD1

08. The development shall not be occupied until 26 car parking spaces have been provided as shown on plan P-20 rev F together with a properly constructed vehicular access to the adjoining highway, in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers and visitors to the residential 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.

09. Prior to first occupation of the proposed refuse and cycle stores shown on plans P-20 rev F and P-21 rev J shall be provided. These stores must be clearly marked and made available at all times to everyone using the development. Waste and cycles must be stored inside the appropriate stores and waste only put outside just before it is to be collected. The stores must not be used for any other purpose.

Reason: To protect the environment and provide suitable storage for cycles and waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policies KP2, CP3 and CP4, Development Management DPD Policies DM1 and DM15.

10. Prior to first occupation of the development a Waste Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail how the development will provide for the collection of general refuse and re-usable and recyclable waste and what strategies will be in place to reduce the amount of general refuse over time. Waste management at the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

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 Development Management DPD policies DM1 and DM15

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

12. The permitted hours for construction and demolition site works including loading and unloading are Monday to Friday 7.30 a.m. to 6.00 p.m. and Saturday 8.00 a.m. to 1.00 p.m. and not at all on Sundays or Bank Holidays.

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

13. During demolition and construction there shall be no burning of waste on site.

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

14. Prior to commencement of development a noise assessment shall be undertaken by a competent person to show compliance with the following internal ambient noise levels:

Living room during the day = 35 dB LAeq,T  
Dining room/area during the day = 40 dB LAeq,T  
Bedroom during the day = 35 dB LAeq,T  
Bedroom at night = 30 dB LAeq,T

Where the internal noise levels will exceed the above criteria, a scheme of acoustic protection should be compiled including all necessary mitigation measures. This scheme shall be submitted to and approved in writing by the Council prior to commencement. Any works that form part of the scheme approved by the Council shall be completed before the permitted dwellings are occupied. The noise prevention measures as installed shall be retained at all times thereafter.

Within gardens and amenity areas the daytime 07.00 to 23.00 hrs level of noise should not exceed 55 dB LAeq. This excludes front gardens. Consideration of the amenity area shall also form part of the noise assessment.

Reason: In order to the protect the amenities of occupiers of the development in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM8 of the Development Management DPD.

15. Before the restaurant 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 environment of people in the approved flats, neighbouring properties and general environmental quality in accordance policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM8 of the Development Management DPD.

16. The noise rating level arising from all plant and extraction/ventilation equipment should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: To protect the environment of people in the approved flats, neighbouring properties and general environmental quality in accordance policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM8 of the Development Management DPD.

17. Prior to installation of any external lighting of the development details of the lighting shall be submitted to and approved by the Local Planning Authority together with an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light. The development shall be carried out and retained thereafter in accordance with the approved details. External lighting shall be directed, sited and screened so as not to cause detrimental intrusion of light into residential property.

Reason: To protect the character of the surrounding area including the adjacent Conservation Area, to protect the environment of people in the approved flats, neighbouring properties and general environmental quality To ensure that the development, as submitted, will not impact upon the features of special interest for which the Benfleet and Southend Marshes SSSI is notified in accordance with Policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1, DM6 and DM8 of the Development Management DPD.

18. No particularly noisy demolition equipment (e.g. concrete breakers) or construction techniques (e.g. percussive piling) shall be used during the period from 2 hours before high tide until 2 hours after high tide, on any days when either the air temperature is below 5 degrees Centigrade or the ground remains frozen.

Reason: To ensure that the development, as submitted, will not impact upon the features of special interest for which the Benfleet and Southend Marshes SSSI is notified, in accordance with Policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1, DM6 and DM8 of the Development Management DPD.

19. Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Part 16 to those Orders unless previously agreed in writing by the LPA.

Reason: In the interests of visual amenity and to protect the character of the adjacent Conservation Area in accordance with policy CP4 of the Core Strategy DPD1, Development Management DPD policies DM1 and DM5 and SPD1 (Design and Townscape Guide).

20. Prior to first occupation of the development the flood risk mitigation measures and surface water drainage strategy set out within the Flood Risk Assessment by JMP Consultants Limited dated 27th January 2015, submitted with the application shall be implemented and the permanently retained thereafter.

Reason: In order to mitigate any risk to the development from flooding in accordance with the provisions of Policies KP1 and KP2 of the Core Strategy DPD1.

21. Prior to demolition of the existing building a method statement, prepared by a chartered civil engineer, to demonstrate how the surrounding land will be stabilised during and following demolition shall be submitted to and approved by the LPA, demolition shall only be carried out in accordance with the approved method statement.

Reason: To ensure the demolition does not adversely affect stability of the surrounding land in accordance with Policy KP2 of the Core Strategy DPD1 and DM14 of the Development Management DPD.

22. Prior to commencement of development (excluding demolition of the existing building) a full site investigation and structural survey, including slip circle analysis and details of mitigation measures prepared by a chartered civil engineer shall be submitted to and approved by the LPA. The development shall be carried out in accordance with the approved details and the approved mitigation measures shall be implemented and retained thereafter.

Reason: To ensure the demolition does not adversely affect stability of the surrounding land in accordance with Policy KP2 of the Core Strategy DPD1 and DM14 of the Development Management DPD.

23. The A3 use hereby approved shall not be open for customers outside the following hours: - 08.00 - 23.00 Monday to Sunday.

Reason: To protect the environment of people in the approved flats, neighbouring properties and general environmental quality in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM8 of the Development Management DPD.

24. The car park shall be managed in accordance with the Car park management plan set out at Page 4.7 of the submitted Design and Access Statement unless otherwise agreed in writing with the Local Planning authority.

Reason: To ensure effective management of the car park to serve the development in the interest of highway safety and the free flow of traffic in accordance with Policies CP3 of the Core Strategy DPD and DM15 of the Development Management DPD.

25. The mitigation/avoidance measures set out in section 5 of the Extended Phase 1 habitat survey prepared by Peak Ecology Ecological Consultants and submitted with the application shall be implemented and adhered to prior to and during the course of development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the risk of harm to nesting birds and mammals and protected species in accordance with DPD1 (Core Strategy) policies KP2 and CP4.

26. The recommendations set out within section 4 of the Badger Survey report prepared by Peak Ecology Ecological Consultants and submitted with the application shall be implemented and adhered to prior to and during the course of development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the risk of harm to protected species in accordance with DPD1 (Core Strategy) policies KP2 and CP4.

27. The Ecological Enhancement measures set out in section 5 of the Extended Phase 1 habitat survey prepared by Peak Ecology Ecological Consultants and submitted with the application shall be implemented prior to occupation of the development in accordance with details which shall have previously been submitted to and approved by the Local Planning Authority and shall be permanently maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance biodiversity within the site in accordance with DPD1 (Core Strategy) policies KP2 and CP4.

28. Prior to commencement of development a survey of the Parks Store (building B2) shall be carried out to investigate the presence of bats. The survey shall be carried out in accordance with para 5.1 of the of the Extended Phase 1 habitat survey prepared by Peak Ecology Ecological Consultants and submitted with the application.

Reason: To protect biodiversity within the site in accordance with DPD1 (Core Strategy) policies KP2 and CP4.

29. 1) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees as shown on drawing No 1003-002 rev A (the tree protection plan) submitted by JP Watts Design Limited and dated October 2015, and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been agreed in writing by the local planning authority. These measures shall be carried out as described and approved.

2) All tree work shall be carried out in accordance with British Standard BS3998 - Recommendations for Tree Work.

3) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

4) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted, in accordance with a planting methodology and which shall have previously agreed in writing with the Local Authority Planning and at such time as may be specified in writing by the local planning authority.

5) No fires shall be lit within 10m metres of the nearest point of the canopy of any retained tree or on the cliff area.

6) No equipment, machinery or structure shall be attached to or supported by a retained tree.

7) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

8) No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and biodiversity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide)

30. During the course of development mitigation measures shall be put in place to control dust emissions on site and to minimise effects on adjacent residential premises in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority prior to commencement of development.

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

31. (a) No development shall take place until a written scheme of investigation for a programme of archaeological work has been submitted to and approved in writing by the local planning authority. This must include details of the suitably qualified person or organisation that will carry out the archaeological work.

(b) The archaeological work and development must then be carried out in accordance with the approved scheme. A written report of the investigation and findings must be produced, showing that the archaeological work and development has been carried out in accordance with the approved scheme. Copies of the written report of the investigation and findings must be sent to Southend Borough Council, Essex County Council and English Heritage.

(c) No part of the new building can be used until the local planning authority has provided written confirmation that the archaeological fieldwork and development has been carried out in accordance with the approved scheme.

Reason: To avoid damage to archaeological remains on site as set out in Planning DPD1 (Core Strategy) policy KP2 and CP4, Development Management DPD Policy DM5 and SPD1 (Design and Townscape Guide).

31. The ground floor commercial unit shall be used for A3 use only and for no other purpose (including any other purpose in Class A or Class C) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force).

Reason: In the interests of residential amenity and to ensure the development continues to provide a leisure and tourism facility to enhance the function of the Seafront Area in accordance with DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, and Development Management DPD policy DM1

Informatives:

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

02. Noise assessments shall be undertaken by a competent person normally a member of the Institute of Acoustics (IOA). The relevant British Standards and guidance including BS4142, BS8233 and WHO guidelines but not limited to shall be used to compile the assessment.

03. The developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". [http://www.london.gov.uk/thelondonplan/guides/bpg/bpg\\_04.jsp](http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp)

04. 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.

05. 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](http://www.DEFRA.Gov.UK)

06. The applicant is reminded that this permission does not bestow compliance with the Licensing Act 2003. Applicants should contact the Council's Licensing Team for more advice on 01702 215005.

07. Notwithstanding comment within the submitted Phase 1 habitat survey detailed inspection of parks building is required prior to commencement development as this building is potential habitat for bats (which are a protected species) and it is likely that the building development will impact on this building.

08. Tree 18 as shown as retained on drawing No 1003-002 rev A (the tree protection plan) submitted by JP Watts Design Limited and dated October 2015, will need full root protection in the form of appropriate protective fencing etc. before development begins. This fencing should not be breached during development except by prior agreement with the Local Authority section. Any significant damage or compromise of its long term health would be required to be compensated for by the developer in an amount based on its CAVAT valuation.

09. Crown reduction of Tree 18 as shown as retained on drawing No 1003-002 rev A (the tree protection plan) submitted by JP Watts Design Limited and dated October 2015, is NOT agreed and does NOT form part of this consent.

10. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

11 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](http://www.southend.gov.uk/cil) .

12. This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to a highway work contribution, Travel Plan and Travel Packs, public art contribution/provision, tree replacement contribution and a viability review mechanism linked to an agreed development completion date.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 30th March the Head of planning and Transport or Group Manager (Development Control & Building Control) be authorised to refuse planning permission for the application on the grounds that the development fails to:- i) provide alterations to the highway to provide for a satisfactory method of servicing the development and replacement parking. ii) provide an effective means of delivering a Travel Plan and Travel packs and iii) provide for a satisfactory provision of public art.

As such would result in service vehicles blocking the highway and the loss of on street car parking and is likely to result in increased parking demand and place increased pressure on public services and infrastructure to the detriment of the

general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4, CP6 and CP8 of the Core Strategy, Policies DM1 and DM15 of the Development Management DPD and the Design and Townscape Guide (2009).

**(c) St. Lukes Ward  
15/01898/FULM**

**Layout one synthetic 5 a-side pitch with associated fencing, lighting and storage container**

**Temple Sutton Primary School, Eastern Avenue, Southend-on-Sea, Essex, SS2 4BA**

**Mr T. Barrett (Temple Sutton Primary School)**

**Mr W. Bugg (Surfacing Standards)**

Mr G Miles, a local resident, spoke as an objector to the application. Mr Barrett, the applicant, responded.

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: SS1898 T1, SS1898 02 Rev 01, SS1898 03, SS1898 04, SS1898 05 and SS1898 06

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

03. The sports pitch and floodlights hereby approved shall only be used between the following times:

Monday to Friday (During School Teaching Terms) – 0800 to 2000

Monday to Friday (Outside School Teaching Terms) – 1000 to 1600

Saturday – 1000 to 1600.

The use of the sports pitch and floodlights Outside of School Teaching Terms shall be limited to the three 'half term' weeks and a maximum of four weeks in the 'summer holiday'.

The sports pitch and floodlights shall not be used during any other weeks that are not allowed for by the above conditions.

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

04 Users of the sports facility hereby approved outside of school hours shall only access the facility from the Eastern Avenue entrance to the application site, except for in the case of access by emergency services.

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

05 All lighting hereby approved shall be installed in accordance with the details set out within the Lighting Specification (prepared by Surfacing Standards LTD, dated 16/11/2015) and shall be maintained to those standards unless otherwise agreed in writing by the Local Planning Authority. The lighting shall only be used at times that accord with the hours of use of the development hereby approved that are set out at condition 3.

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

06 Use of the development shall not commence until certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - One Star accreditation or equivalent International Artificial Turf Standard (IATS), including confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Core Strategy Policy CP7.

07 The use of the development hereby approved shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the artificial sports pitch hereby approved and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Core Strategy Policy CP7.

Prior to the provision of the approved storage container at the site, details of its size and appearance shall be submitted to and approved in writing by the Local Planning Authority.

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



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

**(d) Blenheim Park Ward  
15/01545/FULM**

**Demolish existing building erect three storey building comprising of commercial space at ground floor, 17 self-contained flats with balconies, associated amenity space, refuse and cycle storage, layout parking and landscaping**

**1043 London Road, Leigh-on-Sea, SS9 3JY**

**Mr L. McNamara, Horton Homes Ltd**

**Mr J. Baron, David Plant Architecture Ltd**

(a) DELEGATED to the Corporate Director for Place, Head of Planning and Transport or Group Manager of Development Control & Building Control to GRANT PLANNING PERMISSION subject to 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 following:

- £262,837.82 affordable housing contribution in lieu of on-site provision, payable prior to occupation of the 7th residential unit

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

01. The development hereby permitted shall begin no later than 3 (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 approved plans: 466.001.00, 466.200.02, 466.201.02, 466.202.01, 466.203.02, 466.204.02, 466.205.01, 1736-1, 1736-2, PR063/01, PR063/02, Unnumbered Design and Access Statement, LA/1462/02R/ML Environmental Noise Assessment, SJC/617197/JRC SUDs Surface Water Drainage Strategy, 1508-31/WRCMP/01 Waste and Recycling Collection Management Plan, C15079 Planning Statement, Unnumbered Transport Statement dated September 2015.

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

03. No development shall take place until samples of the materials to be used on the external elevations of the development, on any screen/boundary walls, fences and gates, balustrades and on any driveway, access road, forecourt or parking area have been submitted to and approved by the local planning authority. Details of the proposed boundary treatments shall be provided. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide, 2009 (SPD1).

04. The landscaping shall be implemented in accordance with planting plan ref. PR063/01, unless otherwise agreed in writing by the Local Planning Authority. Such agreed details shall be permanently retained.

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.

05. All planting in the landscaping scheme referred to in condition 04 above shall be carried out within the first available planting season following the completion of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

06. A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the development. 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, the Design and Townscape Guide (SPD1) and Development Management Document Policy DM2.

07. Prior to the first occupation of the development, all of the proposed car parking spaces including a suitable vehicular access shall be provided and permanently retained in accordance with the approved plans. The car parking spaces shall be permanently retained for occupants and visitors of the flats at 1043 London Road and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide satisfactory off-street parking for the development, in accordance with Policy DM15 of the Development Management Document.

08. Prior to the first occupation of the development, the proposed cycle and bin stores shall be provided in accordance with the approved plan no. 466.200.02. The cycle and bin stores shall be retained for the lifetime of the development.

Reason: To provide satisfactory cycle and refuse storage for future occupiers in accordance with Policies KP2 and CP4 of the Core Strategy, Policies DM14 and DM15 of the Development Management Document and the Design and Townscape Guide, 2009.

09. Details of an acoustic fence, including design, height and siting, to be installed around the perimeter of the car park adjacent to existing residential properties shall be submitted to an approved in writing with the Local Planning Authority). The proposed fence shall be installed prior to the first occupation of the development and permanently retained in accordance with the approved details.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with Policy CP4 of the Core Strategy and Policy DM1 of the Development Management Document.

10. The proposed windows in the northern elevation of Flats 6 and 13 serving the second bedrooms shall only be glazed with obscure glass (the glass to be obscure glazed to at least Level 4 on the Pilkington Levels of privacy, or such equivalents as may be agreed in writing with the Local Planning Authority). These windows shall be fixed shut and unopenable apart from any top hung lights which shall be a minimum of 1.7m above the internal floor area. In the case of multiple glazed units, at least one layer of glass in the relevant units shall be glazed in obscure glass.

Reason: To prevent overlooking of and loss of privacy to neighbouring occupiers at the east of the site at 1031 and 1031A London Road, in accordance with Policy CP4 of the Core Strategy and Policy DM1 of the Development Management Document.

11. Prior to the first occupation of development, details of privacy screens and siting shall be submitted to and approved in writing by the Local Planning Authority. Any glazed privacy screens shall 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). The development shall be carried out prior to first occupation of the flats hereby approved and permanently retained in accordance with the approved details.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with Policy CP4 of the Core Strategy and Policy DM1 of the Development Management Document.

12. Any external lighting within the development shall be directed, sited and screened so as not to cause detrimental intrusion of light into the proposed and existing residential properties.

Reason: To protect the amenities of existing and surrounding occupiers in accordance with Core Strategy Policies KP2 and CP4 and Policies DM1 and DM7 of the Development Management Document.

13. Demolition or construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and general environmental quality in accordance with Core Strategy Policies KP2 and CP4 and Policy DM2 of the Development Management Document.

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

Reason: To protect the amenities of neighbouring properties and general environmental quality in accordance with Core Strategy Policies KP2 and CP4 and Policy DM1 of the Development Management Document.

15. No development hereby permitted shall commence until final details of the surface water attenuation for the site, based on SUDS principles, have been submitted to and approved by the Local Planning Authority. The works agreed shall be carried out in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority. The agreed details shall be permanently retained.

Reason: To ensure satisfactory drainage of the site in accordance with 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.

#### Informatives

01. 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](http://www.southend.gov.uk/cil)

02. This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to Affordable Housing.

03. The applicant is advised that any external extraction/ventilation equipment would require separate planning permission.

04. The applicant is advised that the Council's refuse contractor will require a key fob in order to access the refuse store.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by the 9th March 2016 such that planning permission would have been granted, then the Corporate Director Place or Head of Planning & Transport be authorised to consider whether permission should be refused on the grounds that it has not proved possible to complete a S106 agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the obligation that would have been secured; if so, the Corporate Director of Place, Head of Planning & Transport are authorised to determine the application and agree appropriate reasons for refusal under delegated authority.

**(e) Kursaal Ward**

**16/00116/DOV**

**Deed of Variation**

**Modification of planning obligation (Section 106 agreement) dated 15/07/2015 pursuant to application 15/00521/FULM to vary the requirement to provide affordable housing.**

**Essex House, Southchurch Avenue, Southend-on-Sea, Essex SS1 2LB**

**Weston Homes Plc**

DELEGATED to the Corporate Director for Place, Head of Planning and Transport or the Group Manager for Planning and Building Control to GRANT A MODIFICATION OF THE PLANNING OBLIGATION dated 15th July 2015 pursuant to planning application 15/00521/FULM to provide a commuted sum payment for affordable housing of £318,010.91 in lieu of on-site provision.

**(f) Milton Ward**

**16/00177/DOV**

**Deed of Variation**

**Modification of planning obligation (Section 106 agreement) dated 29th July 2013 pursuant to application 13/00484/FULM to vary the requirement to provide affordable housing.**

**Frankie And Bennys, 18 - 20 Southchurch Road, Southend-on-Sea, Essex SS1 2ND**

**Harding Investments Ltd**

**Mrs Pam Przyjemski (Hobbs Parker)**

DELEGATED to the Corporate Director for Place, Head of Planning and Transport or the Group Manager for Planning and Building Control to GRANT A MODIFICATION OF THE PLANNING OBLIGATION dated 29th July 2013 pursuant to planning application 13/00484/FULM to provide a commuted sum payment for affordable housing of £120,563.85 in lieu of on-site provision.

**(g) Shoeburyness Ward**

**15/01997/FUL**

**Erect four two storey dwellinghouses with associated parking and amenity space**

**Land adjacent to 10 - 11 New Garrison Road, Shoeburyness**

**Southend-on-sea, Essex, SS3 9BF**

**The Garrison LLP**

**APS Design Associates Ltd.**

Planning permission REFUSED for the following reasons:

01 The proposal would result in the loss of land for employment use, the loss of which has not been sufficiently justified. The loss of this land would impair economic led regeneration contrary to the National Planning Policy Framework, Policy CP1 of the Southend on Sea Core Strategy DPD1, Policy DM11 of the Development Management Document DPD2, which seek to promote building a strong, competitive economy.

Informative

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

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

**(h) Shoeburyness Ward**

**15/02071/FUL**

**Convert existing building in to dwelling house, erect single storey side extension, layout parking to front and form vehicular crossover on to Parade Walk**

**The Rifle Shed, Rampart Street, Shoeburyness, Southend-on-Sea, Essex, SS3 9GE**

**Mr P. Bahri**

**APS Design Associates Ltd.**

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

Planning permission REFUSED for the following reasons:

01 The proposed development, by reason of its limited internal space, would result in a cramped development to the detriment of the living conditions of future occupiers and contrary to the National Housing Technical Standards, Policy DM8 of the Southend DM DPD and the NPPF.

02 The proposed development, by virtue of the design and appearance of the extension and associated works, would result in an incongruous feature of the

area to the detriment of the character and the appearance of the Shoebury Garrison Conservation Area and contrary to policies KP2 and CP4 of DPD1 (Core Strategy) policies DM1 and DM5 of DPD2 (Development Management) and the Council's Design and Townscape Guidance (SPD1)

**(i) Milton Ward  
15/02106/FUL**

**Demolish existing building, erect four storey building with commercial unit at ground floor and six self-contained flats to upper floors and 3 storey building to rear comprising of three self-contained flats and lay out cycle stores, bin stores and landscaping (amended proposal)  
48 Alexandra Street, Southend-on-Sea, SS1 1BJ  
Glendale Developments Limited  
Mr S. Kearney, SKArchitects**

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

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

02. The development hereby permitted shall be carried out in accordance with the approved plans: 106-10-11-P01, P02, P03, P04A, P05A, P06A, P07A, P08A, P09, P10, P011.

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

03. The ground floor of the main building shall only be used for purposes which fall within classes A1 (retail), A2 (financial and professional services) or B1 (a) (offices) and must not be used for any other purpose within the Town and Country Planning (Use Classes) Order 1987, as amended April 2005 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force).

Reason: To ensure that the development is completed and used as agreed, in the interest of residential amenities and the character and appearance of the area and to ensure that it meets Core Strategy Policies KP2 and CP4 and Policy DM1 of the Development Management Document.

04. No development shall take place until samples of the external materials to be used on the external elevations of the buildings, on any screen/boundary walls, privacy screens, fences and gates, and on any hardsurfacing have been submitted to and approved by the Local Planning Authority.

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

05. The proposed upgrade works to the alleyway shall be carried out and permanently retained in accordance with drawing number 106-10-11-PO1 unless otherwise agreed in writing by the Local Planning Authority. The works shall be completed in full prior the first occupation of the building.

Reason: In the interests of visual amenity and in the interest of the amenities of future occupiers in accordance with Policy CP4 of the Core Strategy and Policy DM1 of the Development Management Document.

06. The scheme of landscaping shall be carried out and permanently retained in accordance with drawing number 106-10-11-P011, unless otherwise agreed in writing by the Local Planning Authority.

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

07. All planting in the landscaping scheme shall be carried out within the first available planting season of the completion of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

08. Notwithstanding the conditions above, details of future landscape management for the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the residential units.

Reason: To ensure that the landscaping is satisfactorily maintained for future occupiers in the interest of amenity, pursuant to Policy DM1 of the Development Management Document and Policy CP4 of the Core Strategy.

09. The garden and all balconies/terraces shall be completed in full in accordance with the approved plans prior to first occupation of the development, unless otherwise first agreed in writing by the Local Planning Authority. The development shall be carried out and permanently retained in accordance with the agreed details.

Reason: To provide a suitable level and standard of amenity space for future occupiers, in accordance with Policy DM1 of the Development Management Document and Policy CP4 of the Core Strategy (DPD1).

10. Prior to the first occupation of the development hereby approved, full details of energy efficiency and other sustainability measures, including the provision of at least 10% of the development's energy needs being provided from on-site renewable sources, including siting of the renewable(s) and their appearance shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out and permanently retained in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To contribute towards sustainable development, in accordance with Policy KP2 of the Core Strategy and Policy DM2 of the Development Management Document.



11. No development shall take place until detailed drawings of the proposed shopfront 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 the area in accordance with Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide.

12. Details of any vinyls/graphics to be applied onto the shopfront windows shall be first agreed in writing by the Local Planning Authority prior to their installation. The scheme shall be carried out and permanently retained in accordance with the agreed details.

Reason: To prevent an inactive and 'dead' frontage which would be to the detriment of the streetscene, in accordance with Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide.

13. Construction and demolition hours are restricted to 7.30am-6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy DM1 of the Development Management Document.

14. During construction and demolition, given the site's location close to other properties, no burning of waste material shall take place on the site.

Reason: In the interests of residential amenity in accordance with Policy DM1 of the Development Management Document.

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

Informative

01. 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](http://www.southend.gov.uk/cil)

**(j) Milton Ward**  
**15/01293/FUL**

**Change of use of ground floor (Class A4) to retail (Class A1), first and second floor (Class A4) to five self-contained flats (Class C3), demolish part of roof to form amenity space**

**Element, 13 - 17 Alexandra Street, Southend-on-Sea, Essex  
SS1 1BX**

**Mr Robin Levy**

**The Planning And Design Bureau Ltd**

Planning permission REFUSED for the following reasons:

01 Insufficient evidence has been submitted to demonstrate that the commercial uses at the site could be carried out without resulting in undue noise and disturbance to the amenities of future occupiers of the proposed flats proposed. The proposal would therefore be contrary to the NPPF, Core Strategy Policy KP2 and policy DM1 of the Development Management Document DPD2.

02 Insufficient information has been submitted to demonstrate a refuse store can be accommodated within the site for this mixed use development not resulting in harm to the character and appearance of the surrounding area contrary to NPPF, Policies KP2 and CP4 of the DPD1 (Core Strategy), Policy DM1 of the Development Management DPD2, and the Design and Townscape Guide (SPD1).

Informatives

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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.

**(k) Kursaal Ward**

**15/01877/FUL**

**Change of use from existing Care Home (Class C2) to form 4 self-contained flats (Class C3), external alterations and layout parking to rear**

**Willowdale Lodge, 21 Cromer Road, Southend-on-Sea, Essex, SS1 2DU**

**Dr H Siddique**

**SKArchitects**

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans Existing and Proposed Site and Block Plans Revision 02; Proposed Elevations Revision 02; Proposed Plan- Ground Revision 03; Proposed Plan-First Floor Revision 02.

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: 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 National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

04 Car parking spaces shall be provided in accordance with plan no. Proposed plan-ground Revision 03 prior to occupation of the flats hereby approved and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the dwellings to which they relate and for no other purpose unless otherwise agreed in writing by the local planning authority. Permeable paving shall be used for the hardstanding area to the front unless otherwise agreed by the Local Planning Authority.

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

05 Prior to occupation of flats hereby approved details of the refuse storage and cycle storage shall be submitted and agreed in writing by the local planning authority and shall be installed and be permanently retained for the occupants of the flats.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) policies DM8 and DM15.

#### Informative

You are advised that as the proposal does not create any new floorspace therefore the Community Infrastructure Levy Regulations 2010 (as amended) is not applicable and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

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

**(I) Southchurch Ward**

**15/01990/FUL**

**Demolish existing retail unit and erect two storey building comprising of retail unit (Class A1) to ground floor with office to first floor and one self-contained flat to first floor (Class C3), layout refuse store and amenity area to rear and parking spaces to front and side (Amended Proposal)**

**75 Newington Avenue, Southend-on-Sea, Essex, SS2 4RD**

**Mr Manish Patel**

**Glen Eldridge Architects**

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans GE1533P01 Revision A; GE1533P03 Revision B; GE1533P04 Revision B.

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

03 No development shall take place until samples of the facing materials to be used, including elevations, brickwork, glazing, doors, shopfront, have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.

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

04 Prior to the first occupation of the development hereby permitted 7 car parking spaces (1 space for residential flat and 6 spaces for the commercial premises) shall be provided in accordance with drawing GE1533/P03 Revision B and shall thereafter be permanently retained for the parking of private motor

vehicles solely for the benefit of the occupants of the new flat and retail unit and for no other purpose unless otherwise agreed in writing by the local planning authority.

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

05 Details of bollards to protect entrance for pedestrians to be submitted and agreed in writing by the local planning authority. The bollards shall be retain in perpetuity.

Reason: To highway safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

06 No flat roofed areas of the proposed development, with the exception of the roof terrace specified on plan GE1533/P03 Revision B, are to be used for sitting out or any type of amenity space unless otherwise agreed in writing by the Local Planning Authority.

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

07 Prior to the commencement of the development hereby approved details of a glazed screen to the roof terrace shall be submitted and agreed in writing by the Local Planning Authority. The screen shall be installed as approved prior to first occupation of the flat and permanently retained thereafter.

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 and to protect the amenities of nearby residential occupiers. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

08 Prior to the commencement of development a renewable energy assessment shall be submitted to and agreed in writing with the Council to demonstrate how at least 10% of the energy needs of the development will come from onsite renewable options (and/or decentralised renewable or low carbon energy sources). The scheme as approved shall be implemented and brought into use on first occupation of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core

Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM2 and SPD1 (Design and Townscape Guide).

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

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

10 The development hereby approved shall be carried out in accordance with drawing GE1533/P03 Revision B to ensure the flats complies with building regulation M4 (2)-‘accessible and adaptable dwellings’.

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

11 The windows to the east elevation serving the manager’s office and west elevation at first floor 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, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide).

12 The windows to the east elevation serving the managers office at first floor 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, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide).

## Informatives

1. Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). 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](http://www.southend.gov.uk/cil).
2. You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website [http://www.southend.gov.uk/info/200011/building\\_control](http://www.southend.gov.uk/info/200011/building_control) for further information.
3. Please be advised formal planning permission will be required if the applicant wishes to install roller shutters to the property.

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.

**(m) Milton Ward**

**15/01644/FUL**

**Change of use from residential care home (Class C2) to hotel (Class C1), erect single storey front extension, form additional floor with roof terrace and alter elevations**

**Raymond House, 7 - 9 Clifton Terrace, Southend-on-Sea, Essex, SS1 1DT**

**Mr Jawed Rashid**

**Appleby Architects**

DEFERRED

**(n) 15/02070/FUL**

**Kursaal**

**Erect second floor extension with external staircase to rear, install dormers to front and form two self-contained flats**

**40 Kilworth Avenue, Southend-on-Sea, SS1 2DT**

**Mr S. Thorby**

**Mr A. Maskell**

Planning permission REFUSED for the following reasons:

01. The proposed development by reason of its poor design, substandard accommodation, lack of amenity space, detrimental impact on neighbouring occupiers and lack of off-street parking represents overdevelopment of the site and therefore, contrary to the National Planning Policy Framework, Core Strategy Policies KP2, CP3 CP4 and CP8 and Development Management Document Policies DM1 and DM3.

02. The proposed development by reason of the poor design, excessive size and scale of the extensions and dormer windows would appear overly dominant, out of keeping and detract from the character and appearance of the existing building and wider streetscene. This is contrary to the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, Core Strategy Policies KP2 and CP4, Development Management Document Policies DM1 and DM3, and the Design and Townscape Guide (SPD1).

03. The proposed development by reason of the proposed extension and external staircase would be overbearing upon and result in noise, disturbance, overlooking and loss of privacy to the detriment of the amenities of neighbouring occupiers either side of the site. This is contrary to the National Planning Policy Framework, Core Strategy Policies KP2 and CP4 and Development Management Document Policy DM1.

04. The proposed development will fail to provide any off-street parking for the proposed flats which will exacerbate existing on-street parking stress, and be detrimental to the free flow of traffic contrary to National Planning Policy Framework, Core Strategy Policies KP2, CP3 and CP4 and Development Management Document Policy DM15.

05. The applicant has failed to demonstrate that the proposed development can meet The Building Regulations 2015 Volume 1: Dwellings, M4(2): Accessible and Adaptable Dwellings and would therefore, fail to provide housing accommodation suitable for the changing needs of Southend's residents. This is contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy and Policy DM8 of the Development Management Document.

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

01. This application is CIL liable. If the application had been recommended for approval, a CIL charge would have been payable. If an appeal is lodged and allowed the development will be CIL liable. Any revised application would also be CIL liable.

#### **(o) Chalkwell Ward**

**15/02118/FULH**

**Erect first floor side extension, alter elevations, convert part of existing garage into habitable accommodation and extend vehicular crossover onto Fernleigh Road**

**63 Fernleigh Drive, Leigh-on-Sea, Essex, SS9 1LG**

**Mr and Mrs Lee Morris**

**Hedgehog Development**

Planning permission REFUSED for the following reason:

01 The proposed first floor side extension by reason of its proximity to the northern boundary would be an un-neighbourly and overbearing development resulting in an unreasonable sense of enclosure and loss of light to the detriment of the residential amenity of the property at No. 65 Fernleigh Drive. It would therefore be contrary to advice contained within the National Planning Policy Framework, Policy KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance) of the Core Strategy, Development Management Document DPD2 policy DM1.

#### Informative

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

**(p) Milton Ward**

**16/00119/TPO**

**Fell one ash tree (works to a tree covered by a tree preservation order)**

**19 Cambridge Road, Southend-on-Sea, Essex, SS1 1ET**

**Mr Stephen Barham**

CONSENT FOR WORKS TO TREES GRANTED subject to the following condition:

01 The works covered by this consent must be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) Policy KP2 and CP4, Development Management Policy DM1 and SPD1 (Design and Townscape Guide).

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

## **692 Enforcement of Planning Control**

The Committee received a report of the Corporate Director for Place which reported on an alleged breach of planning control.

**(a) Belfairs Ward**

**15/00211/UNAU\_A**

**Without planning permission erection of single storey side/rear extension.**

**216 Eastwood Old Road, Leigh-on-Sea, Essex, SS9 4SQ**

Resolved: That ENFORCEMENT ACTION be authorised for the removal of the unauthorised extensions. This is because the development, by virtue of its scale, design and prominent positioning at the boundary of the site fails to reflect the character or appearance of the existing dwelling and causes material harm to the character and appearance of the existing dwelling and the surrounding area, contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy) policy DM1 of DPD2 (Development Management) and the Design and Townscape Guidance (SPD1)

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

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

**693 Supplementary Report**

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

**Chairman:** \_\_\_\_\_

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Appeals Committee A**  
**Date: Monday, 7th March, 2016**  
**Place: Committee Room 6 - Civic Suite**

12

**Present:** Councillor Ayling (Chair)  
Councillors Buckley, Callaghan, Crystall and Arscott\*

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** R Harris and K Melville

**Start/End Time:** 9.30 am - 5.30 pm

**694 Apologies for Absence**

Apologies for absence were received from Councillors D Garston (substitute: Cllr Arscott), Borton and Robertson (no substitutes).

**695 Declarations of Interest**

There were no declarations of interest at this meeting.

**696 Minutes of the Meeting held on 2nd November 2016**

Resolved:-

That the Minutes of the Meeting held on 2<sup>nd</sup> November 2015 be confirmed as a correct record and signed.

**697 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.

**698 Appeals Against Dismissal - Employee SH**

The Committee considered an appeal against dismissal submitted by employee SH. The Council's case was presented by JC, supported by MH. 5 witnesses were called by the Council and responded to questions. The appellant, SH was in attendance and presented their case.

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

Resolved:-

That, on the balance of probability, gross misconduct had been proven and that the appeal accordingly be dismissed.

**Chairman:** \_\_\_\_\_

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet Committee

**Date: Thursday, 10th March, 2016**  
**Place: Committee Room 1 - Civic Suite**

# 13

**Present:** Councillor Terry (Chairman)  
Councillors Norman MBE (Vice-Chairman) and Betson

**In Attendance:** Councillors Assenheim, Aylen, Buckley, Byford, Callaghan, Cox,  
J Garston, McMahon, Salter, Van Looy and Walker  
P Geraghty, Z Ali, C Hindle-Terry and T Row

**Start/End Time:** 6.00 - 8.10 pm

### **699 Apologies for Absence**

There were no apologies for absence.

### **700 Declarations of Interest**

The following interests were declared at the meeting:

(i) Councillor Assenheim – Agenda Item No. 7 (Member's Request List Reference No. 15/11 (Tyrone Road and Fermoy Road) – Non-pecuniary interest: Patient at doctor's surgery in the road affected;

(ii) Councillor Betson – Agenda Item No. 5 (Objections to Traffic Regulation Orders) – Non-pecuniary interest: Lives in the vicinity of the junction of Neil Armstrong Way; and

(iii) Councillor Van Looy – Agenda Item No. 5 (Objections to Traffic Regulation Orders) – Non-pecuniary interest: Has a business in Southchurch Road.

### **701 Minutes of the Meeting held on Monday, 4th January 2016**

Resolved:

That the Minutes of the meeting held on Monday 4<sup>th</sup> January 2016 be received, confirmed as a correct record and signed.

### **702 The Maze**

The Cabinet Committee received a report of the Corporate Director for Place concerning a proposal to introduce short lengths waiting restrictions along the north and south sides of the carriageway of The Maze, Leigh on Sea at the eastern extremity of the public highway. A plan illustrating the proposals was displayed at the meeting.

Resolved:

That the Corporate Director for Place be authorised to advertise the necessary traffic regulation orders and, subject to there being no objections received following statutory advertisement, to arrange for the orders to be sealed and the proposals implemented.

Reasons for Decision

To ensure that the waiting restrictions cover the extent of the public highway at this location and are consistent.

Other Options

Take no further action.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

### **703 Objections to Traffic Regulation Orders**

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

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

Resolved:

1. That the traffic regulation order for the introduction of junction protection in Neil Armstrong way at its junction with Western Approaches be confirmed with an amendment to reduce the length of waiting restrictions to 13 metres.
2. That the zebra crossing in West Road, Westcliff on Sea close to the junction of Westborough Road be installed as advertised.
3. That the traffic regulation order for the introduction of prohibition of waiting restrictions and resident permit parking places in the Queensway East Area be confirmed as advertised and that officers be requested to work with Ward Councillors and the residents to identify any appropriate amendments that may be required following implementation.
4. That the traffic regulation order for the introduction of limited waiting restrictions in the Shoeburyness Leisure Centre, Library and Youth Centre Car Park be confirmed as advertised subject to concessions being afforded to staff at Shoebury High School, the details of which to be determined by the Executive Councillor for Public Protection, Waste and Transport in consultation with Corporate Director for Place, and Ward Councillors.



5. That the experimental traffic regulation for the introduction of waiting restrictions in the Maze be confirmed as advertised.

6. That traffic regulation order for the introduction of waiting restrictions and residents' only permit parking in the Cliffs Pavilion Area (Winton Avenue, Lydford Road and Milton Road) be confirmed as advertised and that the Corporate Director for Place be authorised to advertise the necessary amendments for the inclusion of Westcliff Avenue with the same hours of operation, and subject to there being no objections following statutory advertisement, to arrange for the amendment to be confirmed and implemented.

**Reason for decision**

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

**Other Option**

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

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Terry

**704 Member's Request List**

The Cabinet Committee received a report of the Corporate Director for Place that appraised Members of the requests received from Members of the Council together with officers' recommendations relating to those requests.

Consideration of request reference no. 15/011 regarding the amendment of the operational hours of the existing waiting restrictions in Tyrone Road and Fermoy Road was dealt with under the following item.

**Resolved:**

1. That with reference to request reference no. 14/15 regarding the widening of the pedestrian refuge Ness Road, Shoeburyness, be retained on the list and reported to a future meeting of the Traffic & Parking Working Party and Cabinet Committee for consideration when the details of the estimated costs of the necessary works have been received.

2. That with reference to request reference no. 15/07 regarding the installation of a pedestrian crossing in Elmsleigh Drive near Rayleigh Drive, officers be requested to work with the Ward Councillors to identify to identify an appropriate solution.

3. That consideration of request reference no. 15/38 regarding the introduction of a residents' permit parking scheme in the area around Thorpe Greenways School be deferred pending a full detailed report to be submitted to a future meeting of the Traffic & Parking Working Party and Cabinet Committee.

4. That with reference to request reference no. 15/07 regarding the introduction of waiting restrictions at the junction of Collins Way, the Corporate Director for Place be authorised to advertise the necessary traffic regulation order and, subject to the being no objections following statutory notice, to arrange for the order to be sealed.

#### 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 Terry

#### **705 Member's Request List Reference no. 15/11 (Tyrone Road and Fermoy Road)**

The Cabinet Committee reconsidered Minute 514 of its meeting held on 4<sup>th</sup> January 2016 in respect of Members Request ref no. 15/11, which sought the amendment of the operational hours of existing waiting restriction in Tyrone Road and Fermoy Road from 2.00 p.m. until 3.00 p.m. to 11.00 a.m. until noon. This matter had been referred back for re-consideration by the Place Scrutiny Committee at its meeting on 25<sup>th</sup> January 2016 (Minute 586 refers). The Cabinet Committee had before it the relevant extract from report of the Corporate Director for Place and the excerpts from the Minutes.

#### Resolved:

That the Corporate Director for Place be authorised to advertise the necessary traffic regulation to amend operational hours of existing waiting restriction in Tyrone Road and Fermoy Road from 2.00 p.m. until 3.00 p.m. to 11.00 a.m. until noon and, subject to there being no objections received following statutory advertisement, to arrange for the orders to be sealed and the proposals implemented.

#### 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

Not eligible for call-in as this matter has previously been subject to the call-in procedure.

Executive Councillor: Councillor Terry

**Chairman:** \_\_\_\_\_

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet

**Date: Tuesday, 15th March, 2016**  
**Place: Committee Room 1 - Civic Suite**

# 14

**Present:** Councillor Woodley (Chair)  
Councillors Gilbert (Vice-Chair), Jones, Norman MBE and Betson

**In Attendance:** Councillors Davies and Lamb  
R Tinlin, J K Williams, A Lewis, A Atherton, J Chesterton, J Ruffle,  
C Gamble and M Sargood

**Start/End Time:** 2.00 - 2.35 pm

### **706 Apologies for Absence**

Apologies for absence were received from Councillors Moyies and Terry

### **707 Declarations of Interest**

- (a) Councillor Jones – Southend Children and Young People’s Plan – Parent of school age child – Non-pecuniary interest.
- (b) Councillor Jones – Annual Education Report - Parent of school age child – Non-pecuniary interest.

### **708 Minutes of the Meetings held on 5th and 19th January and 11th February 2016**

Resolved:-

That the Minutes of the Meetings held on Tuesday 5<sup>th</sup> and 19<sup>th</sup> January and Thursday 11<sup>th</sup> February 2016 be confirmed as a correct record and signed.

### **709 Notice of Motion - C2C Timetable**

At the meeting of Council held on 25<sup>th</sup> February 2016, Members received a notice of motion concerning changes to C2C’s train timetable, which was proposed by Councillor Courtenay and seconded by Councillor Cox.

Resolved:-

That the Director for Place be authorised to write to C2C to convey the Council’s views on the train timetable revisions on the basis of the recommendations of the Public Transport and Buses Working Party and to encourage C2C to continue to work with the Council to improve the situation.

Reason for Decision

To respond to the notice of motion.

Other Options

None

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

**710 Reference Back from People Scrutiny Committee, 26th January 2016 - HIV Testing**

The Cabinet considered a report of the Director for Public Health which had been prepared in response to the decision of the People Scrutiny Committee on 26<sup>th</sup> January 2016 to refer back the Southend-on-Sea Borough Council HIV Position Statement for further consideration.

Resolved:-

That the Southend-on-Sea Borough Council HIV Position Statement, as set out in Appendix 1 to the submitted report, be approved.

Reasons for Decision

A late HIV diagnosis can have adverse consequences on the individual including making it more likely the person will have frequent admissions to hospital due to illness and reducing their life expectancy and also increases the risk of transmission of the disease within the population.

Other Options

To introduce other measures to reduce the proportion of people diagnosed late with HIV in the Borough.

Note:- This is an Executive Function

Note: Not eligible for call-in as the matter has already been the subject of the call-in procedure

Executive Councillor:- Moyies

**711 Reference back from Council, 25th February 2016 - Notice of Motion - Southend Borough Patrol**

At the meeting of Council held on 25<sup>th</sup> February 2016, it was resolved to refer back the Cabinet's response to the notice of motion on the Southend Borough Patrol. The Cabinet considered a report of the Director for Place on the matter.

Resolved:-

1. That the Council explore, with Partner Agencies, an effective approach to ensuring the town remains a safe place to live, work and visit in the context of austerity measures on all public services within Southend.

2. That the Council explore the recruitment of Special Constables in helping to police communities, primarily within the town.

3. That the current South Essex Homes warden patrol scheme (of the Borough's tower blocks) be reviewed to determine whether the scheme could be integrated into a combined collective approach to community safety across the Borough.

4. That the Council continues to develop a combined response model as demonstrated with the recent cruiser events along the seafront during 2015.

Reason for Decision

To respond to the request of Council.

Other Options

To reaffirm the previous decision of Cabinet.

Note:-This is an Executive Function

Eligible for call-in to Policy and Resources Scrutiny Committee

Executive Councillor:- Gilbert

## **712 Monthly Performance Report**

Resolved:-

That the submitted report be noted.

Note:- This is an Executive Function

Referred direct to all three Scrutiny Committees

Executive Councillor:- As appropriate to the item

## **713 Quarter Three Treasury Management Report - 2015/16**

The Cabinet considered a report of the Corporate Director for Corporate Services detailing the treasury management activity for both quarter three and the period from April to December 2015.

Recommended:-

1. That the Quarter Three Treasury Management Report for 2015/16, be approved.

2. That the Revised Minimum Revenue Provision Policy 2015/16, set out at Appendix 3 of the submitted report (the changes to which are set out in Section 12), be approved.

3. That it be noted that the 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 2015.

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 £62.3m of investments were managed in-house. These earned £0.30m of interest during this nine month period at an average rate of 0.64%. This is 0.28% over the average 7 day LIBID and 0.14% over bank base rate.

6. That it be noted that an average of £24.7m of investments were managed by our external fund manager. These earned £0.14m of interest during this nine month period at an average rate of 0.74%. This is 0.38% over the average 7 day LIBID and 0.24% over bank base rate.

7. That it be noted that an average of £6.8m was managed by two property fund managers. This earned £0.431m 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 8.95%.

8. 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 1<sup>st</sup> April 1998) decreased from £237.8m to £227.8m (Housing Revenue Account (HRA): £78.0m, GF: £149.8m) during the period from April to December 2015.

9. That it be noted that the level of financing for 'invest to save' schemes increased from £0.14m to £1.78m during the period from April to December 2015.

#### 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 2015/16 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 & Resources Scrutiny Committee

Executive Councillor:- Woodley

#### **714 Mortgage Interest Rate - April 2016 to September 2016**

The Cabinet considered a report of the Corporate Director for Corporate Services declaring the Local Average Rate of Interest on the Council's mortgages in compliance with Section 438 of the Housing Act 1985.



Recommended:-

1. That the Local Average Rate of Interest be declared at 4.63% for the period from April 2016 to September 2016.
2. That the Council's mortgage interest rate be decreased from 4.69% to 4.63% for the period from April 2016 to September 2016.

Reason for Decision

To comply with the statutory requirements of the Housing Act 1985.

Other Options

None

Note:- This is a Council Function  
Eligible for call-in to Policy & Resources Scrutiny Committee  
Executive Councillor:- Woodley

## **715 Corporate Debt Report**

The Cabinet considered a report from the Corporate Director for Corporate Services informing Members of the current outstanding debt to the Council as at 31<sup>st</sup> January 2016.

Resolved:-

1. That the current outstanding debt position as at 31<sup>st</sup> January 2016 and the position of debts written off to 31<sup>st</sup> January 2016, as set out in Appendices A and B to the submitted report, be noted.
2. That the latest individual write-off's greater than £25,000, as set out in Appendix B, be approved.

Reason for Decision

To inform Members of the current position on outstanding debts.

Other Options

None

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

## **716 Annual Procurement Plan**

The Cabinet considered a report of the Corporate Director for People setting out the Annual Procurement Plan for 2016/17.

Resolved:-

That the Annual Procurement Plan 2016/17, as set out at 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 & Resources Scrutiny Committee

Executive Councillor:- Woodley

## **717 Southend Children & Young People's Plan 16/17**

The Cabinet considered a report of the Corporate Director for People presenting the 2016-17 Children and Young People's Plan (CYPP).

Recommended:-

1. That the 2016-17 Children and Young People's Plan set out at Appendix 1 to the submitted report, be approved.
2. That the Corporate Director for People, in consultation with the Portfolio Holder for Children and Learning, be authorised to approve the final detailed delivery plan.

Reason for Decision

1. The Children and Young People's Plan has been developed and endorsed by the Success for All Children Group and supports the Health and Wellbeing Board Strategy aims.
2. The priorities in the Children and Young People's Plan build on previous plans, self-assessment, external assessment and wide consultation and will assist in maintaining or improving the Council's good performance.
3. The plan gives a clear focus to the work on the Success for All Children Group and enables resources across all agencies to be directed at those actions that will make the biggest improvement in outcomes for children and young people and their families.

Other Options

Not to have a CYPP, but this is not recommended. Ofsted highlighted the Council's CYPP as a key plank in supporting the authority's outstanding capacity to improve.

Note:- This is a Council Function  
Eligible for call-in to People Scrutiny Committee  
Executive Councillor:- A P Jones

**718 Annual Education Report**

The Cabinet considered a report of the Corporate Director for People informing Members of the educational achievement of children and young people attending Southend schools and colleges.

Resolved:-

1. That the report be noted.

2. That the Annual Education Report be approved with any amendments to be determined by the Director of People, in consultation with the Portfolio Holder for Children and Learning, and in terms of the quality and range of information provided and the accessibility of content, the Report to be published with the preferred validated national and local school performance data.

Reason for Decision

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

Other Options

None

Note:- This is an Executive Function  
Eligible for call-in to People Scrutiny Committee  
Executive Councillor:- A P Jones

**719 Annual Report on Implementation of SEN Strategy/SEN 3 year Strategy 16/19**

The Cabinet considered a report of the Corporate Director for People on the progress of the third year of the implementation plan of the strategy for children with Special Educational Needs and/or Disabilities.

Resolved:-

1. That the report for the third year of the 2013-2016 SEN Strategy (as set out in Appendix 1 to the submitted report), be noted.

2. That the Strategy for 2016-19, be approved.

Reason for Decision

To inform Members of the progress made in implementing the SEN Strategy.

Other Options

None

Note:- This is an Executive Function  
Eligible for call-in to People Scrutiny Committee  
Executive Councillor:- A P Jones

**720 Housing Register - changes to Local Connection**

The Cabinet considered a report of the Corporate Director for People on the implications associated with the proposal in relation to the local residency criteria for social housing, as set out in the notice of motion submitted to Council on 10<sup>th</sup> December 2015.

Resolved:-

That as a means of addressing changes in local housing needs option 3 be approved, namely to initiate a consultation process on a proposed review of the Council's Allocation Policy, not restricted to consideration of residency alone, but including a proposal to extend the length of the term of the residency qualification to 5 years or over.

Reason for Decision

There is a legal requirement for the Council to consult with the wider community and with applicants, tenants, and partner agencies before introducing changes to the Housing Allocation Policy.

Other Options

As set out in the submitted report.

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

**721 School Term Dates 2017/18**

The Cabinet considered a report of the Corporate Director for People setting out the proposed school term and holiday dates for the 2017/18 academic year.

Resolved:-

That the school term and holiday dates for 2017/18, as set out in Appendix 1 to the submitted report, be approved as a guide to schools.

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:- A P Jones

**722 A127 - Kent Elms**

The Cabinet considered a report of the Corporate Director for Place requesting that consideration be given to the options for the Kent Elms Corner Junction Improvement works and the replacement footbridge.

Resolved:-

1. That the options for the highway and footbridge designs are taken forward for public consultation (with the advantages and disadvantages set out).
2. That Highway Option 1, together with Footbridge Option 2, as set out in the submitted report, be confirmed as the Councils preferred options, to be presented as such in the consultation, and that in the meantime detailed design continues together with any necessary work relating to planning applications, land negotiations and utility diversions.
3. That should the land negotiations and/or the cost of diverting underground utilities in the south east verge be prohibitively expensive and therefore not likely to be successfully concluded within the necessary timescale to drawdown the funding, then Options 2 and 3 be considered and proceed concurrently with Option 1 through the consultation and negotiation stage.
4. That once the results of the public consultation have been considered, the Chief Executive and Corporate Director for Place, in consultation with the Portfolio Holder for Public Protection, Waste and Transport, be authorised to agree the final option to be taken forward to detailed business case submission, implementation, advertisement of any necessary traffic regulation orders, land acquisition and planning permissions following circulation of these details to all Members and discussions with Group Leaders.
5. That it be noted that there is no current capital budget for the additional maximum option cost of £1.5million and that once the position of any potential external funding of the scheme is established, there will be a further Cabinet report on the funding of the additional maximum of £1.5million.

Reason for Decision

As detailed in the submitted report.

Other Options

As set out in the submitted report

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

**\*723 PVX Review**

The Cabinet considered a report of the Corporate Director for Place proposing revisions to the existing Permanent Vehicular Crossing (PVX) Policy following the outcome of a review in light of feedback from residents and Members.

Resolved:-

That the proposed changes to the PVX Policy, process and procedures as outlined in Section 5 of the submitted report, be approved.

Reason for Decision

To implement improved procedures.

Other Options

To continue with the system that currently exists.

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

**\*Called in to Place Scrutiny Committee**

**724 Southend Central Area Action Plan - Local Growth Fund**

The Cabinet considered a report of the Corporate Director for Place updating Members on the progress of the 'Southend Central Area Transport Scheme' and set out proposals to take the scheme forward.

Resolved:-

1. That the proposed "concept design and vision statements" for the Southend Central Area Transport Scheme be worked up into option layouts and taken forward for stakeholder and public consultation sufficient for SELEP Business Case submission and funding approval in June. (In consulting on these proposals, other suggestions in and around the Town Centre to improve access and movement would be welcomed)

2. That the preliminary layout design for the traffic signal junction at Carnarvon Road and Victoria Avenue, incorporating a right-turn out of Carnarvon Road be approved, so that detailed design can commence (Any loss of vegetation caused by the change in road layout will be replaced within the scheme)

3. That the principal, wherever possible, landscape elements are designed with integrated Sustainable Urban Drainage Systems (SUDS) in mind and that permeable surface treatments will be considered to attenuate surface water run-off from the Town Centre area and reduce the risk of flooding.

4. That the Chief Executive and Corporate Director for Place, in consultation with the Leader of the Council and the Portfolio Holder for Public Protection, Waste and Transport, be authorised following circulation of details to Ward Councillors and discussions with the Leaders of the opposition parties to agree:-

- the preliminary design layouts developed from the “concept design and vision statements” for consultation and subsequent submission of the Business Case for approval, with a programmed commencement in 2017/18. Details to be brought to a future Cabinet meeting to agree the final design for construction.

- the detailed design proposals for the Carnarvon Road junction to be taken forward to Business Case submission for implementation in 2016/17, together with the advertisement of any necessary Traffic Regulation Orders

#### Reason for Decision

The concept design and vision statements to guide the SCATS focus on ensuring that:-

1. High quality public realm enhancements will create spaces within the Town Centre to attract more people to the area, encourage activities in the public spaces and revitalise the commercial areas.

2. Improved access to the High Street will encourage more walking and cycling.

3. The better streets and public spaces will bring greater civic pride to encourage investment and visitor numbers supporting the local economy.

4. To support the spatial planning activity identified in the SCAAP and other plans either prepared or being prepared by the Council’s planning team.

#### Other Options

As set out in the submitted report.

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

## **725 Annual Public Health Report**

The Cabinet considered a report presenting the 2015 Annual Report of the Director of Public Health.

Resolved:-

That the content and recommendations of the 2015 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:- Moyies

**726 Minutes of Public transport and Buses Working Party held on 22nd February 2016**

The Cabinet considered the recommendations of the Public Transport and Buses Working Party held on 22<sup>nd</sup> February 2016 in relation to the C2C train timetable.

Resolved:-

That the recommendations of the Public Transport and Buses Working Party, be approved.

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

**727 Council Procedure Rule 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

**728 Exclusion of the Public**

Resolved:-

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

**729 Garon Park Development Opportunity**

The Cabinet considered a report of the Corporate Director for Corporate Services presenting a proposal to bring forward the development of part of the Council's land within the Garon Park Development Brief.



Resolved:-

1. That the Council progresses with a development opportunity presented by the proposed developer as set out in the submitted report, with final agreement of the detailed terms being delegated to the Corporate Director for Corporate Services in consultation with the Leader of the Council.

2. That the Council works with the proposed developer on a direct basis subject to the developer meeting the Council's internal and external fees and costs, including the costs of an independent surveyor to advise on, and to certify the terms of the transaction for best consideration in accordance with s.123 of the Local Government Act 1972.

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 Policy & Resources Scrutiny Committee  
Executive Councillor:- Woodley

**730 A127 Kent Elms - Appendix**

Resolved:-

That the submitted appendix to the A127 Kent Elms report, be noted.

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

**731 Council Procedure rule 46 - Confidential Sheet**

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

**Chairman:** \_\_\_\_\_

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Appointments and Disciplinary Committee**

**Date: Tuesday, 15th March, 2016**  
**Place: Executive Boardroom - Civic Suite**

**15**

**Present:** Councillor Woodley (Chair)  
Councillors Assenheim, Gilbert, Holland, Lamb, Salter and Betson

**In Attendance:** Mr R Tinlin and J Ruffle

**Start/End Time:** 5.30 - 5.45 pm

**732 Apologies for Absence**

There were no apologies for absence at this meeting.

**733 Declarations of Interest**

There were no declarations of interest at this meeting.

**734 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.

**735 Review The Terms and Conditions on which a Senior Officer is employed**

The Committee considered a report of the Head of People and Policy which provided details on the review of the terms and conditions on which a Senior Officer is employed.

Resolved:

That the revised terms and conditions on which a Senior Officer is employed, as set out in the submitted report, be approved.

**Chairman:** \_\_\_\_\_

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of General Purposes Committee

**Date: Wednesday, 23rd March, 2016**  
**Place: Committee Room 4a - Civic Suite**

# 16

**Present:** Councillor K Robinson (Chair)  
Councillors Kenyon (Vice-Chair), S Buckley, Callaghan, C Endersby,  
Walker, Willis, \*J Garston and \*N Folkard

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Mr T Row, Mr R Harris and Mr J K Williams

**Start/End Time:** 6.00 - 7.00 pm

### **736 Apologies for Absence**

Apologies for absence were received from Councillors Courtenay (substitute: Cllr J Garston) and Holland (substitute: Cllr Folkard).

### **737 Declarations of Interest**

Councillors Robinson, Kenyon, Buckley, Callaghan, Endersby, Walker, Willis, J Garston and Folkard – Minute 741 (Honorary Alderman/Alderwoman) - Non-Pecuniary Interest – Nominees for Alderman/Alderwoman were known to them.

### **738 Minutes of the Meeting held on 19th November 2014**

Resolved:-

That the Minutes of the Meeting held on 19<sup>th</sup> November 2014 be confirmed as a correct record and signed.

### **739 Application to Register Land at Shoebury Common, Shoebury Common Road, Shoeburyness, Essex as a Town or Village Green**

The Committee considered a report of the Corporate Director for Corporate Services which informed Members of the findings and recommendations of the Independent Inspector appointed to conduct the non-statutory Public Inquiry in respect of an application submitted by Mr Lovett, on behalf of Friends of Shoebury Common, for land at Shoebury Common to be registered as a Town or Village Green. It was made clear that the decision on the application rested with the Committee.

The Committee was informed that:

(a) at the outset of the Public Inquiry the applicant requested to amend the area of the application to exclude those parts of Shoebury Common to the south occupied by buildings/structures and the southern hard surfaced car parking area;

(b) Mr Grubb (on behalf of Friends of Shoebury Common) had since the publication of the Inspector's report put forward an alternative proposal to register only that part of Shoebury Common to the north of Shoebury Common Road excluding the northern overflow car park.

The Committee also received a supplementary report which outlined the comments made by Mr Lovett and Mr Grubb, on behalf of the Friends of Shoebury Common in respect of the draft report, and the Council's response to those comments as landowner. The Committee stood adjourned to enable members of the Committee to read and consider all the information contained in the supplementary report.

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

Resolved:

1. That the Independent Inspector's report be noted.
2. That, having considered the Independent Inspector's report and all other material considerations, the application dated 22<sup>nd</sup> November 2013 submitted by Mr Lovett on behalf of the Friends of Shoebury Common for land at Shoebury Common, Shoebury Common Road, Shoeburyness (and as requested to be amended at the Public Inquiry on 30<sup>th</sup> June 2015) to be registered as a Town or Village Green be refused.
3. That the alternative proposal by Mr Grubb on behalf of the Friends of Shoebury Common to register that part of Shoebury Common to the north of Shoebury Common Road (excluding the northern overflow car park) as a Town or Village Green also be refused.
4. That the Council, as Registration Authority, does not include the Application Land or any part of it in its Register of Town and Village Greens.

#### **740 Exclusion of the Public**

Resolved:-

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

#### **741 Honorary Alderman/Alderwoman Nominations**

The Committee considered a report of the Corporate Director for Corporate Services which provided details of the nominations received from the Group Leaders to confer the title of Honorary Alderman/Alderwoman on past Members who have served for at least 15 years and who rendered eminent services to the Council.

Resolved:

That, pursuant to Section 249(1) of the Local Government Act 1972, the Council be recommended to confer the title of Honorary Alderman/Honorary Alderwoman on the past Members listed below:-

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

**742 Freedom of the Borough**

The Committee considered a report of the Corporate Director for Corporate Services containing a proposal to confer the Freedom of the Borough of Southend-on-Sea to RAF No.54 Reserve Squadron.

Resolved:

1. That, pursuant to Section 249(5) of the Local Government Act 1972, the Council be recommended to confer the Freedom of the Borough of Southend-on-Sea on RAF No.54 Reserve Squadron in recognition of the Squadrons long and distinguished service since its formation in 1916 and of its association with Southend-on-Sea during the Second World War.
2. That representatives from RAF No.54 Reserve Squadron be invited to the Special Council meeting arranged for 21<sup>st</sup> April 2016 to be presented with a ceremonial scroll.

**Chairman:** \_\_\_\_\_

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Audit Committee

**Date: Wednesday, 30th March, 2016**  
**Place: Committee Room 1 - Civic Suite**

# 17

**Present:** Councillors McMahon (Vice-Chair), Buckley, Courtenay, M Davidson, C Nevin, I Robertson, Betson and Mr Everitt (co-opted member).

**In Attendance:** Ms S Holland, Mr R Harris, Ms L Everard, Mr D Kleinburg, Ms E Allen, Ms J Denman and Ms L Clampin (External BDO Auditor).

**Start/End Time:** 6.30 - 8.15 pm

### **743 Apologies for Absence**

Apologies for absence were received from Councillor Ayling (no substitute).

### **744 Declarations of Interest**

The following declarations of interest were made:

(a) Councillor McMahon – Minute 747 (BDO: Progress Report to those charge with Governance) – Non-Pecuniary Interest – member of Troubled Families Administrative Board and a close colleague works alongside the CQC and on Serious Case Reviews;

### **745 Minutes of the Meeting held on 20th January 2016**

Resolved:-

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

### **746 BDO: Grant Claims and Returns Certification Report for the Year ended 31 March 2015**

The Committee considered a report of the BDO External Auditor presented the External Auditor's Grant Claim and Return Certification report for 2014/15.

The Committee asked a number of questions related to the Housing Subsidy Grant Claim which were responded to by officers and the BDO External Auditor.

The Committee expressed concerns regarding the potential £480,000 housing benefit subsidy loss in 2014/15 which occurred as a result of miss-classification errors in the Council's benefit administration and subsidy entitlement calculations. In response the Corporate Director for Corporate Services would ensure that there would be appropriate officer representation at the next meeting to provide a progress report on the actions being taken to address this matter and also provide a detailed explanation / overview of the complexities of the benefits administration process in respect to subsidy claims.

Resolved:

1. That the Grant Claim and Return Certification Report for 2014/15 be accepted.
2. That Cabinet be requested to note the concerns of the Audit Committee regarding the high level of loss in housing benefit subsidies in 2014/15 due to misclassification errors in the Council's benefit administration and subsidy entitlement calculations.

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

The Committee considered a report of the BDO External Auditor which provided an update on progress in delivering the 2014/15 and 2015/16 Annual Audit Plans.

Resolved:

That the progress made in delivering the Annual Audit Plans for 2014/15 and 2015/16 be accepted.

**748 Internal Audit Service Quarterly Performance Report**

The Committee considered a report of the Corporate Director for Corporate Services which provided an update on the progress made in delivering the Internal Audit Strategy for 2015/16.

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

Resolved:

That the progress made in delivering the 2015/16 Internal Audit Strategy, be noted.

**749 Counter Fraud & Investigation Directorate: Annual Report 2015/16 and Corporate Counter Fraud & Investigation Strategy for 2016/17.**

The Committee considered a report of the Corporate Director for Corporate Services which provided an update on the progress made in delivering the Council's Corporate Counter Fraud & Investigation Plan for 2015/16, and the Corporate Counter Fraud & Investigation (CF&I) Strategy for 2016/17.

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

Resolved:

1. That the Directorate's performance to date be noted.
2. That the 2016/17 Corporate Counter Fraud and Investigation Strategy be endorsed.

**750 BDO: Audit Plan 2015/16**

The Committee considered a report of the BDO External Auditor which presented the External Auditor's Audit Plan for 2015/16.

The Committee asked a number of questions which were responded to by the BDO External Auditor.

Resolved:

That the BDO Audit Plan for 2015/16, be accepted.

**751 Internal Audit Charter, Strategy and Audit Plan for 2016/17**

The Committee considered a report of the Corporate Director for Corporate Services which presented the Internal Audit Charter with the supporting Strategy, Audit Risk Assessment and proposed Audit Plan for 2016/17 for consideration.

Resolved:

That the Charter, Strategy and proposed Audit Plan for 2016/17, be approved.

**752 Vote of Thanks**

The Vice-Chair reported that this would be the last meeting which Mr Everitt would be attending as he was retiring from the Committee as the co-opted member. The Vice-Chair, on behalf of the Committee, extended her thanks and appreciation to Mr Everitt for his work and significant contributions and wished him every success for the future.

Members also noted that this was Councillor Robertson's last Audit Committee meeting before retiring as a Councillor. The Vice-Chair, on behalf of the Committee, extended her thanks and appreciation for his work and contributions and wished him every success for the future.

**Chairman:** \_\_\_\_\_

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Health & Wellbeing Board

Date: Thursday, 7th April, 2016

Place: Johnson Room - Tickfield Centre

# 18

**Present:** Councillor Moyies (Chair)  
Dr Garcia-Lobera (Vice-Chair),  
Councillors Evans, Lamb, Velmurugan, Betson,  
Mr R Tinlin, Ms A Atherton, Ms A Semmence, Ms M Craig, Dr  
Chaturvedi, Mr N Leitch and Ms C Doorly, Mr M McCann\* and Ms W  
Smith\*

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Mr Walters, Ms E Hammans, Mr J O'Loughlin, Mr R Harris Mr B  
Martin and Mr J Lambert

**Start/End Time:** 5.00 - 6.15 pm

### 753 Apologies for Absence

Apologies for absence were received from Councillor Willis (no substitute), Mr A Pike/Mr A McIntyre (substitute: Ms W Smith), Ms S Morris (substitute: Mr M McCann), Mr S Leftley and Ms S Hardy.

### 754 Declarations of Interest

The following members declared interests as indicated below:-

- (a) Councillor Salter – Agenda Item 7 (Essex Success Regime Briefing) – Non-pecuniary interest - husband is Business Unit Director at Southend Hospital for surgical services including oral surgery – urology;
- (b) Dr J G Lobera – Agenda Item 7 (Essex Success Regime Briefing) – Non-pecuniary interest – practicing GP;
- (c) Dr K Chaturvedi – Agenda Item 7 (Essex Success Regime Briefing) – Non-pecuniary interest – practicing GP;
- (d) Councillor Velmurugan – Agenda Item 7 (Essex Success Regime Briefing) – Non-pecuniary interest – practicing GP.

### 755 Minutes of the meeting held on Tuesday 9th February 2016

Resolved:-

That the Minutes of the Meeting held on Tuesday 9<sup>th</sup> February 2016 be confirmed as a correct record and signed.

### 756 Childhood Obesity - update on Task & Finish Group

The Board considered a report of the Director of Public Health which provided an update on the work of the Childhood Obesity Task and Finish Group.

Resolved:

That the report and the proposals for taking forward action to tackle childhood obesity in Southend-on-Sea, be noted.

**757 Children & Young Peoples Plan 2016-2017**

The Board considered a report of the Head of Children's Services, Southend Borough Council, which presented the 2016-17 Children & Young People's Plan (CYPP) for consideration.

In response to a specific question regarding the delivery of the targets within the CYPP the Head of Children's Services advised that the targets are ambitious and deliverable within the resources available.

The Board commented on the delivery of targets in respect of the Health and Wellbeing strategic ambition 8 (housing) and noted that the targets concerning adequate affordable housing may need to be revisited in light of the Government's proposed changes to the planning regime.

Resolved:

That the 2016-17 Children & Young People's Plan be endorsed.

**758 A Better Start Programme Briefing**

The Board received a PowerPoint presentation from the Director of 'A Better Start' which provided an overview of the outcomes in the first year of operation and the challenges and opportunities for Year 2 of the 'A Better Start Southend.' The Board also considered the Executive Action Plan for 'A Better Start Southend' and was asked to comment on and provide feedback on the action plan.

The Board was reminded that it was the management and governance body responsible for overseeing the delivery of 'A Better Start Southend' and would at future meetings receive progress reports, etc against the action plan.

The Board asked a specific question regarding primary care and it was advised that work was taking place with the Southend CCG and the delivery of primary care will be locality based.

Resolved:

1. That the PowerPoint presentation on 'A Better Start Southend' be noted.
2. That the Executive Action Plan be approved.

**759 Essex Success Regime Briefing**

The Board considered a report of the Chief Officer, Southend CCG, which provided an update on the Mid and South Essex Success Regime, including current requirements for Sustainability and Transformation Plans (STPs) as part of the NHS Five Year Forward View.

The Board asked a number of questions relating to information sharing, the merger of hospitals and the sustainability of delivering the significant savings required. In response to these questions the Board noted the following:-

- Information/data sharing – The aim was to improve the sharing of patient information across health and social care and provide a full and complete shared care record of the patient. Nationally the Department of Health and NHS Policy was to move towards the provision of digitised records at the point of need and £1.3 billion had been designated nationally to facilitate digitised patient records across the health sector.
- Merger of Hospitals – Assurance was provided that the three hospitals in the region were not merging. A Joint Committee consisting of representatives of the three hospitals had been set-up to provide greater collaboration and does not replace the statutory responsibilities of the three hospitals.
- Provision of primary care – It was noted that there were two major workstreams in respect to primary care and there was a significant amount of work to do in this area which will be taken forward as one of the six areas for change identified under the Success Regime.
- Sustainability/Further Integration of CCGs – The Board was advised that there was not nationally an appetite for further integration of CCGs. It was noted that if the CCGs were merged there would not be the necessary clinical leadership and focus on local needs. However, it was recognised that there were areas that the CCGs could work more effectively together and one of the options being explored as part of the Success Regime was looking at how each CCG could take a lead on a specific issue.
- Investment in Prevention – This was a key area of focus and was included in the six areas of change to sustain local services and improve care as part of the Success Regime.
- Engagement and Consultation – The next steps and milestones were referred to. The options will be refined between end of May and early September 2016 with a view to consultation on service changes, etc between September to December 2016.

Resolved:

That the report and update on the Mid and South Essex Success Regime, including the requirements for STPs as part of the NHS Five Year Forward View, be noted.

#### **760 Better Care Fund Plan 2016/17**

The Board considered a report of the BCF Project Manager which outlined the requirements and planning process of the Better Care Fund (BCF) for 2016/17; presented the draft BCF Plan for 2016/17 and sought agreement to delegate authority to the Corporate Director for People (SBC), the Chief Officer Southend CCG in consultation with the Chair and Vice-Chair of the Health & Wellbeing Board to make any minor amendments to the plan and enable any updates and the final BCF plan for 2016/17 to be submitted to NHS England by 25<sup>th</sup> April 2016.

Resolved:

1. That the planning requirements and process for the BCF 2016/17 be noted.

2. That the draft BCF Plan for 2016/17 be noted.

3. That authority, to make any required minor amendments and sign off the final BCF Plan for 2016/17, be delegated to the Corporate Director for People (SBC), the Chief Officer Southend CCG in consultation with the Chair and Vice-Chair of the Health & Wellbeing Board.

**761 Progress Report**

The Board considered the following reports from the Health & Wellbeing Board Advisor:-

- (a) Mental Health actions actions which would feed into the Mental Health Strategy;
- (b) Progress report against the HWB Performance Indicators;
- (c) The Health & Wellbeing Board Forward Plan for 2016/17.

The Board was also informed that the Community Recovery Pathway actions were feeding into the integrated care work and that a formal update would come to June's Board meeting.

Resolved:

That the reports covering the above matters be noted.

**Chairman:** \_\_\_\_\_



## Notice of Motion - Trade Union Bill

### **This Council recognises:**

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

### **This Council resolves:**

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

**Proposer:** Cllr Cheryl Nevin

**Seconder:** Cllr Margaret Borton

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# Southend-on-Sea Borough Council

Agenda  
Item No.

23

Report of Chief Executive & Town Clerk  
to  
Council  
on  
21<sup>st</sup> April 2016

Report prepared by:  
Rob Tinlin

## Notice of Motion - Changes in Electoral Arrangements

### *A Part 1 Public Agenda item*

#### 1. Purpose of Report

- 1.1 This report provides background information to enable the Council to make a decision on the notice of motion on proposed changes to the Council's electoral arrangements.

#### 2. Recommendation

- 2.1 To consider the proposals in the notice of motion on changes to the Council's electoral arrangements as set out in 3.1(i) and (ii) below.

#### 3. Background

- 3.1 At the meeting of Council held on 10<sup>th</sup> December 2015, a notice of motion was put forward by Councillor Woodley and seconded by Councillor Moyies proposing:

- “(i) That a change in the cycle for electing councillors to Southend-on-Sea Borough Council from elections by thirds to whole-Council elections with effect from May 2018 be supported in principle and that a public consultation exercise be undertaken in accordance with the statutory requirements.
- (ii) That a reduction in the number of councillors from 51 to 34 (2 per ward) from May 2018 be supported in principle and that the Chief Executive, in consultation with Group leaders, be authorised to put the case for such proposal to the LGBCE for consideration.”

(The notice of motion is set out in full in **Appendix 1** to this report).

- 3.2 The notice of motion was referred to Cabinet in accordance with standing order 8.4. At its meeting held on 5<sup>th</sup> January 2016, Cabinet decided to refer the motion to Council for consideration alongside a report to be prepared by officers providing background information to enable the Council to make a decision.

## 4. Whole-Council Elections

- 4.1 At present the Council is elected by thirds, with one third of the councillors elected at a time. Under the four-yearly election option, all the seats on the Council would be up for election at the same time and the Borough Council elections would be held once every four years. At the meeting of Council held on 17<sup>th</sup> October 2013, consideration was given to moving to whole-Council elections, but it was resolved not to change the electoral arrangements.
- 4.2 The Local Government and Public Involvement in Health Act 2007 (“The Act”), as amended by the Localism Act 2011, sets out a number of provisions in relation to elections including one enabling councils to vary their cycle of elections. The Act allows councils that elect by thirds to move to whole-Council elections. However, the law does not permit councils to move from elections by thirds to elections by halves.
- 4.3 In 2004, the Electoral Commission published a paper entitled “The Cycle of Local Government Elections in England: Report and Recommendations”. Although the report is now some years old, the research and recommendations are still pertinent to the decision faced by the Council. The main arguments for partial/whole-Council elections were identified in the Commission’s consultation document (2003) as follows:
- For partial elections:
- (i) More frequent opportunities for electors to exercise their right to vote.
  - (ii) May facilitate more immediate political accountability
  - (iii) May tend to produce less drastic changes in political direction, and provide greater political continuity.
  - (iv) Can ensure that the political composition of authorities more accurately reflects the correct political complexion of local areas.
  - (v) May reduce the likelihood that the timing of important or controversial decisions are distorted by the timing of elections.
- For whole Council elections:
- (vi) Greater possibility of wholesale change in control may encourage participation
  - (vii) Too frequent elections might dilute public interest
  - (viii) Opportunities for all electors in an area to influence the composition of the authority at the same time.
  - (ix) May tend to encourage greater long-term planning by authorities, and discourage continuous election campaigning.
- 4.4 The Commission also acknowledged that the costs to local authorities of running whole-Council elections would be less than those incurred by holding elections by thirds (see paragraph 8.2 for financial implications).
- 4.5 The Commission concluded that a pattern of whole-Council elections for all authorities in England would provide a clear, equitable and easy to understand electoral process which would best serve the interests of local government electors. The Commission recommended that each local authority in England should hold whole-Council elections, with all Councillors elected simultaneously, once every four years.

- 4.6 The Commission has provided information on the electoral cycle of local authorities in England, which shows that 38 out of the 56 unitary authorities currently have whole-Council elections. All of the London Boroughs and County Councils have whole-Council elections and 128 (out of the 201) of the second tier district authorities have this form of election. All of the Metropolitan districts are on elections by thirds.
- 4.7 If, the Council was minded to move towards holding four-yearly elections, then a public consultation exercise would need to be undertaken before any final decision was made. The legislation does not specify the type of consultation that should be carried out or how long the consultation process should take. However, the good practice guidance on consultation exercises suggests that a 12 week consultation period would be appropriate. The intention would be to use the following forms of consultation:
1. Website – Information about the process to be placed on the website with the ability for members of the public to complete an online survey (hard copies will be available on request and placed in libraries)
  2. Issue press release
  3. Consultation with Elected Members, local Members of Parliament and Leigh Town Council.
  4. Social Media
- 4.8 Following the conclusion of the consultation period, if it is decided to move to all-out elections, an Extraordinary meeting of Council will be needed to pass a resolution to change to whole-Council elections. There is a requirement that the resolution must be passed “by a majority of at least two thirds of the Members voting on it” (Section 33 (3)(b) of the 2007 Act). The resolution would need to specify the year the elections would be first held.
- 4.9 If, at the Extraordinary meeting, it is decided to move to whole-Council elections, then as soon as reasonably practicable, an explanatory document has to be produced setting out details of the new electoral arrangements. In addition, the Electoral Commission would need to be advised that the Council has passed a resolution to change to all-out elections.

#### Timing

- 4.10 The notice of motion proposes a move to whole-Council elections to take effect in 2018. The Department for Communities and Local Government has confirmed that a change in the electoral cycle could take place in any year, including as early as 2017 which is the next fallow year.
- 4.11 A change in the electoral cycle would affect Leigh Town Council. The Town Council elections are held every four years and are generally combined with the Borough elections which allows costs to be shared. The next Town Council elections are in 2019. Southend Council is able to make an Order bringing the Town Council elections in line with any revised election cycle. This would help the Town Council avoid the potential cost of a stand alone election.

## 5. Reduction in Council Size

- 5.1 The Local Government Boundary Commission for England (LGBCE) is the body responsible for conducting electoral reviews, which includes those relating to council size (i.e reduction in number of councillors)
- 5.2 If the Council decided to pursue a reduction in the number of councillors, then the first step would be for a formal request to be made to the LGBCE for an electoral review. The letter requesting the review must set out the reasons why the review is required and the number of councillors the Council now considers appropriate. Before deciding to agree to the request, the LGBCE would need to meet with the Chief Executive and the Leader of the Council. Once the LGBCE has decided that a review is to take place, it will advise the Council of the decision and the likely timetable for the review.
- 5.3 The Council will be requested to prepare a submission to the LGBCE setting out its case for a reduction in council size. The guidance indicates that the LGBCE will form a view about the right size for an authority by considering three areas:
- (i) Managing the business of the Council and the roles and responsibilities of councillors
  - (ii) The Council's scrutiny functions relating to its own decision-making and the Council's responsibilities to outside bodies.
  - (iii) The representational role of councillors in the local community and how they engage with people, conduct casework and represent the Council on local partnership organisations.
- 5.4 The guidance emphasises that in considering changes to Council size, the LGBCE would not base their decisions on comparisons between local authorities but rather look to local circumstances. Most Councils have remained fairly static since the reorganisation of local government in 1974, with clear exceptions where further reorganisation occurred such as in the review culminating in new unitary authorities in the 1990s. Southend did make electoral adjustments prior to becoming a unitary council and the introduction of the current political management arrangements. The Council's number of elected councillors rose from 39 to 51 following an electoral review.
- 5.5 There has been a recent increase in the number of councils requesting or promoting a review of the number of councillors, primarily with the intention of reducing numbers.

### Options

- 5.6 The Economic Development and Construction Act 2009 stipulates that the LGBCE, when reviewing a council's electoral arrangements, must take account of their scheme of elections when making its recommendations. Therefore there must be some certainty about an authority's cycle of elections at the early stage of any review. This factor will influence the options available to an authority wishing to reduce the number of councillors and are set out below:
- (i) Single Members Wards. This option is only available to councils operating whole-Council elections. However, the option (based on 17 wards) would not be possible as the LGBCE has advised that the number of councillors

should not be less than 30. Single Member wards would only be possible if the number of wards were to be increased which would not be straight forward and necessitate a full electoral review resulting in major changes to boundaries. Councils electing by thirds may only put forward a proposed reduction of councillors with a number which is divisible by three (i.e three Member wards).

- (ii) Two Member wards. This option is also only open to local authorities holding elections on a four-yearly basis. Based on 17 wards and 34 Councillors (2 per ward) this option would be possible, but there would be likely to be some boundary changes needed arising from the results of an assessment of current population data and future projections. Some changes may also need to be made in response to representations made at the consultation stage.
- (iii) Multi-Member Wards (i.e. mixture of 1, 2 and 3 Member Wards). This option is only available to councils holding whole council elections. While there is a presumption in favour of a uniform pattern in the number of councillors per ward, the guidance indicates that the LGBCE will consider proposals for multi-member wards. This option is likely to necessitate major boundary revisions, inevitably adding to the time and complexity of the review process.
- (iv) Reduction of Council Size by Random Number (i.e. reduction in Councillors by any number which would not result in the total number of Councillors falling below 30). This is an option for councils holding all-out elections, but there would need to be a clear rationale for putting forward such a proposition. This option would not be available to councils holding election by thirds unless the total number of councillors is divisible by three.

5.7 The electoral review would involve a two stage consultation process which would begin by the LGBCE inviting views, including those on boundary changes. On completion of this exercise, the LGBCE would publish its draft recommendations for public consultation. The process would be concluded by the making of an Order by Parliament giving effect to the changes.

#### Timing

5.8 The LGBCE has indicated that it would be able to accommodate a review to enable elections to take place in 2018 based on any revised electoral arrangements. However, a review could not be completed in time for elections in May 2017. The LGBCE would need to be clear about the Council's scheme of elections and any change to the cycle would need to be determined at any early stage in the electoral review process.

## 6 Other Options

6.1 The Council is not obliged to move to whole-Council elections. The provisions in the governing legislation are not prescribed and the Council may choose to retain the system of holding elections by thirds should it wish to do so. However, the law does not allow the Council to move from elections by thirds to elections by halves.

6.2 The notice of motion also proposes a reduction in the number of councillors from 51 to 34 (2 per ward). There are other variations in the reduction of councillors

which could be put forward to the LGBCE. The options are addressed in paragraph 5.6 above.

## **7 Reasons for Recommendations**

7.1 To respond to the notice of motion

## **8 Corporate Implications**

### 8.1 Contribution to Council's Vision and Critical Priorities

Becoming an excellent and high performing organisation.

### 8.2 Financial Implications

If the Council decided that elections should be held every four years, then a saving of around £50,000 per annum would be made (this takes account of possible by-elections – see below).

It should be noted that by-elections are more likely to occur under a system of whole-Council elections. Under the Council's current arrangements, if a councillor resigns or dies within 6 months of planned local elections, the election for that seat can be held at the same time as the annual cycle of elections in May, rather than separately as a by-election. Therefore elections held 3 out of 4 years minimises the number of by-elections whereas elections every 4 years could increase the number of by-elections. Funding (£10,000) would need to be set aside each year to fund a possible by-election.

A reduction in the number of councillors from 51 to 34 (2 per ward) would produce an annual saving of around £155,000 in member allowances, ICT equipment and printing.

The savings achieved by the proposed changes to the electoral arrangements would contribute towards meeting the Council's budgetary challenges.

### 8.3 Legal Implications

The legal implications are addressed in the report.

### 8.4 People Implications

None.

### 8.5 Property Implications

None.

### 8.6 Consultation

As set out in the report.

### 8.7 Equalities Impact Assessment

None.



## 8.8 Risk Assessment

The Council will need to ensure that the statutory processes are complied with in pursuing any changes to its electoral arrangements.

## 8.9 Value for Money

Not applicable.

## 8.10 Community Safety Implications

None

## 8.11 Environmental Impact

Not applicable.

## **8 Background Papers**

The Cycle of Local Government Elections in England – Consultation Paper – Electoral Commission (2003)

The Cycle of Local Government Elections in England – Recommendations for change - Electoral Commission (2004)

The Economic Development and Construction Act 2009

Local Government and Public Involvement in Health Act 2007

Localism Act 2011

Local Government Boundary Commission for England – Electoral Reviews (2014)

## **9 Appendices**

Appendix 1 – Notice of Motion – Changes in Electoral Arrangements.

## Notice of Motion – Changes in Electoral Arrangements

That in the light of the financial constraints faced by the Council and the need to make substantial savings in future years as a consequence of Government budget cuts, this Council should now consider changes to its electoral arrangements.

### Whole-Council Elections

At present the Council is elected by thirds, with one third of the Councillors elected at a time. The Council should now move towards holding elections every four years which would produce an annual saving of around £50,000.

Information received from the Electoral Commission indicates that 38 of the 56 English Unitary Authorities currently have whole-Council elections. All of the London Boroughs and County Councils have whole-Council elections and 128 (out of 201) of the second tier district authorities have this form of elections.

The Council would be required to undertake a public consultation exercise on the proposed change. Following the conclusion of the exercise, if it is decided to move to all-out elections, an Extraordinary Council meeting will be needed to pass a resolution to move to whole-Council elections. There is a requirement that the resolution must be passed “by a majority of at least two thirds of the Members voting on it”.

### Reduction in the Number of Councillors

The Council has downsized in recent years and there has been a significant reduction in the number of staff without a corresponding percentage reduction in the number of councillors. The Council should now consider reducing the number of councillors from 51 to 34 (2 per ward) which would produce an annual saving of around £155,000 in members’ allowances, ICT equipment and printing.

A case would need to be submitted to the Local Government Boundary Commission for England (LGBCE) which would consider whether to carry out a review and, if so, would proceed to carry out a public consultation exercise. Draft recommendations would be produced upon which a second round of consultation would take place. The LGBCE would publicize its final recommendations and then an Order would be made giving effect to the changes.

It is proposed:

- (i) That a change in the cycle for electing councillors to Southend-on-Sea Borough Council from elections by thirds to whole-Council elections with effect from May 2018 be supported in principle and that a public consultation exercise be undertaken in accordance with the statutory requirements.
- (ii) That a reduction in the number of councillors from 51 to 34 (2 per ward) from May 2018 be supported in principle and that the Chief Executive, in consultation with the Group Leaders, be authorised to put the case for such a proposal to the LGBCE for their consideration.

**Extract of Minute 606 – Part II**

The Committee considered Minute 564 of Cabinet held on 19<sup>th</sup> January 2016, which had been referred direct by Cabinet, together with a report of the Corporate Director for People on the above.

In response to a question, the Council’s Head of Adult Services and Housing said that she would provide information on the number of dementia care beds lost.

In response to a question, the Executive Councillor for Health & Adult Social Care agreed to provide information on the costs of engaging the consultants identified in the report. With regard to the LATC high level implementation plan in Appendix 2 to the report, the Executive Councillor confirmed that he would report back on implementation and the proposed governance arrangements.

Resolved:-

That the following decisions of Cabinet be noted:

“1. That it be noted that the Financial Feasibility Study, as set out in Appendix 1 to the submitted report, has found that the delivery of the services (as set out in section 4.1.2 of the report) through a Local Authority Trading Company (LATC) is the most viable option.

2. That the incorporation of the LATC as a company limited by shares be approved.

3. That a fully costed proposal be developed for the creation of new care facilities on the Priory site to be operated by the LATC, including full details of funding and financing implications, given that the independent Site Feasibility Study, as set out in Appendix 4 of the report, has established there is a clear Business Case.

4. That the Business Case for the LATC together with the draft Business Plan (as set out in the report and Appendices 1-3) be approved and that the Head of Finance & Resources, in consultation with Corporate Director for People and the Executive Councillor for Health & Adult Social Care, be authorised to approve the LATC's final Business Plan.

5. That all necessary consultations with service users, carers etc, be undertaken in connection with the proposal that the LATC should take over and carry out all those services currently provided in-house as set out in section 4.1.2 of the report.

6. That all necessary consultations with existing staff and trade unions be undertaken in connection with the TUPE transfer involved.

7. That the Corporate Director for People, in consultation with the Executive Councillor for Health & Adult Social Care, be authorised to consider responses to the consultation undertaken (referred to in 5 and 6 above) and to make such amendment to the proposals (including if appropriate withdrawing them) to change the delivery of the services.

8. That subject to 7 above, the Corporate Director for People, in consultation with the Executive Councillor for Health & Adult Social Care, be authorised to finalise arrangements between the Council and the LATC to enable the LATC to carry out all those services currently provided in-house (as set out in section 4.1.2 of the report) and to authorise them to approve, in consultation with the Head of Legal & Democratic Services and Head of Finance & Resources, the terms of any such contract for services, shareholder's agreement, funding agreement and leases or licences for Delaware House, Priory House and the Viking Day Centre (between the Council and the LATC) as may be necessary to give effect to such arrangements.

9. That subject to 7 and 8 above, the financial support package for the LATC as set out in section 4.1.10 of the report, be approved and to note that this will be repaid by the LATC.

10. That the Site Feasibility Study as set out in Appendix 4 of the report, which has demonstrated the feasibility of developing a dedicated dementia facility and the reprovision of a learning disability day centre on the Priory House site, be noted and that officers be requested to develop fully costed proposals for submission to Cabinet later in the year.”

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