

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Cabinet

Date: Tuesday, 13th March, 2018
Time: 2.00 pm
Place: Committee Room 1 - Civic Suite
Contact: Colin Gamble

Email: colingamble@southend.gov.uk

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Minutes of the Meeting held on 9th January 2018**
- 4 Minutes of the meeting held 18th January 2018**
- 5 Minutes of the Special Meeting held 29th January 2018**
- 6 Minutes of the meeting held 13th February 2018**
- 7 Minutes of the special meeting held 13th February 2018**
- 8 Notice of Motion - Drinking Water Motion (Council, 22nd February 2018)**
Notice of Motion attached.
- 9 Notice of Motion: Parking Provision for Remembrance Day Services (Council, 22nd February 2018)**
Notice of Motion attached.
- 10 Fire Safety Report**
Report of Deputy Chief Executive (Place) attached
- 11 Monthly Performance Report**
Circulated separately
- 12 Treasury Management Report**
Report of Chief Executive attached.
- 13 Shoreline Strategy**
Report of Deputy Chief Executive (Place) attached
- 14 Sex Establishment Premises**
Report of the Deputy Chief Executive (Place) attached.
- 15 Forum 2**
Report of Deputy Chief Executive (Place) attached
- 16 Massage and Special Treatment**
Report of Deputy Chief Executive (Place) attached

- 17 Annual Procurement Plan**
Report of Deputy Chief Executive (People) attached
- 18 Annual Education Report**
Report of Deputy Chief Executive (People) attached
- 19 Secondary School Places**
Report of Deputy Chief Executive (People) attached
- 20 School Term Dates**
Report of Deputy Chief Executive (People) attached

21 Council Procedure Rule 46

22 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 items of business set out below on the grounds that they 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.

23 Council Procedure Rule 46 - Confidential Sheet

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 9th January, 2018

Place: Committee Room 1 - Civic Suite

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

In Attendance: Councillors A Jones, C Mulrone and F Waterworth
A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle, J
Lansley, J O'Loughlin, T MacGregor, A Keating, C Gamble and L
Chidgey (Independent Chair – Southend LSCB and SAB)

Start/End Time: 2.00 p.m. - 2.55 p.m.

607 Apologies for Absence

Apologies for absence were received from Councillor Byford.

608 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Flewitt – Agenda Item No. 5 (Notice of Motion - UBER Licensing)
Non-pecuniary interest: Ward resident case (withdrew);

(b) Councillor Flewitt – Agenda Item No. 6 (Notice of Motion - Traveller
Community) – Non-pecuniary interest: Written about traveller issues;

(c) Councillor Flewitt – Agenda Item No. 10 (Housing Strategy) – Non-pecuniary
interest: Friends and family are tenants of South Essex Homes;

(d) Councillor Flewitt – Agenda Item Nos. 16 (Council Procedure Rule 46) and
18 (Council Procedure Rule 46 - Confidential Sheet) – Non-pecuniary interest:
Lives in the vicinity;

(e) Councillor Holland – Agenda Item No. 10 (Housing Strategy) – Non-
pecuniary interest: Son is working on the housing vision (withdrew); and

(f) Councillor Holland – Agenda Item Nos. 13 (Passenger Transport - Policy
Changes) and 14 (Passenger Transport - Operating Model and Procurement
Process) – Non-pecuniary interest: President of Southend Stroke Club which
uses the Council's Passenger Transport Service.

609 Minutes of the Meeting held on Tuesday 7th November 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday 7th November 2017 be
received, confirmed as a correct record and signed..

610 Notice of Motion - Caged Peafowl

At the meeting of Council held on 14th December 2017, Members received a notice of motion calling on the Council to move the caged peafowl in the Chalkwell menagerie to a more humane home.

This had been proposed by Councillor Ware-Lane and seconded by Councillor Willis.

Resolved:

1. That it be noted that the peafowl have been bred in captivity and are in space sufficient for them and are being cared for. They are regularly fed and watered, breeding and show no signs of distress and are in good health. The space that they occupy has been recently improved and the Council is considering further improvements to their surroundings.
2. That the Council continue to review the situation before coming to a decision about the future of the Peafowl and will take advice from independent animal welfare charities, i.e. RSPCA and RSPB.

Reasons for Decision

To respond to the notice of motion.

Other Options

None

Note:- This is an Executive Function
Called-in to Place Scrutiny Committee
Executive Councillor:- Holland

611 Notice of Motion - UBER Licensing

At the meeting of Council held on 14th December 2017, Members received a notice of motion calling on the Council to support the Transport for London in not re-licensing UBER's private hire licence on public safety grounds and to urge Government to update legislation so driver standards are uniformed across the country.

This had been proposed by Councillor Terry and seconded by Councillor Cox.

Resolved:-

1. That the Council supports Transport for London in not re-licensing UBER's private hire licence on public safety grounds.
2. That the Council calls on the Government to update Taxi and Private Hire legislation so driver standards are uniformed across the country and Enforcement Officers are able to inspect all vehicles irrespective of what Borough they have been licensed in.

3. That the Council calls on the Government to introduce national databases so that Licensing Authorities can check if a driver or operator has ever been refused or had a licence revoked in another Borough for failing the 'fit and proper' test.

4. That the Executive Member for Licensing meets with the All Party Parliamentary Group to discuss the issues in relation to Taxi and Private Hire legislation.

Reasons 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:- Cox

612 Notice of Motion - Traveller Community

At the meeting of Council held on 14th December 2017, Members received a notice of motion calling on the Council to support a number of courses of action in relation to the traveller community.

This had been proposed by Councillor Ware-Lane and seconded by Councillor Borton.

Resolved:-

1. That parts 1-4 of the motion be supported.
2. That in respect of part 5 of the motion it be noted that the most recent "Gypsy, Traveller and Travelling Showpeople Accommodation Assessment" found that there is no current or future need and therefore no action is required .

Reason for Decision

To respond to the notice of motion.

Other Options

None

Note:- This is an Executive Function
Called-in to Place Scrutiny Committee
Executive Councillor:- Flewitt

613 Notice of Motion - The Effects of Development in Leigh-on-Sea

At the meeting of Council held on 14th December 2017, Members received a notice of motion calling on the Council to support the proposed courses of action seeking to address the effect of development in Leigh.

This had been proposed by Councillor Mulroney and seconded by Councillor Wexham.

Resolved:-

That the notice of motion be rejected on the basis that the Council has an existing Development Plan which provides the framework for the assessment of development in the Borough. The Council will be embarking on its preparation of a new Local Plan which will provide the opportunity for issues identified in the motion to be considered as part of the formal local plan process.

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:- Flewitt

614 Notice of Motion - Scrap the Pay Cap

At the meeting of Council held on 14th December 2017, Members received a notice of motion calling on the Council to make representations to the Government in support of the NJC pay claim for 2018.

This had been proposed by Councillor Nevin and seconded by Councillor Borton.

Resolved:-

1. That it be noted that since the notice of motion was submitted, the national employers have made a final pay offer in response to the Trade Union's side pay claim which equates to 2% for all employees at a particular level on the pay spine and between 9.1% and 3.7% to those lower down the pay scale. A similar pay offer for 2019/20 has also been made and will involve a realignment of the pay spine in order to ensure "headroom" from the statutory minimum national living wage rate.

2. That it also be noted that work is underway to calculate the financial impact of the proposed pay award on this Council which will be considered as part of the budget setting process.

3. That the Council will continue to work with the LGA and the regional employers on the national review of the NJC pay spine and the impact on the national living wage.

Reason for Decision

To respond to the notice of motion.

Other Options

None

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

615 Monthly Performance Report

Resolved:

That the submitted report be noted.

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

616 Housing Strategy

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the work underway to develop a 'vision for housing in Southend', incorporating the preparation of a progressive Housing Strategy and clear work plans and strategies relating to the key areas of homelessness prevention, rough sleeping, South Essex Homes, sheltered housing, allocations, and work with the private rented sector.

Resolved:-

1. That the proposed approach and timescales for the development of the Housing Vision and the Housing Strategy and the approaches and timescales for the development and delivery of other workstreams be endorsed.

2. That the Director of Adult Services and Housing and the Director for Planning and Transport, in consultation with the relevant Executive Councillors and Council staff as appropriate, prepare the draft vision and strategy documents to be submitted to a future meeting of the Cabinet for approval.

Reason for Decision

A collective vision for housing is critical to providing context and coherence for strategy and policy decisions. The need for housing to be considered as an integral component of the Council's work on behalf of local citizens and their changing demographics and needs is clear. Housing is central to the Council's ambitions for economic development and the creation of jobs and enabling of a

workforce, and to its aspirations as an emerging city with a broad and compelling offer

Other Options

None

Note: This is an Executive Function

Called-in to Policy and Resources Scrutiny Committee

Executive Councillors: Flewitt

617 Annual Report on Safeguarding Children and Adults 2016-17

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the annual assurance assessment for the Chief Executive and elected Members in respect of their responsibilities for safeguarding children and adults in Southend. This contributed to the requirements of statutory guidance in Working Together to Safeguard Children 2015 and the Care Act 2014.

Resolved:-

That the report be noted and the actions detailed in Section 6 of the Annual Safeguarding Reports set out in Appendices 1 and 3 to the submitted report, be approved.

Reason for Decision

To keep the Council informed of the position in respect of safeguarding children and adults in Southend.

Other Options

None

Note: This is an Executive Function

Called-in to People Scrutiny Committee

Executive Councillors: Courtenay and Salter

618 Journey of the Child Bi-Annual Report and Updated Statements of Purpose for Adoption & Fostering

The Cabinet considered a report of the Deputy Chief Executive (People) on the activities of Children's Services, 2016/17 and for the first 6 months of 2017/18. The report also provided a review of the updated Statements of Purpose for Adoption & Fostering, in line with Standard 18.3 of the Adoption National Minimum Standards and Standard 16 of the Fostering National Minimum Standards.

It was noted that this was the first report of this nature and covered an 18 month period. Future reports will be provided on a bi-annual basis.

On consideration of the report, the Chairman referred to the excellent children's services and conveyed his thanks to the relevant staff for their sterling work

Resolved:-

1. That the Bi-Annual Report, set out in Appendix 1 to the submitted report, be noted.
2. That the updated Statements of Purpose, set out in Appendices 2 & 3, be approved.

Reasons for Decision

The new format will allow for Fostering and Adoption regulations to be fully met, whilst ensuring that Members have a clear overall picture of children's services in Southend and how these two services are embedded in the wider service. The Adoption and Fostering Statements of Purpose have been updated and require approval.

Other Options

To continue to present a number of independent reports to meet the statutory requirement for fostering and adoption services, to present a report to the Executive twice yearly and to update the Statement of Purpose annually.

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

619 Passenger Transport - Policy Changes

Pursuant to Minute 531 of the meeting of the Policy & Resources Scrutiny Committee held on Thursday, 30th November 2017, the Cabinet considered a revised report of the Deputy Chief Executive (People) setting out proposed changes to policies which were recommended as part of the transport review.

Resolved:-

That the following proposed policies, as per the approach identified in paragraph 3.1 of the submitted report, be adopted::

(a) Home to School Transport for Pre and Post-16 Students with Special Educational Needs and Disabilities (SEND) (effective from 1st September 2018) as follows:

- The Special Educational Needs Travel Assistance Policy (Appendix A) to be implemented as set out in paragraphs 3.1.2 (a) and 3.1.2 (b) of the report. The provision of 'travel assistance' is to be focussed on the promotion of independence and personalisation. As pupils adopt more independent alternative modes of transport then routes will be optimised.

(b) Adults with Learning Disabilities and Older Adults attending Day Centres and Activities (effective from 1st April 2018) as follows:

- The Adult Social Care travel assistance policy (Appendix B) to be implemented as proposed in paragraph 3.1.2 (c) of the report. The focus on maximising independence will mean that travel assistance will only be provided by the Council once all alternative transport options have been considered.

- Where transport is provided by the Council, the contribution from the user is increased to the new charge of £4 per day for a return trip and £5 per day where multiple trips are applicable.

(c) Looked After Children (effective from 1st April 2018) as follows:

- The looked after children and young people travel assistance policy (Appendix C) to be implemented as proposed in paragraph 3.1.2 (d) of the report.

(d) Dial-a-Ride (effective from 1st April 2018) as follows:

- The Dial-a-Ride policy (Appendix D) to be implemented as proposed in 3.1.2 e) of the report.

Reasons for Decision:

(a) Home to School (SEND) transport – to approve some changes to current policy to enable consistency and fairness in decisions regarding eligibility.

(b) Adults with Learning Disabilities and Older Adults attending Day Centres and Activities – To establish a policy that demonstrates how the Council will support individuals by providing travel assistance to access social care activities in a consistent and equitable way.

(c) Looked After Children – To establish policy to enable fairness in decisions about eligibility.

(d) Dial-a-Ride – To establish policy to enable fairness in decisions about eligibility.

Other Options:

None

Note: This is an Executive Function

Referred direct and called-in to People Scrutiny Committee

Eligible for call in to Policy & Resources Scrutiny Committee

Executive Councillors: Courtenay, Moring and Salter.

620 **Passenger Transport - Operating Model and Procurement Process**

Pursuant to Minute 532 of the meeting of the Policy & Resources Scrutiny Committee held on Thursday, 30th November 2017, the Cabinet considered a report of the Deputy Chief Executive (People) setting out the series of processes that need to be undertaken in order to meet the proposed procurement timetable.

Resolved:-

1. That the key elements (set out in Appendices A and C to the submitted report) be approved for inclusion in the procurement documentation to set out the Council's ambitions, parameters and expectations for its Passenger Transport Service and to enable the procurement process.
2. That Competitive Dialogue be approved as the procurement approach to securing a preferred partner.
3. That commencement of the competitive dialogue process, based on the timetable set out in paragraph 4.4 of the report, be approved.
4. That the term "Partnership Approach" via a Corporate Structure be used in defining the approach to be developed by tenderers in response to the Council's objectives and that this be used throughout the procurement documentation.
5. That the proposed Passenger Transport objectives/requirements be approved as an appropriate and comprehensive set of underpinning statements to be included in procurement documentation and to form the basis for evaluation questions.
6. That the Director of Strategy Commissioning and Procurement (in consultation with the Directors of Transformation, Learning, Adults Services, Finance and Resources) be authorised to take decisions during the procurement process, to ensure agile and timely decision making, keeping the procurement to timetable and protecting the Council's position.

Reason for Decision

It is critical that the Council has an agreed, robust and transparent position on each of the matters presented in the report in order to shape the procurement documents and to ensure that the Council's ambitions for its Passenger Transport Service is delivered through the partnership. On 7th November 2017, Cabinet endorsed the recommendation that a JV approach is the best delivery model to achieve sustainable transport provision for the Council. This model offers transparency of costs, visibility of profits and the ability for the Council to have some control in the delivery of the service. This approach, assuming a partner with appropriate experience, existing infrastructure and resources can be found, reduces risk to the Council.

Other Options

None

Note: This is an Executive Function.

Called-in to Policy and Resources Scrutiny Committee

Executive Councillor: Moring

621 Debt Management - Position at 30th November 2017

The Cabinet considered a report of the Chief Executive setting out the current position of outstanding debt to the Council, as at 30th November 2017 and the

debts that had been written off, or are recommended for write off, in the current financial year as at 30th November 2017.

Resolved:-

1. That the current outstanding debt position as at 30th November 2017 and the position of debts written off to 30th November 2017 as set out in Appendices A & B to the submitted report, be noted.
2. That it be noted that there are no write offs greater than £25,000, which require approval by Cabinet.

Reason for Decision

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

Other Options

None

Note: This is an Executive Function.

Eligible for call in to Policy and Resources Scrutiny Committee

Executive Councillor: Moring

622 Council Procedure Rule 46

Resolved:-

That the submitted report be noted.

Note: This is an Executive Function

Eligible for call in to the relevant Scrutiny Committee

Executive Councillor: as appropriate for the item.

Items 2.1 and 2.2 called-in to Policy and Resources Scrutiny Committee

623 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.

624 Council Procedure Rule 46 - Confidential Sheet

Resolved:

That the submitted report be noted.

Note: This is an Executive Function
Eligible for call in to the relevant Scrutiny Committee
Executive Councillor: as appropriate for the item.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Thursday, 18th January, 2018

Place: Committee Room 1 - Civic Suite

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

In Attendance: Councillors C Mulroney, F Waterworth and P Wexham
A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle,
C Gamble, I Ambrose, P Geraghty and C Fozzard

Start/End Time: 2.00 p.m. - 2.35 p.m.

643 Apologies for Absence

Apologies for absence were received from Councillor Cox.

644 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Flewitt – Agenda Item Nos. 3 (Council Tax Base and National Non Domestic Rating Base 2018/19), 4 (Draft Housing Revenue Account Budget 2018/19 and Rent Setting), 5 (Draft Capital Programme 2018/19 to 2021/22), 6 (Draft Fees and Charges 2018/19) and 7 (Draft General Fund Revenue Budget 2018/19) – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;

(b) Councillor Holland – Agenda Item Nos. 4 (Draft Housing Revenue Account Budget 2018/19 and Rent Setting) and 5 (Draft Capital Programme 2018/19 to 2021/22) – Non-pecuniary interest: Son might be involved with housing projects;

(c) Councillor Mulroney – Agenda Item Nos. 3 (Council Tax Base and National Non Domestic Rating Base 2018/19) and 7 (Draft General Fund Revenue Budget 2018/19) – Non-pecuniary interest: Member of Leigh Town Council.

645 Council Tax Base and National Non Domestic Rating Base 2018/19

The Cabinet considered a report of the Chief Executive concerning the calculation of the Council Tax Base for 2017/18 and the submission of the National Non Domestic Rates (NNDR1) form to the Department of Communities and Local Government (DCLG) by 31st January 2018.

Resolved:

1. That in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by the Local Authorities (Calculation of Council Tax Base)(Amendment)(England) Regulations 2003) and Local

Government Finance Act 2012 (Calculation of billing authority's council tax base Section 15):

(i) The Local Council Tax Support Scheme for 2018/19 approved by Council on 14 December 2017, be incorporated into the Council Tax base setting as outlined in Appendices A and B to the submitted report.

(ii) That the following changes to Council Tax discounts and exemptions approved by Cabinet on 5 January 2016 will remain unchanged from 1st April 2018 and these are incorporated into the Council Tax Base:-

- Properties requiring or undergoing structural alteration or major repairs (Class D) as allowed by Section 11A of the Local Government Finance Act 2012 is set at 0%; and

- Vacant and substantially unfurnished properties (Class C) as allowed by Section 11A of the Local Government Finance Act 2012 to be entitled to receive a discount of 100% for up to 1 month.

(iii) That it be noted that the further discounts and exemptions that were approved by Council on 13 December 2012 will remain unchanged from 1st April 2018 and these are incorporated into the Council Tax Base;

- Second homes (Classes A and B) as allowed by Section 1A of the Local Government Finance Act 2012 is set at 0%.

- Long-term empty homes (Class C) as allowed by Section 11A of the Local Government Finance Act 2012, a surcharge of 50% is set allowing a full charge of 150% where they have been unoccupied for more than 2 years; and

- That a continuous 6 week period of occupancy is required between empty periods before a further discount can be awarded.

2. That the amount calculated by Southend-on-Sea Council as its Council Tax Base for the year 2018/19 shall be 57,611.55.

3. That the amount calculated by Southend-on-Sea Council as the Council Tax Base in respect of Leigh-on-Sea Town Council for the year 2018/19 shall be 8,779.95.

4. That the NNDR1 form attached at Appendix C to the submitted report be approved for submission to DCLG.

Reason for Decision

To comply with the relevant statutory requirements.

Other Options

None.

Note:- This is an Executive Function.

Referred direct to Policy and Resources Scrutiny Committee.

Executive Councillor:- Lamb

646 Draft Housing Revenue Account Budget 2018/19 and Rent Setting

The Cabinet considered a joint report of the Deputy Chief Executive (People) and the Director of Finance and Resources setting out the Housing Revenue Account (HRA) budget for 2018/19 together with the information necessary to set a balanced budget as required by legislation.

Resolved:-

1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Act 2016, be endorsed.
2. That an average rent increase of 6.04% on shared ownership properties, be endorsed.
3. That the proposed rent changes in 1 and 2 above to be effective from 2 April 2018, be endorsed.
4. That the increases in other charges as set out in section 5 of the submitted report, be endorsed.
5. That the management fee and increases in service charges and heating charges proposed by South Essex Homes, as set out in section 6 of the report, be endorsed.
6. That the appropriations to the Repairs Contract Pensions earmarked reserve and the HRA Capital Investment earmarked reserve, as set out in section 8 of the report, be endorsed.
7. That subject to 1 - 6 above, the HRA budget as set out in Appendix 1 to the submitted report, be endorsed.
8. That the value of the Council's capital allowance for 2018/19 be declared as £23.197M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

Reason for Decision

Part of the process of maintaining a balanced budget for the HRA is to consider and set a rent rise (and associated increases in other income streams). Full Council need to approve the HRA budget prior to the start of the financial year.

Other Options

As set out in the submitted report

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.
Referred direct to Policy and Resources Scrutiny Committee.
Executive Councillor:- Flewitt

647 Draft Capital Programme 2018/19 to 2021/22

The Cabinet considered a report of the Corporate Management Team setting out a draft programme of capital projects for the period 2018/19 to 2021/22.

Resolved:

1. That the current approved Programme for 2018/19 to 2020/21 of £166.5m, as set out in Appendix 1 to the submitted report, be noted.
2. That the changes to the approved Programme, as set out in Appendix 2 to the submitted report, be noted.
3. That the proposed new schemes and additions to the Capital Programme for the period 2018/19 to 2021/22 totalling £20.1m for the General Fund as set out in Appendices 6 and 7 to the submitted report, be endorsed.
4. That the proposed scheme subject to external funding approval for the period 2018/19 to 2021/22 totalling £19m as set out in Appendices 2 and 7 to the submitted report, be endorsed.
5. That it be noted that the proposed new schemes and additions, as set out in Appendices 6 and 7 to the submitted report, and other adjustments as set out in Appendix 2 to the report, will result in a proposed capital programme (excluding schemes subject to external funding approval) of £184.9m for 2018/19 to 2021/22.
6. That it be noted that of the total programme of £184.9m for the period 2018/19 to 2021/22, the level of external funding supporting this programme is £71.7.2m as set out in paragraph 7.1 of the submitted report.
7. That it be noted that a final review is being undertaken on the 2017/18 projected outturn and that the results will be included in the report to Cabinet on 13th February 2018.

Reason for Decision

The proposed Capital Programme is compiled from a number of individual projects which either contribute to the delivery of the Council's objectives and priorities or enhance the Council's infrastructure.

Other Options

The proposed Capital Programme is compiled from a number of individual projects, any of which can be agreed or rejected independently of the other projects

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Referred direct to all three Scrutiny Committees.

Executive Councillor:- Lamb

648 Draft Fees and Charges 2018/19

The Cabinet considered a report of the Corporate Management Team detailing fees and charges for services included in the budget proposals for 2018/19.

Resolved:

That, subject to the annual commuters car park charge (East Beach) being amended to £100, the proposed fees and charges for each Department as set out in the submitted report and appendices, be endorsed.

Reason for Decision

Part of the process of maintaining a balanced budget includes a requirement to consider the contribution that fees and charges make towards that aim. This report is in fulfilment of that requirement.

Other Options

None.

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Referred direct to all three Scrutiny Committees.

Executive Councillor:- Lamb

649 Draft General Fund Revenue Budget 2018/19

The Cabinet considered a report of the Corporate Management Team presenting the draft revenue budget for 2018/19.

Members of the Cabinet conveyed their thanks and appreciation to the Director of Finance & Resources and his team for their sterling work in preparing the draft budget.

Resolved:

1. That the 2018/19 draft revenue budget and any required commencement of consultation, statutory or otherwise, be approved.

2. That it be noted that the 2018/19 draft revenue budget has been prepared on the basis of a Council Tax increase of 4.49%, being 2.99% for general use and 1.5% for Adult Social Care.

3. That it be noted that the 2018/19 draft revenue budget has been prepared using the provisional local government finance settlement and that the outcome from the final settlement will need to be factored into the final budget proposals for Budget Cabinet and Budget Council.

4. That the 2018/19 draft revenue budget, as endorsed, be referred to all three Scrutiny Committees, Business sector and Voluntary sector to inform Cabinet, which will then recommend the Budget and Council Tax to Council.

5. That the schools budget position and the recommendations to the Education Board on 16th January 2018, as set out in Appendix 14 and 14(i) to the submitted report, be noted and referred to People Scrutiny Committee and then to Cabinet and Council.

6. That the direction of travel for 2019/20 and beyond, as set out in section 15 of the submitted report, be endorsed.

Reason for Decision

Budget scrutiny is at the core of the Council's corporate planning framework. It is a complex process that is fully integrated with strategic service planning. Annually, prior to the start of the year, the Council agrees the budget using a consistent, transparent and prudent approach.

Other Options

None

Note:- This is an Executive Function save that approval of the final budget following Cabinet on 13th February 2018 is a Council Function.

Referred direct to all three Scrutiny Committees.

Executive Councillor:- Lamb

650 Adoption of SCAAP

The Cabinet received a report of the Deputy Chief Executive (Place) that sought Members approval to recommend that the Council adopts the Southend Central Area Action Plan (SCAAP). If adopted the SCAAP would form part of the Southend Development Plan, providing a set of up-to-date local planning policies for positively managing development and would be used to assess development proposals within the Southend Central Area, including the Town Centre and Central Seafront.

The Chairman acknowledged all the hard work that had been undertaken in preparing the SCAAP and conveyed his thanks and appreciation to the officers concerned.

Recommended:

1. That all the recommendations within the Inspector's Report, as set out in Appendix 1 to the submitted report, and the revised version of the SCCAP, as set out in Appendix 2 to the report be approved.

2. That Council adopts the SCAAP as set out in Appendix 2 to the submitted report, in accordance with Planning Regulations.

3. That it be noted that the SCAAP Proposed Submission version, approved by Council for publication and submission in September 2016, has been amended as per:

(a) the main modifications recommended by the Inspector in his report and agreed for consultation under delegated authority in July 2017 (attached at Appendix 1 to the submitted report);

(b) the minor modifications agreed for consultation under delegated authority in July 2017 (attached at Appendix 3 to the submitted report); and

(c) the further minor modifications as set out in Appendix 4 of the submitted report.

Reason for Recommendations

This report recommends that the Cabinet supports the conclusions of the Inspector's Report and recommend to full Council that the plan be adopted. It is clearly advantageous for the Council to have a new planning policy document in place as soon as possible. This would avoid the risk of new planning applications in the central area being considered without an up-to-date plan – one of the consequences being a lack of certainty regarding where new development will take place in the future and whether such development is appropriate in the Plan area.

Other Options

As set out in the submitted report.

Note: This is a Council function
Referred direct to Place Scrutiny Committee
Executive Councillor: Councillor Flewitt

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Monday, 29th January, 2018
Place: Committee Room 1 - Civic Suite

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

In Attendance: Councillors A Chalk and C Mulrone
A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle,
C Gamble, B Martin, I Ambrose, C Braun, N Faint, C Papas and
A Keating

Start/End Time: 9.00 a.m. - 9.35 a.m.

660 Apologies for Absence

Apologies for absence were received from Councillors Holland and Flewitt.

661 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor Cox – Agenda Item No. 5 (0-5 Service – Contract Extension) – Non-pecuniary interest: Wife and Daughter use the service;
- (b) Councillor Lamb – Agenda Item No. 3 (Mid and South Essex Sustainability and Transformation Partnership) – Non-pecuniary interest: Appointed by SAVS as a Governor of Southend Hospital;
- (c) Councillor Lamb – Agenda Item No. 4 (School Admission Arrangements) – Non-pecuniary interest: Lives in West Leigh Catchment Area and governor of West Leigh Junior School;
- (d) Councillor Lamb – Agenda Item No. 6 (Minutes of the meeting of the Grants Strategy Working Party held on Thursday 25th January 2018) – Non-pecuniary interest: Governor of SAVS;
- (e) Councillor Mulrone – Agenda Item No. 4 (School Admission Arrangements) – Non-pecuniary interest: Lives in North Street Junior School Catchment area;
- (f) Councillor Salter – Agenda Item No. 3 (Mid and South Essex Sustainability and Transformation Partnership) – Non-pecuniary interest: Husband is a consultant at Southend Hospital, Daughter is a doctor at Broomfield Hospital and son in law is a GP in the Borough of Southend; and
- (g) Councillor Salter – Agenda Item No. 4 (School Admission Arrangements) – Non-pecuniary interest: Lives in Chalkwell Hall School Catchment area.

662 Mid and South Essex Sustainability and Transformation Partnership

The Cabinet received a report of the Deputy Chief Executive (People) that provided an update on the formal consultation on the Mid and South Essex Sustainability and Transformation Partnership (STP). The consultation runs from 30th November 2017 – 9th March 2018.

Resolved:

1. That Option B as set out in section 4 of the submitted report be endorsed as the proposed response to the STP.
2. That the final response be determined by the Deputy Chief Executive (People), in consultation with the Executive Councillor for Health and Adult Social Care.
3. That the response be submitted during the first week of March 2018, prior to the 9th March consultation deadline.
4. That Southend Council reserve its right to withdraw support for the STP following the completion of the formal public consultation process.

Reason for Decision

To respond to the STP consultation.

Other Options

Cabinet could decide not to submit any comments on the proposals and the consultation document.

Note: That this is an Executive function.

Referred direct to People Scrutiny Committee

Executive Councillor: Salter

663 School Admission Arrangements

The Cabinet received a report of the Deputy Chief Executive (People) presenting an evaluation of the response to the Council's public consultation on Admission Arrangements for Community Schools for the academic year 2019/20.

The report also sought approval of the catchment areas within the Admission Arrangements for Community Schools for the academic year 2019/20; the oversubscription criteria (including explanatory notes) and the PAN (Published Admission Numbers) within the Admission Arrangements for Community Schools for the academic year 2019/20.

Resolved:

1. That no changes be made to the current 2018 catchment areas (with the exception of small changes to the catchment area of Fairways Primary School as set out in paragraphs 3.78-85 of the submitted report) and that the Council

determines (i.e. formally agrees) the Catchment Areas within the Admission Arrangements for Community Schools for the Academic Year 2019/20 as set out in Appendix 2 of the submitted report.

2. That changes be made to the oversubscription criteria (including explanatory notes) and PAN (Published Admission Numbers) as set out in paragraphs 3.86 to 3.94 of the submitted report and that the Council determines (i.e. formally agrees) these same matters within the Admission Arrangements for Community Schools for the Academic Year 2019/20 as set out in Appendix 2 of the submitted report.

3. That it be noted that the Determined Coordinated Admission Scheme for the academic year 2019/20 was published on 31st December 2017.

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

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

664 0-5 Service - Contract Extension

The Leader of the Council agreed that this item be considered at this meeting as an urgent additional item of business to enable a decision on the extension of the contract to be determined at the earliest opportunity.

The Cabinet received a report of the Deputy Chief Executive (People) that provided an update on the commissioning of children's services for Southend Borough Council (SBC), including the value for money and outcomes delivered by the 0-5 Service. The report also sought approval of an exception to tender for the contract with Essex Partnership University NHS Foundation Trust (EPUT) for the provision of the 0-5 Service by a period of 12 months to 31 March 2019.

Resolved:

1. That the current commissioning arrangements for children's services for Southend, including the value for money and outcomes delivered by 0-5 Service be noted.

2. That the exception to tender for the 0-5s service which will facilitate the extension of the contract with EPUT for the 0-5 Service by a period of 12 months to 31 March 2019, be approved.

Reason for Decision

To extend the current contract.

Other Options

None

Note: This is an Executive function
Referred direct to People Scrutiny Committee
Executive Councillor Salter

665 Minutes of the meeting of the Grants Strategy Working Party held on Thursday 25th January 2018

The Leader of the Council agreed that this item be considered at this meeting as an urgent additional item of business to enable the community commission programme 2018 awards to be determined as part of the budget.

Resolved:

That the Minutes of the meeting of the Grants Strategy Working Party held on Thursday 25th January 2018 be received and the recommendations as set in the confidential sheet appended to the Minutes be approved.

Note: This is an Executive function
Referred direct to Policy & Resources Scrutiny Committee
Executive Councillor: Moring

666 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.

667 Confidential Appendix to the Minutes of the Grants Strategy Working Party held on Thursday 25th January 2018

Resolved:

That the confidential sheet be received and noted.

Note: This is an Executive function
Referred direct to Policy & Resources Scrutiny Committee
Executive Councillor: Moring

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 13th February, 2018

Place: Committee Room 1 - Civic Suite

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

In Attendance: Councillors N Folkard, C Mulroney and D Norman MBE
J K Williams, A Lewis, J Chesterton, J Ruffle, C Gamble, I Ambrose,
E Cooney, S Crowther, A Griffin, S Houlden and C Robinson

Start/End Time: 2.00 p.m. - 2.15 p.m.

734 Apologies for Absence

There were no apologies for absence.

735 Declarations of Interest

The following interests were declared at the meeting:-

(a) Councillor Holland – Minute 736 (HRA Budget 2018/19 and Rent Setting) – Non-pecuniary interest – son works in housing support;

(b) Councillor Flewitt – Minute 736 (HRA Budget 2018/19 and Rent Setting) – Non-pecuniary interest – friends and family are South Essex Homes tenants;

(c) Councillor Mulroney – Minute 740 (General Fund Revenue Budget 2018/19) – Non-pecuniary interest – member of Leigh Town Council;

736 Housing Revenue Account Budget 2018/19 and Rent Setting

The Cabinet considered a joint report of the Deputy Chief Executive (People) and Director for Finance and Resources setting out the Housing Revenue Account (HRA) budget for 2018/19, together with the information necessary to set a balanced budget as required by legislation. This item had been considered by Policy and Resources Scrutiny Committee at its meeting on 31st January 2018.

Recommended:-

1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Act 2016, be approved.
2. That an average rent increase of 6.04% on shared ownership properties, be approved.

3. That the proposed rent changes in 1 and 2 above be effective from 2nd April 2018.
4. That the increases in other charges as set out in section 5 of the submitted report, be approved.
5. That the proposed management fee and the proposed increases in service charges and heating charges by South Essex Homes, as set out in section 6 of the submitted report, be approved.
6. That the appropriations to HRA earmarked reserves, as set out in section 9 of the submitted report be approved.
7. That subject to 1-6 above, the HRA budget as set out in Appendix 1 to the submitted report, be approved.
8. That the HRA Medium Term Financial Plan as set out in section 10 and Appendices 2 and 3 to the submitted report be noted.
9. That the value of the Council's capital allowance for 2018/19 be declared as £23.197M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

Reason for Recommendation

Part of the process of maintaining a balanced budget for the HRA is to consider and set a rent rise (and associated increases in other income streams). Full Council need to approve the HRA budget prior to the start of the financial year.

Other Options

Given the statutory nature of the required reduction in rents, there is limited scope to alter the budget.

Note:- This is a Council Budget Function, not eligible for call in by virtue of Budget and Policy Framework Procedure Rule 1.1(b)
Executive Councillor:- Flewitt

737 Capital Programme 2018/19 to 2021/22

The Cabinet considered a report of the Corporate Management Team setting out the proposed programme of capital projects for 2018/19 to 2021/22. This item had been considered by all three Scrutiny Committees.

Recommended:-

1. That the current approved Programme for 2018/19 to 2021/22 of £166.5m, as set out in Appendix 1 to the submitted report, be noted.
2. That the changes to the approved Programme as set out in Appendix 2 to the submitted report, be approved.

3. That the proposed new schemes and additions to the Capital Programme for 2018/19 to 2019/20 totalling £20.1m, as set out in Appendices 6 and 7 to the submitted report, be approved.

4. That the proposed schemes subject to external funding approval for the period 2018/19 to 2021/22 totalling £19.0m, as set out in Appendices 2 and 7 of the submitted report be approved.

5. That it be noted that the proposed new schemes and additions as set out in Appendices 6 and 7 to the submitted report, and other adjustments as set out in Appendix 2 to the report will result in a proposed capital programme of £192.0m for 2018/19 to 2021/22 set out in Appendix 8.

6. That it be noted that of the total programme of £192.0m for the period 2018/19 to 2021/22, the level of external funding supporting this programme is £75.0m, as set out in paragraph 9.1 of the submitted report.

7. That it be noted that a final review has been undertaken on the 2017/18 projected outturn and that the results have been included in the submitted report.

8. That the proposed Capital Programme for 2017/18 to 2021/22, as set out in Appendix 8 to the submitted report, be approved.

9. That the Capital Strategy for 2018/19 to 2021/22, as set out in Appendix 9 to the submitted report, be approved.

Reason for recommendation

The proposed Capital Programme is compiled from a number of individual projects which either contribute to the delivery of the Council's objectives and priorities or enhances the Council's infrastructure.

Other Options

The proposed Capital Programme is compiled from a number of individual projects, any of which can be agreed or rejected independently of the other projects.

Note:- This is a Council Budget Function, not eligible for call in by virtue of Budget and Policy Framework Procedure Rule 1.1(b)

Executive Councillor:- Lamb

738 Treasury Management and Prudential Indicators 2018/19

The Cabinet considered a report of the Chief Executive concerning the Treasury Management Policy for 2018/19 and the requirement for Prudential indicators to be set under the Local Government Act 2003.

Recommended:-

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

2. That the Treasury Management Strategy set out at Appendix 2 to the submitted report, be approved.
3. That the Annual Investment Strategy set out at Appendix 3 to the submitted report, be approved.
4. That the Minimum Revenue Provision (MRP) Policy set out at Appendix 5 to the submitted report, be approved.
5. That the prudential indicators set out at Appendix 6 to the submitted report, be approved.
6. That the operational boundary and authorised limits for borrowing for 2018/19 be set at £285m and £295m respectively as set out in Appendix 1 to the submitted report.

Reason for Recommendation

1. Recommendations 1-3 above are to comply with the CIPFA Treasury Management Code of Practice.
2. Recommendation 4 above is to comply with the Local Authority's general duty to charge an amount of MRP to revenue which it considers to be prudent.
3. Recommendations 5 and 6 above are to demonstrate compliance with the CIPFA Prudential Code for Capital Finance in Local Authorities.

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 set out in the report 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 Budget Function, not eligible for call in by virtue of Budget and Policy Framework Procedure Rule 1.1(b)
Executive Councillor:-Moring

739 Fees and Charges 2018/19

The Cabinet considered a report of the Corporate Management Team detailing fees and charges for services included in the budget proposals for 2018/19. This item had been considered by all three Scrutiny Committees.

Recommended:-

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

Reason for Recommendation

Part of the process of maintaining a balanced budget includes a requirement to consider the contribution that fees and charges make towards that aim. The report is in fulfilment of that requirement.

Other Options

None

Note:- This is a Council Budget Function, not eligible for call in by virtue of Budget and Policy Framework Procedure Rule 1.1(b)
Executive Councillor:- Lamb

740 General Fund Revenue Budget 2018/19

The Cabinet considered a report of the Corporate Management Team presenting a 2018/19 General Fund revenue budget including schools and a proposal for the level of Council Tax for 2018/19. This item had been considered by all three Scrutiny Committees.

The Director of Finance and Resources reported the position on the Local Government Finance Settlement which would be reflected in the final budget report to be submitted to Council.

Recommended:-

(a) In respect of 2017/18:

1. That the forecast outturn of £123.153 million be noted
2. That the appropriation of the sums to earmarked reserves totalling £9.868 million, as set out in detail in Appendix 16 to the submitted report be approved.
3. That the appropriation of the sums from earmarked reserves totalling £19.069 million, as set out in detail in Appendix 16 of the submitted report be approved.

(b) In respect of 2018/19 and later years:

1. That the Section 151 Officer's (Director of Finance and Resources) report on the robustness of the proposed budget, the adequacy of the Council's reserves and the Reserves Strategy as set out in Appendix 1 to the submitted report be acknowledged.
2. That a General Fund net revenue budget for 2018/19 of £122.989 million, as set out in Appendix 3 of the submitted report and any required commencement of consultation, statutory or otherwise be approved.
3. That a Council Tax increase of 4.49% for the Southend-on-Sea element of the Council Tax for 2018/19, being 2.99% for general use and 1.5% for Adult Social Care be approved.

4. That it be noted that the 2018/19 revenue budget has been prepared on the basis of using £2.5 million from the Collection Fund for the core budget to allow for a smoothing of the budget gap across the next three financial years.

5. That the position of the Councils preceptors be noted as follows:

- Essex Police – approved Council Tax increase of 7.62%;
- Essex Fire & Rescue Services – approved Council Tax increase of 2.99%;
- Leigh-on-Sea Town Council - approved precept increase of 1.96%.

6. That no Special Expenses be charged other than Leigh-on-Sea Town Council precept for 2018/19.

7. That the appropriation of the sums to earmarked reserves totalling £11.768 million, as set out in Appendix 16 of the submitted report be approved.

8. That the appropriation of the sums from earmarked reserves totalling £6.894 million, as set out in Appendix 16 of the submitted report be approved.

9. That the schools' budget and its relevant distribution as recommended by the Education Board and as set out in Appendix 2 of the submitted report be approved.

10. That the on-going investment required of £3.775 million, as set out in Appendices 12 and 13 of the submitted report, and the General Fund and Public Health savings required of £7.594 million, as set out Appendices 14 and 15, and the subsequent individual service cash limits for 2018/19, as contained in Appendices 3 to 11 of the report, be approved.

11. That the direction of travel for 2019/20 and beyond, as set out in Section 11 of the submitted report, be endorsed.

12. That the revised Medium Term Financial Strategy up to 2021/22, as set out in Appendix 17 of the submitted report be approved..

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

Reason for recommendations

Budget setting is at the core of the Council's corporate planning framework. It is a complex process that is fully integrated with strategic and service planning. Annually, prior to the start of the financial year, the Council agrees its budget using a consistent, transparent and prudent approach.

Other Options

None

Note:- This is a Council Budget Function, not eligible for call in by virtue of Budget and Policy Framework Procedure Rule 1.1(b)

Executive Councillor:- Lamb

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 13th February, 2018

Place: Committee Room 1 - Civic Suite

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

In Attendance: Councillors N Folkard, D Norman MBE and C Mulrone
J K Williams, A Griffin, A Lewis, J Chesterton, J Ruffle, C Gamble,
I Ambrose, E Cooney, S Crowther, S Houlden and C Robinson

Start/End Time: 2.15 - 2.45 pm

741 Apologies for Absence

There were no apologies for absence.

742 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor D Norman MBE – Minute 743 (Better Queensway) – Non-pecuniary interest – Council appointee to the South Essex Homes Board.

743 Better Queensway

The Cabinet received a report of the Deputy Chief Executive (Place) that sought approval of the final parameters for the Better Queensway regeneration project, including the proposed highways alignment, so as to commence procurement to secure a partner(s) to fund, develop and manage the scheme.

Resolved:-

1. That the results of the public consultation be noted.
2. That the plan in Appendix 4 of the submitted report be approved as the preferred indicative highways alignment for the regeneration area to be included in the procurement process.
3. That the approach to the planning application is adjusted so that the application is made by the partnership formed following procurement.
4. That the site indicated in Appendix 5 of the submitted report be included within the redline boundary for the procurement and that continuance of the Council's income stream it derives from the site is placed as a requirement of the partnership.
5. That the site boundary, as per the plan in Appendix 6 of the submitted report, be agreed as the regeneration area for which a partner(s) is sought.

6. That the level of affordable housing provided on the site shall be required to be above the current 441 affordable units and that tenderers are required to put forward their proposition to increase this provision, demonstrating how this is viable.

7. That the updated procurement objectives, set out in section 7.3 of the submitted report, are agreed in principle to be used as the basis for the procurement and that the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to refine and confirm the final wording of the objectives.

8. That the principle of a second lot "Lot 2" be agreed for inclusion in the procurement and that the Deputy Chief Executive (Place) and the Deputy Chief Executive (People) shall each be individually authorised, in consultation with the Director of Finance and Resources and the Portfolio Holder for Culture, Tourism and the Economy to agree its inclusion or exclusion in the procurement process and the final wording of the Lot 2 procurement documents.

9. That the Better Queensway Project Board be authorised to approve a variation of existing professional consultant contractual arrangements in accordance with Contracts Procedure Rules 9.2 to 9.4 to accommodate additional in-scope work in support of the project up to the sum of £427k.

10. That the Better Queensway Project Board be authorised to seek extensions of existing contractual arrangements under Contract Procedure Rules 9.5 and 9.6 in 12 month increments up to a maximum of 4 more years in accordance with the terms thereof and subject to the approved financial resources.

11. That the Better Queensway Project Board be authorised to purchase any further work necessary to support the Project which is either included in the scope or defined as out of scope of the current contracts from the contracted consultants via framework agreement call-offs in accordance with Contracts Procedure Rule 8.3 in line with the approved financial resources available.

12. That approval is given to commence procurement of a 30 year partnership to fund, develop and manage the Better Queensway regeneration project.

Reason for Decision

It is critical that the Council has an agreed, robust and transparent position on each of the matters presented in this report in order to shape the procurement documents and to ensure that the ambitions for the Queensway site are delivered through the partnership and in the delivery of the scheme. Establishing the right parameters for the procurement optimises the Council's influence on the procurement and development process. It is also necessary to demonstrate the potential for a viable scheme to the market. Not reaching agreement on any of these matters risks delaying the procurement process and incurring additional project costs or drawing the project to a close before commencing procurement.

Other Options

As set out in the submitted report.

Note:- This is an Executive Function
Referred direct to the Place Scrutiny Committee
Executive Councillor: Councillor Holland

744 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.

745 Waste Collection Contract

The Leader of the Council agreed that this item be considered at this meeting as an urgent additional item of business to enable a decision to be taken on changes to the Waste Collection & Street Cleansing contract at the earliest opportunity.

The Cabinet received a report of the Deputy Chief Executive (Place) concerning proposed changes to the above contract.

Resolved:-

1. That the proposed changes to the Waste Collection & Street Cleansing Contract be approved and that the advantages and implications set out in the report, be noted.

2. That delegated authority be given to the Deputy Chief Executive (Place) in consultation with the Portfolio Holder Transport, Waste and Regulatory Services to agree the final terms of the proposed Deed of Variation.

Reason for decision:

As set out in the submitted report.

Other options:

As set out in the submitted report.

Note: This is an Executive Function
Referred direct to the Place Scrutiny Committee
Executive Councillor: Councillor Cox

Chairman: _____

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Council – 22nd February 2018

Notice of Motion: Drinking Water / Plastic Pollution

We note the growing concern about plastic pollution of our land and seas. We further note that discarded water bottles contribute to the large volume of waste in our public areas that the council is responsible for disposing of.

Water UK, the industry body representing water companies, is launching a national drinking water scheme to encourage shops, cafes and businesses to provide free refill points to dispense drinking water. Some local authorities are providing public water refill points.

We believe that Southend, as a tourist destination particularly popular in hot weather, would benefit from implementing this scheme.

We ask that the Council work in partnership to promote the availability of water refill points in Southend and give consideration to ways to provide public access to drinking water, in order to reduce the use and disposal of plastics in our town.

Proposed: Cllr Ian Gilbert

Seconded: Cllr Helen McDonald

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Council – 22nd February 2018

Notice Of Motion –

**Parking Provisions For Veterans On Remembrance Sunday
Services Within The Borough Of Southend On Sea**

One can observe existing adoptive measures in place regarding the appropriation of special allocations for Remembrance Sunday services evidenced by Local Authorities both within the United Kingdom and among, but not exclusive to, Commonwealth nations abroad. Southend has a plethora of thriving veteran's associations whereby such recommendations of allocating free parking for Remembrance Sunday services to veterans would be deemed conducive and appropriate in keeping with existing contextual precedents set by local governments of various tiers.

Motion To Council:

We request that Council seek to formally action such a proposed implementation of free parking provisions for veterans which would be exclusive to Remembrance Sunday services within the Borough of Southend, an act encapsulated within the commemorative spirit of honouring those who fought for our freedom. We would also hope to encourage other authorities to emulate such initiatives in due course.

Proposed – Cllr David Burzotta

Seconded – Cllr Nigel Folkard

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Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (Place)

to
Cabinet

on
13 March 2018

Report prepared by: Mark Murphy, Group Manager –
Property and Estate Management

Fire Safety Review (Interim Report)

Place Scrutiny Committee
Executive Councillors: Cllr Flewitt

Part 1 Public Agenda Item

1. Purpose of Report

This report sets out the interim results of the Council's Fire Safety Review, which was established following the Grenfell Tower fire on the 14th June 2017.

This is an interim report as Inquiries established following the Grenfell Tower fire (Grenfell Tower Inquiry and the Independent Review of Building Regulations and Fire Safety) will not conclude their findings until later in 2018 (or beyond), although the latter provided an Interim Report on the 18th December 2017.

2. Recommendations

2.1. **Note and endorse the work undertaken by the Council and South Essex Homes in respect to Fire Safety.**

2.2. **That a further update be provided to Cabinet to summer 2018.**

3. Background

3.1 The Council immediately commissioned a Fire Safety Review following the tragedy, which occurred as a result of the fire at Grenfell Tower. The Review Group comprises representatives of the Council, South Essex Homes and Essex County Fire and Rescue Service. In addition, the Council established an internal Fire Safety Meeting Group, chaired by the Deputy Chief Executive (Place) to examine any Council-specific actions identified as a result of the Review and to co-ordinate responses sought by Government Departments.

Policies and Procedures

- 3.2 The Council and South Essex Homes have both updated their internal Fire Safety Code of Practice documents and have also reviewed their Fire Risk Assessment documentation in dialogue with Essex County Fire and Rescue Service. All properties have been confirmed as having up to date Fire Risk Assessments.
- 3.3 The Council has amended its approach to risk assessing its operational property stock of approximately 400 buildings and structures as follows:
- Buildings are considered HIGH priority if they meet one of the following criteria:
 - They are defined as ‘tall’ buildings by building regulations;
 - They have a peak occupancy level of over 500 people;
 - They are occupied by ‘vulnerable’ clients.
 - Buildings are consider MEDIUM priority if they meet one of the following criteria:
 - They have a peak occupancy level of between 50 and 499 people;
 - They are occupied by more than one tenant.
 - All other buildings are considered LOW priority.
- 3.4 All high and medium priority buildings are subject to a full fire risk assessment on an annual basis, whilst fire risk assessments for low priority buildings are undertaken every other year with a desk top review in the intervening years. Operational buildings categorised as high priority are: Civic One; Southend Pier; Southend Tennis and Leisure Centre; Cliffs Pavilion; Priory House; Delaware House; the Viking Centre and Project 49. In addition, whilst it does not fully meet any of the criteria the Palace Theatre has been placed in the high priority category given its potential large single room occupancy and the nature of the building and its operational use.
- 3.5 South Essex Homes has adopted a similar risk assessment approach. Following extensive discussions with Essex County Fire and Rescue Service a ‘Stay Put’ Policy continues to be considered the most effective policy to ensure residents are safely evacuated in the event of a fire in any of the Association’s high rise residential blocks. Essex County Fire and Rescue Service has completed a programme of visiting and door knocking in every high rise (over ten storeys) residential building in the Borough and is in the process of undertaking a similar exercise for all building of five storeys or higher. Essex County Fire and Rescue Service are also visiting all buildings with smoke vents to confirm they are functioning correctly. All Council and South Essex Homes buildings with smoke vents have been checked and it has been confirmed that the vents are operating correctly.
- 3.6 The Council’s Emergency Planning Officer is planning a ‘table top’ exercise to consider how the Council and its partners would evacuate a tower block and provide support and accommodation for those affected. This exercise will be undertaken later in 2018. This will enable a thorough evaluation of the Council’s

emergency response plans in respect to such an incident. South Essex Homes is also planning a live incident training session in spring 2018.

Capital Investments

- 3.7 All of the Council's operational buildings, alongside those managed by South Essex Homes, meet the regulatory standards in place when they were constructed, extended or altered and have up to date and reviewed Fire Risk Assessments in place.
- 3.8 It is the aim of the Council and South Essex Homes to progressively bring their properties in line with current Building Regulations, where appropriate and practicable, particularly in respect to fire safety and accessibility.
- 3.9 South Essex Homes has completed an extensive programme of fire safety door and screen improvements throughout its high rise residential blocks with the final two blocks (Pennine and Quantock) on site with completion in spring 2018. They have also undertaken a programme of minor works across all blocks, which have now been completed. These works were delivered as part of the £2 million brought forward from the Housing Revenue Account to the 2017/18 financial year to support safety improvement works. All South Essex Homes tenanted properties are also fitted with mains supplied smoke detectors, which are checked on an annual basis.
- 3.10 All high rise buildings have been fitted with GERDA 'Premises Information Boxes (PIBs)', which contain information to support the work of Essex County Fire and Rescue Service in the event of an incident. South Essex Homes has been undertaking a door knocking exercise to carry out tenancy audits in order to update any 'Personal Emergency Evacuation Plans' for inclusion in the PIBs.
- 3.11 The Council has identified a specific Fire Improvement Programme in its new Capital Programme with an initial allocation of £500,000 in each of the 2018/19 and 2019/20 financial years. A new building surveyor (compliance) post has been recruited to and initial work packages are currently being tendered for a start on site in spring 2018. These works will initially focus on those buildings classified as 'high priority' and will include works such as fire door replacement and fire compartmentation works.
- 3.12 The Council and South Essex Homes, in consultation with Essex County Fire and Rescue Service, will be considering the role of sprinkler and other fire suppression systems, which will be informed by the findings and recommendations Grenfell Tower Inquiry and the Independent Review of Building Regulations.

Non-Council Properties

- 3.13 The Council has been contacting owners of all private sector high rise residential accommodation (including the hospital, University of Essex and hotels) to confirm details of any cladding. Letters were initially sent to a long list of 48 property owners. Following research including site visits, where appropriate, follow up letters were sent to 26 property owners. It has been established that there are no issues in relation to these buildings, and there are

no issues in relation to either the hospital or any of the buildings operated in Southend by the University of Essex.

- 3.14 Essex County Fire and Rescue Service has been visiting all high rise buildings to review fire safety arrangements. This work is progressing and will be reported on in the next update.
- 3.15 The Council has confirmed that all Local Education Authority schools (non-academies or free schools) have up to date Fire Risk Assessments in place and has written to all Academies to request confirmation that they have completed this information. A full analysis will be presented in the next update.

4. Other Options

- 4.1. The Council could decide to maintain all operational properties in their current condition with fire improvement works and, where practicable, to bring them up to the requirements of the latest Building Regulations when they next undergo major alterations and/or extension. All operational buildings would still meet statutory requirements although it could be argued that the Council would not be meeting the section of the Regulatory Reform (Fire Safety) Order 2005 that requires Employers to 'put in place, and maintain, appropriate fire safety measures'. This option has, therefore been discounted.
- 4.2. The Council could commit to bringing all operational buildings up to current Building Regulation requirements. However, this will not always be practicable due to the construction and/or age of the building; the building may be listed on the National Heritage List for England, which could limit what works could be undertaken; or changes could be financially unviable. This option has, therefore been discounted.

5. Reasons for Recommendations

- 5.1.1 The Council has undertaken a fundamental review of its fire safety policies and procedures; reviewed its property stock; and put in place appropriate resources (financial and other) to ensure that it maintains its buildings in a safe condition whilst upgrading them where this is appropriate and practicable.
- 5.1.2 The Council has also recognised its 'community leadership' role in respect to fire safety and engaged with partners and the private sector to ensure residents, employees and visitors across the Borough are housed in, work in or visit safe premises.

6. Corporate Implications

- 6.1 Contribution to Council's Vision & Corporate Priorities
- 6.1.1 Within the Council's Corporate Priorities is a commitment to 'Create a safe environment across the town for residents, workers and visitors'. Ensuring all of its buildings meet fire safety standards is a key element in delivering against this priority.

6.2 Financial Implications

6.2.1 The Council has allocated £750,000 per annum in its current capital programme for property refurbishment works and a further £500,000 in each of 2018/19 and 2019/20 specifically for fire improvement works. Other capital projects such as the Library Review Programme have also enabled the Council to invest in improving its corporate property stock.

6.2.2 South Essex Homes has an agreed capital programme for enhancement across its property portfolio.

6.3 Legal Implications

6.3.1 Buildings are required to comply with the relevant Building Regulations in place at the time of their construction or when they are extended or altered. These requirements are set out in the Building Regulation 2010 and the accompanying suite of Approved Document that support the technical “Parts” of the building regulations’ requirements.

6.3.2 As Building Regulations are not retrospective whilst buildings will comply with the regulations in place when they were built, extended or altered they are unlikely to meet the requirements of the latest Building Regulations. This is best illustrated by the issue of smoke alarms. Current Building Regulations require that new dwelling houses (residential properties) have mains supplied smoke detectors, which are linked to each other. However, the majority of residential properties have battery supplied detectors at best and many have no smoke detection at all.

6.3.3 In relation to fire safety employers (and/or building owners or occupiers) are required to comply with the Regulatory Reform (Fire Safety) Order 2005. This principally requires that employers (and/or building owners or occupiers):

- carry out a fire risk assessment of the premises and review it regularly
- tell staff or their representatives about the risks you’ve identified
- put in place, and maintain, appropriate fire safety measures
- plan for an emergency
- provide staff information, fire safety instruction and training

6.4 People Implications

6.4.1 The Council has a statutory requirement to ensure that all staff, tenants, residents and visitors/service users are using a safe building that complies with the Regulatory Reform (Fire Safety) Order 2005.

6.5 Property Implications

6.5.1 All of the Council’s operational buildings, alongside those managed by South Essex Homes, meet the regulatory standards in place when they were constructed, extended or altered and have up to date and reviewed Fire Risk Assessments in place.

6.5.2 It is the aim of the Council and South Essex Homes to progressively bring their properties in line with current Building Regulations, where appropriate and practicable, particularly in respect to fire safety and accessibility.

6.6 Consultation

6.6.1 The Council has established a Tri-Partite Review Group to examine fire safety including representatives from across the Council, South Essex Homes and Essex County Fire and Rescue Service, chaired by the Deputy Chief Executive (Place). As individual building works are taken forward consultation is undertaken with tenants, employees and service users as well as with statutory bodies such as Historic England where this is appropriate.

6.7 Equalities and Diversity Implications

6.7.1 Fire Risk Assessments take account of the needs of all employees with Personal Emergency Evacuation Plans (PEEPS) in place for any employee who requires one. This is a bespoke 'escape plan' for individuals who may not be able to reach an ultimate place of safety unaided or within a satisfactory period of time in the event of any emergency.

6.8 Risk Assessment

6.8.1 The Council and South Essex Homes undertake a programme of Fire Risk Assessments across their operational property portfolios. All of these assessments are up to date and area reviewed on an annual basis.

6.9 Value for Money

6.9.1 All capital works are procured in accordance with the Council's Corporate Procurement Rules 2015 to ensure best value is obtained.

6.10 Community Safety Implications

6.10.1 The Council has a statutory requirement to ensure that all staff, tenants, residents and visitors/service users are using a safe building that complies with the Regulatory Reform (Fire Safety) Order 2005. The Council currently complies with its obligations under the Order but will be undertaking fire safety enhancements/improvements across a number of its operational buildings to, where practicable, bring them up to the requirements of the latest Building Regulations.

6.11 Environmental Impact

6.11.1 There are no direct environmental implications arising as a result of the works proposed in this report.

7. Background Papers

Report to Cabinet on 19 September 2017 'Fire Safety Measures following the Grenfell Tower Tragedy' – Minute 307
Independent Review of Building Regulations Interim Report – December 2017.
Fire Safety Review 2017 Terms of Reference

8. Appendices

There are no appendices to this report.

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Southend-on-Sea Borough Council Agenda

Report of Chief Executive
to
Cabinet
on
13 March 2018

Item No.

Report prepared by: Joe Chesterton
Director of Finance and Resources

Quarter Three Treasury Management Report – 2017/18
Policy and Resources Scrutiny Committee
Executive Councillor: Councillor Moring
A Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 The Quarter Three Treasury Management Report covers the treasury management activity and compliance with the treasury management strategy for both quarter three and the period from April to December 2017.

2. Recommendations

That the following is approved:

- 2.1 The Quarter Three Treasury Management Report for 2017/18.**

That the following is noted:

- 2.2 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 2017.**
- 2.3 The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.**
- 2.4 An average of £47.4m of investments were managed in-house. These earned £0.157m of interest during this nine month period at an average rate of 0.44%. This is 0.27% over the average 7 day LIBID and 0.14% over the average bank base rate.**
- 2.5 An average of £5.0m was managed by an enhanced cash fund manager. This earned £0.023m during this nine month period at an average rate of 0.62%.**
- 2.6 An average of £15.2m was managed by two short dated bond fund managers. This earned £0.176m 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 1.54%.

- 2.7 An average of £16.3m was managed by two property fund managers. This earned £1.353m 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 11.01%.
- 2.8 The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, GF: £150.8m) during the period from April to December 2017.
- 2.9 The level of financing for ‘invest to save’ capital schemes increased from £7.90m to £8.80m during the period from April to December 2017.

3. Background

- 3.1 This Council has adopted the ‘CIPFA Code of Practice for Treasury Management in the Public Sector’ and operates its treasury management service in compliance with this code. The code recommends that local authorities submit reports regularly as part of its Governance arrangements.
- 3.2 Current guidance is that authorities should report formally at least twice a year and preferably quarterly. The Treasury Management Policy Statement for 2017/18 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation. This is the third quarter report for the financial year 2017/18.
- 3.3 Appendix 1 shows the treasury management position at the end of quarter three of 2017/18.
- 3.4 Appendix 2 shows the treasury management performance specifically for quarter three of 2017/18.

4 National/Global Context

- 4.1 At the beginning of November the Bank of England increased the bank base rate from its historical low of 0.25% to 0.5%. In January CPI was unchanged at 3.0% and the Monetary Policy Committee said interest rates would need to rise sooner than expected as they aim to bring inflation back to 2%.
- 4.2 There seems to have been a fairly buoyant end to 2017 for the UK economy. The Purchasing Manager Indices eased a little in December but still suggest that growth may have accelerated a little from Q3. This is expected leave growth for the year at around 1.8%.
- 4.3 The House Price Index for January showed the average UK house price was £227,000, an increase of 5.2% in the year to December. UK core sales rose by

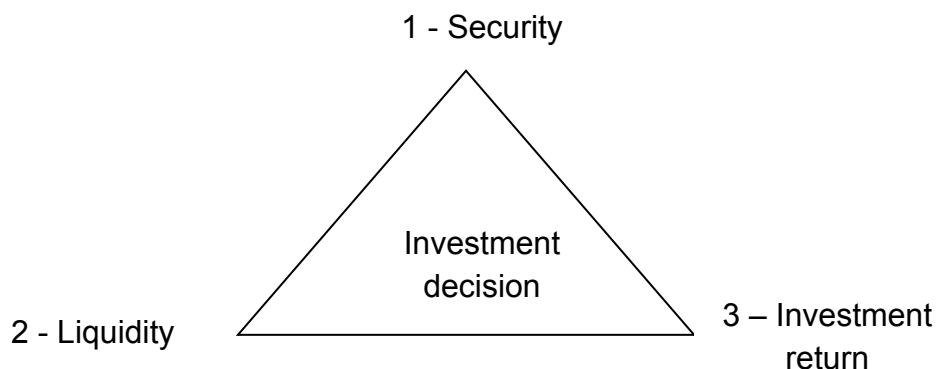
just 0.1% in January from the previous month, evidencing further that inflation continues to run at a higher rate than increases in earnings.

- 4.4 In the US, the economy has followed the pattern of recent years, with a slow opening quarter followed by acceleration thereafter. Q2 and Q3 both posted 3% annualised growth, the first consecutive growth of this magnitude for three years. Surveys are indicative of a similar growth in Q4. The weaker Dollar is benefiting manufacturing and business surveys are upbeat and indicative of further output growth over the next couple of months.
- 4.5 In the Eurozone, data and surveys are indicative that the economy has at least sustained levels of growth into Q4, but could have picked up. The Q3 decline in GDP growth was the result of consumer spending slowing so the strong November retail sales figures should help to reverse at least some of this downturn. The Economic Sentiment Indicator indicates annualised GDP growth of 4%. Germany's economy remains robust and there are promising signs of improvement in France, but Italy is a hindrance on overall growth.
- 4.6 In China, official measures indicate a slight slowing of growth, however actual production volumes would seem to reflect a sharper dip in output growth to the slowest level in nearly two years. Retail sales growth improved but was not broad based. Consumer confidence has soared to a 20 year high, helped by a strong labour market. However, that does not tally with spending measures, though the People's Bank says that depositors with an inclination to spend rather than save are at an eight year high.
- 4.7 The economic situation together with the financial market conditions prevailing throughout the quarter continued to provide challenges for treasury management activities. We continue to have a restricted list of counterparties (i.e. people we can invest with) that still meet our prudent investment criteria.
- 4.8 However, with a restricted list of counterparties, the increased focus on counterparty risk following the Icelandic Banks collapse and the interest rate outlook, monies managed in-house were mainly placed for short periods of time or in instant access accounts, which increased the liquidity of these funds.
- 4.9 Low interest rates prevailed throughout the period from April to December 2017 and this led to low investment income earnings from many of our investments.

5 Investments – quarter three (October to December)

- 5.1 A prime objective of our investment activities is the security of the principal sums invested. To ensure this security before a deposit is made an organisation is tested against a matrix of credit criteria and then other relevant information is considered. During the period from October to December 2017 investment deposits were limited to those who met the criteria in the Annual Investment Strategy when the deposit was placed.
- 5.2 Other investment objectives are to maintain liquidity (i.e. adequate cash resources to allow the council to operate) and to optimise the investment income generated by surplus cash in a way that is consistent with a prudent level of risk. Investment decisions are made with reference to these objectives,

with security and liquidity being placed ahead of the investment return. This is shown in the diagram below:



Security:

- 5.3 To maintain the security of sums invested, we seek to lower counterparty risk by investing in financial institutions with good credit ratings, across a range of sectors and countries. The risk of loss of monies invested is minimised through the Annual Investment Strategy.
- 5.4 Pie chart 1 of Appendix 1 shows that at the end of quarter two; 35% of our in-house investments were placed with financial institutions with a long term rating of AAA and 65% with a long term rating of A.
- 5.5 As shown in pie chart 2 of Appendix 1, these monies were with various counterparties, 65% being placed directly with banks and 35% placed with a range of counterparties via money market funds.
- 5.6 Pie chart 3 of Appendix 1 shows the range of countries where the parent company of the financial institution with which we have monies invested is registered. For money market funds there are various counterparties spread across many countries. The cumulative balance of funds held with any one institution was kept within agreed limits.

Liquidity:

- 5.7 Our in-house monies were available on an instant access basis at the end of quarter three, except for £10m which had been placed in a 95 day notice account. Notice has been given on this account, so the monies are due back within 57 days of the quarter end. The maturity profile of our investments is shown in pie chart 4 of Appendix 1.

Investment return:

- 5.8 During the quarter the Council used the enhanced cash fund manager Payden & Rygel to manage monies on our behalf. An average balance of £5.0m was invested in these funds during the quarter earning an average rate of 0.90%. More details are set out in Table 2 of Appendix 2.

- 5.9 The Council had an average of £48.5m of investments managed in-house over the period from October to December, and these earned an average interest rate of 0.48%. Of the in-house managed funds:
- an average of £10.0m was held in notice accounts that earned an average interest rate of 0.57%.
 - use was also made of call accounts during the quarter because they provide instant access to funds. An average of £8.8m was held in these accounts and earned an average return of 0.64% over the quarter.
 - an average of £29.7m was held in money market funds earning an average of 0.40% over the quarter. These work in the same way as a deposit account but the money in the overall fund is invested in a number of counterparties, therefore spreading the counterparty risk.
- 5.10 In accordance with the Treasury Management Strategy the performance during the quarter is compared to the average 7 day LIBID (London Interbank Bid Rate). Overall, performance on our investments was higher than the average 7 day LIBID and higher than the average base rate for the quarter. The bank base rate remained at 0.25% until 2nd November when the Bank of England raised it to 0.5% and it remained at that level throughout the rest of the period to December 2017. The 7 day LIBID rate fluctuated between 0.11% and 0.36%. Performance is shown in Graph 1 of Appendix 2.

6 Investments – quarter three cumulative position

- 6.1 During the period from April to December 2017 the Council complied with all of the relevant statutory and regulatory requirements which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of the Code of Practice for Treasury Management means its treasury practices demonstrate a low risk approach.
- 6.2 The Council is aware of the risks of passive management of the treasury portfolio and has proactively managed levels of debt and investments over the nine month period with the support of its treasury management advisers.

- 6.3 The table below summarises the Council's investment position for the period from April to December 2017:

Table 1: Investment position

	At 31 March 2017	At 31 December 2017	April to December 2017	
	Actual Balance (£000s)	Actual Balance (£000s)	Average Balance (£000s)	Average Rate (%)
Notice accounts	10,000	10,000	10,000	0.48
Call accounts [#]	7,992	16,175	8,468	0.63
Money market funds	23,000	14,000	28,975	0.37
Total investments managed in-house	40,992	40,175	47,443	0.44
Enhanced Cash Funds	5,022	5,045	5,032	0.62
Short Dated Bond Funds	15,125	15,302	15,200	1.54
Property Funds	15,859	17,211	16,314	11.01
Total investments managed externally	36,006	37,558	36,546	5.64
Total investments	76,998	77,733	83,989	2.70

[#]This includes the council's main current account.

- 6.4 The majority of the cash balances managed in-house are required to meet short term cash flow requirements and therefore throughout the nine month period monies were placed 28 times for periods of one year or less. The table below shows the most used counterparties overall and the countries in which they are based. All deals are in sterling despite the country the counterparties are based in.

Table 2: Counterparties used

Counterparty	Country	No. of Deals	Value of Deals (£m)
BlackRock	Money Market Fund (Various Counterparties)	12	70
Goldman Sachs	Money Market Fund (Various Counterparties)	12	62
Insight Investment Management Ltd	Money Market Fund (Various Counterparties)	3	18
Standard Life Investment	Money Market Fund (Various Counterparties)	1	2

6.5 In addition to the above, use was also made of call accounts during the year because they provide instant access to funds. This meant that funds were available for cash flow movements to avoid having to pay higher rates to borrow from the market. During the period from April to December 2017 an average of £8.5m was held in such accounts.

7 Property Funds – quarter three (October to December)

7.1 Throughout the quarter long term funds were invested in two property funds: Rockspring Property Investment Management Limited and Lothbury Investment Management Limited.

7.2 The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into properties. An income distribution is generated from the rental income streams from the properties in the fund. Income distributions will be reinvested back into the fund. There are high entrance and exit fees and the price of the units can rise and fall, depending on the value of the properties in the fund, so these funds are invested over the long term with the aim of realising higher yields than other investments.

7.3 The interest equalisation reserve will be used to capture some of the income in the years when the property values are rising, and will then be available to offset any losses should property values fall. Members should be aware that this means that the investment returns in some quarters will look very good and in other quarters there may be losses reported, but these will not impact the revenue account as the interest equalisation reserve would be used to meet any temporary losses.

7.4 An average of £8.7m was managed by Rockspring Property Investment Management Limited. During quarter three, the value of the fund increased by £0.157m due to the increase in the unit value. There was also an income distribution relating to that period of £0.100m and this distribution will be confirmed and distributed in quarter four.

7.5 The Rockspring fund earned £0.257m during this three month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 11.78%. The fund started the quarter at £8.669m and increased in value with the fund at the end of the quarter at £8.926m. This is set out in Table 1 of Appendix 2.

7.6 An average of £8.1m was managed by Lothbury Property Investment Management Limited. During quarter three, the value of the fund increased by £0.182m due to the increase in the unit value. There was also an income distribution relating to that period of £0.068 and this distribution will be confirmed and distributed in quarter four.

7.7 The Lothbury fund earned £0.250m during this three month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 12.30%. The fund started the quarter at £8.035 and increased in value with the fund at the end of the quarter at £8.285m. This is set out in Table 1 of Appendix 2.

8 Short Dated Bond Funds – quarter three (October to December)

- 8.1 Throughout the quarter medium term funds were invested in two short dated bond funds: Royal London Investment Grade Short Dated Credit Fund and the AXA Sterling Credit Short Duration Bond Fund.
- 8.2 The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into corporate bonds in the one to five year range. An income distribution will be generated from the coupon on the bond and income distributions will be reinvested back into the fund. The price of units can rise and fall, depending on the price of units in the fund so these funds are invested over the medium term with the aim of realising higher yields than short term investments.
- 8.3 The interest equalisation reserve will be used to capture some of the income in the years when the corporate bond values are rising, and will then be available to offset any losses should bond values fall. Members should be aware that this means that the investment returns in some quarters will look very good and in other quarters there may be losses reported, but these will not impact the revenue account as the interest equalisation reserve would be used to meet any temporary losses.
- 8.4 An average of £7.6m was managed by AXA Investment Managers UK Limited. During the quarter the value of the fund increased by £0.038m due to an increase in the unit value, giving a return of 2.03%. The fund started the quarter at £7.557m and increased in value with the fund at the end of the quarter at £7.595m. This is set out in Table 2 of Appendix 2
- 8.5 An average of £7.7m was managed by Royal London Asset Management. During quarter three, the value of the fund increased by £0.015m due to the increase in the unit value. There was also an income distribution relating to that period of £0.045m.
- 8.6 The Royal London fund earned £0.060m during this three month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 3.11%. The fund started the quarter at £7.646m and increased in value with the fund at the end of the quarter at £7.706m. This is set out in Table 2 of Appendix 2.

9 Property Funds – quarter three cumulative position

- 9.1 An average of £8.4m was managed by Rockspring Property Investment Management Limited. During the period from April to December 2017, the value of the fund increased by £0.454m due to the increase in the unit value. There was also an income distribution relating to that period of £0.295m and the quarter three part of this distribution will be confirmed and distributed in quarter four.
- 9.2 The Rockspring fund earned £0.749m during this nine month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 11.84%. The fund started the nine month period at

£8.177m and increased in value with the fund at the end of the period at £8.926m.

- 9.3 An average of £7.9m was managed by Lothbury Property Investment Management Limited. During the period from April to December 2017, the value of the fund increased by £0.413m due to the increase in the unit value. There was also an income distribution relating to that period of £0.190m and the quarter three part of this distribution will be confirmed and distributed in quarter four.
- 9.4 The Lothbury fund earned £0.603m during this nine month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 10.13%. The fund started the nine month period at £7.682m and increased in value with the fund at the end of the period at £8.285m.

10 Short Dated Bond Funds – quarter three cumulative position

- 10.1 An average of £7.6m was managed by AXA Investment Managers UK Limited. During the period from April to December 2017 the value of the fund increased by £0.058m due to an increase in the unit value, giving a return of 1.02%. The fund started the six month period at £7.537m and increased in value with the fund at the end of the period at £7.595m.
- 10.2 An average of £7.6m was managed by Royal London Asset Management. During the period from April to December 2017, the value of the fund decreased by £0.023m due to the decrease in the unit value. There was also an income distribution relating to that period of £0.141m.
- 10.3 The Royal London fund earned £0.118m during this nine month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 2.05%. The fund started the nine month period at £7.588m and increased in value with the fund at the end of the period at £7.706m.

11 Borrowing – quarter three

- 11.1 The Capital Financing Requirement (CFR) is the Council's theoretical need to borrow but the Section 151 Officer can manage the Council's actual borrowing position by either:
- 1 - Borrowing to the CFR;
 - 2 - Choosing to use temporary cash flow funds instead of borrowing (internal borrowing) or;
 - 3 - Borrowing for future increases in the CFR (borrowing in advance of need).
- 11.2 The Council began quarter two in the second of the above scenarios, with actual borrowing below CFR.

- 11.3 This, together with the Council’s cash flow, the prevailing Public Works Loans Board (PWLB) interest rates and the future requirements of the capital programme, were taken into account when deciding the amount and timing of any loans. No debt restructuring was carried out during the quarter.
- 11.4 During quarter three, no new PWLB loans were taken out. No loans matured during the quarter.
- 11.5 The level of PWLB borrowing (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £227.8m during quarter three. The average rate of borrowing at the end of the quarter was 4.62%. A profile of the repayment dates is shown in Graph 2 of Appendix 2.
- 11.6 The level of PWLB borrowing at £227.8m is in line with the financing requirements of the capital programme and the revenue costs of this borrowing are fully accounted for in the revenue budget. The current level of borrowing is also in line with the Council’s prudential indicators and is Prudent, Affordable and Sustainable.
- 11.7 Interest rates from the PWLB fluctuated throughout the quarter in response to economic events: 10 year PWLB rates between 2.24% and 2.50%; 25 year PWLB rates between 2.77% and 3.05% and 50 year PWLB rates between 2.49% and 2.79%. These rates are after the PWLB ‘certainty rate’ discount of 0.20%.
- 11.8 During quarter three no short term borrowing was taken out for cash flow purposes. See Table 3 of Appendix 2.

12 Borrowing – quarter three cumulative position

- 12.1 The Council’s borrowing limits for 2017/18 are shown in the table below:

	2017/18 Original (£m)	2017/18 Revised (£m)
Operational Boundary	285	260
Authorised Limit	295	270

The Operational Boundary is the expected total borrowing position of the Council during the year and reflects decisions on the amount of debt needed for the Capital Programme. Periods where the actual position is either below or over the Boundary are acceptable subject to the Authorised Limit not being breached.

The Authorised Limit is the “Affordable Borrowing Limit” required by the Local Government Act 2003. This is the outer boundary of the Council’s borrowing based on a realistic assessment of the risks and allows sufficient headroom to take account of unusual cash movements.

12.2 The Council's outstanding borrowing as at 31st December 2017 was:

- Southend-on-Sea Borough Council £236.6m
 - PWLB: £227.8m
 - Invest to save: £8.8m
- ECC transferred debt £11.9m

Repayments in the first 9 months of 2017/2018 were:

- Southend-on-Sea Borough Council £0m
- ECC transferred debt £0.63m

12.3 Outstanding debt relating to services transferred from Essex County Council (ECC) on 1st April 1998, remains under the management of ECC. Southend Borough Council reimburses the debt costs incurred by the County. The debt is recognised as a deferred liability on our balance sheet.

12.4 The interest payments for PWLB and excluding transferred debt, during the period from April to December 2017 were £6.951m compared to the original budget of £7.066m for the same period. These interest payments are lower than budgeted as, due to the reasons set out in paragraph 11.3, no new loans were taken out during 2016/17 or during the first three quarters of 2017/18.

12.5 The table below summarises the PWLB borrowing activities over the period from April to December 2017:

Quarter	Borrowing at beginning of quarter (£m)	New borrowing (£m)	Re-financing (£m)	Borrowing repaid (£m)	Borrowing at end of quarter (£m)
April to June 2017	227.8	0	0	(0)	227.8
July to September 2017	227.8	0	0	(0)	227.8
October to December 2017	227.8	0	0	(0)	227.8
<i>Of which:</i>					
General Fund	150.8	0	0	(0)	150.8
HRA	77.0	0	0	(0)	77.0

All PWLB debt held is repayable on maturity.

13 Funding for Invest to Save Schemes (included in Section 12)

13.1 Capital projects were completed on draught proofing and insulation in the Civic Centre, and lighting replacements at University Square Car Park and Westcliff Library which will generate on-going energy savings. These are invest-to-save projects and the predicted revenue streams cover as a minimum the financing costs of the project.

- 13.2 To finance this project the Council has taken out interest free loans of £0.223m with Salix Finance Ltd which is an independent, not for profit company, funded by the Department for Energy and Climate Change that delivers interest-free capital to the public sector to improve their energy efficiency and reduce their carbon emissions. The loans are for periods of four and five years with equal instalments to be repaid every six months. There are no revenue budget implications of this funding as there are no interest payments to be made and the revenue savings generated are expected to exceed the amount needed for the repayments. £0.043m of this loan was repaid during the period from April to December 2017.
- 13.3 At the meeting of Cabinet on 23rd June 2015 the LED Street Lighting and Illuminated Street Furniture Replacement Project was approved which was to be partly funded by 25 year reducing balance 'invest to save' finance from the Green Investment Bank (GIB). The balance outstanding at the end of quarter three was £8.67m. There were no repayments during the period from April to December 2017.
- 13.4 Funding of these invest to save schemes is shown in Appendix 2, with Table 4 showing the Salix Finance repayment.

14 Compliance with Treasury Management Strategy – quarter three

- 14.1 The Council's investment policy is governed by the CIPFA Code of Practice for Treasury Management in the Public Sector, which has been implemented in the Annual Investment Strategy approved by the Council on 23rd February 2017. The investment activity during the quarter conformed to the approved strategy, and the cash flow was successfully managed to maintain liquidity. This is shown in Table 5 of Appendix 2.

15 Other Options

- 15.1 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.

16 Reasons for Recommendations

- 16.1 The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2017/18 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

17 Corporate Implications

- 17.1 Contribution to Council's Vision & Critical Priorities

Treasury Management practices in accordance with statutory requirements, together with compliance with the prudential indicators acknowledge how effective treasury management provides support towards the achievement of the Council's Vision and Critical Priorities.

17.2 Financial Implications

The financial implications of Treasury Management are dealt with throughout this report.

17.3 Legal Implications

This Council has adopted the 'CIPFA Code of Practice for Treasury Management in the Public Sector' and operates its treasury management service in compliance with this code.

17.4 People Implications

None.

17.5 Property Implications

None.

17.6 Consultation

The key Treasury Management decisions are taken in consultation with our Treasury Management advisers.

17.7 Equalities Impact Assessment

None.

17.8 Risk Assessment

The Treasury Management Policy acknowledges that the successful identification, monitoring and management of risk are fundamental to the effectiveness of its activities.

17.9 Value for Money

Treasury Management activities include the pursuit of optimum performance consistent with effective control of the risks associated with those activities.

17.10 Community Safety Implications

None.

17.11 Environmental Impact

None.

18 Background Papers

None.

19 Appendices

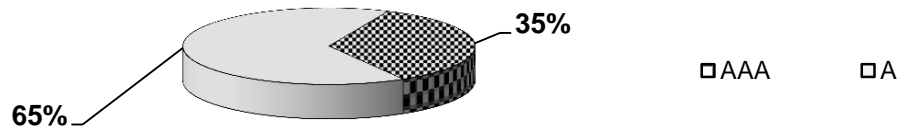
Appendix 1 – Treasury Management Position as at the end of Quarter Three - 2017/18

Appendix 2 – Treasury Management Performance for Quarter Three – 2017/18

INVESTMENTS - SECURITY AND LIQUIDITY

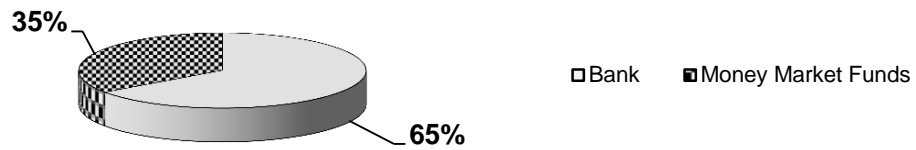
Pie chart 1

Spread of investments by long term credit rating



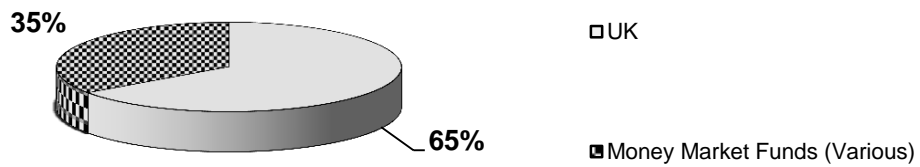
Pie chart 2

Financial Sector invested in



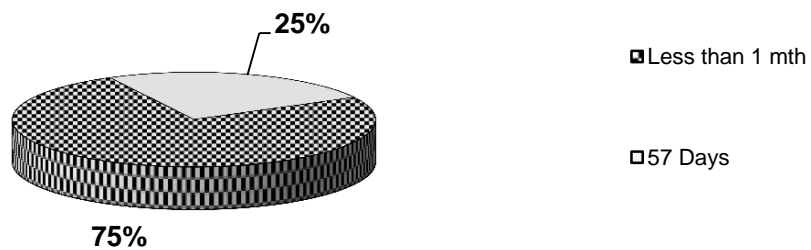
Pie chart 3

Countries where parent company is registered



Pie chart 4

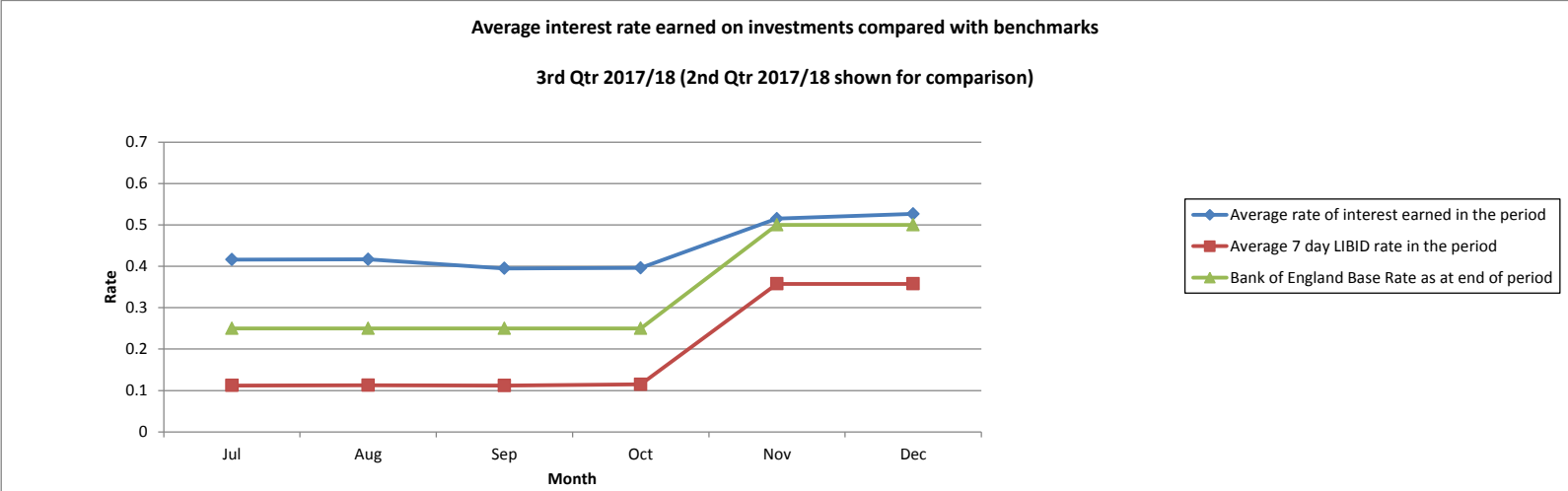
Maturity profile of investments



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TREASURY MANAGEMENT PERFORMANCE FOR QUARTER THREE - 2017/18

GRAPH 1 - INVESTMENT RETURN



TREASURY MANAGEMENT PERFORMANCE FOR QUARTER THREE - 2017/18

Table 1 - Property Funds

Financial Institution	Quarter	Period of investment	Value of fund at beginning of Qtr 3 £	Number of units at start of Qtr 3 Units	Number of units distributed during Qtr 3 Units	Purchase of new units during Qtr 3 Units	Number of units at end of Qtr 3 Units	Gross Increase / (Decrease) in fund value £	Income Distribution Qtr 3 £	Value of fund at end Qtr 3 £	Combined interest Rate %
Rockspring Hanover Real Estate Investment Mgt Ltd	3	5 Years +	8,669,170.71	608	7	0	615	157,371.99	99,745.54	8,926,288.24	11.78%
Lothbury Investment Management - Property Fund	3	5 Years +	8,034,709.54	4,199.7157	32.7223	0.0000	4,232.4380	182,222.43	67,991.85	8,284,923.82	12.30%
Total										17,211,212.06	

Table 2 - Short Dated Bond Funds/Enhanced Cash Fund

Financial Institution	Quarter	Value of fund at the start of Qtr 3 £	Number of shares Qtr 3 Units	Number of units distributed during Qtr 3 Units	Number of units at the end of Qtr 3 Units	Increase / (Decrease) in fund value £	Income Distribution during the Qtr 3 £	Value of fund at end of Qtr 3 £	Combined Interest Rate %
Royal London	3	7,646,389.96	7,563,194.82	44,243.20	7,607,438.02	15,170.63	44,774.12	7,706,334.71	3.11%
AXA	3	7,556,613.38	6,442,125.6460	N/a	6,442,125.6460	38,652.75	N/a	7,595,266.13	2.03%
Payden & Rygel	3	5,033,838.68	461,646.4200	N/a	461,646.4200	11,448.83	N/a	5,045,287.51	0.90%
Total								20,346,888.35	

TREASURY MANAGEMENT PERFORMANCE FOR QUARTER THREE - 2017/18

BORROWING

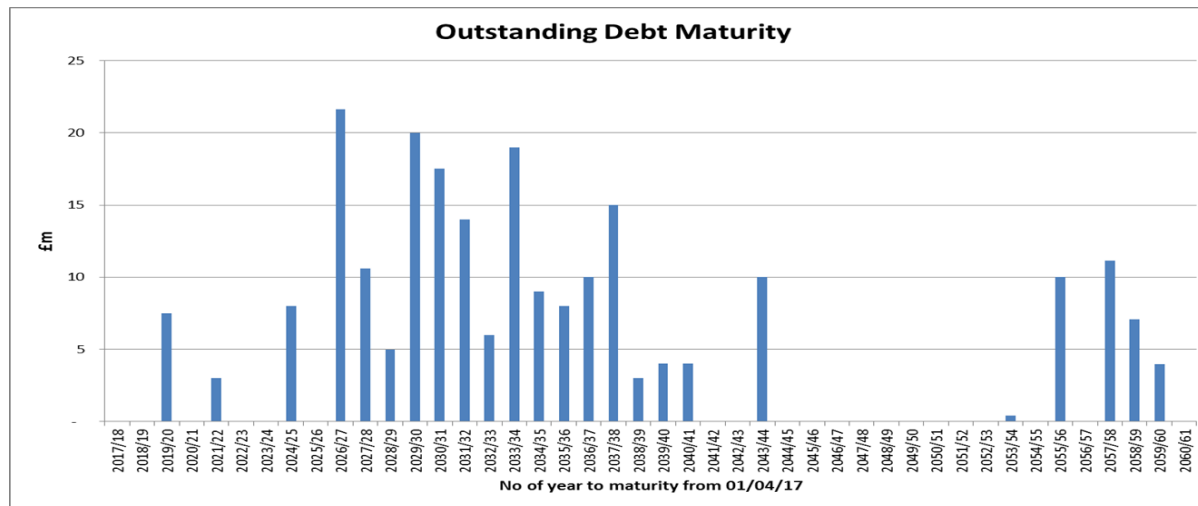
Table 3

SHORT TERM BORROWING	Counterparty	Rate	Amount £	From	To
In place during this Quarter	Somerset County Council	0.60%	3,500,000.00	03/04/2017	29/03/2018
	Derbyshire County Council	0.80%	3,500,000.00	03/04/2017	29/03/2019
	Exeter City Council	0.27%	3,000,000.00	17/08/2017	17/01/2018
	Liverpool City Region Combined Authority	0.30%	4,000,000.00	17/08/2017	19/02/2018

Green Investment Bank:

- 25 year reducing balance finance
- balance of £8.7m outstanding at the end of quarter three
- there were no repayments during this quarter

GRAPH 2 - LONG TERM BORROWING - PWLB



New this quarter

None

Rate

Amount (£)

From

To

Repaid this quarter

None

Lowest %

Highest %

Range of 10 years PWLB new loan rates this quarter (inc certainty rate)

2.24

2.50

Range of 25 years PWLB new loan rates this quarter (inc certainty rate)

2.77

3.05

Range of 50 years PWLB new loan rates this quarter (inc certainty rate)

2.49

2.79

TREASURY MANAGEMENT PERFORMANCE FOR QUARTER THREE - 2017/18

Table 4 - INVEST TO SAVE FUNDING

Financial Institution	Date	Period of loan	Final Repayment date	Amount borrowed £	Amount Repaid to Date £	Rate of interest %
Salix Finance Ltd Energy Efficiency Programme	26/03/2015	4 Years	01/04/2019	141,059	(88,162)	0%
	23/03/2017	5 Years	01/04/2022	82,017	(8,202)	0%

TABLE 5 - COMPLIANCE WITH TREASURY MANAGEMENT STRATEGY

All transactions properly authorised	✓
All transactions in accordance with approved policy	✓
All transactions with approved counterparties	✓
Cash flow successfully managed to maintain liquidity	✓
Any recommended changes to procedures	None required

Southend-on-Sea Borough Council

Report of Deputy Chief Executive (Place)

To
Cabinet
On
13 March 2018

Agenda
Item No.

Report prepared by: Milaila Bentz, Coastal Defences
Engineer

Southend Shoreline Strategy
Place Scrutiny Committee – Executive Councillor: Cllr Cox
A Part 1 Public Agenda Item

1. Purpose of Report

- 1.1. The purpose of this report is to present the draft Southend Shoreline Strategy to Members for approval, to seek approval to submit to Environment Agency (EA) and to establish on-going governance and implementation.

2. Recommendation

- 2.1. **That Members adopt the document, subject to approval by Environment Agency, as its strategy for managing the Borough's coastal defences into the future.**
- 2.2. **Members authorise the Portfolio Holder in Consultation with the Deputy Chief Executive, Place, to approve the final strategy, following Environment Agency approval.**
- 2.3. **That Members note the total value of the Strategy at £410m (Present Value £134m) over a 100 years period, of which part will need to be funded from the Council's Capital programme whilst other funding may include Flood Defence Grant-in-Aid and other external sources.**
- 2.4. **That Members agree that the Strategy will be supported by an appropriate governance process, as set out in Paragraph 6.**
- 2.5. **To approve the submission of the Strategy to the EA Large Project Review Group (LPRG) in June 2018.**

3. Background

- 3.1. The Shoreline Strategy is being developed by the Council in partnership with other organisations which share coastal interests in the area. These include Natural England and the Environment Agency. Participation in the development of the Shoreline Strategy is not limited to these organisations and contributions have and will continue to be welcomed from any organisation or individual with an interest. The Strategy outlines the work undertaken to date for the coast of Southend-on-Sea and the plans to manage flood and coastal erosion risks for the frontage.

- 3.2. The Shoreline Strategy will aim to be sustainable into the future and therefore will consider as far as 100 years ahead. However, the Shoreline Strategy will be regularly reviewed as more information about future conditions becomes available.
- 3.3. The provision and maintenance of flood defences and coast protection works in England fall under the supervision of the Environment Agency (EA). EA has an established procedure to manage investment in such works to provide flood and erosion security at optimum cost to the taxpayer, in the face of high demand on limited resources. The procedure is based on a hierarchy of strategic policy documents and stages:

National Strategy for Flood and Coastal Erosion Risk Management	Overarching national strategy developed by the EA.
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Shoreline Management Plans (SMP)	Regional coastal plans which divide the entire coastline into “Management Units”. Southend falls into the 2010 Essex and South Suffolk Shoreline Management Plan (SMP2), as management unit J, with a “management intent” over the life of the Plan to “Hold the line” and sustain the current Standards of Protection.
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Shoreline Strategies	Management-Unit-scale documents which seek to develop an optimised strategy for tidal flood- and erosion protection to deliver the SMP management policy.
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Projects	Works at individual sections of the frontage which are identified in the Strategy.
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- 3.4. The Essex and South Suffolk Shoreline Management Plan (SMP2) indicates that the coastal defences of the Borough should be retained on their present alignments and enhanced at appropriate times in the future to counter the effects of sea level rise. The time span of the Plan is 100 years, although it will be subject to review at regular intervals.
- 3.5. The Thames Estuary 2100 project (TE2100), published by EA in 2012, overlaps SMP2 at Southend and the entire intertidal area of the coast in Southend is internationally designated for nature conservation purposes.
- 3.6. Within Southend, the majority of the coastal defences are owned and managed by the Council, as an “operating authority”. The current defences are ageing having been constructed largely over 100 years ago. The Standard of Protection (SoP) provided varies massively and will reduce further with sea level rise. Most of the works identified in the Strategy will be their responsibility. In order to implement the SMP2 policy into the future in a manner which the Environment Agency (EA) can accept as technically, environmentally and economically optimum, a draft “Shoreline Strategy” has been developed building on previous strategies which were not formally approved by DEFRA.

- 3.7. The EA has revised downwards their predictions of future sea-level rise. This has an impact on the level of flood risk, existing and into the future, and consequently on many aspects of the economic case for carrying out improvements.
- 3.8. Approval of the Council's strategy by EA will ensure that projects designed in compliance with it will be eligible for public funding on the terms described below. This will ensure that the Council will be in a position to apply for funding from EA.
- 3.9. For the Strategy, the coastal frontage has been divided into 5 "Benefit Areas", based on the type of defence provided and into 3 time periods (Epochs) corresponding to short, medium and long term. These Benefit areas are hydraulically independent, meaning if coastal flooding were to occur within the benefit area, flood waters would not extend into adjacent benefit areas. Each area has been assessed for the standard of protection it enjoys, the residual life of the existing structures, their overtopping performance and the areas and values of hinterland which could suffer flooding on failure ("failure" does not imply collapse, but any degree of overtopping). This assessment has taken into account all normal tidal variations, the statistical probabilities of tidal surges and the projected degree of sea level rise forecast throughout the time frame of the strategy.
- 3.10. For each benefit area, a long list of options was developed and reviewed taking into account the fit with the objectives, technical feasibility, environmental and social impact and cost to produce a short list of options. The short list was then subjected to more detailed appraisal against technical issues, environmental impact, costs and benefits to produce an economic assessment leading to a preferred option.
- 3.11. Within the Strategy, Benefit Area "A" (Two Tree Island) is only considered within the first Epoch up to 2034 because of the significant health risks associated with the legacy landfill. During this time, it is proposed that a working group be established to consider a long term solution.
- 3.12. The long list of options were consulted on in autumn of 2017 with the results of this engagement and all stakeholder consultation used to shape and agree the preferred options of the Shoreline Strategy. The preferred options were not based solely on economic grounds but also considered the views shared by stakeholders.
- 3.13. Finally, a high level programme of works has been developed to maintain the standards of protection throughout the Borough at the optimum level for the risk carried. The process uses discounted cost/benefit analysis to determine the most cost effective times and scales of intervention. The proposals can be "tweaked" as projects come forward for design to optimise the timing of the works.
- 3.14. In all cases, the feasibility of constructing any scheme in the programme will be subject to available finance. Therefore, approval of the Strategy will not commit the Council to adhere absolutely to the programme – it can be progressed or not as finance permits at the appropriate time. However, the EA, who have a statutory role of national oversight of flooding issues, will expect the Council to make all reasonable efforts to maintain the progress of the planned improvements.
- 3.15. The Strategy document is therefore presented herewith for Council to approve. An Executive Summary and the Strategy is provided as **Appendix 1** and copies of the full document including Appendices are available on request and are proposed to be provided in the Member's Room when this Strategy progresses to Cabinet.

4. Strategy Overview

4.1. The Strategy has two primary and three secondary objectives:

Primary Objectives	Secondary Objectives
Objective 1: Maximise the reduction of coastal flood and erosion risk to properties and infrastructure at significant or very significant risk of flooding in light of coastal change over the next 100 years.	Objective 3: Support regeneration of Southend-on-Sea and the viability and sustainable development of the tourist industry in accordance with local development policy.
Objective 2: Contribute to a functional, healthy estuary while maintaining and improving the integrity of designated habitats. Aim to offset the impact of coastal squeeze and achieve a net environmental gain in support of the delivery of the Thames River Basin Management Plan.	Objective 4: Align with the objectives of TE2100 and Essex SMP2 to ensure a coherent approach to coastal flood and erosion risk in the region where appropriate.
	Objective 5: Develop a realistic implementation plan that favours options that reduce the whole-life costs and liabilities to the tax payer and utilise partnership funding sources, subject to the consideration of wider community benefits.

4.2. The preferred option to meet the objectives for each of the **5 Benefit Areas** is:

- **Benefit Area A:** Two Tree Island. Patch and repair works undertaken during the first epoch of the Strategy (to 2034 only). During this time a patch and repair approach is proposed and a working group of key stakeholders is proposed to be formed to identify a long term approach to this area. This is critical because of the long term risks to human health and the natural environment posed by the legacy landfill.
- **Benefit Area B:** Old Leigh Port – Hold the Line (HTL) Sustain. Defences raised to provide a consistent Standard of Protection (SoP) against coastal flooding in light of climate change.
- **Benefit Area C:** Cinder Path to Three Shells – HTL Upgrade. Defences upgraded to provide a 0.5% Annual Exceedance Probability (AEP) against coastal flooding in 2116 in light of climate change negating the risk of coastal erosion.
- **Benefit Area D:** Three Shells to the Old Ranges – HTL Upgrade. Defences upgraded to provide a 0.5% AEP against coastal flooding in 2116 in light of climate change negating the risk of coastal erosion.
- **Benefit Area E:** East Beach – HTL Sustain. Defences raised to provide a consistent SoP against coastal flooding in light of climate change negating the risk of coastal erosion.

4.3. The proposed interventions or programme of works is summarised below:

	Benefit Area A	Benefit Area B	Benefit Area C	Benefit Area D	Benefit Area E
Epoch One (2017 – 2034)	<ul style="list-style-type: none"> • Programme of patch and repair works • Working group to define long-term 	<ul style="list-style-type: none"> • Replacement of concrete seawall at Bell Wharf in Y4 to provide protection against 10% 	<ul style="list-style-type: none"> • Replacement of defences at Cinder Path in Y9 to provide protection against 1% AEP coastal flood 	<ul style="list-style-type: none"> • Capital works at Shoebury Common in Y1 • New groynes in Section 6 in Y4 • Replacement of defences at the 	<ul style="list-style-type: none"> • Replacement of defences in Y4 to provide protection

	Benefit Area A	Benefit Area B	Benefit Area C	Benefit Area D	Benefit Area E
	management approach to managing the area and historic landfill issue	AEP coastal flood event in 2116	event in 2116 <ul style="list-style-type: none"> Replacement of defences to the west of the Genting Club in Y9 to provide protection against 1% AEP coastal flood event in 2116. Replacement of timber groynes for the entirety of defence section 5.	base of the pier in Y14 to provide protection against a 1% AEP coastal flood event in 2116 <ul style="list-style-type: none"> Capital maintenance to defences in Section 7 west of Thorpe Bay Yacht Club in Y14 including replacement of groynes 	against a 10% AEP coastal flood event in 2116
Epoch Two (2035 – 2049)		<ul style="list-style-type: none"> Replacement of defences (excluding Bell Wharf) in Y19 to provide protection against 10% AEP coastal flood event in 2116 	<ul style="list-style-type: none"> Replacement of defences at Chalkwell in Y24 to provide protection against 1% AEP coastal flood event in 2116. Replacement of defences to the east of the Genting Club in Y30 to provide protection against 1% AEP coastal flood event in 2116. 	<ul style="list-style-type: none"> New defence in Section 7 and Section 8 in Y30 to provide protection against a 1% AEP coastal flood event in 2116 	
Epoch Three (2050 – 2116)		<ul style="list-style-type: none"> Replacement of defences (excluding Bell Wharf) in Y59 to provide protection against 10% AEP coastal flood event in 2116 Replacement of defences (excluding Bell Wharf) in Y99 to provide protection against 10% AEP coastal flood event in 2116 	<ul style="list-style-type: none"> Capital works in Y50 to re-raise all Benefit Area C defences to provide protection against a 0.5% AEP event in 2116. Capital maintenance works on all Benefit Area C defences in Y80. 	<ul style="list-style-type: none"> Replacement of defences in Section 6 (excluding Section 6.1) in Y34 to provide protection against a 1% AEP coastal flood event in 2116 Capital works in Y50 to re-raise all Benefit Area D defences to provide protection against a 0.5% AEP event in 2116. Capital maintenance and new groynes in Section 6 and to setback embankment in Section 8 in Y 72 Replacement of timber groynes in Section 8 in Y78 Capital 	<ul style="list-style-type: none"> Replacement of timber groynes in Y52 Capital maintenance including new gabions in Y75

	Benefit Area A	Benefit Area B	Benefit Area C	Benefit Area D	Benefit Area E
				maintenance to defences in Section 7 and Section 8 in Y90	

- 4.4. The form of construction, defence alignment and other specific details will all be determined through a more detailed defence specific study (Project Appraisal) and will include local consultation.
- 4.5. There will be significant environmental effects of the preferred strategy for which mitigation is proposed:

Key Significant Effects	Proposed Mitigation Actions
Intermittent disturbance (inc. noise, dust, reduced access etc) from maintenance and construction activities to residents, businesses and visitors.	<p>Planning liaison with Public Rights of Way (PRoW) Officer (PRoW / cycle route diversions), Environment Agency (contaminated land); MoD, English Heritage (preservation in situ and / or by record).</p> <p>Provide alternative facilities along the frontage.</p> <p>Sensitive timing and phasing of works to take account of tourist season and environmental sensitivities.</p> <p>Comply with construction best practice in undertaking any works, including maintenance and use construction techniques that minimise ground disturbance.</p> <p>Consult with local residents and businesses in advance of any works.</p> <p>Liaison with the fishing community with regards to sea delivery, such as, importation of rock and beach recharge, to ensure that their operations are not impeded.</p>
Increase in crest levels of defences may result in obstruction to access and sea views which may affect fishing, tourism and recreational activities and visual amenity and landscape character.	<p>Liaise with local societies / associations and provide alternative facilities along the frontage, where feasible.</p> <p>Take setting of Conservation Areas into consideration during detailed design.</p> <p>Liaise with local fisheries community. Provide temporary moorings elsewhere along the frontage. Allow for access in detailed design, through use of a removable defence or alignment of defence landward of processing units.</p>
Beach recharge / recycling activities could damage internationally and nationally designated intertidal habitats as a result of smothering of habitat or via release of fine material into the marine environment.	<p>Liaison with Natural England in matters of nature conservation.</p> <p>Comply with construction best practice and implement effective sediment control measures.</p> <p>Sensitive timing and phasing of works.</p> <p>Ensure that material used for beach recharge is similar to the existing material and free from contaminants.</p>
Coastal squeeze will affect internationally and nationally designated intertidal habitats.	<p>Provide compensatory habitat.</p> <p>Comply with construction best practice. Consult with Natural England.</p>

- 4.6. The expected cash costs of the Strategy for the first four years is £24.0m, for the rest of Epoch One £60.1m, Epoch Two £105.1m and for Epoch Three £220.7m.

4.7. The available Partnership Funding (PF) from Environment Agency is calculated from the PF calculator and is summarised for each Benefit Area with the remaining external contributions that will be required. Financial contributions to make up the Adjusted PF score to 100% will be required before any scheme can proceed. The EA contribution is based upon a benefit/cost ratio. Therefore, if savings to the scheme costs that either do not reduce or increase the benefit cost ratio the level of external contribution will improve. These contributions do not have to come from the Council but can also be sourced from other interested parties such as Network Rail, MoD, private developers, etc. Based on current estimates and predicted cost benefit ratios, EA will contribute to the proposed schemes based on the table below:

Benefit Area	EA Contribution	External Contribution (£k) or saving required to achieve an Adjusted Score of 100%	Benefit Period
A – Two Tree Island	0%	2,133	2017-2034
B – Old Leigh Port	77%	1,936	2017-2117
C - Cinder Path to Three Shells	39%	30,788	2017-2117
D - Three Shells to Old Ranges	38%	31,610	2017-2117
E – Old Ranges to East Beach	12%	5,980	2017-2117
Overall Strategy Area	38%	73,494	2017-2117

4.8. It is accepted that some proposals may be difficult to implement. In these situations, careful consideration of defence locations will be needed, as will consultation with affected frontages and/or the public. It is also accepted that achieving contributions from major beneficiaries of projects, notably Network Rail and the Ministry of Defence (MoD), may be challenging but should be vigorously pursued.

4.9. Costs split by Benefit Area:

Benefit Area	Estimated Costs (£000s)
Benefit Area A	£17,547
Benefit Area B	£33,015
Benefit Area C	£148,165
Benefit Area D	£192,723
Benefit Area E	£18,308

5. Other Options

5.1 It is an important element of the assessment process that all relevant works options should be considered. Therefore, the proposals presented are considered to be optimum having been selected by means of a comprehensive process including all options as the starting point leading to a short list of options for detailed analysis.

5.2. The Do-Nothing option is presented within the detailed economic analysis for each short listed option.

6. Governance

6.1. Governance control will be required for implementation and long term operation of the Strategy. The governance will be in line with the principles of PRINCE2 and in accordance with Departmental procedures.

7. Reasons for Recommendations

7.1 There is a clear need to develop the sub-regional elements of the Shoreline Management Plan into a more in-depth strategy for the Borough. This document provides that more detailed approach and sets out the potential funding implications for the Borough and other stakeholders.

7.2 It is a requirement of the process that public consultation was undertaken on a draft document which was completed in autumn 2017. The post-consultation analysis report is available on request.

7.3. Adopting a comprehensive strategy and seeking for this to be approved through the EA Large Project Review Group will enable the Council to maximise access to supporting funds.

8. Corporate Implications

8.1. Contribution to Council's Vision & Corporate Priorities

8.1.1. Establishing a strategy approved by EA will contribute to the "clean and safe" strands of corporate priorities, by ensuring that the town's defences are offering the optimum standard of protection from flooding and erosion at all times and are maintained and upgraded to maintain their ability to function.

8.1.2. It will also contribute to the "excellent" strand by complying fully with the government's established strategic approach to management and funding of the defences.

8.2. Financial Implications

8.2.1. The total estimated cost of the strategy is £410m over 100 years with a Present Value (PV) Cost of £134m. PV value of benefits are estimated at £618m providing for a Benefit Cost Ratio (BCR) of 4.61.

8.2.2. The Government operate a funding regime for Flood and Coastal Erosion Risk Management (FCERM) works which is based on a "payment for outcomes" method. Under this new system the benefits returned by a project are evaluated based on measures of, for example, value for money, the reduction in flood or erosion risk provided to property, the numbers of premises in deprived areas protected and the protection or creation of natural habitat achieved. Fixed sum payments per unit of these benefits are "earned" by the scheme and will be made available from the public purse.

8.2.3. All schemes providing some level of FCERM benefit will generate some support. Some schemes providing substantial benefits will generate enough government support to fully fund the works. Others will have a shortfall in funding, but a wide

range of options will be available to achieve implementation: savings may be made in project cost; the promoting authority may provide its own funding; local businesses or landowners benefitting from the project may be approached for contributions; various government or quasi-government bodies hold funds which it may be appropriate to tap into; the Regional Flood and Coastal Committee may provide support, or the authority may be able to raise local funding by means of levies on development or Council Tax surcharges or a combination of all these methods. The Strategy identifies several potential contributors, Network Rail, the MoD, and the Essex County Council. During the development of each detailed project, possible contributors will be identified and approached.

8.2.4. The Strategy indicates the anticipated level of government support for each benefit area. These levels are based on the current high level assessment of benefits from the planned projects, and from the anticipated output measures (OMs). They may be subject to change when schemes are considered in closer detail at project appraisal stage. Where high annual costs are expected, projects have been staged over two or more years, and the expenditures in each year will vary from the assumptions made.

8.2.5. In order for the EA to approve the Strategy and thereby accept financial obligations, it will require the Council to endorse the document as its future proposals for managing the flood defences in the face of deterioration and increasing flood risk due to sea level rise.

8.3. Legal Implications

8.3.1. The legal framework within which coastal defences are managed gives rights of construction and maintenance to coastal operating authorities, who include the EA and some district and unitary authorities, including Southend. It does not impose duties on anyone to do so.

8.4. People Implications

8.4.1 The implementation of the Strategy will be met by existing Council resources.

8.5. Property Implications

8.5.1. The Strategy will introduce a programme for the future maintenance and/or reconstruction of most of the flood defences owned by the Council. No other impacts on Council property are anticipated.

8.6. Consultation

8.6.1. In order to be accepted by EA, the Strategy had to undergo extensive consultation. This involved a number of statutory consultees, a range of local business, leisure and environmental interests and the general public.

8.6.2. In order to facilitate public access and understanding of the proposed Strategy, a Non-Technical Summary (NTS) document was prepared and used within the consultation preparation. This and all the documents forming part of the Strategy documents, which are all included in the appendices to this report, were posted on the Council's website.

8.7. Equalities and Diversity Implications

8.7.1. An appraisal has been carried out and all sections of the community will benefit equally from the protection afforded by a planned programme of maintenance and renewal of the Borough's flood defences proposed in the Strategy.

8.8. Risk Assessment

8.8.1. A strategic level assessment of physical flood risk has been carried out as a major element of the economic appraisal of this Strategy (Appendix R). This assessment will be refined to higher detail in the appraisal of each improvement project brought forward for design.

8.8.2. The major risk to the successful implementation of the Strategy is anticipated to be a possible lack of funding, combined with a failure to locate external contributors. Whilst much of the funding will be provided by Partnership Funding or Flood Defence Grant-in-Aid, a significant proportion of the funding will need to be provided by other parties or Council resources.

8.8.3. The Strategy is based on forward projections of sea level rise and Climate Change. If these prove to be more severe within the period of the Strategy (our best estimate currently is approximately 0.8m over the next 100 years) additional works may be required at additional cost to achieve the same objectives.

8.9. Value for Money

8.9.1. All contractors employed to implement the Strategy will be engaged through processes designed to ensure the programme offers value for money. Working effectively with the EA will also enable delivery of this aim.

8.10. Community Safety Implications

8.10.1. The whole purpose of this Strategy is to ensure that the Borough's coastal defences are maintained in optimum condition and offering the appropriate Standard of Protection to all residents and businesses in the flood and erosion risk areas.

8.10.2. Higher sea levels lead to higher risks of flooding, particularly in stormy conditions, together with Climate Change we will see more frequent flood events in the future if nothing is done to manage this risk.

8.10.3. If defences are not maintained, the land behind these becomes vulnerable to erosion, the soft nature of the cliffs may see rapid erosion issues. Rising sea levels increase this risk of erosion.

8.11. Environmental Impact

8.11.1. The assessment of the environmental constraints and impacts has been integral to the option review process. A high-level Strategic Environmental Assessment (SEA) has been undertaken to better understand the impact of the short listed options on key receptors within the study area. SEA is a systematic process for evaluating and anticipating the consequences of decision-making, such as policies, plans, programmes prior to the implementation stage, and to identify measures to prevent, reduce and as fully as possible offset any significant adverse effects.

8.11.2. The substantial extent of mudflats fronting the entire borough foreshore is designated “Special Protection Areas” (SPAs) under European legislation, because of their importance as food sources to large populations of overwintering wildfowl. These designations place obligations on the Council to maintain the SPAs in good condition, including preserving their spatial extent. One result of the Hold the Line policy of the SMP, is that in time, with continuing sea level rise, the areas of the mudflats will reduce, and Southend will be liable to provide compensatory habitat for those losses. Currently, no land has been identified in the Borough which could be surrendered for habitat creation. The EA, however, have regional habitat creation plans set up for this purpose, and the Council would be able to contribute financially to the Anglian plan in lieu of providing land.

9. Background Papers

TE2100 Plan:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/558630/TE2100_5_Year_Review.pdf

Essex and South Suffolk Shoreline Management Plan 2 (SMP2):

<http://www.eacg.org.uk/docs/smp8/essex&southsuffolk%20smp%20final%202.4.pdf>

8. Appendices

Appendix 1 – Shoreline Strategy apart from Appendices.

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Strategy Appraisal Report

Authority Scheme
Reference

Defra / WAG LDW
Number

Promoting
Authority

Southend-on-Sea Borough Council

Strategy
Name

Southend-on-Sea Shoreline Strategy Plan



Date

December 2017

Version

V 1.0

StAR for *Southend-on-Sea Shoreline Strategy Plan*

Version	Status	Signed off by:	Date signed	Date issued
1.0	Draft – SBC Review	Z Hutchison	15/12/2017	15/12/2017
1.1	Draft – SBC Review	Z Hutchison	26/01/2018	26/01/2018

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For technical approval of the business case

Environment Agency Region: Anglian

Project name: Southend-on-Sea Shoreline Strategy Plan

Approval Value: £410 million (PV Costs: £134 million)

Sponsoring Director: Andrew Lewis Deputy Chief Executive, Southend-on-Sea Borough Council

Non-financial scheme of delegation

Part 11 of the Non-financial scheme of delegation states that approval of FCERM Strategies/Complex Change Projects, following recommendation for approval from the Large Projects Review Group, is required from the Regional Director or Director, Wales and Director of Operations.

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Approval history sheet

APPROVAL HISTORY SHEET (AHS)			
1. Submission for review (to be completed by team)			
Project Title: Southend-on-Sea Shoreline Strategy Plan		Project Code:	
Project Manager: Milaila Bentz		Date of Submission: April 2018	
Lead Authority: Southend-on-Sea BC		Version No: 1.1	
Consultant Project Manager: Tom Dix		Consultant: Mott MacDonald	
<i>The following confirm that the documentation is ready for submission to PAB or LPRG. The Project Executive has ensured that relevant parties have been consulted in the production of this submission.</i>			
Position	Name	Signature	Date
Project Executive	Andrew Lewis		
	Job Title:	Deputy Chief Executive	
2. Review by: Large Projects Review Group (LPRG)			
Date of Meeting(s):		Chairman:	
Recommended for approval: In the sum of £:		Date:	Version No:
3. Environment Agency NFSoD approval <i>Officers in accordance with the NFSoD.</i>			
Version No:		Date:	
Project Approval	By: In the sum of: £	Date:	
4. Defra			
Submitted to Defra or Not Applicable (as appropriate)		Date:	
Version No. (if different):			
Defra or Not applicable (as appropriate)		Date:	
Comments:			

**NON FINANCIAL SCHEME OF DELEGATION (NFSoD) COVERSHEET FOR A FCRM
COMPLEX CHANGE PROJECT / STRATEGIC PLAN**

1.	Project name	Southend-on-Sea Shoreline Strategy Plan		Start date	March 2016
				End date	April 2018
	Business unit	Anglian Region, Flood Risk Management (FRM)	Programme	FDGiA	
	Project ref.		Regional SoD ref.	Head Office SoD ref.	-

2.	Role	Name	Post Title
	Project Sponsor	Mark Johnson	Area Coastal Manager
	Project Executive	Andrew Lewis	Deputy Chief Executive
	Project Manager	Milaila Bentz	Coastal Defences Engineer

3.	Risk Potential Assessment (RPA) Category	Low	<input checked="" type="checkbox"/>	Medium	<input type="checkbox"/>	High	<input type="checkbox"/>
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4.	NFSoD value	£k
	Whole Life Costs (WLC) of Complex Change Project / Strategic Plan	134,214

5.	Required level of Environmental Impact Assessment (EIA)	N/A	Low	Medium	High
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6.	NFSoD approver name	Post title	Signature	Date
		Regional Director/Director Wales		
		Director of Operations		
	NFSoD consultee name	Post title	Signature	Date
		LPRG Chair		
	Mark Johnson	Coastal Manager, Anglian Eastern		

Foreword

Southend-on-Sea Borough Council appointed engineering consultancy Mott MacDonald Ltd. to prepare this 2017 submission of the Southend-on-Sea Shoreline Strategy. This 2017 Shoreline Strategy represents a revision of a previously prepared and submitted document by Black & Veatch Ltd in 2012 and again in 2014.

This 2017 Shoreline Strategy makes use of material previously prepared by Black and Veatch Ltd on behalf of Southend-on-Sea Borough Council. Full recognition is given to the material developed by Black and Veatch Ltd. and used in this 2017 Shoreline Strategy.

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Glossary / Abbreviations

Abbreviation / Term	Definition
AEP	Annual Exceedance Probability
AST	Appraisal Summary Table
Av.BCR	Average Benefit Cost Ratio
BA	Benefit Area
BCA	Built Conservation Area
BCR	Benefit Cost Ratio
Defra	Department for Environment, Food and Rural Affairs
CIRIA	Construction Industry Research and Information Association
ECC	Essex County Council
EIA	Environmental Impact Assessment
EU	European Union
FCERM-AG	Flood and Coastal Erosion Risk Management Appraisal Guidance
FCS	Favourable Conservation Status
FDGiA	Flood Defence Grant in Aid
FLAG	Fisheries Local Action Group
HRA	Habitat Regulation Assessment
HTL	Hold the Line
iBCR	Incremental Benefit Cost Ratio
IROPI	Imperative Reason of Overriding Public Interest
LA	Local Authority
LDF	Local Development Framework
LLFA	Lead Local Flood Authority
LPRG	Large Project Review Group
MCM	Multi-coloured Manual
MoD	Ministry of Defence
MMO	Marine Management Office
NAI	No Active Intervention
OB	Optimism Bias
OBC	Outline Business Case
OM	Outcome Measures
PAR	Project Appraisal Report
PDZ	Policy Development Zone
PF	Partnership Funding
PFRA	Preliminary Flood Risk Assessment
PRoW	Public Right of Way
PV	Present Value
PVb	Present Value benefits

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PVc	Present Value Costs
PVd	Present Value Damages
RL	Residual Life
RBMP	River Basin Management Plan
RHCP	EA Regional Habitat Creation Programme
SAC	Special Area of Conservation
SBC	Southend-on-Sea Borough Council
SEA	Strategic Environmental Assessment
SFRA	Strategic Flood Risk Assessment
SMP	Shoreline Management Plan
SoP	Standard of Protection
SOA	Super Output Areas
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
StAR	Strategy Appraisal Report
SWMP	Surface Water Management Plan
TE2100	Thames Estuary 2100
UK	United Kingdom
UKCP 09	UK Climate Projections 09
WFD	Water Framework Directive

1 Executive Summary

1.1 Introduction and Background

- 1.1.1 This coastal flood and erosion risk management Strategy covers approximately 12 km of coastline within the jurisdiction of Southend-on-Sea Borough Council (SBC). Southend-on-Sea is located on the Essex coast, in the outer Thames estuary (see Figure 1).
- 1.1.2 The purpose of the Southend-on-Sea Shoreline Strategy (“the Strategy”) is to plan and co-ordinate a technically sound, environmentally acceptable and economically viable proposal for coastal flood and erosion risk management over the next 100 years in the Borough of Southend-on-Sea.

1.2 Problem

- 1.2.1 Low-lying areas of the frontage are at risk of tidal flooding and the soft London Clay geology puts the coastline at risk of erosion. The existing coastal defences are ageing, having been constructed largely over 100 years ago. The existing SoP across the frontage varies considerably from 100% AEP to 0.5% AEP and will reduce further with sea level rise.
- 1.2.2 In the absence of an agreed long-term Strategy and sufficient financial resources to institute pro-active maintenance procedures, a reactive approach to the management of the frontage has been maintained. Due to the aging defences, local failures of the revetment and of sections of the seawall have occurred, together with a gradual deterioration of the timber groynes. To date some ad-hoc repairs and general maintenance have been undertaken using SBC’s own internal budgets. This is not a sustainable solution; hence an agreed Strategy is required.
- 1.2.3 Southend-on-Sea benefits from extensive intertidal saltmarsh and mudflats that are designated Natura 2000 sites. The TE2100 Plan and SMP2 have identified that the present and continued operation of coastal flood defences will lead to the loss of intertidal habitat over the course of the next 100 years through coastal squeeze.
- 1.2.4 Based on the complex and key delivery aims for the project, two primary and three secondary objectives to deliver the Shoreline Strategy have been developed in conjunction with SBC, the EA and Natural England. These are outlined in Table 1-1.

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Table 1-1: The Strategy Objectives

Primary Objectives	Secondary Objectives
Objective 1: Maximise the reduction of coastal flood and erosion risk to properties and infrastructure at significant or very significant risk of flooding in light of coastal change over the next 100 years.	Objective 3: Support regeneration of Southend-on-Sea and the viability and sustainable development of the tourist industry in accordance with local development policy.
Objective 2: Contribute to a functional, healthy estuary while maintaining and improving the integrity of designated habitats. Aim to offset the impact of coastal squeeze and achieve a net environmental gain in support of the delivery of the Thames River Basin Management Plan.	Objective 4: Align with the objectives of TE2100 and Essex SMP2 to ensure a coherent approach to coastal flood and erosion risk in the region where appropriate.
	Objective 5: Develop a realistic implementation plan that favours options that reduce the whole-life costs and liabilities to the tax payer and utilise partnership funding sources, subject to the consideration of wider community benefits.

1.3 Options Considered

1.3.1 The Strategy area has been divided into five 'Benefit Areas', as shown in Figure 1. These Benefit Areas are hydraulically independent, meaning if coastal flooding were to occur within the Benefit Area, flood waters would not extend into adjacent Benefit Areas. Within each Benefit Area are Defence Sections, which are sections of the frontage with similar flood defence structures. The following options have been considered for each Benefit Area:

- **No Active Intervention:** No flood or coastal erosion risk management activity. The No Active Intervention option is the baseline against which all other options are assessed.
- **Hold the Line (HTL) – Maintain (Do Minimum – Patch and Repair):** Continued routine maintenance of flood defences for the remainder of their useful life.
- **Hold the Line (HTL) – Maintain:** The existing defences are to be maintained, replaced and improved as required to their existing crest level. The SoP will deteriorate throughout the lifetime of the Strategy due to sea level rise and increased storminess associated with the effects of climate change.
- **Hold the Line (HTL) – Sustain:** The existing defences are to be maintained, replaced and improved as required to continue to provide their current level of protection for the next 100 years.
- **Hold the Line (HTL) – Upgrade:** In this option, the existing defences would be maintained, replaced and improved as required to provide a higher standard of protection than they do at present for the next 100 years.
- **Managed Realignment (retreat or advance the line):** This option involves the creation of a new line of defence landward or seaward (dependant on the type of realignment) from the existing alignment.
- **Adaptation Measures:** Not developing the front-line defence and instead improving flood resilience and resistance through demountable defences or at an individual property level (e.g. flood doors). It also includes measures such as development control to minimise the impacts of a flood event.

1.3.2 A summary of the options shortlisted for detailed assessment is provided in Table 1-2.

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Table 1-2: Summary of Shortlisted Options

Benefit Area	Defence Section	No Active intervention	HTL (Do Minimum – Patch & Repair)	HTL Maintain	HTL Sustain	HTL Upgrade	Managed Realignment	Adaptation Measures*
A	1		✓					
B	2	✓		✓	✓	✓		✓
C	3	✓		✓	✓	✓		✓
	4	✓		✓	✓	✓		✓
	5	✓		✓	✓	✓		✓
D	6	✓		✓	✓	✓		✓
	7	✓		✓	✓	✓		✓
	8	✓		✓	✓	✓		✓
E	9	✓		✓	✓		✓	

*To be considered as a component of the HTL options

1.4 Preferred Option

1.4.1 The Strategy defined the preferred options for each Benefit Area as:

- Benefit Area A: Two Tree Island.** A programme of patch and repair works will be undertaken during the first epoch of the Strategy (to 2034 only). An annual assessment and inspection of defences in this Benefit Area will be undertaken to ensure maintenance works are carried out in a proactive manner. During the first epoch of the Strategy, it is proposed that a working group is formed with key stakeholders and interested parties to identify a long-term approach to managing this issue.
- Benefit Area B: Old Leigh Port – HTL Sustain.** Defences will be raised to provide a consistent SoP against coastal flooding in light of climate change. The risk of coastal erosion will be negated, a 10% AEP SoP will be provided in 2116. Adaptation measures should be applied including temporary and demountable defences to achieve a consistent 10% AEP SoP. Wherever possible development should be compatible with potential flooding, thereby limiting the consequence of these events.
- Benefit Area C: Cinder Path to Three Shells – HTL Upgrade.** Defences will be upgraded to provide a 0.5% AEP against coastal flooding in 2116 in light of climate change. The risk of coastal erosion will be negated. Adaptation measures should be applied including development and planning control. Temporary and demountable defences are only deemed suitable to provide property level protection at Chalkwell. At Cinder Path and Westcliff, the presence of long expanses of key infrastructure adjacent to the coastal defences make temporary and demountable defences unsuitable.
- Benefit Area D: Three Shells to the Old Ranges – HTL Upgrade.** Defences will be upgraded to provide a 0.5% AEP against coastal flooding in 2116 in light of climate change. The risk of coastal erosion will be negated.

Adaptation measures should be applied including development and planning control. Temporary and demountable defences to be considered in localised areas to achieve a consistent 0.5% AEP SoP.

- **Benefit Area E: East Beach – HTL Sustain.** Defences will be raised to provide a consistent SoP against coastal flooding in light of climate change. A 10% AEP SoP will be provided in 2116. The risk of coastal erosion will be negated. Adaptation measures should be applied including development and planning control. Temporary and demountable defences to be considered in localised area to achieve a consistent 10% AEP SoP.

1.4.2 The economic case for the preferred Draft Strategy is presented in Table 1-3.

Table 1-3: Summary of Preferred Strategy (£k)

Benefit Area (BA)	BA A	BA B	BA C	BA D	BA E	Total
Standard of Protection in 2116	N/A	10% AEP	0.5% AEP	0.5% AEP	10% AEP	
PV Costs, inc. risk (60% OB) (£k)						
Other Costs (£k)	£0	£463	£2,532	£2,379	£323	£5,697
Capital Costs (£k)	£0	£7,571	£45,923	£45,567	£6,059	£105,120
Maintenance Costs (£k)	£1,957	£161	£4,630	£6,741	£1,489	£14,978
Compensatory Habitat Costs (£k)	£2,133	£437	£2,036	£3,413	£400	£8,419
Total PV Costs (£k)	£4,090	£8,633	£55,121	£58,100	£8,270	£134,214
PV Benefits (£k)	£0	£69,678	£175,704	£355,076	£17,598	£618,056
Average Benefit/Cost Ratio (BCR)	N/A	8.07	3.19	6.11	2.13	4.61
Cash Costs (£k) – not including risk						
Other Costs	£0	£911	£3,729	£4,401	£358	£9,399
Capital Costs	£0	£17,168	£70,256	£84,707	£6,349	£178,480
Maintenance Costs	£1,554	£627	£9,033	£16,285	£2,972	£30,471
Compensatory Habitat Costs	£9,411	£1,929	£9,585	£15,058	£1,765	£37,748
Total Cash Costs (£k)	£10,966	£20,635	£92,603	£120,452	£11,443	£256,098
Initial Benefit Period						
Benefit Period	0 - 17	0 – 100 years	0 – 100 years	0 – 100 years	0 – 100 years	0 – 100 years
PV Costs (£k)	£4,090	£8,633	£55,121	£58,100	£8,270	£134,214
PV Benefits (£k)	£0	£69,678	£175,704	£355,076	£17,598	£618,056
Raw Score (%)	0%	77%	39%	38%	12%	38%
Contributions Required (£k)	£2,133	£1,936	£30,788	£31,610	£5,980	£73,494*
Contributions Achieved (£k)	£0	£0	£0	£0	£0	£0
Adjusted PF Score (%)	0%	77%	39%	38%	12%	38%

*Note: This figure has been taken from the Strategy wide PF Calculator. This does not equal the sum of the individual PF calculations due to internal calculation and rounding within the PF Calculator

1.4.3 An implementation plan has been developed as part of the Strategy Plan. During the first five years of the Strategy, capital works are planned at:

- Benefit Area D: Shoebury Common works planned for year one of the Strategy to improve the SoP against coastal flooding
- Benefit Area B: Bell Wharf works planned for year four of the Strategy to replace a length of degraded sea wall
- Benefit Area D: Replacement of Timber Groynes in Defence Section 6 in year four of the Strategy
- Benefit Area E: Replacement of existing defences in year four of the Strategy

1.4.4 At this strategic stage contributions from other sources have not been included. However, some contributions (i.e. other than FDGiA) will be needed to fully implement the Strategy. Possible sources for contributions (capital and maintenance) are identified in Table 1-4 along with the applicable funding mechanism and the section(s) of defence that this funding source is suitable for.

Table 1-4: Possible Sources of Funding

Possible Funding Source	Applicable Defence Sections	Funding Mechanism
Network Rail	2, 3 & 4 (Leigh-on-Sea to Chalkwell).	Riparian owner, with existing responsibility for maintaining defence.
MoD	8 & 9 (foreshore)	MoD own foreshore and have responsibility for its upkeep and maintenance. The defences and hinterland in Defence Section 9 are also owned by the MoD.
Private Developers	All sections - capital works with commuted sum to SBC for maintenance.	Section 106 agreements (similar to that for the Old Ranges Garrison development) and other partnership working.
Utility providers	All sections where utility asset is protected by defence) – capital works.	Financial contribution to be made for continued protection.
Essex County Council (ECC)	Defence Section 1 where ECC had involvement in legacy landfill activities	Financial contribution to be made for continued protection.
SBC	All sections, but most likely those where SBC is the lead authority – capital and maintenance works.	Financial contribution and on-going maintenance budget.
Local businesses	All sections, but most likely those in the higher amenity areas (around the pier) - capital and maintenance works.	Innovative mechanism such as Infrastructure levy.
Local residents	All sections - capital and maintenance works.	Innovative mechanism such as council tax levy.
Environment Agency (EA)	Two Tree island	Part of a collaborative approach for works on contaminated land in the area including Two Tree Island and Hadleigh Marsh.

North Thames FLAG	2 (Old Leigh)	Alignment of coastal works with delivery of works to upgrade working port facilities. Providing opportunities to tie into wider national and international funding sources.
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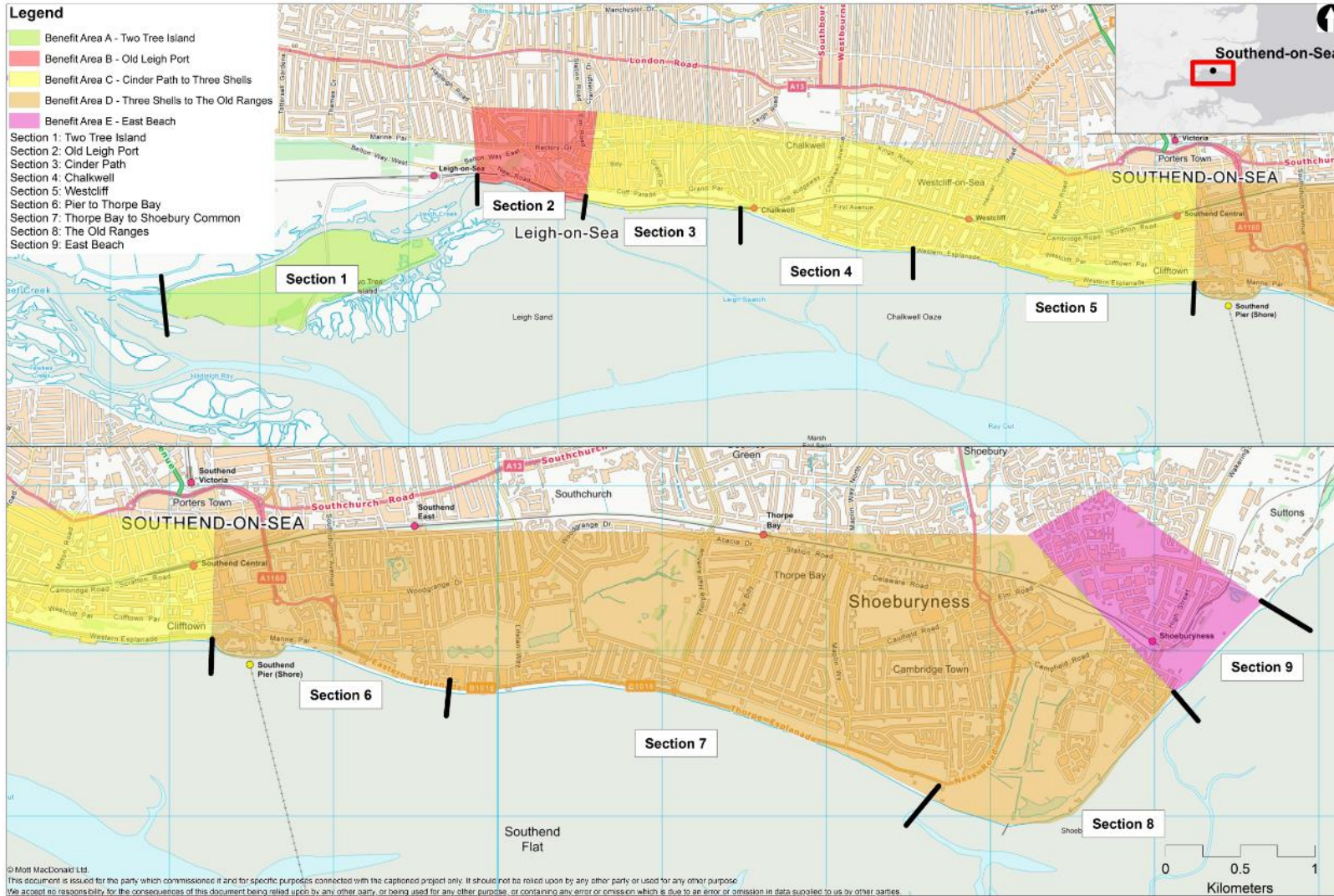
1.5 Recommendation

- 1.5.1 It is the recommendation of this report that this Southend-on-Sea Shoreline Strategy Plan is approved for a total value of £410 million (PV Cost £134 million). Scheme details will be developed through subsequent project appraisal, which will take into account any updates to policy and guidance. With an approved Strategy in place SBC will have a technically sound, environmentally acceptable and economically viable proposal for coastal flood and erosion risk management over the next 100 years in the borough of Southend-on-Sea. A clear strategic approach will enable SBC to develop effective working partnerships with stakeholders and potential financial contributors.

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Figure 1 - Southend-on-Sea Shoreline Strategy Plan



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2 Introduction and Background

2.1 Purpose of this Report

- 2.1.1 The purpose of the Southend-on-Sea Shoreline Strategy (“the Strategy”) is to plan and co-ordinate a technically sound, environmentally acceptable and economically viable proposal for coastal flood and erosion risk management over the next 100 years in the borough of Southend-on-Sea.
- 2.1.2 Southend-on-Sea Borough Council have prepared this Strategy Appraisal Report (StAR) as part of their vested responsibility as a Maritime District Council under the Coast Protection Act, 1949. The StAR details required capital, maintenance and other costs to ensure effective management of the Southend-on-Sea coastline over the next 100 years and is seeking technical approval for a total value of £410 million (PV Costs £134 million).
- 2.1.3 The continued need for reactive urgent/emergency works to various lengths of the Southend-on-Sea frontage and the need for major future investment to replace the aging assets have highlighted the need for an approved Strategy to be adopted for this length of coast. This will allow SBC to take a proactive and coordinated approach to the management of the frontage.
- 2.1.4 The Strategy has been undertaken in accordance with Defra / Environment Agency guidance, particularly the Flood and Coastal Erosion Risk Management Appraisal Guidance (FCERM-AG) (Environment Agency, 2010b).
- 2.1.5 Within the Strategy, three time periods (referred to as epochs) have been defined to enable planning in the short, medium and long term (Table 2-1). To fit within the strategic and legislative context of the region (See Section 2.2) the timing of these epochs has been aligned with those defined in the TE2100 Plan. This will ensure better alignment with the Environment Agency’s Regional Habitat Creation Programme.

Table 2-1: Time Periods of the Strategy

	SMP2	TE2100 Plan	Southend-on-Sea Shoreline Strategy
Epoch 1	2010-2025	2010-2034	2017-2034
Epoch 2	2026-2055	2035-2049	2035-2049
Epoch 3	2056-2105	2050-2100	2050-2116

2.2 Background

Strategic and Legislative Framework

- 2.2.1 The Southend-on-Sea shoreline is covered by the 2010 Essex and South Suffolk Shoreline Management Plan (SMP2), Management Unit J (Southend-on-Sea). The preferred policy of the SMP2 for the Southend-on-Sea shoreline in the short (now to 2025), medium (2025-2055) and long (2055-2105) term is to hold the current alignment of coastal defence and to sustain or upgrade the existing standard of protection in line with sea level rise (Environment Agency, 2010).

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2.2.2 The Thames Estuary 2100 project (TE2100) was published by the Environment Agency in 2012 with the aim of developing a strategic flood risk management plan for London and the Thames Estuary through to the end of the century. There is an overlap between the SMP2 and TE2100 at Southend-on-Sea (between Two Tree Island and Shoeburyness). This overlap was allowed so that issues related to coastal/estuarine erosion could be reviewed. TE2100 defines eight action zones, of which three are relevant for the Shoreline Strategy (see map in Technical Appendix C):

- Action Zone 0 (estuary-wide): maintain, improve, and replace the existing defences, with habitat creation to provide replacement habitat for lost Natura 2000 sites in parallel with the development of an “end of the century” option for implementation by 2070, which may consist of a new tidal barrier.
- Action Zone 6 (lower estuary marshes): Due to the contaminated land on Two Tree Island (western end of the Strategy frontage) the approach is to maintain the flood defences at their current level, accepting that as sea level rises flood risk will increase.
- Action Zone 8 (seaside/fishermen’s frontage – Leigh Old Town and Southend-on-Sea): Take further action to sustain the current level of flood risk into the future (responding to the potential increases in risk from urban development, land use change and climate change).

2.2.3 The entire inter-tidal area of the Strategy frontage is internationally designated for nature conservation purposes. Active legislation includes:

- Habitats Directive
- Birds Directive
- Convention on Wetlands of International Importance especially as Waterfowl Habitat 1971 (Ramsar)

2.2.4 Any schemes resulting from the Strategy and that are promoted by Southend-on-Sea Borough Council will be carried out under the **Coast Protection Act 1949** or **Land Drainage Act 1991** (depending on whether the works are predominantly for protection against coastal erosion or coastal flooding).

Previous Studies

2.2.5 Previous revisions of the Southend-on-Sea Shoreline Strategy have been produced:

- The Southend-on-Sea Shoreline Strategy Plan was prepared on behalf of SBC by Mouchel Consulting Ltd, which was published in 1998 (referred to hereafter as the “1998 Strategy”). However, this 1998 Strategy was not formally approved by Defra. Where relevant, information from the 1998 Strategy has been used and updated as appropriate, in the development of this Strategy.
- A revision of the 1998 Strategy was prepared on behalf of SBC by Black and Veatch Ltd and submitted to the Environment Agency in 2012 (referred to hereafter as the “2012 Strategy”). This was not formally approved by Defra.
- A revision of the 2012 Strategy was submitted in 2014, This was not formally approved by Defra. Where relevant, information from the 2012 Strategy (and 2014 updated) has been used and updated as appropriate, in the development of this Strategy.

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- 2.2.6 In parallel to finalising this current revision of the Shoreline Strategy, SBC has also developed a scheme appraisal for coastal defences at Shoebury Common. An Outline Business Case (OBC) is being prepared for a scheme at this site. Where appropriate, information from the Shoebury Common OBC has been used in developing this 2017 Shoreline Strategy.
- 2.2.7 Given the highly urbanised nature of the SBC area, on-going development and climate change, there is the risk of surface water flooding, particularly in the low-lying areas adjacent to the coast (historic valleys). The Southend-on-Sea Surface Water Management Plan (AECOM for SBC, 2015) identifies that surface water flood events have been recorded in the borough in 2013 and 2014, resulting from intense rainfall events. Refer to Technical Appendix S for more detail on flood risks from other sources.
- 2.2.8 As part of SBC's role as the Lead Local Flood Authority (LLFA), SBC have improved methods of recording flood incidents. In the 2013 and 2014 surface water flood events, 368 incidents of flooding were recorded (AECOM for SBC, 2015). Along the coastal frontage, flooding was prevalent at Chalkwell and along Eastern Esplanade and Marine Parade. As such SBC are currently developing surface water flood management schemes in these areas. These schemes are taken into consideration within this Shoreline Strategy. Any works to manage coastal flooding and erosion will need to be compatible with any identified actions to manage surface water (and vice versa).
- 2.2.9 In addition to the aforementioned studies, the following reports are of particular relevance to the Strategy:
- Essex and South Suffolk Shoreline Management Plan 2 (Environment Agency, 2010)
 - Greater Thames CHAMP (APB Mer and Natural England, 2008)
 - Leigh Creek Realignment Technical Feasibility Study (Halcrow for SBC, 2011)
 - Southend-on-Sea Surface Water Management Plan (AECOM for SBC, 2015)
 - Southend-on-Sea Cliffs Quantitative Risk Assessment (Halcrow for SBC, 2014)
 - Southend-on-Sea Borough Council Flood Plan (SBC, 2005)
 - Southend-on-Sea Development Management Document (SBC, 2015b)
 - Southend-on-Sea Core Strategy (SBC, 2007)
 - Thames Estuary 2100 Plan (Environment Agency, 2012)

Social and Political Background

- 2.2.10 Southend-on-Sea is a Unitary Authority within the administrative county of Essex. SBC are a Maritime District Council and the LLFA and as such responsible for managing flood risk within the borough pursuant to the Coastal Protection Act (1949) and Flood and Water Management Act (2010). The borough of Southend-on-Sea is bordered on the west by Castle Point District Council to the north by Rochford District Council and to the east by Great Wakering Parish Council. Any schemes to be delivered at the boundaries of the Strategy area would need to work collaboratively with the respective adjacent authorities.
- 2.2.11 Southend-on-Sea is a densely populated area with assets adjacent to the coastline, resulting from the region's historical and ongoing popularity as a seaside resort. The entire coastline is at risk from erosion and with significant areas of the hinterland low lying, properties behind the defences in many areas are at risk from

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coastal flooding. Southend-on-Sea is the largest urban centre in the county of Essex and is subsequently the focus of much of the economic activity in the region. The provision of coastal protection is therefore paramount to continuing economic activity not just locally, but regionally.

- 2.2.12 25% of the properties within the Strategy Area are classified as deprived (defined as the lowest 20% of Super Output Areas in terms of deprivation ranking), the highest concentrations being in Benefit Areas C (Cinder Path to Three Shells) and D (Three Shells to the Old Ranges).
- 2.2.13 The Southend-on-Sea Borough Council Core Strategy (2007) and Southend-on-Sea Development Management Document (2015b) both identify the seafront as an important part of the future social and economic development of Southend-on-Sea. These policy documents also identify the importance of ensuring any such development is done in a manner appropriate to the residual risk of flooding along the frontage.

Location and Designations

- 2.2.14 Southend-on-Sea is located in Essex on the north bank of the Outer Thames Estuary. The Southend-on-Sea coastline is approximately 12km long and extends from Two Tree Island in the west to East Beach in the east (see Figure 1). The coastal defences at Hadleigh Marshes located to the west of Old Leigh and running adjacent to Two Tree Island are not included within this Shoreline Strategy as these are under the management of the Environment Agency through TEAM2100. The eastern extent of the Shoreline Strategy is the submarine boom located at East Beach. To the north of this point, defences are managed by the Ministry of Defence and are covered by the Crouch and Roach Strategy (currently unapproved).
- 2.2.15 The Strategy area sits within Management Unit J of the SMP2 and represents the southernmost management unit of the SMP2. Southend-on-Sea also sits within Action Zone 8 (Leigh Old Town and Southend-on-Sea) at the eastern extent of the TE2100 Plan (extending east as far as Shoeburyness only).
- 2.2.16 Existing coastal defences are currently in place along the full length of frontage. The coastal defence assets include a natural dune system, beaches, seawalls, embankments, and revetments. There are also several structures which extend onto the beaches including groynes, outfalls and slipways.
- 2.2.17 The coastal frontage covered by this Strategy is a continuous coastline and therefore the management approach of adjacent sections of coast need to be compatible with each other. It is also important that expenditure on flood defence / coastal protection assets is proportional to the assets that are actually protected. The Strategy area has therefore been divided into five different 'Benefit Areas', as shown in Figure 1. These Benefit Areas are hydraulically independent, meaning if coastal flooding were to occur within one Benefit Area, flood waters would not extend into adjacent Benefit Areas. The benefit areas are described in Table 2-2.

Table 2-2: Benefit Areas

Benefit Area	Description
A - Two Tree Island	Two Tree Island is a National Nature Reserve and important site of recreation and leisure within the borough of Southend-on-Sea. The site also falls within the Benfleet and Southend Marshes Special Protection Area (SPA), Ramsar site and SSSI. The island covers approximately 257 hectares. The Island was purchased by Southend Borough Council in 1936 and until 1974, the entire island was used as a landfill site. After 1974 a smaller section of the island was used for landfill, until the licence was rescinded in 1994. Contamination risks remain a major concern in this Benefit Area.
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B - Old Leigh Port	<p>Old Leigh Port is a fishing village and working port for local anglers and fishermen. The frontage has an array of uses including: marine industries; landing and working areas for local fishermen; retail outlets; eateries and residential areas. The mainline railway between Fenchurch Street and Shoeburyness runs behind existing defences and is at risk of coastal flooding and erosion.</p> <p>Leigh Old Town is designated as a Conservation Area. The area has been built up with a strong connection to the estuary and access to the water is an important factor for the local community. Funding has been secured to form the North Thames Fisheries Local Action Group (NTFLAG), focused on the long-term prosperity of Old Leigh as a fishing area.</p>
C – Cinder Path to Three Shells	<p>Benefit Area C contains three discrete coastal defence sections: Cinder Path; Chalkwell Beach; and Westcliff Beach. Cinder Path, sees the mainline Shoeburyness to Fenchurch Street railway line pass immediately behind the existing defence line. The coastal defence forms part of Network Rail’s Coastal, Estuarine and River Defences (CERDs). The railway line is backed by steep London Clay cliffs and the coastal defences predominantly protect against toe erosion of the stabilised cliff. Clifftop properties would be vulnerable to re-activation of historic cliff erosion.</p> <p>Chalkwell Beach extends from Chalkwell Railway Station to Grosvenor Road. This section is a historic valley and sees a lowering of the London Clay cliffs in the hinterland, increasing the risk posed by coastal flooding in this area. A secondary setback wall was built in the 1970s.</p> <p>Westcliff, extending from Grosvenor Road to Three Shells Beach sees a return to steep London Clay cliffs behind the defences. The coastal defence predominantly protects against toe erosion to this stabilised cliff. Clifftop properties would be vulnerable to re-activation of historic cliff erosion. Western Esplanade, an important transport route in the borough runs behind the coastal defences in this section. A recreational tidal lagoon was constructed at Three Shells Beach in 2016.</p>
D – Three Shells to the Old Ranges	<p>Benefit Area D contains three discrete coastal defence sections: Three Shells to Thorpe Bay; Thorpe Bay to Shoebury Common and The Old Ranges. Three Shells to Thorpe Bay section, which extends eastward to Camper Road sees the hinterland transition from steep London Clay cliffs to low-lying land. The area is of vital importance to the tourist economy of Southend-on-Sea with assets including Adventure Island, Southend Pier and the Sea Life Centre</p> <p>The Thorpe Bay to Shoebury Common section extends from Camper Road to the HM Coastguard Station at Shoebury Common. A scheme is currently under investigation at Shoebury Common looking to improve the SoP of existing defences. There are extensive areas of lower ground in the hinterland of this section, increasing the impact of a coastal flood event to the predominantly residential and commercial properties found in this area. Shoeburyness is identified in the Core Strategy (2007) as a priority urban area.</p> <p>The Old Ranges section which extends from the HM Coastguard Station at Shoebury Common to Rampart Street is a former artillery barracks previously owned by the Ministry of Defence. The site was transferred to a private property developer in 2000 and has been under development since. The foreshore remains in the ownership of the Ministry of Defence and access to the public is restricted. However, the coastal defences are undergoing a transition of ownership from the developer to SBC, which is due to be completed in 2018.</p>
E - Old Ranges to East Beach	<p>Benefit Area E extends from Rampart Street to the submarine boom extending from East Beach. East Beach is currently leased to SBC by the MoD. To the north of the submarine boom, the frontage is operated by the Ministry of Defence. The area has a large amenity value with a wide beach and open grassland and is used extensively for leisure and recreational purposes.</p>

- 2.2.1 The shoreline is mostly highly developed. The seafront either side of the pier is largely dedicated to amenity and tourism related businesses. A promenade (designated in places as a Public Right of Way and National Cycle Path) runs adjacent to the existing coastal defences for much of the shoreline. The pier itself is designated as a Grade II Listed Building.
- 2.2.2 Tourism is one of the main sources of revenue to the local economy in Southend-on-Sea, mostly concentrated around the pier. In 2015, more than 6.8 million tourists came to Southend-on-Sea (Jarques, 2015). Fisheries are also an important source of income to the local economy in particular at Leigh-on-Sea, with the cockle beds around Southend-on-Sea accounting for approximately 40% of the UK's cockle landings in 2015 (MMO, 2015)
- 2.2.3 The beaches of Southend-on-Sea are popular for recreation and bathing. The large tidal range exposes a vast expanse of mudflat at low tide, extending up to 2km offshore. A recreational tidal lagoon was built at Three Shells beach in 2016, comprising sheet piling covered with a rock armour layer. The tidal mudflats at Shoeburyness (Old Ranges) were until recently used for long-range testing of artillery shells, but this activity has now moved further north (to the New Ranges, outside of the Strategy area). However, the area is still subject to known and unknown unexploded ordnance risk. Two Tree Island is a former landfill site within a clay embankment, which would be an environmental or health and safety risk were the material to be exposed.
- 2.2.4 The natural environment, in particular the extensive intertidal habitat in the Strategy area benefits from national and international designations. Two Natura 2000 sites exist; Benfleet and Southend Marshes and Foulness. These sites are also designated Ramsar sites and Sites of Special Scientific Interest (SSSIs).
- 2.2.5 Also within the Strategy area, there are some habitats and species of local conservation importance as identified by the Essex Biodiversity Action Plan. Other important ecological features include the Leigh National Nature Reserve, Local Nature reserves and Local Wildlife Sites and two Important Bird Areas.
- 2.2.6 The Natura 2000 network of sites must be maintained *in situ*, if it is sustainable to do so, and where it is not sustainable, compensatory measures (usually in the form of habitat) must be provided prior to its loss (provided that there are no feasible alternative solutions and the adverse impacts cannot be avoided, i.e. there is an imperative reason of overriding public interest (IROPI)). A Strategic Environmental Assessment (SEA) Habitat Regulations Assessment (HRA) and Water Framework Directive (WFD) Assessment have been produced and reports are included in Appendices N, O and P respectively.
- 2.2.7 Southend-on-Sea is served by two railway lines, both connecting the town with London providing important commuter links to the capital city. Southend-on-Sea Borough Council also controls 2000 moorings along the coastline and there are numerous yacht clubs and sailing clubs that use these moorings.
- 2.2.8 There are 14 Built Conservations Areas (BCAs) within the Strategy area, recognising areas of special architectural and historic interest, the character or appearance of which is desirable to preserve or enhance. There are several Listed Buildings (mostly located within the BCAs). There are also four Scheduled Monuments within the Strategy area, which are all of military significance (See Technical Appendix N).

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History of Coastal Flooding and Erosion

- 2.2.9 Until the end of the 19th century the western half of the Southend-on-Sea coastline consisted of actively eroding soft cliffs, 30m high in places, with re-entrant valleys. The erosion of these cliffs under wave action and natural shoreline retreat provided a plentiful supply of sediments to the area for the formation of natural beaches. Construction of coast protection works at about that time halted the supply of sediment. To counteract this lack of sediment input, until about the 1970's SBC operated their own dredger, which was constantly engaged in returning sediment to the beaches from the areas of the foreshore where it had accreted.
- 2.2.10 Due to the historic presence of coastal defences, there is no recent history of coastal flooding and/or erosion. However, the beaches have continued to lower and the condition of the existing defences has deteriorated. SBC undertake annual inspections of foreshore levels along the frontage (see Technical Appendix F).
- 2.2.11 There have been two major flood events within the Strategy area. The first recorded major flooding event in 1897 led to flooding in the areas around Old Leigh (Defence Sections 2 and 3), along Western Esplanade (Defence Section 5) and at East Beach (Defence Section 9) (Mouchel, 1998). In 1953, the "Great Flood" of the east coast also caused flooding in the Southend-on-Sea area (see Technical Appendix D) that is believed to have been more extensive than that in 1897 to Old Leigh (Defence Sections 2 and 3) and Western Esplanade (Defence Section 5), and extending relatively far inland at Southchurch (Defence Section 6) and Shoeburyness (Defence Sections 7 and 8).
- 2.2.12 In past years, there have also been several flood events of a relatively minor nature along the frontage at the same locations where the flooding over the past century took place. Old Leigh and sections of the Cinder Path and the revetment fronted length at the western Esplanade occasionally overtop.
- 2.2.13 Despite there being a lack of a recent history of coastal flooding, coastal flood risk remains a key concern of SBC, particularly given the reliance of the local economy and community on the shoreline. Southend-on-Sea has benefited from coastal defences since the Victorian era. The limited coastal flood events on record may be a recognition of effective defence of the coastline as opposed to any perceived view of an absence of coastal flood risk. With an ageing stock of coastal defence assets, SBC recognises the importance of ensuring an effective and coherent approach to managing coastal flood and erosion risk in the future.

2.3 Current Approach to Coastal Flood and Erosion Risk Management

Measures to Manage Coastal Erosion and the Probability of Coastal Flooding

- 2.3.1 The main mechanisms which could cause tidal and coastal flooding within the Southend-on-Sea area are described below and include:
- **Overtopping of defences** – caused when high energy waves or high-water levels exceed the height of the defences/structures present along the coastline. This is a particular risk in the Southend-on-Sea area because the defences are relatively old and have not been designed with the latest sea level rise estimates.




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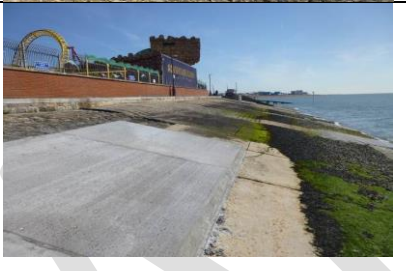


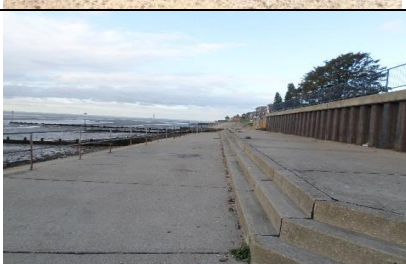
- **Breach in defences** - A large impact flood event may occur due to a breach in the coastal defences caused by failure of the defences. A breach in the defences is more likely to cause a higher impact flood event (when compared to overtopping) as inundation is likely to be rapid and in large quantities. Similar to the risk of overtopping, in the Southend-on-Sea area the defences are in poor condition, so the risk of a breach is increased.
- **Storm surges** – Southend-on-Sea is vulnerable to storm surges. There are two main mechanisms which cause storm surges: westerly surges generated by depressions in the Atlantic and easterly surges generated in the North Sea (Environment Agency, 2006).

2.3.2 The entirety of the Strategy coastline is currently defended from coastal erosion and flooding. The coastal defence assets include a natural dune system, beaches, seawalls, embankments, revetments and floodgates. There are also several structures which extend onto the beaches including groynes, outfalls and slipways.

2.3.3 Nine coastal defence sections (shown in Figure 1) have been defined along the coastal frontage. These represent sections of defences similar in their nature. An overview of the defences is provided in Table 2-3 and the condition, standard of protection and residual life of the defence sections is summarised in Table 3-1.

Table 2-3: Coastal Defence Sections

Benefit Area	Section	Typical Photograph	Description
A Two Tree Island	1 - Two Tree Island		Mixture of earth embankments and revetments. Mudflats and saltmarsh comprise the foreshore. No groynes.
B – Old Leigh Port	2 - Old Leigh Port		Primarily consist of concrete walls and sheet steel piles. Mudflats comprise the foreshore.
C – Cinder Path to Three Shells	3 – Cinder Path		The majority of the defence is bitumen covered revetment and in some locations, have been piled through. Small sand beach with timber groynes.

Benefit Area	Section	Typical Photograph	Description
	4 - Chalkwell		Consists of a blockwork seawall fronted by beach supported with timber groynes. A clad sheet-piled floodwall is set back from promenade.
	5 - Westcliff		Mainly blockwork sea wall and revetment fronted by a shingle beach of varying width. Timber groynes are in place along the foreshore.
D – Three Shells to the Old Ranges	6 - Three Shells to Thorpe Bay		Blockwork revetment around the foot of the pier and a combined revetment and sea wall along the rest of the frontage. Sand/Shingle beach with some timber groynes that are mostly buried as a result of the 2001/02 recharge scheme at Jubilee Beach.
	7 - Thorpe Bay to Shoebury Common		Defences consist mainly of blockwork revetments and sea walls, with a large number of timber groynes present.
	8 – The Old Ranges		Generally formed of concrete seawalls and revetments. Repairs have been undertaken to the revetment to cover in Open Stone Asphalt. Wave wall located on top of existing defence (built as part of development behind). Timber groynes present.
E – Old Ranges to East Beach	9 - East Beach		Sand/shingle beach backed by defences including: gabion baskets, rock armour revetment, steel sheet piling and sand dunes.

2.3.1 SBC currently manage the majority of the shoreline within their jurisdiction under the Coast Protection Act (1949), but other organisations also have responsibility, as defined in Table 2-4.

Table 2-4: Coastal Defence Sections not Owned by SBC

Benefit Area and Defence Section	Organisation	Description
BA C: Section 3	Network Rail	Bell Wharf to Chalkwell Beach
BA D: Section 8	Avant Homes, SBC and Ministry of Defence (MoD)	Shoeburyness has been improved by the developer Avant Homes, who will hand over responsibility for the seawall to SBC on payment of a commuted sum under a Section 106 agreement, The MoD will retain responsibility for the foreshore due to the residual UXO risk.
BA E: Section 9	MoD	East Beach is currently leased to SBC by the MoD who retain the freehold for this area.

2.3.2 Other organisations, such as Anglian Water and local business, also have assets within the Strategy area and could potentially contribute towards protection from flooding and/or erosion.

2.3.3 The continued management of the existing coastal defences is mostly undertaken on a reactive basis as there is no agreed management Strategy in place. SBC currently undertake annual maintenance to the defences, which largely consists of renewal of damaged, worn or missing groyne planks, minor beach recycling, concrete repairs and reactive repairs to stone pitched revetments. Annual maintenance is currently funded from SBC's own internal revenue budget with an approximate annual cost of £25,000 per km.

Measures to Manage the Consequences of Flood Risk

2.3.4 Southend-on-Sea is covered by the Environment Agency's Flood Information Service which is used to monitor flood warning information. The Southend Flood Plan (2005) is SBC's response plan to major flood events within the borough to ensure a coordinated response to any flood events.

2.3.5 SBC have appointed a Term Service Contractor to manage the maintenance of their coastal assets. As part of this agreement the Contractor will provide 24-hour response to flood events and will be available to undertake emergency works if necessary. The Contractor will also hold in stock 2000 sandbags.

2.3.6 The Southend-on-Sea Borough Council Core Strategy (2007) and Southend-on-Sea Development Management Document (2015b) both identify the seafront as important to the future social and economic development of Southend-on-Sea. These policy documents also identify that any such development is done in a manner appropriate to the residual risk of flooding along the frontage.

3 Problem Definition and Objectives

3.1 Outline of the Problem

- 3.1.1 The existing coastal defences are ageing, having been constructed largely over 100 years ago. The existing SoP across the frontage varies considerably from 100% AEP to 0.5% AEP and will reduce further with sea level rise (see Table 3-1).
- 3.1.2 The general condition, SoP and residual life (RL) are summarised in Table 3-1. A range is given for the SoP in the present day as this reflects that coastal flooding is found to occur at a point between these modelled storm events. The SoP for the future assumes the defences are the same as those currently in place. Further description of the condition of the existing defences can be found in Technical Appendix G.

Table 3-1: Standard of Protection Provided by Existing Coastal Defences

Defence Section	Minimum Residual Life (years)	Standard of Protection (AEP in any year)		Notes
		Current	Future (100 years' time)	
1 - Two Tree Island	20	2% - 1%	100%	The minimum RL (10 years) is associated with a short section of concrete wall subject to scour. Otherwise RL > 20 years. Vertical timber baseplate embedded in salt marsh and salt marsh channels are reinforced by willow spilling to mitigate scour risk.
2 – Old Leigh Port	5	100% - 10%	>100%	The minimum RL (5 years) is due to a section of concrete wall just before the start of Cinder Path that shows damage. For other defences RL of approximately 20 years.
3 – Cinder Path	10	100%	>100%	Primary function is to protect against erosion of the soft-cliff toe. Therefore, low SoP against coastal flooding. The minimum RL of 10 years is the result of a section of grouted stone revetment which has seen significant loss of bitumen. One small section of masonry brick wall is experiencing voiding resulting in a RL of 0 years. This can be resolved with a simple patch repair so it was concluded that 0 years was not representative as the minimum RL.
4 – Chalkwell	25	0.5%	10%	Consists of two defence lines, both in good condition. Groynes are partly buried hence low residual lives.
5 - Westcliff	8	100%	>100%	Primary function is to protect against erosion of the soft-cliff toe. Therefore, low SoP against coastal flooding. The 8-year minimum RL is attributed to a 500m section of blockwork seawall with blockwork missing. Defences located to the east of the Genting Club in a better condition with an approximate RL of 30 years.
6 - Three Shells to Thorpe Bay	15	2%-1%	10%	Grouted stone revetment at the base of the pier has an estimated RL of 15 years due to damage and loss of blocks. Defences at Jubilee Beach in a better condition with an estimated RL of 35 years.
7 – Thorpe Bay to Shoebury Common	5	2%-1% / 10%-2%*	10% / 100%*	The 5-year minimum RL is due to risks associated with beach drawdown at Shoebury Common. The Thorpe Bay seawall is showing signs of cracking with an estimated RL of 15 years.
8 – The Old Ranges	5	10% - 2%	100%	The minimum RL (5 year) is due to the part of the defence being undermined by erosion at

Defence Section	Minimum Residual Life (years)	Standard of Protection (AEP in any year)		Notes
		Current	Future (100 years' time)	
				the sea wall toe and damage to the Open Stone Asphalt covering. Work is being undertaken by a developer on this section of the defences, which is likely to provide a 30 RL of the defences. The flooding only looks at the frontline defence and does not consider the setback bund in place.
9 - East Beach	0	100% - 10% AEP	>100%	A 0-year RL minimum is due to the corroded nature of the sheet piled walls at this site.

*West/east of the Thorpe Bay Yacht Club

- 3.1.1 In the absence of an agreed long-term Strategy and sufficient financial resources to institute pro-active maintenance procedures, a reactive approach to the management of the frontage has been maintained. Due to the aging defences, local failures of the revetment and of sections of the seawall have occurred, together with a gradual deterioration of the timber groynes. To date some ad-hoc repairs and general maintenance have been undertaken using SBC's own internal budgets. This is not a sustainable solution; hence an agreed Strategy is required.
- 3.1.2 Within the first two epochs of the Strategy (Table 2-1), many of the defences within the Study Area will reach the end of their residual life and require replacement. Any replacement of defences will also need to also consider raising the crest level in order to continue to provide an acceptable SoP as sea levels rise.
- 3.1.3 Southend-on-Sea benefits from extensive intertidal saltmarsh and mudflats that are designated Natura 2000 sites. The TE2100 Plan and SMP2 have identified that the present and continued operation of coastal flood defences will lead to the loss of intertidal habitat over the course of the next 100 years through coastal squeeze. A summary of the predicted loss of intertidal habitat within the Strategy area through coastal squeeze is provided in Table 3-2.

Table 3-2: Predicted Loss of Intertidal Habitat, and Therefore Amount of Compensation Required for Each Epoch

	Hectares of intertidal habitat replacement required for each epoch		
	Epoch 1 (2017 - 2034)	Epoch 2 (2035 - 2049)	Epoch 3 (2050 - 2116)
Intertidal habitat	11	24	708

3.2 Consequences of Doing Nothing

- 3.2.1 Under the baseline scenario of No Active Intervention, all maintenance, repair and renewal work on the existing coastal defences throughout Southend-on-Sea would cease. Without maintenance, the existing defences will either fail due to their poor condition, undermining due to beach loss or when being overtopped (or through a combination of these). Without continued intervention, it is estimated that the defences will begin to fail within five years, with all sections of defence having failed within 30 years.

3.2.2 Without coastal defences, the Southend-on-Sea shoreline would be subject to coastal erosion, as it was prior to the construction of the existing coastal defences. The immediate landward erosion would first affect the promenade and the coastal road, impacting the services located along them and cutting off many properties from vital facilities. This would impact on key transport routes within the borough and affect emergency service routes. Loss of the coastal road will reactivate the natural erosion processes of the soft cliffs, putting communities at risk and resulting in the loss of key transport links including one of the main rail links with London. Without coastal defences coastal flooding will also significantly increase, in particular to the low-lying areas found to the east of the pier. The number of properties at risk from coastal flooding and erosion under a no active intervention scenario is summarised in Table 3-3 and details as to how these figures were derived can be found in Technical Appendix K.

Table 3-3: Number of Properties at Risk from Coastal Erosion and Flooding Under a No Active Intervention Scenario

Benefit Area	Defence Section	Number of Properties at Risk from Coastal Flooding and Erosion*			
		Present Day (2017)		Future (2116)	
		Flooding	Erosion	Flooding	Erosion
A	1 - Two Tree Island	0	0	1	0
B	2 - Old Leigh Port	70	0	70	378
C	3 - Cinder Path	32	0	56	1,862
	4 - Chalkwell				
	5 - Westcliff				
D	6 - Three Shells to Thorpe Bay	2583	0	3110	500
	7 - Thorpe Bay to Shoebury Common				
	8 - The Old Ranges				
E	9 - East Beach	2	0	68	31

* Note: The figures stated here are both commercial and residential properties combined. Additionally, some properties are included twice as at risk from coastal flooding and erosion. This table also excludes properties identified as being at risk from surface water flooding in Chalkwell and at Eastern Esplanade/Marine Parade.

3.2.3 Erosion of beaches will lead to them becoming inaccessible and unsafe (due to failing structures). Erosion and deterioration of the seafront area will lead to a loss of the seafront amenities, and businesses. This will in turn have detrimental consequences on the local and regional economy. A summary of the wider impacts of no active intervention along the frontage are summarised in Technical Appendix K.

3.2.4 Due to the presence of historical landfill stored in-situ at Two Tree Island (see Table 2-2), defences at this location are vital in avoiding contaminated material escaping into the wider estuary. If the defences were allowed to fail, then widespread pollution of the marine environment would occur due to the potential release of large volumes of contaminated waste. Release of such contaminants into the marine environment could potentially adversely affect the conservation status of the Natura 2000 sites and the future status of the Thames Lower water body.

3.3 Strategic Issues

3.3.1 A strategic approach has been adopted at Southend-on-Sea for the following reasons:

- To provide a coherent long-term approach to the management of an ageing stock of coastal defence assets within the borough. A strategic approach will ensure proactive management of defences, ensuring timely intervention and allowing efficiencies in programme alignment to be identified. The Strategy will ensure the best use of public funds by providing a plan to implement capital projects, routine maintenance, further studies, surveys and investigations.
- To ensure consistency at a local level with the overlapping regional policies of the SMP2 and TE2100.
- To enable an effective long-term approach to the management of designated habitat, aligned with the Environment Agency's regional habitat creation programme.
- Due to the importance of the coastal frontage to the economy of Southend-on-Sea, a strategic approach will ensure that development policy and coastal management practice are aligned. As tourism is a major component of the economy in Southend-on-Sea, it will be important that coastal management works complement the aspirations for developing the tourism offering in the borough.
- To provide greater alignment with local and regional partners, including the identification of opportunities for contributions towards schemes and potential efficiencies

3.3.2 The highest level of planning for flood and coastal erosion at Southend-on-Sea is covered by the SMP2 and TE2100, which are described in Section 2.2. The most relevant actions to the Strategy from the SMP2 Action Plan and TE2100 Plan have informed the option appraisal process. Details of the relevant actions for SBC can be found in Technical Appendix J.

3.3.3 Habitat Regulations Assessments undertaken by both TE2100 and within the SMP2 have identified compensatory habitat requirements for the loss of habitat from the Natura 2000 sites at Southend-on-Sea as a result of the policy of Hold the Line. This Southend-on Sea Shoreline Strategy Plan is a component part of the TE2100 and SMP2 overarching plans. The coastal squeeze and thus loss of intertidal habitat which may occur as a result of the Southend-on-Sea Shoreline Strategy Plan is thus not additional, but a component part of the higher plans (see HRA in Technical Appendix O).

3.4 Key Constraints

3.4.1 As Southend-on-Sea is a regional centre for tourism, any option to manage flood and coastal risk needs to take into consideration both future amenity and business needs in order to maintain the local and regional economy. The highly developed nature of the coastline throughout the Strategy area and the presence of key assets

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immediately behind the coastal defences (such as the railway line and buried utilities) limits the potential for set-back defences.

3.4.2 The potential contamination risks from historic landfill and waste management sites at Two Tree Island (see Table 2-2) limit the opportunities for managed realignment along this undeveloped section of the frontage. Given the extensive challenges associated with managing historic coastal landfill and the need for a collaborative approach to this issue (see Section 3.5.1) maintaining existing defences for the first epoch of the Strategy is recommended. A long-term approach is not currently identified and it is a recommendation of this Strategy that a regional working group be formed to identify an appropriate long-term solution for this site.

3.4.3 The existence of Natura 2000 sites will limit the nature of any works on the frontage. The nature of the defences and construction methodology will need to avoid, minimise or compensate for impacts to the intertidal habitat. As part of the Strategy the following have been produced:

- A Habitat Regulations Assessment (see Technical Appendix O)
- A WFD compliance assessment (see Technical Appendix P)
- A Strategic Environmental Assessment (SEA) (see Technical Appendix N)

3.5 Objectives

3.5.1 The Strategy has assessed and considered a variety of economic, environmental, and technical approaches to manage the coastal flood and erosion risk, to balance the wide range of features and interests within the area.

3.5.2 A series of primary and secondary objectives have been developed for the Strategy (Table 3-4). These ensure that the Strategy remains focused and provide an objective basis from which to assess strategic options.

Table 3-4: The Strategy Objectives

Primary Objectives	Secondary Objectives
Objective 1: Maximise the reduction of coastal flood and erosion risk to properties and infrastructure at significant or very significant risk of flooding in light of coastal change over the next 100 years.	Objective 3: Support regeneration of Southend-on-Sea and the viability and sustainable development of the tourist industry in accordance with local development policy.
Objective 2: Contribute to a functional, healthy estuary while maintaining and improving the integrity of designated habitats. Aim to offset the impact of coastal squeeze and achieve a net environmental gain in support of the delivery of the Thames River Basin Management Plan.	Objective 4: Align with the objectives of TE2100 and Essex SMP2 to ensure a coherent approach to coastal flood and erosion risk in the region where appropriate.
	Objective 5: Develop a realistic implementation plan that favours options that reduce the whole-life costs and liabilities to the tax payer and utilise partnership funding sources, subject to the consideration of wider community benefits.

4 Options for Managing Coastal Erosion and Flood Risk

4.1 Potential FCRM Measures

4.1.1 To develop a coherent Shoreline Strategy, a wide-ranging assessment of management options should be considered. Development of the management options involved identifying as wide a range of options as possible. These were then developed through the appraisal process, with options; screened out, refined, combined and optimised (Environment Agency, 2010b). Each option needs to address the problem, meet the objectives and demonstrate potential for delivering opportunities to Southend-on-Sea.

4.2 Long List of Options

4.2.1 For each Benefit Area a long list of management options was generated in consultation with stakeholders including representatives from Southend-on-Sea Borough Council, the Environment Agency and Natural England. Potential options were derived using a combination of best practise guideline documents, professional expertise, existing findings from the 2012 Strategy and the SMP2.

4.2.2 The Source-Pathway-Receptor model was applied to ensure an inclusive and systematic approach to the definition of potential management options. Further information regarding the option selection process can be found in Technical Appendix J. The following long list of options were considered:

4.2.3 No Active Intervention:

- No Flood or coastal erosion risk management activity.
- Defences are allowed to deteriorate, with no action taken to prevent or slow down the process. This option includes the safe removal of structures from a Health and Safety perspective.
- The result is failure of the existing defences, leading to coastal erosion and the flooding of some low-lying areas.
- Not in line with the preferred SMP2 (2010) and TE2100 (2012) policies, but considered for comparison of options promoting investment. FCERM-AG guidance (Environment Agency, 2010b) states “the do-nothing baseline is critical to the analysis as it forms the baseline against which all other do-something options are appraised”.

4.2.4 Hold the Line – Maintain (Do Minimum – Patch and Repair):

- Involves continued routine maintenance of flood defences for the remainder of their useful life. This option is only suitable for defences with a high enough residual life that patch and repair will maintain the defences for the project lifespan.
- Routine asset surveys will inform an on-going programme of patch and repair works.

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- With this option, the existing defence alignment is maintained however the SoP deteriorates over time because of rising sea levels and changes to wave climates.
- This option is partially in line with SMP2 (2010) and TE2100 (2012) policies, as it holds the line but does not maintain the standard of protection.

4.2.5 Hold the Line – Maintain:

- The existing defences are to be replaced and improved as required to their existing crest level. This will see the existing defence line maintained, however the SoP will deteriorate throughout the lifetime of the Strategy due to sea level rise and increased storminess associated with the effects of climate change.
- As with the “Hold the Line – Maintain (Do Minimum – Patch and Repair)” option, routine asset surveys will inform an on-going programme of planned works. This will be a combination of regular patch and repair works to counteract localised damage and more extensive capital maintenance works to avoid structural failure.
- Small quantities of beach recharge and repairs to the existing shoreline control structures will also be undertaken as part of an on-going planned programme of works.
- However, in the future sea levels are expected to rise, putting increasing pressure on the existing defences. Even with investment to replace the defences (on a like for like basis, to their existing crest level), flooding will increase in frequency and severity for the low-lying areas.
- This option is partially in line with SMP2 (2010) and TE2100 (2012) policies, as it holds the line but the SoP reduces.

4.2.6 Hold the Line – Sustain:

- The existing defences are to be replaced and improved as required to continue to provide their current level of protection for the next 100 years. As with the “Hold the Line – Maintain” option, routine asset surveys will inform an on-going programme of planned works. In addition, under this option, defences will be raised in the future with a higher crest level to offset sea level rise and increased storminess associated with the effects of climate change.
- Beach recharge will be required in increasing quantities and many of the existing shoreline control structures will need to be lengthened to contain the higher beach volumes.
- This option is in line with the preferred SMP2 (2010) and TE2100 (2012) policies as the existing defence alignment is maintained and defences are raised to counteract rising sea levels and increased storminess associated with climate change.
- The choice of SoP that is sustained will be linked to economic viability and the potential to realise the objectives of the Shoreline Strategy.

4.2.7 Hold the Line - Upgrade:

- In this option, the existing defences would be replaced and improved as required to provide a higher standard of protection than they do at present for the next 100 years.
- This option is in line with the preferred SMP2 (2010) and TE2100 (2012) policies policy as the existing defence alignment is maintained and defences are raised to counteract rising sea levels and increased storminess associated with climate change.

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- The choice of SoP that is defined will be linked to economic viability and the potential to realise the objectives of the Shoreline Strategy.
- Beach recharge will be required in increasing quantities and many of the existing shoreline control structures will need to be lengthened to contain the higher beach volumes.

4.2.8 Managed Realignment (retreat or advance the line):

- This option involves the creation of a new line of defence landward or seaward (dependant on the type of realignment) from the existing alignment.
- This option is not in line with the preferred SMP2 (2010) and TE2100 (2012) policies as the existing defence line would be changed, not held in its current location.

4.2.9 Adaptation Measures:

- This option involves not developing the front-line defence and instead improving the flood resilience and resistance through demountable defences or at an individual property level (e.g. flood doors). It also includes measure such as development control to minimise the impacts of a flood event. Although flooding may occur over the frontline defence on a more regular basis properties/business located behind the defence line would be more resilient.
- Not in line with the preferred SMP2 (2010) and TE2100 (2012) policies as the defence alignment and SoP are not sustained.
- May compliment other strategic options.
- Difficult to implement in areas of high density housing.

4.3 Options Rejected at Preliminary stage

- 4.3.1 Options for **managed realignment** of defences have been rejected due to the highly developed nature of the existing coastline and existing (or in some cases historic) land uses. At Two Tree Island where the land behind the defence is largely undeveloped, realignment has not been considered to be a viable option due to the contamination risk (see Section 2).
- 4.3.2 **Advancement** of the line of defence is also not considered to be an option as this would accelerate coastal squeeze of the Natura 2000 site seaward of the existing defences.
- 4.3.3 A **patch and repair** approach has only been considered in Benefit Area A. This Benefit Area only considers management until the end of epoch one (2034). For all other sections, a patch and repair approach has not been considered as all defences would require replacement prior to the end of the Strategy. Although a proactive maintenance regime is included within all hold the line options, it is not deemed suitable as a standalone option.

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4.4 Options Short Listed for Appraisal

4.4.1 A workshop was held with engineering, planning and environmental specialists from Mott MacDonald (MM), the EA, SBC and Natural England to screen the long list of options and agree on the shortlist.

Each long list management option was screened against the five project objectives (Section 3.5). A summary of how each of the long listed options aligns to the project objectives is provided in

4.4.2 Table 4-1.

Table 4-1: Fulfilment of Project Objectives by Long Listed Options

		Benefit Area A					Benefit Area B					Benefit Area C					Benefit Area D					Benefit Area E									
		Objective																													
		1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5					
Management Option	No Active Intervention																														
	HTL Maintain (Patch and Repair)	✓	✓			✓																									
	HTL Maintain							✓		✓	✓		✓		✓	✓		✓		✓	✓		✓		✓	✓		✓		✓	✓
	HTL Sustain						✓		✓	✓	✓	✓			✓		✓			✓		✓			✓		✓		✓	✓	✓
	HTL Upgrade						✓			✓		✓			✓		✓			✓											
	Managed Realignment - Retreat the Line							✓					✓					✓					✓					✓			
	Managed Realignment - Advance the Line								✓					✓					✓					✓					✓		
	Adaptation Measures						✓				✓	✓				✓	✓				✓	✓				✓	✓				✓

4.4.3 Where the option met neither of the primary objectives for the Strategy, it was rejected. Where at least one of the primary objectives were met, the option was then assessed against technical, environmental, social and cost criteria:

- **Technical feasibility:** based on engineering judgement, previous schemes and an understanding of the local region would the option be technically feasible to deliver. Consideration included: the nature of existing assets, design and construction complexities, access limitations and opportunities, health and safety considerations.

- **Environmental impact:** What implications does the option have on the existing environment. Based within the context of local, regional, national and international designations and policy.
- **Social impact:** What implications does the option have on local communities. Based within the context of local, regional, national and international development policy.
- **Cost:** Are any options cost prohibitive for their intended purpose.

4.4.4 Each option was assigned a score between one (very poor) and five (very good) for these criteria. Where an option scored a total of eight or lower it was rejected. All remaining options were taken forward as part of the shortlist. A summary of the shortlisted options is provided in Table 4-2. More detail on the option assessment process can be found in Technical Appendix J.

4.4.5 The No Active Intervention management option reflects the baseline option for each section, demonstrating what would happen if no management activity were to occur. Therefore, this was included in the provisional shortlisted options, despite the option not meeting the project objectives. Adaptation Measures were identified as a complementary component of the Hold the Line policy and are not seen as a standalone strategic option.

Table 4-2: Summary of Shortlist of Options for each defence section

Benefit Area	Defence Section	No Active intervention	HTL (Do Minimum – Patch & Repair)	HTL Maintain	HTL Sustain	HTL Upgrade	Managed Realignment	Adaptation Measures
A	1		✓					
B	2	✓		✓	✓	✓		✓
C	3	✓		✓	✓	✓		✓
	4	✓		✓	✓	✓		✓
	5	✓		✓	✓	✓		✓
D	6	✓		✓	✓	✓		✓
	7	✓		✓	✓	✓		✓
	8	✓		✓	✓	✓		✓
E	9	✓		✓	✓			✓

5 Options Appraisal and Comparison

5.1 Technical Issues

5.1.1 The SoP provided by each management option in 2116 is summarised in Table 5-1.

Table 5-1: SoP Provided by Each Strategic Management Option in 2116

Benefit Area	HTL Maintain SoP (% AEP)	HTL Sustain SoP (% AEP)	HTL Upgrade SoP (% AEP)	Erosion Risk SoP (% AEP)
Benefit Area A	-			
Benefit Area B	100%	10%	2%	All HTL options would negate the risk posed by coastal erosion.
Benefit Area C	100%	1%	0.5%	
Benefit Area D	100%	1%	0.5%	
Benefit Area E	100%	10%	-	

5.1.1 Specific technical issues are apparent for each of the Benefit Areas:

5.1.2 **Benefit Area A:** Management of the legacy landfill at Two Tree Island is of paramount importance due to the risk it poses to human health and the natural environment. In-situ management of the contaminated material is currently deemed to be the only feasible option. The existing defences have been assessed as having a residual life of more than 20 years (Table 2-3).

5.1.3 **Benefit Area B:** Any option would need to be cognisant of the unique challenges posed by this section of coastline. Old Leigh has developed with a strong connection to the water and maintaining this connectivity is important. Therefore, the HTL Upgrade option has only been considered to a 2% AEP level. To avoid damage to the mudflats which are present at the toe of the existing defences, improvements to the SoP can only occur on the existing defence alignment or as a secondary setback defence. By raising defences, it will impact on the existing townscape and line of sight to the estuary.

5.1.4 **Benefit Area C:** The defences currently in place at Cinder Path and Westcliff predominantly protect against toe erosion of the stabilised cliff. These defence sections provide essential transport links to and from Southend-on-Sea and within the borough and regular flooding would see disruption of these services.

5.1.5 Chalkwell currently benefits from a setback secondary defence offering a 0.5% AEP SoP. A HTL Sustain policy would see this SoP fall to 1% AEP, with other defences in the benefit area being raised to offer a consistent SoP. A HTL Upgrade option would see this defence section remain at 0.5% AEP and all other defences in this Benefit Area raised to 0.5% AEP SoP.

5.1.6 **Benefit Area D:** The defences currently in place between the Three Shells and Thorpe Bay benefit from a recharge scheme undertaken at Jubilee Beach in 2001/02. The defences currently in place between Thorpe Bay and Shoebury Common vary in their SoP (see Table 3-1). A scheme is currently under investigation to the east of Thorpe Bay Yacht Club to bring the defences to a level consistent with those throughout the rest of the Benefit Area.

- 5.1.7 **Benefit Area E:** HTL Upgrade has not been considered in this Benefit Area due to the limited number of assets that would benefit from an increase in the SoP and the impact this may have on the natural environment at this location.

5.2 Environmental Assessment

- 5.2.1 The assessment of the environmental constraints and impacts has been integral to the optioneering process. A high-level SEA (Technical Appendix N) has been undertaken to better understand the impact of the short listed options on key receptors within the study area (Table 5-2).
- 5.2.2 An SEA is a systematic process for evaluating and anticipating the consequences of decision-making, such as policies, plans, strategies, and programmes prior to the implementation stage, and to identify measures to prevent, reduce, and as fully as possible offset any significant adverse effects. A SEA was produced in 2011 for the Southend-on-Sea Shoreline Strategy Plan (Black & Vetch, 2011). A review of the Shoreline Strategy Plan was undertaken in 2013, after this, an addendum to the SEA was produced (Black & Vetch, 2013). These documents are found in Technical Appendix N alongside an SEA Environmental Review Report.
- 5.2.3 Alongside the SEA, a HRA (Technical Appendix O) and WFD Assessment (Technical Appendix P) were undertaken to support the evaluation of the short list of options and selection of the preferred option (Table 5-2). The HRA identified coastal squeeze as a key consideration along the frontage, although it was identified that the impacts would be the same for all short listed options.

Table 5-2: Environmental Assessment Criteria on the Shortlist of Options

Environmental Assessment	Criteria	Explanation
SEA (Strategic Environmental Assessment)	Human Beings	Assesses the potential risks to community, amenities and livelihoods. This section includes the importance of the shoreline as an amenity area for residents and visitors alike.
	Geomorphology and hydrodynamics	Assesses the implications to the coastal processes operating along the shoreline of implementing the Shoreline Strategy. The foreshore provides an important component of the coastal protection at Southend-on-Sea.
	Water	Assess the quality of the water bodies and implications of the Strategy options on the water body in place, including the three beaches with Blue Flag awards and seven beaches with Seaside awards along the Southend frontage.
	Flora and Fauna	Due to its coastal location, Southend-on-Sea supports an extensive series of intertidal habitat including saltmarshes, mudflats and sandflats as well as scrub and grassland. This section assesses the potential impacts of the Shoreline Strategy options on the flora and fauna present.
	Traffic and Transport	Southend-on-Sea attracts millions of visitors each year, with 2015 attracting more than 6.8 million tourists (Jarques, 2015). The majority of these visitors arrive by car via the A127, A13 and A1160, or by rail. This section assesses the impact that the Shoreline Strategy options will have on traffic and transport links.
	Land Use	This section assesses the impact of the Shoreline Strategy options on present and future land use within the borough, including consideration of the legacy landfill site at Two Tree Island.
	Landscape and visual amenity	Assesses the balance of change to the landscape character area. This includes the impact to the 14 Conservations Areas (CA) within the study area.
	Cultural Heritage and Archaeology	Southend-on-Sea's location and importance as a strategic military location in the past is evident in the variety of war-time monuments along its frontage. The pier is also a Grade II listed structure. This section assesses the impacts of the shortlisted options on these cultural and historic assets.
	Climate	Assesses the implications of current climate and the challenges posed by future climate change on the short listed options.

Environmental Assessment	Criteria	Explanation
	Use of Natural Resources	Assesses the potential impact the shortlisted options may have on the use of natural resources within the study area.
WFD (Water Framework Directive)	Compliance assessment outcome	Presents the preliminary results of the Water Framework Directive (WFD) assessment. This WFD assessment has been conducted with reference to Environment Agency guidance. The only waterbody considered to be potentially affected by the Shoreline Strategy is the Thames Lower transitional waterbody (ID: GB530603911401).
HRA (Habitats Regulation Assessment)	HR01 Assessment	Due to the presence of these European Conservation Sites, there is a requirement for a Habitats Regulations Assessment (HRA) under the provisions of the EC Habitats Directive (92/43/EEC) and its implementation in the UK under The Conservation of Habitats and Species Regulations 2017 (as amended).

5.3 Option Costs

- 5.3.1 To enable the economic assessment of the short list, and to select the preferred options, each short listed option within each BA was costed over the 100-year appraisal period. This cost includes costs for capital works, costs for maintaining the structure, and 'other' costs including costs to create the Outline Business Case (OBC), post-OBC to construction costs and costs incurred during the construction phase. The costs have been estimated and optimised using contractor information and recent costs of construction of similar works.
- 5.3.2 To determine timings of capital interventions, the condition of existing defences has been taken from an Asset Condition Survey (Technical Appendix G). Timings of interventions following replacement of assets is based on the Environment Agency's 'Technical report – FCRM assets: deterioration modelling and WLC analysis' (2013). Adjustments have been made to timings where efficiencies have been identified in coinciding works. Further detail can be found in Technical Appendix J.
- 5.3.3 Costs have been estimated as realistically as possible considering the Strategy high level nature, with an Optimism Bias of 60% added to reflect the assumptions and risks at this stage. As designs are subsequently refined and specific contractor methods, materials and working practices are gained through early contractor involvement during the project level business case development, the optimism bias can be reduced. A Monte Carlo risk assessment has been undertaken on the known risks. This has identified requirement for an 18% financial allocation to these risks. Therefore, 42% of the Optimism Bias allocation is for risks unknown at the present time. Further information on the risk assessment is available in Technical Appendix R.
- 5.3.4 All capital costs have been uplifted to December 2016 using the Consumer Price Index as an inflation factor. Costs have been estimated over the 100-year appraisal period and discounted to present value (PV) using the Treasury variable discount rate.
- 5.3.5 A detailed description of the approach taken to derive the costs for each option and the sourcing of cost information can be found in the Economic Appraisal Report in Technical Appendix K. However, Table 5-3 provides a summary of the costs considered.

Table 5-3: Summary of Costs included in Economic Appraisal

Cost Element	Costing Assumption / Information Source
CAPITAL COST:	
Construction Cost	Used unit rates from the EA long term costing tool for flood and coastal risk management (2015) and the 2012 Strategy. Costs validated against Spon's (2014), outturn costs from recent projects of a similar nature and available contractor pricing schedules. Cost rates allow for: materials, plant and labour, general and preliminaries, access and mobilisation, contractor's overhead and contractor's profit.
Capital Maintenance	Capital maintenance costs include the costs that will be needed for major maintenance works to improve the condition of an ageing defence. These costs have been estimated at 50% of the construction costs for the asset and as such include the same elements as detailed in the construction costs.
MAINTENANCE COSTS:	
Routine Maintenance Activities	Maintenance rates include the annual patch and repair works to be undertaken on defences. These costs do not include for major repair work and are envisaged to be undertaken by SBC's Term Service Contractor. Costs have been taken from the 2012 Strategy, the EA long term costing tool for flood and coastal risk management (2015) and the SBC Maintenance Schedule for their Term Service Contractor.
OTHER COSTS:	
Professional Services Costs	Professional services costs include for: technical studies, business case development, detailed design, tender document preparation and activities on site during construction including Project Management, Site Supervision and Construction Design and Management (CDM) duties. Combined with the Operating Authority costs, calculated as 5% of the construction cost, with a minimum value of £100k associated with any capital intervention.
Operating Authority Costs	Allowance for SBC staff costs associated with project management. Combined with the professional services costs, calculated as 5% of the construction cost, with a minimum value of £100k associated with any capital intervention.
Compensatory Habitat Costs	Where a Hold the Line approach is adopted, it will lead to the loss of Natura 2000 habitat through coastal squeeze. Therefore, habitat replacement costs have been included based upon the net loss of intertidal habitat area over the appraisal period and a replacement cost of £51k/ha, based on estimates from the Anglian Regional Habitat Creation Team.

5.4 Options Benefits (Damages Avoided)

- 5.4.1 The economic damages associated with each option have been estimated in accordance with the Flood Hazard Research Centre's "Multicoloured Manual" (MCM, 2016) and the Defra / Environment Agency FCERM-AG (Environment Agency, 2010b) and Supporting Guidance. A detailed description of the approach taken to derive the economic damages for each option can be found in the Economic Appraisal Report in Technical Appendix K. Table 5-4 provides a summary of how the economic damages have been estimated.

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Table 5-4: Summary of Damages included in Economic Appraisal

Source of Economic Damage	Assessment Methodology
Residential and non-residential property	Annual Average Damages (AAD) have been calculated for flooding of commercial and residential properties for five flood events (100% AEP, 10% AEP, 2% AEP, 1% AEP and 0.5% AEP). This has allowed calculation of the AAD curve and the range of return periods assessed gives greater confidence in the economic assessment undertaken. Data tables from the MCM (Penning-Rowse et al., 2016) have been used as flood damage values.
Emergency services	In accordance with MCM (2016), 10.7% has been added to property damages for emergency services.
Road	Assessed the additional cost of diversion (MCM methodology used) in BA D from the A1160/Western Esplanade to Maplin Way/Thorpe Esplanade via the A13. The additional traffic made the A13 over the free flow limit, resulting in an annual additional cost for travel of £1,124,531, which is associated with every year the road is considered eroded.
Rail	Passenger and freight train information was obtained for the London, Tilbury and Southend Railway (LTSR). The impacts of coastal flooding on the LTSR was assessed. MCM guidance (Penning-Rowse, et. al, 2016) was followed to estimate the number of services that would be cancelled or delayed under a flood event.
Utilities	Included sewer, water and gas mains and pumping stations, as identified from plans. The erosion of the assets of these utilities were included within the Strategy and yearly discounting applied.
Human intangible impacts	Intangible health impacts caused by flooding within the economic appraisal (health, stress, loss of memorabilia etc.) have been valued at £200 per household per year using The Appraisal of Human-Related Intangible Impacts of Flooding (Defra, 2004).
Tourism / recreation	The total tourism damage cost per year has been estimated by assessing the spend per visitor loss following the partial and total loss of frontage amenities. The total tourism damage was then shared between the benefit areas based on their percentage of the overall frontage. Benefit Area C and D are the longest frontages in the Study and also the where the concentration of tourist activities are greatest.
Agricultural land	Not included – No agricultural land within the Strategy.

5.4.2 As with the costs, the economic damage for each option has also been assessed over the 100-year appraisal period and discounted to present value. Where appropriate the damages have been capped, at the write off value or some equivalent “maximum attributable damage cost”. The benefit of a “do something” option is the difference between the “do something damages” and the “do nothing damages”, i.e. the damage avoided by implementing the option. The PV damages and benefits associated with each option are set out in Table 6-2 to Table 6-5. No damages have been calculated for Benefit Area A (Two Tree Island) as the Strategy does not identify a long-term strategic option for this Benefit Area.

5.4.3 Some benefits are easier to place a monetary value on than others. The benefit analysis cannot fully account for the significance of internationally designated habitat, and cultural and historical assets in relation to other monetised benefits. The Strategy Area benefits from a rich social and cultural history and as such there are a number of areas of historical importance that would be at risk under a No Active Intervention scenario, including the conservation areas at Old Leigh and The

Old Ranges and the Grade II listed pier. Loss of these sites would see the loss of part of Southend-on-Sea's heritage.

- 5.4.4 For much of the length of the frontage, the coastline is a Public Right of Way and National Cycle Path. This provides popular leisure and recreation facilities for residents and tourists alike. The opportunity for outdoor pursuits and recreation has benefits for health, wellbeing and general quality of life, which would be lost or severely affected under a No Active Intervention scenario.
- 5.4.5 The impact to the environment under a No Active Intervention scenario would be substantial, in particular at Two Tree Island where contaminated material is stored in-situ. Release of this material could prove disastrous for the local environment. Additionally, pollution from the erosion and flooding of a highly urbanised area would likely lead to further contamination and degradation of water bodies.
- 5.4.6 There would also be a much wider implication to the regional economy than those quantified in this Strategy if a No Active Intervention Scenario were realised. Increased flooding and erosion would likely curtail inward investment to the area as confidence is lost from the local economy. This will impact on job opportunities and people are likely to move away from the borough in search of work. Development of the area is reliant on effective coastal management as outlined in the SBC DPD (2015).
- 5.4.7 These elements that have not been quantified have been identified as key issues and constraints in the SEA (Technical Appendix N). Information on these elements was presented as part of the preferred option workshop to ensure non-quantifiable elements were also considered in selecting the preferred option.

6 Selection and Details of the preferred option

6.1 Selecting the Preferred Option

- 6.1.1 This section details the identification of the preferred option for each Benefit Area, and the subsequent results of the Strategy wide assessment.
- 6.1.2 Selection of the preferred options has been an ongoing and iterative process taking into account the potential socio-environmental impacts, stakeholder opinions and the technical feasibility of the options. The short listed options for each of the Benefit Areas were compared against the strategic objectives, environmental issues, stakeholder feedback and the economic results to determine the preferred option. Further details on the method used to assess the preferred option, and the results are provided in Technical Appendix J and K.

6.2 Economic Assessment of the Short List of Options

- 6.2.1 An economic assessment of the short list of options was undertaken in line with FCERM-AG (Environment Agency, 2010b) to determine the benefit cost ratios for each of the short listed options for each of the Benefit Areas. The benefit cost ratio compares the cost of each option over the next 100 years (including design, build and ongoing maintenance), against the benefits over the same period.

Benefit Area A: Two Tree Island

- 6.2.1 Management of the legacy landfill at Two Tree Island is of paramount importance due to the risk it poses to human health and the natural environment. In-situ management of the contaminated material is currently deemed to be the only technical, environmental and economically feasible option. The existing defences have been assessed as having a residual life of more than 20 years (Table 2 3).
- 6.2.2 Therefore, a programme of patch and repair works will be undertaken during the first epoch of the Strategy. An annual assessment and inspection of defences in this Benefit Area will be undertaken to ensure maintenance works are carried out in a proactive manner. A summary of the costs associated with this management approach is included in Table 6-1. Compensatory habitat costs have also been included for this section for the 100-year lifetime of the Strategy and these costs are also shown in Table 6-1.
- 6.2.3 During the first epoch of the Strategy, it is proposed that a working group is formed with key stakeholders and interested parties to identify a long-term approach to managing this issue. Therefore, a detailed economic assessment of this Benefit Area has not been undertaken.

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Table 6-1: Benefit Area A: Two Tree Island Management Costs

Activity	Cash Costs	PV Costs
	(£k)	(£k)
Operation and Maintenance (to 2034)	1,554	1,223
Compensatory Habitat Costs (to 2116)	9,412	1,333
Optimism Bias Adjustment (60%)	6,579	1,534
Total	17,545	4,090

Benefit Area B: Old Leigh Port

6.2.1 The defences currently in place are predominantly comprised of steel sheet piling with short sections of concrete wall. Details of the SoP provided by each short listed option in 2116 are presented in Table 5-1. A summary of the economic appraisal for Benefit Area B is provided in Table 6-2.

Table 6-2: Summary of Economic Appraisal for Benefit Area B – Old Leigh

Option	PVc	PVd	PVb	Net PV	Av. BCR	iBCR
	(£k)	(£k)	(£k)	(£k)		
Option 1: No Active Intervention	£0	£77,867	£0	£0	N/A	N/A
Option 2: Hold the Line - Maintain	£8,186	£11,043	£66,824	£58,638	8.16	N/A
Option 3: Hold the Line - Sustain	£8,633	£8,189	£69,678	£61,045	8.07	6
Option 4: Hold the Line - Upgrade	£8,726	£7,070	£70,797	£62,070	8.11	12

Benefit Area C: Cinder Path to Three Shells

6.2.1 The defences currently in place are predominantly comprised of sea walls, revetments and timber groynes to control the longshore movement of sediment. Details of the SoP provided by each short listed option in 2116 are presented in Table 5-1.

6.2.2 SBC intend to deliver a surface water flood management scheme at Chalkwell as a result of recent flood events (see Section 2.2). An assessment was undertaken of the properties affected by both surface water and coastal flooding at this location. 50% of the total properties affected by coastal flooding were also found to be affected by surface water flooding. As a result, 50% of the damages to residential and commercial properties affected by coastal flooding in this Benefit Area and associated vehicle and health and emergency services damages) have been removed to support grant in aid funding for surface water flooding.

6.2.3 A summary of the economic appraisal for Benefit Area C is provided in Table 6-3.

Table 6-3: Summary of Economic Appraisal for Benefit Area C – Cinder Path to Three Shells

Option	PVc	PVd	PVb	Net PV	Av. BCR	iBCR
	(£k)	(£k)	(£k)	(£k)		
Option 1: No Active Intervention	£0	£179,466	£0	N/A	N/A	N/A
Option 2: Hold the Line - Maintain	£33,179	£7,962	£171,503	£138,325	5.17	N/A
Option 3: Hold the Line - Sustain	£51,601	£4,389	£175,076	£123,475	3.39	0.19
Option 4: Hold the Line - Upgrade	£55,121	£3,761	£175,704	£120,584	3.19	0.19

Benefit Area D: Three Shells to Old Ranges

- 6.2.1 The defences currently in place are predominantly comprised of sea walls, revetments and timber groynes to control the longshore movement of sediment. Details of the SoP provided by each short listed option in 2116 are presented in Table 5-1.
- 6.2.2 SBC intend to deliver a surface water flood management scheme at Eastern Esplanade and Marine Parade as a result of recent flood events (see Section 2.2). An assessment was undertaken of the properties affected by both surface water and coastal flooding at this location. 10% of the total properties affected by coastal flooding were also found to be affected by surface water flooding. As a result, 10% of the damages to residential and commercial properties affected by coastal flooding in this Benefit Area (and associated vehicle and health and emergency services damages) have been removed to support grant in aid funding for surface water flooding.
- 6.2.3 A summary of the economic appraisal for Benefit Area D is provided in Table 6-4.

Table 6-4: Summary of Economic Appraisal for Benefit Area D - Three Shells to Old Ranges

Option	PVc	PVd	PVb	Net PV	Av. BCR
	(£k)	(£k)	(£k)	(£k)	
Option 1: No Active Intervention	£0	£366,118	£0	N/A	N/A
Option 2: Hold the Line - Maintain	£52,465	£70,451	£295,667	£243,202	5.64
Option 3: Hold the Line - Sustain	£56,810	£23,804	£342,314	£285,503	6.03
Option 4: Hold the Line - Upgrade	£58,100	£11,042	£355,076	£296,976	6.11

Benefit Area E: Old Ranges to East Beach

- 6.2.1 Defences at East Beach have developed in an ad-hoc fashion due to the historical use of this land by the Ministry of Defence. Coastal Defences are a mixture of built defences including sea walls, rock revetments gabion baskets and timber groynes and a sand dune system. Details of the SoP provided by each short listed option in 2116 are presented in Table 5-1.
- 6.2.2 A summary of the economic appraisal for Benefit Area E is provided in Table 6-5.

Table 6-5: Summary of Economic Appraisal for Benefit Area E - East Beach

Option	PVc	PVd	PVb	Net PV	Av. BCR	iBCR
	(£k)	(£k)	(£k)	(£k)		
Option 1: No Active Intervention	£0	£17,611	£0	N/A	N/A	N/A
Option 2: Hold the Line - Maintain	£4,944	£56	£17,556	£12,612	3.55	N/A
Option 3: Hold the Line - Sustain	£8,270	£12	£17,599	£9,328	2.13	0.01

6.3 Details of the Preferred Option

- 6.3.1 The following section provides details of the preferred option selected for each Benefit Area. The options were mapped to the project objectives when deciding upon the shortlist (see Section 4). The project objectives were reviewed again as part of the selection process for the preferred option to ensure the most suitable solution was chosen. Further details on the selection of the preferred option can be found in Technical Appendix K. A summary of the economic appraisal for the preferred option for each Benefit Area is provided in Table 6-6. The preferred options for each Benefit Area are:
- 6.3.2 **Benefit Area A: Two Tree Island.** A programme of patch and repair works will be undertaken during the first epoch of the Strategy. An annual assessment and inspection of defences in this Benefit Area will be undertaken to ensure maintenance works are carried out in a proactive manner. During the first epoch of the Strategy, it is proposed that a working group is formed with key stakeholders and interested parties to identify a long-term approach to managing this issue.
- 6.3.3 **Benefit Area B: Old Leigh Port – HTL Sustain.** Defences will be raised to provide a consistent SoP against coastal flooding in light of climate change. A 10% AEP SoP will be provided in 2116. The risk of coastal erosion will be negated. This will ensure flood risk remains consistent with the present day, enabling the status quo of the area to remain, retaining the connectivity the area has with the estuary and minimising the impact on the townscape. Although the iBCR was higher for HTL Upgrade, minimising impact in a Conservation Area was a deciding factor in the selection of a HTL Sustain approach. Adaptation measures should be applied including temporary and demountable defences to achieve a consistent 10% AEP SoP. Wherever possible development should be compatible with potential flooding, thereby limiting the consequence of these events.
- 6.3.4 **Benefit Area C: Cinder Path to Three Shells – HTL Upgrade.** Defences will be upgraded to provide a 0.5% AEP against coastal flooding in 2116 in light of climate

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change. The risk of coastal erosion will be negated. This will ensure the coastal flood risk at Chalkwell remains consistent with the present day and Cinder Path and Westcliff are upgraded to an improved SoP. This will provide better protection against coastal flood risk to vital assets including the mainline railway between Shoeburyness and Fenchurch Street. The iBCR is identical for HTL Upgrade and Sustain. Therefore, the Upgrade option has been selected as the preferred option as it will ensure more assets are better protected and still returns a strong BCR. Adaptation measures should be applied including development and planning control. Temporary and demountable defences are only deemed suitable to provide property level protection at Chalkwell. At Cinder Path and Westcliff, the presence of long expanses of key infrastructure adjacent to the coastal defences make temporary and demountable defences unsuitable.

6.3.5 **Benefit Area D: Three Shells to the Old Ranges – HTL Upgrade.** Defences will be upgraded to provide a 0.5% AEP against coastal flooding in 2116 in light of climate change. The risk of coastal erosion will be negated. This will ensure the coastal flood risk reduces throughout this Benefit Area. The Benefit Area has been identified as a key geographical area for the future development of Southend-on-Sea and improvement to the SoP will ensure coastal flood protection complements SBC's wider aspirations. This area is also at the greatest flood coastal flood risk, due to the low-lying hinterland. The BCR is best for the HTL Upgrade Option. Adaptation measures should be applied including development and planning control. Temporary and demountable defences will be considered in localised areas to achieve a consistent 0.5% AEP SoP.

6.3.6 **Benefit Area E: East Beach – HTL Sustain.** Defences will be raised to provide a consistent SoP against coastal flooding in light of climate change. A 10% AEP SoP will be provided in 2116. The risk of coastal erosion will be negated. This will ensure flood risk remains consistent with the present day. Adaptation measures should be applied including development and planning control. Temporary and demountable defences to be considered in localised area to achieve a consistent 10% AEP SoP.

Table 6-6: Summary of the Economic Assessment for the Preferred Option

Benefit Area	Option	PVc	PVd	PVb	Net PV	Av. BCR
		(£k)	(£k)	(£k)	(£k)	
Benefit Area A	HTL Maintain (Patch and Repair)	£4,090	-	-	-	-
Benefit Area B	HTL Sustain	£8,633	£8,189	£69,678	£61,045	8.07
Benefit Area C	HTL Upgrade	£55,121	£3,761	£175,704	£120,584	3.19
Benefit Area D	HTL Upgrade	£58,100	£11,042	£355,076	£296,976	6.11
Benefit Area E	HTL Sustain	£8,270	£12	£17,599	£9,328	2.13

Technical Aspects

- 6.3.7 By implementing the preferred strategic option, SBC intend to continue to retain defences in their current alignment, replacing assets at the end of their residual / design life, therefore preventing coastal erosion.
- 6.3.8 The crest level of existing flood defences will be raised in order to mitigate for the effects of climate change and in Benefit Area C and D, the SoP will be increased. The mechanism to achieve the targeted SoP will be defined at scheme appraisal stage through detailed technical, economic and environmental assessment. The specific capital interventions for each Benefit Area are detailed in Table 6-7. The timings outlined are indicative only and the actual timings of works will depend on the observed rate of deterioration, sea level rise and funding availability, with works typically being undertaken in a staged manner. The form of construction, defence alignment and other specific details will all be determined through a more detailed defence specific study (Project Appraisal) and will include local consultation. A summary of the technical considerations associated with the delivery of the preferred option for each Benefit Area are summarised in Table 6-8 as well as Strategy wide technical considerations. Further information can be found in Technical Appendix J.

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Table 6-7: Interventions for Preferred Option and Forecast Year (Y) Capital Interventions to Occur

	Benefit Area A	Benefit Area B	Benefit Area C	Benefit Area D	Benefit Area E
Epoch One (2017 – 2034)	<ul style="list-style-type: none"> • Programme of patch and repair works • Working group to define long-term management approach to managing the area and historic landfill issue 	<ul style="list-style-type: none"> • Replacement of concrete seawall at Bell Wharf in Y4 to provide protection against 10% AEP coastal flood event in 2116 	<ul style="list-style-type: none"> • Replacement of defences at Cinder Path in Y9 to provide protection against 1% AEP coastal flood event in 2116 • Replacement of defences to the west of the Genting Club in Y9 to provide protection against 1% AEP coastal flood event in 2116. Replacement of timber groynes for the entirety of defence section 5. 	<ul style="list-style-type: none"> • Capital works at Shoebury Common in Y1 • New groynes in Section 6 in Y4 • Replacement of defences at the base of the pier in Y14 to provide protection against a 1% AEP coastal flood event in 2116 • Capital maintenance to defences in Section 7 west of Thorpe Bay Yacht Club in Y14 including replacement of groynes 	<ul style="list-style-type: none"> • Replacement of defences in Y4 to provide protection against a 10% AEP coastal flood event in 2116
Epoch Two (2035 – 2049)		<ul style="list-style-type: none"> • Replacement of defences (excluding Bell Wharf) in Y19 to provide protection against 10% AEP coastal flood event in 2116 	<ul style="list-style-type: none"> • Replacement of defences at Chalkwell in Y24 to provide protection against 1% AEP coastal flood event in 2116. • Replacement of defences to the east of the Genting Club in Y30 to provide protection against 1% AEP coastal flood event in 2116. 	<ul style="list-style-type: none"> • New defence in Section 7 and Section 8 in Y30 to provide protection against a 1% AEP coastal flood event in 2116 	

<p style="text-align: center;">Epoch Three (2050 – 2116)</p>		<ul style="list-style-type: none"> • Replacement of defences (excluding Bell Wharf) in Y59 to provide protection against 10% AEP coastal flood event in 2116 • Replacement of defences (excluding Bell Wharf) in Y99 to provide protection against 10% AEP coastal flood event in 2116 	<ul style="list-style-type: none"> • Capital works in Y50 to re-raise all Benefit Area C defences to provide protection against a 0.5% AEP event in 2116. • Capital maintenance works on all Benefit Area C defences in Y80. 	<ul style="list-style-type: none"> • Replacement of defences in Section 6 (excluding Section 6.1) in Y34 to provide protection against a 1% AEP coastal flood event in 2116 • Capital works in Y50 to re-raise all Benefit Area D defences to provide protection against a 0.5% AEP event in 2116. • Capital maintenance and new groynes in Section 6 and to setback embankment in Section 8 in Y 72 • Replacement of timber groynes in Section 8 in Y78 • Capital maintenance to defences in Section 7 and Section 8 in Y90 	<ul style="list-style-type: none"> • Replacement of timber groynes in Y52 • Capital maintenance including new gabions in Y75
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Table 6-8: Technical Aspects of the Preferred Option

Strategy Wide	Benefit Area A	Benefit Area B	Benefit Area C	Benefit Area D	Benefit Area E
<ul style="list-style-type: none"> • Unexploded ordnance a risk throughout the borough • Material delivery a challenge in an urban area. Limited access from the sea due to extensive mudflat system • Annual inspection of coastal defences required to ensure defects identified early and proactive maintenance regime • Annual review of beach levels to monitor sediment transport patterns and identify beach recycling activities • During construction works an acceptable level of coastal defence must be provided • Schemes should align with wider aspirations for the coastal frontage, including the development of the tourism offering 	<ul style="list-style-type: none"> • Patch and repair works only until the end of the first epoch (2034) • Working group to be formed to identify long-term approach to the management of this site 	<ul style="list-style-type: none"> • Accelerated low-water corrosion an issue on steel sheet piling • Foreshore is predominantly mudflat. Therefore, improvements to the SoP cannot be achieved through beach recharge • Constrained site with potential access issues • Quayside infrastructure including working areas for marine industries can be designed to allow for some flooding • Property level protection may be suitable in certain locations to achieve consistent SoP 	<ul style="list-style-type: none"> • Interfacing with Network Rail necessary for Cinder Path site • Close proximity to railway line will make access difficult at Cinder Path • Demountable barriers may be suitable as part of a defence at Chalkwell. However, in other areas the existence of large extents of key infrastructure do not make this approach appropriate. • Alignment with surface water flood schemes necessary 	<ul style="list-style-type: none"> • Interfacing with the Ministry of Defence necessary at the Old Ranges who retain ownership of the foreshore • Old Ranges foreshore more exposed to North Sea waves which may lead to more rapid degradation of defences • Alignment with surface water flood schemes necessary • Property level protection may be suitable in certain locations to achieve consistent SoP • Unexploded ordnance a particular risk due to history of area as Ministry of Defence site 	<ul style="list-style-type: none"> • Foreshore more exposed to North Sea waves which may lead to more rapid degradation of defences • Interfacing with the Ministry of Defence necessary as SBC currently lease this land • Property level protection may be suitable in certain locations to achieve consistent SoP • Unexploded ordnance a particular risk due to history of area as Ministry of Defence site

Environmental Aspects

6.3.9 Table 12 in the SEA Environmental Review Report (Technical Appendix N) sets out the significant environmental effects of the preferred strategy and outlines the mitigation required. A summary is provided in Table 6-9 below.

Table 6-9: Key Significant Effects Associated With the Preferred Option of the Shoreline Strategy

Key Significant Effects	Proposed Mitigation Actions
Intermittent disturbance (inc. noise, dust, reduced access etc) from maintenance and construction activities to residents, businesses and visitors.	<p>Planning liaison with Public Rights of Way (PRoW) Officer (PRoW / cycle route diversions), Environment Agency (contaminated land); MoD, English Heritage (preservation in situ and / or by record).</p> <p>Provide alternative facilities along the frontage.</p> <p>Sensitive timing and phasing of works to take account of tourist season and environmental sensitivities.</p> <p>Comply with construction best practice in undertaking any works, including maintenance and use construction techniques that minimise ground disturbance.</p> <p>Consult with local residents and businesses in advance of any works.</p> <p>Liaison with the fishing community with regards to sea delivery, such as, importation of rock and beach recharge, to ensure that their operations are not impeded.</p>
Increase in crest levels of defences may result in obstruction to access and sea views which may affect fishing, tourism and recreational activities and visual amenity and landscape character.	<p>Liaise with local societies / associations and provide alternative facilities along the frontage, where feasible.</p> <p>Take setting of Conservation Areas into consideration during detailed design.</p> <p>Liaise with local fisheries community. Provide temporary moorings elsewhere along the frontage. Allow for access in detailed design, through use of a removable defence or alignment of defence landward of processing units.</p>
Beach recharge / recycling activities could damage internationally and nationally designated intertidal habitats as a result of smothering of habitat or via release of fine material into the marine environment.	<p>Liaison with Natural England in matters of nature conservation.</p> <p>Comply with construction best practice and implement effective sediment control measures.</p> <p>Sensitive timing and phasing of works.</p> <p>Ensure that material used for beach recharge is similar to the existing material and free from contaminants.</p>
Coastal squeeze will affect internationally and nationally designated intertidal habitats.	<p>Provide compensatory habitat.</p> <p>Comply with construction best practice.</p> <p>Consult with Natural England.</p>

6.3.10 Both the SEA (Technical Appendix N) and HRA (Technical Appendix O) have identified coastal squeeze as a threat to the long-term integrity of the natural environment as a result of the HTL policy being adopted within the study area. The HRA proposes appropriate compensatory mechanisms to offset the effect of coastal squeeze, as summarised in Table 6-10.

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Table 6-10: Habitat Loss Compensation Mechanisms

Epoch	Foulness SPA (Essex Estuaries SAC losses are a component part of the SPA)	SMP2 Environment Agency Anglian Regional Habitat Creation Programme	Benfleet and Southend Marshes SPA and Ramsar	TE2100 Habitat Creation Programme
2017 – 2034	5ha (5ha)	Wallasea	6ha	Wallasea - Will form component part of 42 ha of habitat creation committed to under EA Regional Habitat Creation Programme for Epoch 1 of TE2100.
2035 – 2049	7ha (6.5ha)	To be confirmed once ongoing EA monitoring has confirmed actual habitat losses during Epoch 1.	17ha	To be confirmed once ongoing EA monitoring has confirmed actual habitat losses during Epoch 1.
2050 – 2116	137ha (130.5ha)	To be confirmed once ongoing EA monitoring has confirmed actual habitat losses during Epoch 1.	571ha	To be confirmed once ongoing EA monitoring has confirmed actual habitat losses during Epoch 1.

6.3.11 The SEA Environmental Review Report (Technical Appendix N) proposes a Monitoring Plan to be implemented as the works associated with the preferred option are brought forward. The implementation and findings of the Monitoring Plan will be reviewed and reported (by SBC) as a component of the regular review and update process of the Shoreline Strategy, which is approximately every ten years (but can be more or less frequent depending on the need to address new challenges or a significant change in policy, guidance, or other factors that may influence the management approach).

Costs of the Preferred Option

6.3.12 The Strategy wide expenditure profile is outlined in Table 6-11. The full expenditure profile for all the BA's can be found in Technical Appendix L and a summary is provided in Table 7-1. It should be noted that operation and maintenance costs have been aggregated every five years for costing purposes. These costs will be allocated on an annual basis, with patch and repair works identified in annual defence inspection. Epoch Two shows a high expenditure profile relative to the length of this epoch due to the requirements for major interventions in Benefit Area D.

Table 6-11: Strategy Wide Expenditure Profile (£k). Values Shown are Cash Costs

	Year 0	Year 1	Year 2	Year 3	Year 4	Year 5-17 (Epoch One)	Year 18-32 (Epoch Two)	Year 33 – 100 (Epoch Three)	Total
Professional Service Fees and SBC Staff Costs	203	87		284	122	1,563	2,915	4,083	9,257
Operation and Maintenance Costs	267	267	267	267	382	4,155	3,238	21,626	30,469
Capital Costs	0	5,795			7,045	31,257	58,294	76,089	178,480
Habitat Compensation						561	1,224	36,108	37,893
Contingency (60% Optimism Bias)	282	3,689	160	331	4,529	22,522	39,403	82,745	153,660
Whole Life Cash Cost	752	9,838	427	882	12,078	60,058	105,074	220,650	409,759

6.4 Sensitivity Testing

6.4.1 To ensure the preferred option is economically robust, a series of sensitivity tests have been undertaken. During the course of the economic appraisal, many assumptions are made. Some of these assumptions will be more critical than others. Changing such variables may lead to the selection of a different option as the economically preferred option or substantially affect the robustness of the economic business case. By undertaking sensitivity testing, it is possible to explore how sensitive the economic case and option selection is to key assumptions. The sensitivity tests undertaken are summarised in Table 6-12. Further details can be found in Technical Appendix K.

Table 6-12: Sensitivity Test Scenarios

Sensitivity Test	Potential Scenarios for Change
Costs increase by 20%, benefits remain consistent	<ul style="list-style-type: none"> • Increase in construction and professional services costs • Major cost implications realised through known or unknown risks • Unforeseen works required • Greater compensatory habitat costs
Costs remain consistent, benefits reduce by 20%	<ul style="list-style-type: none"> • Uncertainties associated with the long-term predictions for climate change may result in fewer flood damages • Reduction in the predicted extent of erosion • Requirements to allocate further grant in aid contributions to surface water flooding at the cost of coastal schemes
Costs increase by 10%, benefits reduce by 10%	<ul style="list-style-type: none"> • A combination of the scenarios identified above
Costs remain consistent, benefits increase by 10%	<ul style="list-style-type: none"> • Value of residential and commercial property increases faster than expected • Other benefits identified during appraisal at scheme stage which have not been considered in the Strategy

6.4.2 A summary of the Benefit Cost Ratios (BCRs) associated with each of the sensitivity tests undertaken is provided in Table 6-13. Further detail can be found in Technical Appendix K. All sensitivity tests return a BCR above unity, suggesting a positive return on investment. Benefit Area E appears closest to unity; however, it should be noted that these are calculated including optimism bias at 60%, which would be expected to reduce at scheme appraisal stage.

6.4.3 The BCR is found to be most sensitive to a reduction in benefits. However, at scheme appraisal stage, benefits are often seen to increase following a more site-specific assessment of the associated benefits of delivering a flood and erosion risk management scheme. Additionally, future revisions of climate change guidance (UKCP18) are likely to see SLR estimates increase, leading to greater flood damages (Met Office, 2016).

Table 6-13: Sensitivity Test BCR Results

Scenario	Benefit Area B	Benefit Area C	Benefit Area D	Benefit Area E	Strategy Wide
Base Scenario	8.07	3.19	6.11	2.13	4.61
Costs increase by 20%, benefits remain consistent	6.73	2.66	5.09	1.77	3.84
Costs remain consistent, benefits reduce by 20%	6.46	2.55	4.89	1.70	3.68
Costs increase by 10%, benefits reduce by 10%	6.60	2.61	5.00	1.74	3.77
Costs remain consistent, benefits increase by 10%	8.88	3.51	6.72	2.34	5.07

Outcome Measures

6.4.4 “Outcome Measures” (OMs) have been developed by Defra to ensure the Environment Agency use the limited funds available for the maximum benefit to the nation as a whole. The Outcome Measures describe the overall benefits of flood and coastal erosion risk management. OMs 1 to 4 (presented in Table 6-14) are to be delivered via flood and coastal risk management schemes that may result from this Strategy.

Table 6-14: National Flood and Coastal Erosion Risk Management Outcome Measures

Outcome Measure	Description of Outcome Measure
OM1	The whole life present value benefits (Pvb) of the scheme
OM2	Number of households moved out of any flood probability category to a lower probability category.
OM2b	The number of households moved from the very significant or significant probability category to the moderate or low probability category.
OM2c	The number of households in the 20 per cent most deprived areas moved out of the significant or very significant probability categories to the moderate or low probability category.
OM3	The number of households better protected from coastal erosion.
OM3b	The number of households protected against loss from coastal erosion in a 20-year period
OM3c	The number of households in the 20 per cent most deprived areas protected against loss from coastal erosion in a 20-year period
OM4a	Hectares of water dependent habitat created or improved to help meet the objectives of the Water Framework Directive, Section 28 of the Wildlife and Countryside Act, 1981 and the England Biodiversity Strategy
OM4b	Hectares of intertidal habitat created to help meet the objectives of the Water Framework Directive for areas protected under the EU Habitats/Birds Directive, Section 28 of the Wildlife and Countryside Act, 1981 and the England Biodiversity Strategy
OM4c	Length (in kilometres) of rivers protected under the EU Habitat Directive, EU Birds Directive or Section 28 of the Wildlife and Countryside Act 1981 improved to meet the objectives of the Water Framework Directive.

6.4.5 The OM scores for each Benefit Area are presented in Table 6-15. As no OM4s are being achieved through the Strategy, these are omitted from the table. Where

flood benefits have been allocated to surface water flood events, these OMs have been removed from Table 6-15.

Table 6-15: Preferred Option Outcome Measure

Outcome Measure	Benefit Areas*			
	B	C	D	E
OM1 (£k, PV Benefits)	69,678	175,704	355,076	17,599
OM2	0	7	1,521	0
OM2b	0	7	266	0
OM2c	0	0	32	0
OM3	240	593	16	0
OM3b	175	303	0	0
OM3c	2	173	0	0

*Note – Benefit Area A has not been assessed in terms of OMs.

6.5 Partnership Funding

- 6.5.1 In 2013, Defra implemented the new Flood and Coastal Resilience Partnership Funding system, which changes the way in which funding is allocated to projects. The new approach, referred to as “Partnership Funding” aims to allow more schemes to go ahead and to give each community greater say in what is done to protect them from flooding and coastal erosion. Instead of meeting the full costs of just a limited number of projects, “Partnership Funding” aims to make funding available for any worthwhile (i.e. economic) scheme, with the amount of FDGiA funding being related to the achievement of OMs. The funding gap will then need to be met locally, either through the local levy (limited funds) or via external contributions.
- 6.5.2 The potential Partnership Funding (PF) available for each of the short listed and preferred options was calculated using the EA GiA Calculator. This tool identified the maximum amount of funding available based on the economics, properties better protected from the risk of flooding and erosion and the hectares of intertidal habitat created over the next 100 years. The results of the assessment are included in Technical Appendix K. Table 6-16 provides a summary of the PF scores for the preferred options for each Benefit Area.

Table 6-16: Preferred Option Partnership Funding Scores

Benefit Area	Raw PF Score	Adjusted PF Score	External Contribution (£k) or saving required to achieve an Adjusted Score of 100%	Benefit Period
A – Two Tree Island*	0%	0%	2,133	2017-2034
B – Old Leigh Port	77%	77%	1,936	2017-2117
C - Cinder Path to Three Shells	39%	39%	30,788	2017-2117
D - Three Shells to Old Ranges	38%	38%	31,610	2017-2117
E – Old Ranges to East Beach	12%	12%	5,980	2017-2117
Overall Strategy Area	38%	38%	73,494**	2017-2117

*Two Tree Island has only been considered for operation and maintenance activities for the first epoch of the Strategy

**Note: This figure has been taken from the Strategy wide PF Calculator. This does not equal the sum of the individual PF calculations due to internal calculation and rounding within the PF Calculator

- 6.5.3 The additional financial contributions that need to be secured to achieve a PF score of 100%, for each benefit area are presented in Table 6-16. Note that: a score in excess of 100% is required before the scheme can proceed. Optimism bias has been included within the PF calculations. It is likely this will reduce at a particular scheme appraisal stage, which will contribute to the positive adjustment of the PF score.
- 6.5.4 At this strategic stage contributions from other sources have not been included. However, some contributions (i.e. other than FDGiA) will be needed to fully implement the Strategy. Possible sources for contributions (capital and maintenance) are identified in Table 6-17, along with the applicable funding mechanism and the section(s) of defence that this funding source is suitable for. SBC are currently discussing future funding with Network Rail, the MoD, Anglian Water and private developers. Following approval of the Strategy, SBC will begin to approach the other organisations identified and discuss future funding more formally and further explore opportunities for joint working and funding contributions. A more detailed funding plan will be developed.

Table 6-17: Potential Sources for Partnership Funding

Possible Funding Source	Applicable Defence Sections	Funding Mechanism
Network Rail	2, 3 & 4 (Leigh-on-Sea to Chalkwell).	Riparian owner, with existing responsibility for maintaining defence.
MoD	8 & 9 (foreshore)	MoD own foreshore and have responsibility for its upkeep and maintenance.
Private Developers	All sections - capital works with commuted sum to SBC for maintenance.	Section 106 agreements (similar to that for the Old Ranges Garrison development) and other partnership working.

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Utility providers	All sections where utility asset is protected by defence) – capital works.	Financial contribution to be made for continued protection.
Essex County Council (ECC)	Defence Section 1 where ECC had involvement in legacy landfill activities.	Financial contribution to be made for continued protection.
SBC	All sections, but most likely those where SBC is the lead authority – capital and maintenance works.	Financial contribution and on-going maintenance budget.
Local businesses	All sections, but most likely those in the higher amenity areas (around the pier) - capital and maintenance works.	Innovative mechanism such as Infrastructure levy. SBC is a CIL (Community Infrastructure Levy) charging authority.
Local residents	All sections - capital and maintenance works.	Innovative mechanism such as council tax levy.
Environment Agency (EA)	Two Tree Island.	Part of a collaborative approach for works on contaminated land in the area including Two Tree Island and Hadleigh Marsh.
North Thames FLAG	2 (Old Leigh)	Alignment of coastal works with delivery of works to upgrade working port facilities. Providing opportunities to tie into wider national and international funding sources.

6.6 Summary of Preferred Strategy

6.6.1 The economic case for the preferred Strategy is presented in Table 6-18.

Table 6-18: Summary of the Preferred Strategy (£k)

Benefit Area (BA)	BA A	BA B	BA C	BA D	BA E	Total
Standard of Protection in 2116	N/A	10% AEP	0.5% AEP	0.5% AEP	10% AEP	
PV Costs, inc. risk (60% OB) (£k)						
Other Costs (£k)	£0	£463	£2,532	£2,379	£323	£5,697
Capital Costs (£k)	£0	£7,571	£45,923	£45,567	£6,059	£105,120
Maintenance Costs (£k)	£1,957	£161	£4,630	£6,741	£1,489	£14,978
Compensatory Habitat Costs (£k)	£2,133	£437	£2,036	£3,413	£400	£8,419
Total PV Costs (£k)	£4,090	£8,633	£55,121	£58,100	£8,270	£134,214
PV Benefits (£k)	£0	£69,678	£175,704	£355,076	£17,598	£618,056
Average Benefit/Cost Ratio (BCR)	N/A	8.07	3.19	6.11	2.13	4.61
Cash Costs (£k) – not including risk						
Other Costs	£0	£911	£3,729	£4,401	£358	£9,399
Capital Costs	£0	£17,168	£70,256	£84,707	£6,349	£178,480
Maintenance Costs	£1,554	£627	£9,033	£16,285	£2,972	£30,471
Compensatory Habitat Costs	£9,411	£1,929	£9,585	£15,058	£1,765	£37,748
Total Cash Costs (£k)	£10,966	£20,635	£92,603	£120,452	£11,443	£256,098
Initial Benefit Period						
Benefit Period	0 - 17	0 – 100 years	0 – 100 years	0 – 100 years	0 – 100 years	0 – 100 years
PV Costs (£k)	£4,090	£8,633	£55,121	£58,100	£8,270	£134,214
PV Benefits (£k)	£0	£69,678	£175,704	£355,076	£17,598	£618,056
Raw Score (%)	0%	77%	39%	38%	12%	38%
Contributions Required (£k)	£2,133	£1,936	£30,788	£31,610	£5,980	£73,494*
Contributions Achieved (£k)	£0	£0	£0	£0	£0	£0
Adjusted PF Score (%)	0%	77%	39%	38%	12%	38%

*Note: This figure has been taken from the Strategy wide PF Calculator. This does not equal the sum of the individual PF calculations due to internal calculation and rounding within the PF Calculator

**Note: Taken from the PF Calculator rather than a raw score percentage of PV Costs

7 Implementation

7.1 Project Planning

Phasing and Approach

- 7.1.1 An Outline Business Case (OBC) is currently being prepared for works at Shoebury Common (eastern end of defence Section 7) to improve the SoP provided against coastal flooding. This OBC document is currently being prepared with capital works intended for year one of the Strategy.
- 7.1.2 Further works have been identified in to occur within the first five years of the Strategy:
- Benefit Area B: Replacement of a length of degraded sea wall at Bell Wharf in year four of the Strategy
 - Benefit Area D: Replacement of the timber groynes in Defence Section 6 in year four of the Strategy. These have been identified as either being in a poor condition or buried following the beach recharge event at Jubilee Beach. Installation of a new groyne field will ensure beach material from the recharge event remains in position for as long a duration as possible.
 - Benefit Area E: Replacement of existing defences in year four of the Strategy. These defences have been identified as being in a poor condition. SBC are currently investigating short-term repair works on these defences. However, a full replacement is recommended in year four of the Strategy following full appraisal and agreement on funding.
- 7.1.3 SBC currently have an ageing stock of coastal defence assets, The Hold the Line policy to be implemented along the coastline will require all defences to be replaced in the 100-year time horizon of this Strategy. Details of the timing of capital works are provided in Section 6.3. and an Implementation Plan is included in Technical Appendix L. In developing this Implementation Plan, a series of efficiencies have been identified to coincide works to reduce capital costs and ongoing disruption along the foreshore. This approach will also enable a wider range of external funding contributors to be identified to maximise benefit to the taxpayer. Implementation efficiencies include:
- Alignment of works at two sites in year nine of the Strategy within Benefit Area C. Works to be undertaken at Cinder Path and west of the Genting Club
 - Alignment of works at two sites in year 14 of the Strategy within Benefit Area D. Works to be undertaken at the base of the pier and in Defence Section 7, west of the Thorpe Bay Yacht Club
 - Capital Maintenance works will be undertaken in Defence Section 7 in the first epoch of the Strategy. This will extend the residual life of the defences to year 30 of the Strategy. In year 30 of the Strategy major works will then be required throughout Benefit Area D and also the east of the Genting Club in Benefit Area C.
 - To achieve the 0.5% AEP SoP in 2116 in Benefit Area C and D, a re-raising intervention has been scheduled for year 50 of the Strategy. This is intended to

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minimise the present-day impact on the townscape as well as enabling adaptation to future changes that may be seen relating to climate change effects.

- 7.1.4 The timing of these interventions is based on present understanding of the defence conditions. Variations to the changing rates of deterioration of these defences is to be mapped as part of the annual defence condition inspection process. Where variation to the current understanding is found to occur, these efficiencies should be reviewed to ensure an effective implementation plan remains in place.
- 7.1.5 Undertaking works on an emergency basis due to lack of funding is seen as the last resort. By having a Strategy in place, it is SBC's intention to develop partnerships and secure the necessary funding in advance of defence failure.

Programme and Spend Profile

- 7.1.6 An annualised spend profile, is presented in Table 7-1. Further information on the derivation of these numbers can be found in Technical Appendix K. Due to the long time-horizon of the Strategy, inflation has not been included with these figures. However, it is required that this be included at scheme appraisal stage.

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Table 7-1: Annualised Spend Profile (Cash Costs) and PF Score (£k)

Costs (£k)	2017/18	2018/19	2019/20	2020/21	2021/22	Future Years	Total
Benefit Area A – Two Tree Island							
PF Score = N/A (patch and repair maintenance for first epoch of Strategy only)							
Capital	0	0	0	0	0	0	0
Non-capital	78	78	78	78	78	10,576	10,966
Risk	47	47	47	47	47	6,346	6,581
Total	125	125	125	125	125	16,992	17,547
Benefit Area B – Old Leigh Port							
PF Score = 8.07; Potential Funding Source = Environment Agency, SBC (own funding and via FDGiA) FLAG, Network Rail, Private Developers, Utility Providers, ECC, Local residents/businesses							
Capital	0	0	0	0	940	16,228	17,168
Non-capital	0.5	0.5	0.5	70.5	30.5	3,364	3,467
Risk	0.3	0.3	0.3	42	582	11,755	12,380
Total	0.8	0.8	0.8	112.5	1,552.5	31,347	33,015
Benefit Area C – Cinder Path to Three Shells							
PF Score = 3.19; Potential Funding Source = SBC (own funding and via FDGiA), Network Rail, Private Developers, Utility Providers, ECC, Local residents/businesses							
Capital	0	0	0	0	0	70,256	70,256
Non-capital	79	79	79	79	651	21,380	22,347
Risk	47	47	47	47	391	54,982	55,562
Total	126	126	126	126	1,042	146,618	148,165
Benefit Area D – Three Shells to the Old Ranges							
PF Score = 6.11; Potential Funding Source = SBC (own funding and via FDGiA), Ministry of Defence Network Rail, Private Developers, Utility Providers, ECC, Local residents/businesses							
Capital	0	5,795	0	0	2,024	76,888	84,707
Non-capital	259	143	56	127	87	35,073	35,745
Risk	155	3,563	34	76	1,267	67,177	72,271
Total	414	9,501	90	203	3,378	179,138	192,723
Benefit Area E – Old Ranges to East Beach							
PF Score = 2.13; Potential Funding Source = SBC (own funding and via FDGiA), Ministry of Defence, Private Developers, Utility Providers, ECC, Local residents/businesses							
Capital	0	0	0	0	4,081	2,268	6,349
Non-capital	54	54	54	196	114	4,622	5,094
Risk	32	32	32	118	2,517	4,134	6,865
Total	86	86	86	314	6,712	11,024	18,308
Combined Total							
Capital	0	5,795	0	0	7,045	165,640	178,480
Non-capital	470.5	354.5	267.5	550.5	960.5	75,015	77,619
Risk	282	3,690	161	330	4,804	144,394	153,660
Total	752	9,839	428	881	12,809	385,049	409,759

7.2 Procurement Strategy

- 7.2.1 Following approval of the Strategy, individual projects will be taken forward in accordance with the timings detailed in Table 6-7 and the Implementation Plan in Technical Appendix L.
- 7.2.2 SBC will adhere to their contract procurement rules and ensure that the Procurement Code of Conduct is complied with. This document sets out the procedure which must be followed for every contract made between the Council and a third party for the supply of goods, services and works. For procurement of professional services, the NEC3 Professional Services Contract for Consultancy Support for Coastal Defences shall be used. Procurement of construction services shall be achieved through The Official Journal of European Union (OJEU) whilst this remains available. If the OJEU is not available for use a suitable alternative procurement mechanism or framework shall be identified by SBC. Parties required to undertake survey shall be appointed by SBC following procurement rules (SBC, 2016) and under standard terms and conditions.
- 7.2.3 SBC have appointed Mott Macdonald as a multi discipline engineering consultant in a 5-year framework agreement to commence the implementation of the approved Strategy. SBC have also appointed Marlborough Surfacing on a ten-year Term Service Contract to undertake maintenance repairs on coastal defence assets.

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7.3 Delivery Risks

High Level Risk Register

7.3.1 The project team has developed a risk register for the implementation of the Strategy (see Technical Appendix R). The top five risks based on a combination of their probability of occurring or impact once they do occur are presented in Table 7-2

Table 7-2: High Level Risk Schedule and Mitigation

Key Project Risk	Adopted Mitigation Measure
Scheme costs increase	<ul style="list-style-type: none"> Run sensitivity tests on costings to ensure robust economic case Early Contractor Involvement at scheme design stage
Lack of funding contributions by other parties whose assets are at risk from coastal flooding and erosion (Network Rail, MoD) and other third parties.	<ul style="list-style-type: none"> Early engagement with third parties at Strategy stage to understand their long-term plans for management of assets. Following adoption of the Strategy SBC will seek to develop relationships and partnerships with potential funders. At scheme stage, early engagement with third party contributors to get buy-in to proposed works.
Lack of suitable habitat for compensation in close proximity to Southend-on-Sea or habitat not available at the required time.	<ul style="list-style-type: none"> Work with Regional Habitat Creation Programme to ensure wherever possible suitable habitat can be identified. Align with TE2100 to improve possibility of identifying suitable habitat in close proximity to the borough. Work with Ministry of Defence to identify opportunities for creating habitat at Foulness.
Lack of public support for schemes.	<ul style="list-style-type: none"> Ensure early stakeholder engagement and consultation Use non-technical summaries when presenting schemes to public to help clear understanding. Show clear options development process and detailed reasoning for the scheme. Review lessons learnt on other schemes. Setup a Stakeholder Engagement Group to represent their local community/ organisation.
Solution to managing contamination issue at Two Tree Island is not identified.	<ul style="list-style-type: none"> Create working group with key partners to identify solutions Link in to regional, national and international initiatives regarding the management of historic landfill sites.

Safety Plan

7.3.2 Any projects arising from the Strategy will need to meet the requirements of the Construction (Design and Management) Regulations 2015. In designing any future works, the principles of prevention will be followed and public safety post construction will be a key consideration.

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Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (Place)

to
Cabinet

on

13 March 2018

Report prepared by: Adam Penn,
Regulatory Services Manager

Sex Establishments Draft Licensing Policy

Place Scrutiny Committee(s)

Executive Councillor: Councillor Cox for Transport, Waste and Regulatory Services
Part 1 (Public Agenda Item)

1. Purpose of Report

- 1.1 To set out a draft Statement of Licensing Policy (**Appendix 1**) as a basis for formal consultation.

2. Recommendations

2.1 That the Cabinet recommend to the Council:-

That the draft Statement of Licensing Policy set out in Appendix 1 to this report be approved for consultation.

3. Background

- 3.1 In October 1982, the Council (the Licensing Authority) resolved to adopt the new powers which had been made available by the Local Government (Miscellaneous Provisions) Act 1982 to control sex establishments, which were defined as sex shops and sex cinemas.
- 3.2 Premises which operated as lap-dancing clubs and similar did not come within the definition of sex establishments and therefore any necessary controls could only be put in place by reference to existing legislation namely the Licensing Act 2003.
- 3.3 The Government deemed the controls insufficient and introduced legislation which has amended the Local Government (Miscellaneous Provisions) Act 1982 to extend the definition of sex establishments to include sexual entertainment venues. In general terms these included premises which have lap dancing, pole dancing, table dancing, strip shows and live sex shows.

- 3.4 On 15th December 2011 the Council resolved to adopt the new powers under schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) ('the Act') to control sex establishments, namely sex shops, sex cinemas and sexual entertainment venues. At the same time the first version of the Sex Establishments Policy was also approved. The resolution came into force on 1st April 2012.
- 3.5 Drawing from the experience gained in implementing the first policy a revised policy has now been drawn up for consultation.
- 3.6 The proposed new policy has been updated and now includes the following additions:
- Clearer detail on the legislation taken into account when determining an application (section 7).
 - Information on licensing requirements and definitions of matters within the Act (8).
 - New sections on general principles (9) and making an application (12). These include details of the Licensing Authority's expectations of an applicant.
 - A new proposal to limit the number of licences permitted within the borough, (10.1) although it should be noted that this does not remove the right of an applicant to apply and in that eventuality the Council must still process and deliberate on any applications received. Accordingly the policy still includes proposed conditions and provisions to properly control new premises to allow for the eventuality that an applicant successfully shows that the limit should not apply to their application.
 - Detail of what will be taken into account when deciding an application including the character of the locality (10.2), the use of premises in the vicinity (10.3), and the layout, character and condition of the premises (10.4),
 - A clear direction to applicants on the effect of failing to renew a licence in a timely manner (17) and
 - Revised conditions, split into type of premises applied for, rather than the previous 'general conditions', which will normally be added to a licence upon renewal and in the event of a new licence being granted. **(Appendix 1)**.

4. Other Options

- 4.1 The Licensing Authority is not legally required to publish a Statement of Licensing Policy but is doing so as a matter of good practice. The policy sets out the expectations of the Licensing Authority in determining applications and is a useful guidance tool for applicants and those wishing to object.
- 4.2 The other option is to not publish a revised policy and keep the existing one which is now somewhat dated.

5. Reasons for Recommendations

- 5.1 To allow the Council to update the policy giving clearer guidance to applicants and objectors.

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

6.1.1 A statement of licensing policy is instrumental in the effective assessment of applications, and in helping to ensure proper conduct of approved premises. It is thus supportive of the Council's Vision of creating a Safer and Prosperous Southend.

6.2 Financial Implications

6.2.1 The annual licence fees form part of the overall budget for the Council; The Act requires that fees are set at a level which covers the cost of administering the system without making a profit. Fees do not form part of the policy and are set separately.

6.3 Legal Implications

6.3.1 The Licensing Authority is not legally required to publish a Statement of Licensing Policy but is doing so as a matter of good practice. The policy sets out the expectations of the Licensing Authority in determining applications and is a useful guidance tool for applicants and those wishing to object.

6.4 People Implications

6.4.1 When the Council adopted the powers in 2011 it enabled local residents to make written objections to the local authority on wider grounds than previously whereby they were limited to making representations based on the licensing objectives in the Licensing Act 2003 which related to regulated entertainment.

6.4.2 The policy sets out the expectations of the Licensing Authority in determining applications and is a useful guidance tool for applicants and those wishing to object.

6.5 Property Implications

6.5.1 No property implications.

6.6 Consultation

6.6.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom will have views and concerns which require consideration as part of the licensing function.

6.6.2 In developing this Policy Statement, the Licensing Authority will consult widely. Along with the Police and other authorities, the views of representatives of existing licence holders, businesses, voluntary and support groups and residents will be sought.

6.6.3 A formal consultation period of at least 8 weeks will take place following the Cabinet decision on the recommendation at 2.1 above.

6.7 Equalities and Diversity Implications

6.7.1 The Policy document has been drawn up in accordance with the requirements of the legislation. There is limited scope for change, and the document is felt to be broadly neutral in its equalities impact. Overall, the effect of control of such premises is supportive of concerns in respect of vulnerable groups. An equality assessment will be undertaken none the less.

6.8 Risk Assessment

6.8.1 Elements of the first policy have become dated leaving the Council more open to challenge. Thus an updated version is required.

6.9 Value for Money

6.9.1 The annual licence fees form part of the overall budget for the Council; The Act requires that fees are set at a level which covers the cost of administering the system without making a profit. Fees do not form part of the policy and are set separately.

6.10 Community Safety Implications

6.10.1 The proposed new policy specifically addresses the impact that applications and licensed venues may have on local areas. It requires that applicants for new licences and renewals should demonstrate within their application that the operation will not have an adverse effect.

6.11 Environmental Impact

6.11.1 No Environmental Impact

7. Background Papers

7.1 Local Government (Miscellaneous Provisions) Act 1982 (as amended)

8. Appendices

Appendix 1 – Draft Statement of Licensing Policy



**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982
(as amended by the POLICING and CRIME ACT 2009)**

**SEX ESTABLISHMENTS LICENSING POLICY
DRAFT LICENSING POLICY FOR CONSULTATION**

VERSION HISTORY		
Version No	Effective from	Review Date
1	December 2011	November 2017
2	TBC 2018	2022

1 INTRODUCTION

- 1.1 In October 1982, the Council (in its role as the Licensing Authority) resolved to adopt the new powers which had been made available by the Local Government (Miscellaneous Provisions) Act 1982 to control sex establishments, which were defined as sex shops and sex cinemas.
- 1.2 Premises which operated as lap-dancing clubs and similar did not come within the definition of sex establishments and therefore any necessary controls could only be put in place by reference to existing legislation namely the Licensing Act 2003.
- 1.3 The Government deemed the controls insufficient and introduced legislation which has amended the Local Government (Miscellaneous Provisions) Act 1982 to extend the definition of sex establishments to include sexual entertainment venues. In general terms these included premises which have lap dancing, pole dancing, table dancing, strip shows and live sex shows.
- 1.4 On 15th December 2011 the Council resolved to adopt the new powers under schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (as amended by section 27 of the Policing and Crime Act 2009) ('the Act') to control sex establishments, namely sex shops, sex cinemas and sexual entertainment venues. The resolution came into force on 1st April 2012.

2 STATEMENT OF LICENSING POLICY

- 2.1 The Licensing Authority is not legally required to publish a Statement of Licensing Policy but is doing so as a matter of good practice. This policy contains the principles it will apply when exercising its functions under the Act.
- 2.2 The Licensing Authority does not take a moral stand in adopting this policy, or in relation to the principals set out in it. It recognises that Parliament has made it lawful to operate a sex establishment, and that such businesses are a legitimate part of the retail and leisure industry. The Council will, as a licensing authority, administer the licensing regime in accordance with the law.
- 2.3 This Policy Statement comes into force on *[date tbc 2018]*. It will be subject to regular review involving further consultation as required.

3 CONSULTATION

- 3.1 There are a number of groups who have a stake in the leisure industry, including providers, customers, residents and enforcers, all of whom have views and concerns which require consideration as part of the licensing function.
- 3.2 In developing this Policy Statement, the Licensing Authority consulted widely. Along with the Police and other authorities, the views of representatives of existing licence holders, businesses, voluntary and support groups and residents were also taken into account. Due consideration was given to the views of all those who responded to that consultation process.

4 APPROVAL OF POLICY

- 4.1 This policy was approved at a meeting of the full Council on *[date]* and was published via its website on *[date]*. Copies are available on request.

5 EXCHANGE OF INFORMATION

- 5.1 The Licensing Authority is under a duty to protect the public funds it administers and to this end may use the information provided by applicants for the prevention and detection of fraud. It may also share this information for these purposes with other bodies responsible for auditing or administering public funds for the same purposes.

6 PUBLIC REGISTER

- 6.1 The Licensing Authority keeps a public register which may be inspected at the offices of the Licensing Authority on Mondays to Fridays (except bank and public holidays) between 10.00 and 16.00.

7 OTHER RELEVANT LEGISLATION

- 7.1 Apart from the legal requirements of the Act, the Council will take into account its duties under other legislation.
- 7.2 In accordance with section 17 of the Crime and Disorder Act 1998, the Council is under a duty to exercise its functions with due regard to the likely effect on, and the need to do all it reasonably can to prevent, crime and disorder in the Borough.
- 7.3 The Regulators' Compliance Code (set out under the Legislative and Regulatory Reform Act 2006) requires the Council not to impede economic progress by its regulations, and, particularly to consider their impact on small businesses.
- 7.4 The Provision of Services Regulations 2009 requires the Council to ensure that its exercising of powers are –
- non-discriminatory;
 - justified by an overriding reason relating to the public interest;
 - proportionate to the public interest objective;
 - clear and unambiguous;
 - objective;
 - made public in advance;
 - transparent and accessible.
- 7.5 The Human Rights Act 1998 - The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a convention right. The Council will take particular notice of the following relevant provisions of the European Convention on Human Rights; –
- Article 6 – that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
 - Article 8 – that everyone has the right to respect for his home and private life;
 - Article 1 of the First Protocol – that every person is entitled to the peaceful enjoyment of his or her possessions, including, for example, a licence under this Act.
- 7.6 The Equality Act 2010 brought together over 116 separate pieces of legislation into one single Act. Combined, they make up an act that provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. In particular, the Council is mindful of its obligations under section 149, the public sector equality duty, which requires that public bodies have to consider all individuals when carrying out their day-to-day work in shaping policy, and in relation to their decisions on applications under this licensing regime.

The duty also requires that public bodies have due regard to the need to:

- eliminate discrimination;
- advance equality of opportunity; and
- foster good relations between different people when carrying out their activities.

8 DEFINITIONS UNDER THE ACT

8.1 Sex establishment premises fall into one of three categories:

- sexual entertainment venues;
- sex shops; or
- sex cinemas.

8.2 A sexual entertainment venue is defined in Paragraph 2A of Schedule 3 as *'any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer'*. *'Relevant entertainment'* is defined as *'any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means)'*.

8.3 The category 'sexual entertainment venues' includes the following forms of entertainment as they are commonly understood:

- lap dancing;
- pole dancing;
- table dancing;
- strip shows;
- peep shows; and
- live sex shows;

This entertainment is defined as 'relevant entertainment'. This list is not exhaustive, and the Licensing Authority will consider the content of the entertainment to be provided at any premises when deciding whether a licence is required.

8.4 Premises which provide relevant entertainment on an infrequent basis are not required to be licensed as a sexual entertainment venue by the Licensing Authority. These exempted premises are defined as premises where –

- no relevant entertainment has been provided on more than 11 occasions within a 12 month period;
- no such occasion has begun within a period of one month beginning with the end of the previous occasion; and
- no such occasion has lasted longer than 24 hours;

Such premises will continue to be regulated under the Licensing Act 2003, in so far as they are providing regulated entertainment under that

Act. The Licensing Authority will carefully monitor the use of the exemptions.

- 8.5 Licences for sex shops are required where the business consists to a significant degree of selling, displaying etc sex articles. 'Sex articles' are defined in the 1982 Act and include the sale of BBFC classified R18 films. The phrase 'a significant degree' is not defined, but in determining whether a business needs a licence, the Licensing Authority will consider the ratio of sex articles to other aspects of the business, the absolute quantity of sales, the character of the remainder of the business, the nature of the displays, turnover, and any other factors it considers material.
- 8.6 Licences for sex cinemas are required where the business consists to a significant degree for the exhibition of moving pictures, which are concerned primarily with the portrayal of or intended to stimulate or encourage sexual activity or acts of force or restraint which are associated with sexual activity or are concerned primarily with the portrayal of or relate to, genital organs or urinary or excretory functions.

9 GENERAL PRINCIPLES

- 9.1 This policy does not undermine the rights of any person to apply under the Act and to have their application considered on its individual merits, nor does it override the right of any person to object to any application.
- 9.2 The Licensing Authority has certain expectations in respect of applicants and the information they produce about the operation of the premises. It is for applicants to decide on the extent of the measures they believe to be appropriate but when assessing the application the Licensing Authority may add additional conditions as set out in this section.
- 9.3 Applicants are advised to consider providing evidence that suitable and sufficient control measures will be implemented and maintained relevant to the nature and mode of operation of their premises.
- 9.4 Duplication with other regulatory regimes should be avoided. In particular, applicants should have regard to the fact that the Council's licensing function will be discharged separately from its other functions such as any planning requirements. Normally, applications should be from businesses with appropriate planning consent for the property concerned.
- 9.5 Where valid objections are made the licensing committee will make objective judgments as to whether conditions need to be attached to a licence. Any such conditions will primarily focus on the direct impact of the activities taking place at the premises and members of the public living, working or otherwise engaged in normal activity in the area

concerned and will cover matters which are within the control of individual licensees.

- 9.6 Conditions which seek to control the range or nature of activities within the premises may be necessary. Such conditions may also seek to directly impact upon the behaviour of customers on, or within the immediate vicinity of, the premises.
- 9.7 When considering applications the Licensing Authority will have regard to the Act, this policy, statutory guidance, all supporting regulations and relevant legislation.
- 9.8 The Council has standard conditions for sex shops and sexual entertainment venues, and these are set out in **Appendix 1**.

10 POLICY GUIDELINES

10.1 LIMITING THE NUMBER OF SEX ESTABLISHMENTS IN PRE-DEFINED LOCALITIES

10.1.1 The Council has decided to use its powers under Paragraph 12(3)(c) of Schedule 3 to define 'relevant localities', and to establish how many sex establishments, or sex establishments of a particular kind, it considers appropriate in each such relevant locality. The Licensing Authority will determine each application in the context of the limit that it has set.

10.1.2 The Council has determined that the whole borough is considered as the relevant locality for the purposes of this section. However in the event that an applicant successfully evidences to the licensing committee that their application should not be subject to the limitations outlined below, then the Licensing Authority will apply the parameters set out in section 10.2 when considering the character of the locality.

10.1.3 There are currently 2 licensed sex shops in the relevant locality.

10.1.4 There are currently 4 licensed sex entertainment venues in the relevant locality.

10.1.5 There are currently no licensed sex cinemas in the relevant locality.

10.1.6 Without prejudice to section 10.3.1 of this policy, The Council does not consider any area within the Borough to be an appropriate location for any sex shops, sex entertainment venues, or sex cinemas and sets the following limits which will automatically drop downwards to zero in the event that a licence is surrendered, revoked or not renewed:

- 2 licensed sex shops
- 4 licensed sex entertainment venues
- 0 licensed sex cinemas

10.2 THE CHARACTER OF THE LOCALITY OF THE APPLICANT SITE

10.2.1 The Licensing Authority acknowledges that the character of a locality is not something that remains static, but which can alter at any time or over a period of time. Its decision on an application will be based on its assessment of the character of a locality at the time an application is determined. The Licensing Authority's general view when determining an individual application, is that 'locality' is where the premises that is the subject of the application is situated, including, but not necessarily exclusively, its immediate vicinity.

10.2.2 As a general rule, a locality whose character falls predominantly into one or more of the following categories will generally be considered inappropriate for the grant or renewal of a sex establishment licence:

- family and child oriented leisure or shopping areas; and
- predominantly family residential areas, with or without retail, fast food etc outlets serving the local population.

10.2.3 In considering applications for the grant of a new licence, the Licensing Authority will also take account of the potential impact of the licensed activity on crime and disorder, and where there is already one or more sex establishment premises in the locality, the cumulative impact of an additional licensed sex establishment premises.

10.2.4 It is expected that an applicant should demonstrate within their application that the operation will not have an adverse effect on the locale. The Licensing Authority recommend the applicant carries out a local area risk assessment to achieve this and the authority has produced a local area profile to assist in that regard. (available on www.southend.gov.uk).

10.3 THE USE OF PREMISES IN THE VICINITY

10.3.1 The Licensing Authority will generally consider it inappropriate to renew a sex establishment licence if there has been a material change in the area since the grant of the licence where the proposed sex establishment is near to –

- community facilities or public buildings, including but not limited to, leisure centres, public parks and play areas, youth centres, children's centres, sheltered housing;
- schools, nurseries and similar premises; and access routes to and from the same;
- family shopping areas;
- places of worship;
- family residential areas;

As may be relevant in any particular application, the Licensing Authority will have regard to the licensee's or proposed licensee's operating hours or other operational requirements.

10.4 LAYOUT, CHARACTER AND CONDITION

- 10.4.1 With regard to an application for the grant or renewal of a licence, the Licensing Authority will also take into account the layout, character or condition of the premises, vehicle, vessel or store in respect of which the application is made.
- 10.4.2 The Licensing Authority will, in considering applications for renewal, take into account past demonstrable adverse impact from the activity and whether appropriate measures which have been agreed are properly implemented by the applicant to mitigate any adverse impacts. Such consideration may include any enforcement action taken by the Licensing Authority.

11 ADVICE AND GUIDANCE

- 11.1 Pre-application discussions are encouraged to assist applicants to develop their proposals. Officers of the Licensing Authority, together with those of other relevant authorities, will endeavour to provide guidance at that stage, as resources permit.
- 11.2 Where appropriate to do so, officers of the Licensing Authority will assist applicants to work with others who may make representations with a view to resolve areas of concern.
- 11.3 Once an application has been lodged there are statutory timescales imposed on the application and determination process which restrict the opportunity for such discussions, liaison and mediation.

12. APPLICATION

- 12.1 The forms which the applicant must use for the application and public notice are obtainable from the Council's website. If other forms are submitted they will be rejected.
- 12.2 The Licensing Authority aims to determine your application within 28 days of the end of consultation period. If it fails to do it will inform the parties accordingly.
- 12.3 Tacit authorisation (as set out in the Provision of Services Regulations 2009) does not apply because different arrangements are in place.

13 OBJECTIONS

- 13.1 Any person can object to an application but the objection must be relevant to the grounds for refusing an application set out in paragraph 12 of Schedule 3 of the Act and repeated within this policy.
- 13.2 Objections shall not be based on moral grounds or values.

- 13.3 Objectors must give notice of their objection in writing within the specified period. They should give as full an explanation as possible of their reasons for making an objection.
- 13.4 The Licensing Authority shall not reveal an objector's name or address to the applicant without the consent of the person making the objection.
- 13.5 If there are no objections the application will be dealt with by the Licensing Authority's licensing officers under the scheme of delegation. All relevant standard conditions outlined in the appendices to this policy will be attached to licences issued. If there are objections, the application will be considered by the licensing sub-committee at a public hearing.
- 13.6 Mandatory Conditions are imposed by the Act whether or not the application is opposed.

14 LICENSING COMMITTEE

- 14.1 The full Licensing Committee is composed of 15 Councillors. A contested application will be heard by sub-committee 'C'.
- 14.2 When considering applications the sub-committee will have regard to this policy, statutory guidance, the Act together with The Human Rights Act 1998 and other legislation as appropriate.
- 14.3 Each application is considered on its individual merits.
- 14.4 Should the sub-committee decide to approve the application, the Mandatory Conditions must be applied. In addition, the sub-committee will determine whether other conditions need to be attached to the licence.

15 CONDITIONS/CONTROL MEASURES

- 15.1 The Licensing Authority expects that unless there is a specific reason not to do so the licence conditions which are currently in force for sex establishments will be included in any conditions to be imposed on a licence. These are attached at **Appendix 1**.
- 15.2 In addition, the Licensing Committee may wish to include other control measures. This may include but shall not be limited to:-
- Consideration as to if the location of the premises is appropriate or inappropriate; and
 - Consideration as to if the premises are appropriate for a particular locality

16 GROUNDS OF REFUSAL

16.1 Mandatory Grounds of Refusal

- (1) The applicant is under 18 years of age;
- (2) The applicant has been disqualified for a period of 12 months following the revocation of a licence for a sex establishment in the same area;
- (3) The applicant (other than a body corporate) is not resident in the United Kingdom or a European Economic Area State or was not so resident throughout the period of 6 months immediately preceding the date when the application was made;
- (4) The applicant company is not incorporated in United Kingdom or a European Economic Area State; or
- (5) There has been a refusal within the previous 12 months of the grant or renewal of a sex establishment licence to the applicant in respect of the premises for which the application is made.

16.2 Discretionary Grounds of Refusal

- (1) Unsuitability of the applicant;
- (2) The business would be managed by or carried on for the benefit of a 3rd party who would themselves be refused a licence;
- (3) The number of sex establishments in a specific locality (or of sex establishments of a particular kind) in a specific locality equals or exceeds the number considered appropriate for that locality; or
- (4) That the grant or renewal of the licence would be inappropriate having regard to-
 - the character of the locality;
 - the use to which other premises in the vicinity are put; or
 - the lay-out, character, or condition the premises in respect of which the application is made.

17 FEES

- 17.1 Fees are regularly reviewed and are advertised on the Council's website

18 APPEALS

- 18.1 If an application for the grant, renewal or transfer of a sex establishment licence is refused the applicant may have the right of appeal to the Magistrates' Court but there are a number of exceptions to this. In certain circumstances the applicant can only challenge the refusal by way of judicial review.

19 RENEWAL

- 19.1 Licences expire annually and must be renewed every year. Renewal is not an automatic grant. **Applications for renewal which are not received at least 28 days prior to the expiry of the existing licence may be treated as applications for a new licence. As such they will be subject to the appropriate fee structure and to the appropriate sections of this policy in regard to new applications, including section 10.1.5 (limiting the number of sex establishments in pre-defined localities).**

20 COMPLIANCE and ENFORCEMENT

- 20.1 In exercising its functions with regard to the inspection of premises and to the institution of criminal proceedings for offences committed under the Act, the Licensing Authority will follow best practice which requires that actions should be-

- Proportionate - intervention will only take place when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
- Accountable - the Licensing Authority must be able to justify its decisions and be subject to public scrutiny
- Consistent - rules and standards must be joined up and implemented fairly.
- Transparent - enforcement should be open and regulations kept simple and user friendly.
- Targeted - enforcement should be focused on the problems and minimise side effects.

- 20.2 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible, and will adopt a risk based inspection programme.

- 20.3 The Licensing Authority will keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

- 20.4 The Licensing Authority's enforcement/compliance protocols are available on request.

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Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (Place)

to
Cabinet
on
13 March 2018

Report prepared by: Mark Murphy, Group Manager –
Property and Estate Management

Forum 2

Place Scrutiny Committee
Executive Councillor: Councillor Ann Holland
(Portfolio Holder for Culture, Tourism and the Economy)
Part 1 (Public Agenda Item)

1. Purpose of Report

The purpose of this report is to: set out the core accommodation requirements for the development of Forum 2, which the Council is taking forward in partnership with South Essex College; provide an update on the South East Local Enterprise Partnership (SELEP) funding bid to support the scheme; and agree a scheme of delegation to enable the project to be taken through its next design stages.

2. Recommendations

- 2.1 Note and endorse the content of the Design Brief for Forum 2 including the initial statement of the Council's requirements in respect to gallery spaces and a digital workspace hub.
- 2.2 Note the current budgetary position in relation to the development of Forum 2, including the partners' progress in securing funding from the South East Local Enterprise Partnership Local Growth Fund, alongside the proposed completion date and programme for delivery.
- 2.3 Note and endorse the proposed procurement route and the project governance arrangements including the establishment of a joint Council/College Sponsoring Group and Project Board.
- 2.4 The Deputy Chief Executive (Place) be approved as the Project Executive and given delegated authority, in consultation with the Portfolio Holder for Culture, Tourism and the Economy, to appoint the Main Design Team and Cost Consultant to progress the design from RIBA Stage 2 (Concept Design) through to RIBA Stage 7 (In Use).

2.5 Agree that Gateway Reviews be undertaken at the completion of RIBA Stage 3 (Detailed Design) and RIBA Stage 4 (Technical Design).

3. Background

- 3.1 The existing £27m four-storey Forum facility was completed in August 2013. The scheme was delivered by a partnership comprising Southend-on-Sea Borough Council, the University of Essex and South Essex College. It is considered to be a unique facility on a national scale which provides state-of-the-art, integrated municipal and academic library and learning facilities within the heart of Southend.
- 3.2 This facility provides residents and students alike with unprecedented access to the wide range of books, archives and resources jointly held by the three partner organisations. Forum Phase 1 also provides modern teaching and learning/research facilities for the College and University, which enables closer co-working and co-operation between the two educational partners. The third floor of Forum Phase 1 also provides two modern study centre facilities, which higher education students have priority access to. The existing Forum development has greatly improved the facilities and resources on offer to students and residents and improved the appeal of Southend as a further and higher education destination, reinforcing the Southend Learning Quarter regeneration ambition as part of the Southend Central Area Action Plan (SCAAP).
- 3.3 Forum Phase 1 also provides a successful art gallery and café/restaurant. The Focal Point Gallery is South Essex's primary gallery for contemporary visual art. It is emerging as a leading institution for the promotion and commissioning of major solo exhibitions, group and thematic shows and has a dedicated programme of events including performances, film screenings and talks, as well as offsite projects and temporary public artworks. The gallery currently produces up to seven gallery exhibitions each year.
- 3.4 The Forum has a significant role in enabling formal and informal learning and education and supporting the digital, cultural and creative sector. This has been recognised by partners such as Opportunity South Essex (OSE) and the South East Local Enterprise Partnership (SELEP) who have recently endorsed and agreed £6m Local Growth Fund (LGF) funding in support of Forum 2. It is also a key piece of infrastructure in the Thames Estuary Production Corridor (TEPC), which has been established since the development of the Forum. The TEPC ambition is to establish the Thames Estuary a world-class location of excellence for the sector, building on the rich and diverse mix of activity already in place through supporting and cultivating digital, cultural and creative industries, and the environment necessary for them to thrive. Forum 2 will be able to expand and enhance the Forum's activity with space for education, performance, business and public engagement with the arts. Similarly, it will play a key role in the South Essex 2050 vision and work of the Association of South Essex Local Authorities (ASELA) as an innovative and aspirational approach to integrating education, business and the creative sector so as to deliver access to education and employment for all, and enrich the quality of life, ensuring that South Essex is somewhere people wish to live, work and visit.

- 3.5 Forum Phase 2 will directly capitalise upon the significant success of the Phase 1 Forum scheme. It will deliver a 5,308m² (Gross Internal Area) new building on Council owned land immediately opposite the existing Forum scheme within the Southend Learning Quarter, also home to the South Essex College and the University of Essex Southend campuses. The building will comprise a mix of educational/cultural/innovation functions and will be delivered and operated in genuine partnership between the Council and the College. It will assist to underpin this key regeneration area as an educational and cultural quarter and will directly drive significant regeneration and economic benefits across the town centre and wider SELEP economy.
- 3.6 The Council and College (with support from the University of Essex) commissioned a RIBA Stage 0/1 Feasibility Report. Based upon this feasibility study, a design brief (attached as Appendix A) has been produced by ADP Architects to inform the next stages of the design process.
- 3.7 The Design Brief provides for:
- Contemporary and community art gallery space and associated office, shop, café and project space to expand the existing gallery offer at Forum 1. This will be operated and managed by the Council in conjunction with the existing Focal Point Gallery.
 - New creative and digital ‘start-up’/co-working space for artists and local creative/digital businesses. This will address the current lack of provision of this type of floor space and will assist to enhance rates of graduate retention and new business start-up. The space will include co-working space, meeting pods, workstations, an editing suite and a seminar room. This will be operated and managed by the Council.
 - South Essex College managed commercial restaurant with associated professional kitchen and storage and an additional skills kitchen for teaching purposes.
 - Four college managed performing arts studios and associated changing rooms.
 - Three College managed music performance studios and eight music practice spaces. An additional two computer music suites, music recording control room and a post-production room will be provided for College use and potentially public and professional use.
 - Six general College teaching rooms and associated office, meeting and facilities space. In addition, a communal reception area and facilities management room will be provided.

This amounts to a total net internal area (NIA) of 3,535m². An additional allowance has been made for circulation space and external plant and void space. Thus, a total GIA of 5,308m² has been assumed at the project feasibility stage.

3.8 The RIBA Stage 0/1 Feasibility and Design brief has been assessed by cost consultants Faithful and Gould. This has identified a project cost, excluding VAT and inflation but inclusive of design and construction contingency, of £17.298m. The Council has allocated a sum of £2.7m in its Capital Programme whilst the Council has submitted a funding application to the South East Local Economic Partnership for £6m towards the project. The balance of the development cost will be provided by South Essex College with the apportionment between the Council and the College based upon their share of the net internal area.

3.9 It is anticipated that Forum Phase 2 will reach practical completion by June 2021, with the building being ready for use for the 2021/2022 academic year. The following programme milestones have been provisionally set:

- Commence OJEU process to appoint project design team Feb 2018
- Complete RIBA Stage 3 (inc.submission of planning application) Jan 2019
- Complete RIBA Stage 4 (Technical Design) June 2019
- Appoint Main Contractor Jan 2020
- Commence works on site March 2020
- Practical Completion June 2021
- Operational Opening Sept 2021

3.10 The Council will be the lead procuring organisation for this scheme as it did for The Forum. All procurement will be undertaken in accordance with the Council's Contract Procedures Rules and current 3 year Procurement Strategy. This is fully compliant with EU procurement rules and will ensure that the Council secures best value from a public sector investment perspective.

3.11 The procurement route for this scheme will include three key tender processes and contracts as below:

- Multi-disciplinary design team appointment (to progress the scheme through the RIBA stages).
- Cost consultants (quantity surveyor) appointment.
- Contractor appointment to deliver the new Forum 2 scheme (on the basis of a Joint Contracts Tribunal (JCT) Standard Building Contract). This is the normal form of contract to use for this type of appointment and is the contracting route used for the Forum.

Given the assumed contract values and the need to progress scheme feasibility and design prior to contractor appointment, these will be let as three separate contracts through two separate OJEU compliant processes.

3.12 The Council and College will establish a joint Project Board, chaired by the Deputy Chief Executive (Place), to take forward the design and construction of the new facility with oversight provided by a Sponsoring Group including the Chief Executives of each organisation. This mirrors the governance arrangements successfully employed for the development of The Forum.

- 3.13 The project will be managed in line with a tailored Prince 2 Project Management approach, with project management provided by the Council's Property and Estate Management Group.
- 3.134 It is proposed that formal 'Gateway Reviews' be undertaken by the Project Board at the completion of RIBA Stage 3 (Detailed Design) and RIBA Stage 4 (Technical Design) with these then being 'approved' by the Sponsoring Group prior to the project proceeding to the next Design Stage. Reports will also be submitted to Cabinet on project progress at these Gateway Review Stages.

4. Other Options

- 4.1 The Council has explored the option of developing Forum 2 jointly with both the University of Essex and South Essex College. However, the University does not currently have an additional space requirement in Southend.
- 4.2 Various options have been considered during the RIBA Stage 0/1 Feasibility Stage work in respect to options for developing the site including avoiding a basement level and different internal layouts. The preferred spatial option has been selected to best address the use requirements set out by the Council and the College.
- 4.3 Consideration has been given to procuring one or more of the required contracts through existing Framework arrangements such as those operated by Homes England. Whilst these may provide some timeframe advantages they would limit the contracting field and not potentially deliver the best contracting partner for the various contracts. These options have, therefore, been discounted.
- 4.4 The design and construction could be procured as a single Design and Build tender. This has certain advantages in relation to timescale and may provide greater cost certainty at an earlier stage in the process. However, this tends to be at the expense of quality aspects of the build particularly in relation to finishes due to the ability of the contractor to source the minimum product specification to meet the Employers Requirements that has an impact on ongoing maintenance and upkeep costs. As a high profile public-facing facility the partners have identified quality as a key consideration and a JCT Standard Build Contract has, therefore, been identified as the preferred option. This is because this form of contract is based on the clients issuing a full and detailed design specification including specifying all fixtures, fittings and finishes.

5. Reasons for Recommendations

- 5.1 The recommendations establish an agreed design brief position from which the Council, in partnership with the College, may progress the project alongside a formal project governance and management framework that will provide a solid foundation for the successful delivery of the project.

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

6.1.1 The Council has an ambition to establish Southend as the leading cultural capital within the East of England as part of its aim of a Prosperous Southend. It is seeking to continue to promote a thriving sustainable economy in Southend and to deliver first class services and flourishing, active, communities. The Council is transforming Southend through a 'Creating a Better Southend' initiative, which comprises an ambitious programme of infrastructure projects to improve the perception/appeal and experience of Southend and to develop the town's economy.

6.1.2 The development of Forum Phase 2 will contribute to this wider regeneration activity within Southend. Forum Phase 2 will capitalise upon the success of the existing Forum facility and complete the transformation of Elmer Square into an attractive and innovative learning quarter within the heart of the town centre, which can be enjoyed by students and the wider community alike. It will provide much needed academic teaching/learning and workspace for new business start-ups and will serve as a key driver of wider town centre footfall and spend.

6.1.3 The development will provide additional College-focused teaching and learning space to include a commercial/public restaurant, community gallery/exhibition space and commercial creative/digital enterprise space. These facilities will diversify and improve the educational and cultural offer in Southend and attract a new, vibrant and innovative occupier typology to the town centre.

6.2 Financial Implications

6.2.1 A sum of £2.7m has been allocated in the Council's 2018/19 Capital Programme as the Council's contribution towards the development cost whilst the Council has submitted a funding application to the South East Local Enterprise Partnership for £6m towards the project. The business case was considered and agreed by the SELEP Accountability Board on 23rd February 2018, securing the £6m funding to support the project. This will be subject to the same terms, conditions and reporting requirements as other existing Local Growth Fund (LGF) funded projects. . The balance of the development cost will be provided by South Essex College with the apportionment between the Council and the College based upon their share of the net internal area.

6.2.2 Revenue costs will be apportioned between South Essex College and the Council proportionally based upon share of net internal area but will not impact until the 2021/22 revenue budget.

6.3 Legal Implications

6.3.1 There are no specific legal implications at this stage.

6.4 People Implications

6.4.1 There are no people related implications arising as a direct result of this report. However, the staffing establishment of Focal Point Gallery will need to be reviewed as the development plan for the extended gallery spaces and new workshop spaces is progressed.

6.5 Property Implications

6.5.1 The Council owns the freehold of the site and will enter into an appropriate long leasehold arrangement with South Essex College as the site is developed and occupied.

6.6 Consultation

6.6.1 Consultation has been undertaken with internal stakeholders within the Council and College as part of the RIBA Stage 0/1 Feasibility Stage. The development of Forum 2 is also supported in the Southend Central Area Action Plan (SCAAP), which has been subject to extensive consultation, and states:

“Within Opportunity Site (PA3.1): Elmer Square Phase 2, planning permission will be granted for educational and supporting uses, such as commercial studios and workspace and cafes/ restaurants to complement Phase 1 and to further reinforce Elmer Square as the heart of the learning hub.”

6.7 Equalities and Diversity Implications

6.7.1 The new building will be designed and constructed in accordance with current (and emerging where appropriate) equality standards, including Building Regulations and DDA, and will promote ‘access for all’.

6.8 Risk Assessment

6.8.1 A full risk assessment has been undertaken as part of the RIBA Stage 0/1 Feasibility Report. A live risk register will be maintained throughout the duration of the project and will form part of the Gateway Review process.

6.9 Value for Money

6.9.1 The proposed development has already been subject to a detailed and independent Full Business Case Review, which has been undertaken by Steer Davies Gleave in accordance with the Treasury Green Book, as part of the Local Economic Partnership approval process. This has identified that the scheme represents value for money in respect to the Treasury Green Book rules.

6.9.2 A further value for money assessment will be undertaken as part of each Gateway Review with an independent cost consultant appointed to ensure best value is achieved throughout the design and tendering processes.

6.10 Community Safety Implications

6.10.1 The development of Forum 2 will be cognisant of certain community safety issues that have affected the public space created to the front of Forum 1 and will look to address these issues. The scheme itself will be assessed in accordance with the “Secured by Design” initiative.

6.11 Environmental Impact

6.11.1 The development will be taken forward in a way that looks to minimise energy usage and optimise the use of clean, renewable energy sources so as to minimise its environmental impact.

7. Background Papers

Forum 2 Feasibility Report – Prepared by ADP Architects (with Faithful and Gould Cost Consultants) May 2017.

Forum 2 Full Business Case – Submission to South East Local Enterprise Partnership December 2017 (Version 2 – Gateway 2 Submission).

8. Appendices

Appendix A – Forum 2 Design Brief – Prepared by ADP Architects May 2017

Southend-on-Sea Borough Council

Report of Deputy Chief Executive (Place)

To
Cabinet

On
13 March 2018

Agenda
Item No.

Report prepared by:
Elizabeth Georgeou, Interim Group Manager Regulatory
Services

Licensing of Massage or Special Treatment Premises and Codes of Practice
Executive Councillor (Public Protection): Cllr Cox
A Part 1 / Part 2 Public Agenda Item

1. Purpose of Report

- 1.1 To update the standard conditions used to grant and renew the licences for persons carrying on establishments for massage or special treatments (**Appendix 1**) under the Essex Act 1987. To further adopt best practice Codes of Practice specific to the different treatments being offered (**Appendices 2-7**). The Codes of Practice will require updating as new treatments and technologies emerge.

2. Recommendation

- 2.1 **Cabinet recommends that the Council specifies in each Massage or Special Treatment Licence the updated Conditions and the Codes of Practice relevant to each type of operation. In doing so, Cabinet is thereby approving the appropriate code of practice for each type of licence.**
- 2.2 **Cabinet recommends that the Codes of Practice continue to be updated in line with best practice and emerging new treatments.**

3. Background

- 3.1 The Council, through the licensing regime, maintains high standards in respect of the operation of establishments for massage or special treatment through licencing under Part VI of the Essex Act 1987.
- 3.2 Section 16(2) allows the Council to refuse to grant or renew or revoke a licence where:
- The premises are unsuitable for the provision of massage or special treatments.
 - Adequate professional, technical or other staff is not available for the administration of massage or special treatments.
- 3.3 Section 15 (2) allows the Council to specify terms and conditions when granting or renewing a licence for massage or special treatments.

- 3.4 The adoption of the updated conditions and Codes of Practice will satisfy the criteria for granting, renewing and transferring premises operating as Massage or Special Treatment establishments licenced under Part VI of the Essex Act 1987.
- 3.5 As at 1st April 2017 there were 67 premises licensed for massage or special treatments. Details of the various types of licensed treatments provided are outlined in **Appendix 9** and include sports massage, aromatherapy massage, traditional massage, spa pools, UV light treatments and sauna and steam rooms amongst others.
- 3.6 The Council operates to the principles detailed in the Regulatory Services Enforcement Policy. The Regulatory Services Enforcement Policy was adopted through the Cabinet process. It sets out the Council's duty with respect to having regard to the principles of good regulation, which are contained in the Legislative and Regulatory Reform Act 2006 and the Regulators Code.

4. Other Options

- 4.1 The options available to the Council as set out below:
- a) Continue with the existing conditions in these establishments.
 - b) Utilise the updated standard conditions and Codes of Practice to enable the local authority to satisfy itself that:
 - the premises are suitable for operation; and
 - those working in the establishments are technically qualified to do so.

5. Reasons for Recommendations

- 5.1 To enable the Council to continue to maintain best practice and to keep pace with the development of new treatments which are licensable under the Essex Act 1987 for massage or special treatment.

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

The adoption of the conditions will:

- a) Contribute to the prosperity and excellence priority. The use of updated conditions and Codes of Practice will assist establishments undertaking these activities to comply with their duties and to provide appropriate and safe standards for operation.
- b) Assist businesses by providing business advice through the provision of a clear set of Codes of Practice.

6.2 Financial Implications

- 6.2.1 There is an annual licence fee which is calculated to cover the cost of administering the system without making a profit. However fee levels do not form part of this consultation.
- 6.2.2 The businesses regulated were consulted on the implementation of the new conditions and Codes of Practice. There were no responses from business indicating that there would be a negative effect on the economic growth of their businesses.

6.2.3 Business will be given time to implement the new conditions and Codes of Practice where they do not affect public safety. Guidance will be provided by Officers to enable them to do so.

6.3 Legal Implications

6.3.1 The adoption of the updated conditions and specific Codes of Practice will ensure that the local authority is able to satisfy itself that the establishments are suitable and that those administering treatments are technically competent to do so.

6.4 People Implications

6.4.1 Adoption of the new conditions and specific Codes of Practice will enable local residents to satisfy themselves that where a licence has been granted the business is using best practice.

6.5 Property Implications

6.5.1 No property implications

6.6 Consultation

6.6.1 Formal Consultation commenced on 11th January 2017, with a request that responses be received by 3rd April 2017. The consultation exercise involved the following elements:-

- a) The despatch of an explanatory letter to all licensed premises advising of the proposals and the availability of the updated general conditions and associated draft Codes of Practice.
- b) The sending of emails to a range of interested parties, including businesses, other regulators voluntary and support groups.
- c) The same material, with a link to the updated general conditions and proposed Codes of Practice, was placed on the Council's website.
- d) Continuing response to enquiries, and requests for paper copies of the updated conditions and the draft Codes of Practice.
- e) The issuing of a press release at the start of the consultation process.
- f) 14 responses were received which are attached as **Appendix 8**. There was only one concern raised with respect to provision of hand washing. No other comments were made.

6.7 Equalities and Diversity Implications

6.7.1 An Equalities Impact Assessment has been undertaken and findings have been taken into account in the production of the report.

6.8 Risk Assessment

6.8.1 The failure to implement these conditions and Codes of Practice could result in a failure to discharge our duty to assess the suitability of the premises for the provision of massage or special treatments. To ensure there are adequate

professional, technical or other staff available to administer massage or special treatments provided in establishments.

6.9 Value for Money

6.9.1 The annual licence fees form part of the overall budget for the Council. The fees are set at a level which covers the cost of administering the system without making a profit.

6.10 Community Safety Implications

6.10.1 Not applicable

6.11 Environmental Impact

6.11.1 None

7. Background Papers

The Essex Act 1987

Regulatory Services Enforcement Policy

8. Appendices

Appendix 1 – Massage or Special Treatment Premises Conditions

Appendix 2–Code of Practice 1 – Massage, Aromatherapy and Reflexology

Appendix 3 – Code of Practice 2 - LASER IPL ILS Conditions

Appendix 4 -Code of Practice 3 – UV Light Treatment

Appendix 5 – Code of Practice 4 – Sauna and Steam Rooms

Appendix 6 – Code of Practice 5 – Spa pools

Appendix 7 – Code of Practice 6 - Electric and Electric Vapour Treatment

Appendix 8 – Consultation responses

Appendix 9 – Brief overview of each type of licensed treatment provided

SOUTHEND-ON-SEA BOROUGH COUNCIL ESSEX ACT 1987 LICENSING OF ESTABLISHMENTS FOR MESSAGE AND SPECIAL TREATMENTS

Schedule of Conditions

- 1) This licence is personal, is not transferable and is only valid in respect of the premises named on the licence.
- 2) The establishment shall be carried on only under the name specified on the licence. If any alteration is to be made in the name of the establishment, prior notice must be given to the Council in writing addressed to the Regulatory Services department and the licence forwarded for amendment. The alteration must not be given effect until the licence has been amended.
- 3) The establishment shall be carried on only for the treatment(s) specified in the licence. If any alteration is to be made in the range of the treatment specified in the licence, application must be made to the Council in writing addressed to the Regulatory Services department and the licence forwarded for amendment. The alteration must not be given effect until the application has been approved and the licence has been amended.
- 4) The licensee shall not, except with the written consent of the Council, employ in the managing of the establishment any person:
 - i. whose massage and special treatments licence has been revoked or to whom a licence has been refused on the grounds that such person is unsuitable to hold a licence to carry on an establishment for massage or special treatment, or
 - ii. who is unsuitable to be so employed on the grounds that misconduct in connection with the employment of such person in an establishment for massage or special treatment has been proved to the satisfaction of the Council, or
 - iii. in relation to which representations have been made to the council by the Chief Officer of Police that they are unsuitable (and in respect of whom the Council has notified the licensee of the grounds of that persons unsuitability).

and, except with such consent, the licensee shall not allow or permit any such person to be directly or indirectly interested in the business carried on at the establishment.

- 5) The licensee, if a company within the meaning of the Companies Act 1985 (as amended), shall forthwith notify the Council in writing of any changes in the directorship of such company during the term of this licence.
- 6) The current licence or a clear copy shall at all times be prominently displayed at the premises in a position where it can be easily read by persons using the premises. The licence shall be adequately protected against theft, vandalism or defacement.
- 7) The licensee shall not permit or suffer any person to administer massage or special treatment in the establishment unless the Council has given their prior approval to the qualifications, experience and suitability of such person. The licensee shall notify the Council of any changes to the persons administering massage or special treatment during the year.

- 8) The licensee shall at all times keep and maintain the whole of the licensed premises and the fixtures, fittings, plant and equipment, including all electrical equipment and gas appliances therein in a safe condition and in a good state of repair.
- 9) The Licensee shall at all times keep and maintain the whole of the licensed premises and the fixtures, fittings, plant and equipment in a clean and sanitary condition to the satisfaction of the Council.
- 10) The premises, including all treatment areas, shall be open to inspection at all times when the premises are in use by a Police Officer or an authorised officer of the Council on production of his authority if requested.
- 11) The licensee shall ensure that the Council is provided with an up to date plan of the premises indicating the treatment areas.
- 12) All treatments shall be administered within the areas as specified in the licence.
- 13) All apparatus within the treatment areas are to be installed and used in accordance with the manufactures requirements. They shall also be CE marked for that purpose. In particular, no water-bed or other similar device shall be situated within the treatment areas.
- 14) Any lock fitted to any treatment rooms must be of a design which can be operated from the outside in an emergency.
- 15) A list of fees or charges appertaining to the treatment to be available on the premises shall be prominently displayed within the premises.
- 16) The Licensee shall ensure that all therapists have the ability to be able to sufficiently communicate with a 'client' verbally and in writing, including in English, in order to satisfactorily provide the following:
 - i. hold a consultation,
 - ii. provide aftercare advice,
 - iii. maintain client records.
- 17) The Licence holder/Authorised person shall ensure that no part of the premises is used by persons, for soliciting or other immoral purposes.
- 18) Any person carrying out any treatments must ensure that:
 - i. Any open boil, sore, cut or other open wound is effectively covered by an impermeable dressing.
 - ii. Hands are kept clean and are washed immediately prior to carrying out any treatment.
 - iii. They refrain from consuming food and drink during the course of the treatment.
- 19) To comply with waste disposal legislation, operatives/licence holders have a duty of care to ensure that all clinical waste i.e. used dressings, swabs etc. (infected or not) and used sharps are collected and disposed of by a licensed contractor. A waste transfer document shall be available at the premises for inspection. Clinical waste bags shall be yellow and marked 'biohazard-clinical waste' and whilst awaiting collection should be stored in a secure and appropriate area.
- 20) Records including name, address, age, date and type of treatment received shall be kept for all treatments, for a period of at least 3 years.

- 21) Each client shall be provided with written aftercare advice for each treatment they receive, and confirmation of this should be recorded on their client record.
- 22) All persons carrying out treatments shall have received suitable training in the treatments being undertaken and also use of any relevant equipment. Written evidence of all training shall be available on the premises for inspection.
- 23) The Licence holder, and premises, shall comply with the relevant Code of Practice as specified to the treatments being offered.

Additional Codes of Practice in relation to Licensed Massage and Special Treatments

1. Code of Practice 1: Massage/Aromatherapy/Reflexology
2. Code of Practice 2: Light – LASER/IPL
3. Code of Practice 3: UV Light – Sunbeds
4. Code of Practice 4: Sauna's and Steam Rooms
5. Code of Practice 5: Spa Pools, and Other Baths
6. Code of Practice 6: Electric, Electric Vapour Treatment & Radiant Heat

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Code of Practice 1

Massage Treatments, Aromatherapy and Reflexology

Special Treatment Premises

1.0 Purpose

The purpose of this Code of Practice (COP) is to support the policy decisions and conditions of licence adopted by the Council in respect of Special Treatments Establishments.

2.0 Scope

This COP details specific requirements for massage treatments in addition to those laid down in the Regulations applicable to all special treatment licensed premises.

3.0 Definitions

3.1 Massage: For the purposes of this COP Massage refers to massage treatments listed below including:

- Swedish Massage (occasionally referred to as traditional massage)
- Sports Massage (except when administered by an exempted person)
- Thai Massage
- Stone / Hot Stone Massage
- Bowen technique
- Beauty Massage
- Shiatsu Massage
- Rolfing
- Manual lymphatic drainage
- Aromatherapy massage: massage involving the use of essential oils
- Reflexology: Use of pressure and massage on the reflex points on the feet and hands to treat or alleviate symptoms and disorders.
- NB: This is not an exhaustive list of all treatments contact Regulatory Services on 01702 215005 for further advice.

4.0 Client consultation

4.1 A full client consultation must be carried out and recorded at the time of the first visit.

This must include:

- a) Name and address of the client
- b) Age – Clients under 16 years of age should be accompanied by a parent or guardian
- c) Medical history:
 - Pregnancy / Breast feeding
 - Heart disease/pacemaker
 - Epilepsy
 - Diabetes

- High or low blood pressure
- Allergies
- Taking blood thinning medication
- Haemophilia
- Hepatitis
- Concurrent drug treatments such as antihistamines, steroids
- Skin conditions, Eczema, Psoriasis.
- Immuno-compromising conditions
- Implants as a result of surgery/artificial joints
- Psychiatric disorders
- Any other medical condition that may affect treatment

d) Where any of the above conditions exist then the client shall be referred to their GP for suitability of treatment.

e) Type of treatment requested and treatment plan.

f) Risks and reactions to treatment discussed and recorded.

4.2 The record should be signed by the client, or guardian/parent of the client if under 16, as a declaration of agreement to treatment, having been advised of the risks.

4.3 A record of subsequent treatments and any contra-actions must be kept.

4.4 Clients should be provided with suitable verbal and written aftercare advice.

4.5 If pre-existing conditions are declared or noted during the consultation, and fall outside the scope of the therapist's training, treatment should not be provided without the consent of the client's Doctor or other appropriate healthcare professional.

5.0 Infection control

5.1 Handwash facilities shall be available within the treatment area.

5.2 Liquid soap and hand drying facilities must be located by the hand wash basin.

5.3 A separate hand wash basin must be available within the toilet facilities.

5.4 Hands must be washed using liquid soap immediately prior to and after treatment

5.5 Couches, tables and trolleys must be wiped with a suitable disinfectant between clients. If towels are used a clean towel must be used for each client. Towels should be washed at 65°C or greater.

5.6 Couch roll should be changed between clients.

Whilst handwashing is vital to maintaining hygiene and infection control the therapist must have due regard to the risk of dermatitis and use appropriate products. (further information available via the HSE & HABIA websites).

6.0 Training

6.1 All therapists carrying out treatments detailed in this COP must hold a relevant professional qualification that is externally verified, specific to the treatment and meets current national occupational standards. Suitable qualifications include:

- ITEC
- NVQ Level 3
- VTCT Level 3
- City & Guilds Level 3
- Cidesco
- CIBTAC / BABTAC Diplomas

6.2 Practitioners who hold qualifications not listed above, or hold a qualification obtained abroad, will need to undertake a suitable course as listed above or have the qualification verified by a NVQ approved acquired learning assessor and the U.K. equivalent qualification awarded or apply for UK comparison through an organisation such as UK NARIC.

6.3 Therapists must not offer treatment types outside their area of qualification.

6.4 Therapists are advised to obtain membership of a recognised professional body.

6.5 Members of one of the following are exempt from requiring a licence:

- Registered Medical Practitioner
- Person Registered by any board established under the Professions Supplementary to Medicine Act 1960
- Member of the Chartered Society of Physiotherapy
- A Nurse registered or enrolled by the Nursing and Midwifery Council
- A member of any organisation or association which specifies qualifications for the practice by its members of chiropody, chiropractic, osteopathy, naturopathy, or acupuncture being a member who is required by that organisation or association to observe professional standards in such practice.
- Any hospital.
- Any charity registered under section 4 of the Charities Act 1960.
- Any registered nursing home under the Nursing Homes Act 1975.
- NB: This is not an exhaustive list of exemptions, contact Regulatory Services on 01702 215005 for further advice.

6.6 Any premises which offer only Scalp and Face massages need not apply.

7.0 Aftercare

7.1 Suitable and sufficient, written and/or verbal aftercare advice must be given to all clients for all treatments administered.

7.2 Provision must be made for clients to rest after treatment if required.

8.0 Review

This Code of Practice will be reviewed regularly and updated in light of current industry guidance and legal opinion. Any changes will be notified to licensees and will be attached as conditions to your licence with effect from the date of the next renewal of your licence.

Code of Practice 2 Laser/Intense Pulse Light (IPL)

Special Treatment Premises

1.0 Purpose

The purpose of this Code of Practice (COP) is to support the policy decisions and conditions of licence adopted by the Council in respect of Special Treatments Establishments.

2.0 Scope

This COP details specific requirements for Class 3B and 4 lasers and Intense Light Systems in addition to those laid down in the Regulations prescribing standard conditions applicable to all special treatment premises.

3.0 Definitions

3.1 Laser

This is an acronym of Light Amplification by Stimulated Emission of Radiation. In the beauty industry lasers are generally used for non-invasive cosmetic treatments, such as removal of; hair, tattoos, birthmarks, acne scarring, and other blemishes, from the skin. The mode of emission of the radiation can be continuous, wave, or pulsed.

3.2 Class 3B lasers

Radiation in this class is likely to be dangerous, maximum output into the eye must not exceed 500mW. The radiation can be hazardous to the eye or skin, but viewing of diffuse reflection is safe.

3.3 Class 4 laser

Highest class of laser radiation, diffuse reflection is also hazardous. If used incorrectly it can cause serious skin and eye injuries and is capable of setting fire to material.

3.4 Intense Light Systems (ILS)

Intense light systems are generally treated as class 4 lasers. Intense Pulsed light (IPL) systems fall into this category and are the intense light system generally used for non-invasive cosmetic treatments found in the beauty industry. IPL is pulsed or shuttered emission which gives tissues time to cool between pulses.

3.5 Laser Protection Advisor - LPA

The LPA is the person providing expert advice on laser/ILS safety and must be certificated as an LPA by RPA2000, ALSP or Public Health England. The LPA will assist in the production of the 'Local Rules' and laser/ILS risk assessment documents that are specific to the establishment, to include. These documents shall be specific to each laser or ILS device and its clinical application. **For licensing purposes an initial visit is required by an LPA prior to operation.**

3.6 Local Rules

The Local Rules are produced by the LPA and are a set of rules specific to each installation, detailing safe working practices and day-to-day safety management.

3.7 The Expert Medical Practitioner- EMP

The EMP shall be a qualified medical practitioner with verifiable clinical expertise in using laser/ILS to treat patients/clients. The EMP is employed by the Licence holder and their role is to produce a 'treatment protocol' document that is specific that is specific to the treatment,

lasers and ILS. A separate treatment protocol shall be in place for each laser or ILS treatment.

3.8 Laser Protection Supervisor – LPS

The LPS is usually an employee of the business and is responsible for; supervising the work of all laser/ILS authorised users, the safety and security of all laser/ILS, ensuring all users are appropriately trained to operate the laser/ILS, and that the Local Rules document is followed on a day to day basis.

3.9 Authorised User

The Authorised user is the individual who operates the laser/ILS equipment to treat clients.

4.0 Access to expert advice

4.1 The Licence holder shall initially employ the services of a certificated Laser Protection Advisor (LPA) to produce local rules.

4.2 After the initial inspection if there are no significant changes to the premises i.e. change of room, change of Laser/IPL equipment, treatments etc., then the initial assessments will stand and therefore no further action is required.

4.3 Changes in relation to the laser user(s) would not require a new assessment just an update in your user register with copies of their qualifications and training.

4.4 Both the Local Rules and the Treatment Protocol must be available for reference, next to each machine.

4.5 All lasers used at the premises shall be chosen and used in accordance with the standards laid down in the current publication of the Medicines and Healthcare Products Regulatory Agency Device Bulletin 2008(03)- Guidance on the safe use of lasers, IPL systems and LED's.

5.0 Local Rules

5.1 A Local Rules document must be produced by a certified LPA in relation to the licence holder's equipment/premise.

5.2 The Local Rules should be issued, signed and dated by both the employer and the LPA. They must be retained on site.

5.3 Local Rules must identify the named person authorised to operate the laser/ILS.

5.4 The laser must only be used in accordance with these rules.

5.5 Authorised users must sign to indicate they accept, understand and agree to work to the local rules procedure.

5.6 Local Rules must be available for each installation even if they are being used on a trial basis and must include the following:

- Potential hazards associated with lasers and ILS
- Details of the controlled area and safe access to the laser or ILS device
- Register of Authorised users and their associated responsibilities including any restrictions of use
- Methods of safe working including layout of equipment
- Description of devices
- Equipment safety checks

- Normal operating procedures
- Training requirements of authorised users or persons assisting in the procedures
- Name and contact details of the LPA, LPS and if applicable Deputy LPS.
- Personal protective equipment including specifications of eyewear
- Prevention of use by unauthorised persons
- Adverse incident procedure
- Procedure to ensure that unauthorised persons do not operate the laser or ILS when the machine is left unattended by an authorised user.

6.0 Client Consultation/Treatment Protocol

6.1 The licence holder must ensure that a “treatment protocol” document is produced and signed by an Expert Medical Practitioner (EMP) in relation to the licence holder’s equipment/premises.

6.2 The treatment protocol should be signed and dated by the EMP to confirm authorisation, should be reviewed annually and include a projected date for review. The treatment protocol must be retained onsite.

6.3 A separate treatment protocol should be in place for each laser/ILS in use at the licensed premises.

6.4 The treatment protocol must include the following:

- name and technical specifications of the equipment
- contraindications
- treatment technique – general
- treatment technique – hair reduction
- client consent prior to treatment - including checking skin type and pigmentation
- cleanliness and infection control within the treatment area
- details of pre-treatment tests and pre-treatment instructions to clients
- post-treatment care
- recognition of treatment-related problems
- list of photo sensitisers
- emergency procedures
- permitted variation on machine variables
- procedure in the event of equipment failure
- written aftercare advice must be provided after the first treatment

7.0 Laser Protection Supervisor

7.1 A person with onsite, overall responsibility for lasers/ILS must be appointed. This will be the Laser Protection Supervisor (LPS).

7.2 The LPS will ensure the following:

- local rules are followed and kept.
- have day-to-day responsibility for laser safety.
- review risk assessments on an annual basis or whenever there is a change in relation to the Laser/IPL operations at the premises.
- ensure all staff read and understand the risk assessment and undertake to adhere to the steps identified in the assessment.
- notify the LPA if there are any significant changes in relation to the Laser/IPL operations at the premises, i.e. change of room, change of Laser/IPL equipment, or change in any additional treatments offered.
- inform the Health and Safety Team of Southend Borough Council in the event of an incident occurring.

- ensure all laser/ILS Authorised Operators are appropriately trained and that the training is documented.
- ensure a register of Authorised Operators is maintained.
- ensure lasers are used only for treatments for which authorised users have been trained and are competent.

If there are any changes to the laser user, then the register must be updated with copies of their qualifications and training.

8.0 Operator Responsibility

While the equipment is being operated the Authorised User must be responsible for the safety of all persons in the controlled area, including the client.

The Authorised User must ensure removal of reflective jewellery from self and client.

9.0 Treatment Register

9.1. A treatment register in the form of a hardcopy spine glued book must be maintained and completed every time the laser/ILS is operated and must include:

- The name and date of birth of the person treated
- The date and time of the treatment
- The name and signature of the laser/ILS operator
- The nature of the Laser/ILS treatment given
- The treatment parameters
- Any accidents or adverse effects

9.2 The treatment register may be combined with the client consultation/treatment protocol document.

10.0 Controlled Treatment area

10.1 The area around working lasers and intense light systems must be controlled to protect other persons while treatment is in progress.

10.2 The controlled area must be clearly defined and the laser may only be used in this room.

10.3 The controlled area must not be an access to other areas when laser/ILS treatments are being carried out.

10.4 No other laser or ILS should be in use in the same controlled area at the same time.

10.5 Suitable warning signs which comply with current British Standards must be displayed on the outside of doors to the controlled area. These should be removed at the end of the procedure.

10.6 The door to the controlled area shall be fitted with a suitable device which can be operated from the outside in an emergency. This device should be in use to control access to the area when the laser or ILS is switched on.

10.7 All lasers and ILS must comply with current standards (BS EN 60825- 1:2014)

10.8 Lasers must be clearly labelled on the front of the machine with the following information:

- Identification of the machine

- The wavelength or range of wavelength
- Maximum output power of the radiation emitted.

10.9 For all laser and intense light sources with a key switch, formal arrangements must exist for the safe custody of the key, separate from the equipment.

10.10 Only Authorised Users may have access to the key.

10.11 The operating key must not be left unattended with the laser/ILS equipment.

10.12 Equivalent arrangements must exist for equipment protected by password instead of key.

10.13 There shall be no mirrors in the treatment room and other reflective surfaces must be avoided. Any reflective equipment in the treatment room shall be assessed and approved by the LPA.

10.14 All windows in the controlled area should be supplied with non-reflective window coverings such as blinds.

10.15 Walls and ceilings in the treatment room shall be decorated in a matt or eggshell finish. Floors in the treatment room shall be of a non-reflective finish.

11.0 Protective Eyewear

11.1 Protective eyewear shall be provided and clearly marked for the laser.

11.2 All protective eyewear must be marked with the wavelength range and protection offered.

11.3 The specification of the required eyewear must be indicated in the Local Rules.

11.4 The Authorised User shall instruct all personnel in the Controlled Area to wear goggles suitable for the laser being used.

11.5 Effective eyewear must be worn by everyone within the controlled area whenever there is a risk of exposure to hazardous levels of laser or ILS radiation.

11.6 Protective eyewear must be adequately cleaned and disinfected between treatments.

12.0 Qualifications

12.1 All Authorised Users must hold a qualification that meets National Occupational Standards (NOS) at level 3 in a relevant subject. In exceptional circumstances, where NOS qualifications are not available, an assessment will be carried out on an individual basis and further training required as appropriate.

12.2 All Authorised Users and the LPS must be trained to at least the laser/ILS Core of Knowledge safety training. Records of training must be kept at the premise and available at all times by inspecting officers. Records must include the training curriculum.

12.3 All Authorised Users and the LPS must receive further training on the specific laser/IPL in use with evidence of training for each of the treatment handpieces in respect of platform systems. Records of this training must be kept on site and available at all times for inspecting officers. Records must include the training curriculum.

12.4 Records of training must be kept with the local rules.

12.5 All training must be refreshed every 3-5 years.

13.0 Maintenance

13.1 The laser and ILS must be serviced and maintained according to the manufacturers' instructions to ensure they are operating within their design specification.

13.2 A record of all inspections, tests and maintenance/repairs performed on laser and ILS systems must be kept on site and available for inspecting Council Officers.

13.3 Lasers and ILS must have an electrical safety test carried out annually.

14.0 Review

This Code of Practice will be reviewed regularly and updated in light of current industry guidance and legal opinion. Any changes will be notified to licensees and will be attached as conditions to your licence with effect from the date of the next renewal of your licence.

15.0 Further information

Independent Healthcare Advisory Service (IHAS)

Centre Point
103 New Oxford Street
London WC1A 1DU
02073798598
www.independenthealthcare.org.uk

Association of Laser Protection Healthcare Advisors (ALPHA)

88 Noahs Ark Lane
Lindfield
Haywards Heath
West Sussex RH16 2LT
535153 125102

Medicines and Healthcare Products Regulatory Agency (MHRA)

Market Towers
1 Nine Elms Lane
London
SW8 5NQ
020 7084 2000
www.mhra.gov.uk
Device bulletin MHRA DB 2008(03)

Hair and Beauty Industry Authority (HABIA)

Oxford House
Sixth Avenue
Sky business Park
Robin Hood Airport
Doncaster DN9 3GG
0845 2306080
www.habia.org.uk

Code of Practice 3 U V Light Treatments including Sunbeds

Special Treatment Premises

1.0 Purpose

The purpose of this Code of Practice (COP) is to support the policy decisions and conditions of licence adopted by the Council in respect of Special Treatments Establishments. This particular code of practice is concerned with U V light facilities and Sunbeds.

2.0 Scope

This COP details specific requirements for U V light treatments and Sunbeds in addition to those laid down in the Regulations prescribing standard conditions applicable to all special treatment licensed premises.

3.0 Definitions

3.1 Ultra Violet Light

Defined as three different wavelengths of ultraviolet radiation. UVA, UVB and UVC. UVC waves should not be present in sun tanning equipment.

3.2 Sun Tanning Equipment (Sunbeds)

The use of ultraviolet light emitted from tubes to reproduce the effect of ultraviolet radiation from the sun on the skin in order to tan the skin. Includes sunbeds and upright tanning booths and face tanning equipment.

3.3 Electrically powered devices that may produce the appearance of tanning but that do not emit UV radiation (e.g. chemical spray tans) are not caught by the definition.

3.4 Tanning accelerants and or amplifiers

Defined as any cream, lotion or other substance which increases or purports to increase the amount of U V light absorbed by the production of melanin within the skin.

3.5 Remote facilities

All facilities shall be considered to be operated remotely where the therapist/operator is out of the audible range of the treatment room and the client would be unable to summon help.

3.6 Cleaning

This is a physical process which removes soil e.g. dust, dirt and organic matter, along with a large proportion of germs. Cleaning with hot water and detergent breaks up grease and dirt on floors and surfaces. Cleaning is essential prior to disinfection.

3.7 Disinfectant

For the purposes of cleaning a high level disinfectant relates to disinfectants capable of reducing the number of viable bacteria and blood borne viruses including Hepatitis B & C and HIV but which may not necessarily inactivate some viruses and bacterial spores. Where the disinfectant requires dilution this must be carried out in accordance with the manufacturer's instructions using clean potable water. Once diluted the disinfectant must be used in accordance with the manufacturer's instructions.

4.0 Qualifications

Staff advising clients on use of the tanning equipment must have successfully completed one of the following training courses.

- a.) NVQ unit BT30 Provide UV Tanning Treatments
- b.) Sports management U V light training (ISRM)
- c.) Specific manufacturer training for the facility offered in the premises
- d.) Membership to the Sunbed Association and receipt of their training package

Appropriate trained staff must be on duty at all times the premises are open to the Public.

5.0 UV Risk assessment

Operators must carry out an assessment of the risks associated with exposure to UV radiation and take measures to control these risks as far as is reasonably practicable.

6.0 Health and Safety Procedures

6.1 The sunbed must be sited in a separate room or area such that the light emitting from it does not shine into any other part of the establishment; thereby ensuring that staff and other clients are not exposed to radiation. Areas defined as a 'Restricted Zone' in the Sunbed regulation Act 2010 shouldn't be normally accessible by anyone under 18 and appropriate signage advising no entry to under 18's should be displayed in an appropriate location.

6.2 Ventilation must be provided to treatment rooms and cubicles to ensure their temperature is no more than 5°C above ambient room temperature.

6.3 Access to adequate shower or sink facilities with non-sensitising liquid soap must be provided to allow skin preparations and make-up to be washed off. (These can increase the skin's sensitivity to Ultra Violet light).

6.4 An automatic timer shall be fitted to the equipment and shall be of good quality with an accuracy of plus or minus 10% and shall be such that the user is unable to increase the duration of the treatment.

6.5 Emergency devices shall be fitted within easy reach of a person using the equipment. These devices when operated shall switch off the Ultra Violet lamps and audibly summon assistance (in the case of the lay down beds it must also raise the upper canopy, or panel unit). The device shall be connected to a staffed area.

6.6 All equipment shall be of sound mechanical construction. The electrical safety, including adequate earthing and insulation of all equipment, should be examined annually by a qualified engineer who should report in writing the result of his inspection in accordance with the latest Institute of Electrical Engineers (IEE) requirements. Equipment must also be regularly serviced in accordance with the manufacturer's instructions and a record of such services and copies of the electrical engineers report must be kept on the premises for inspection by an authorised officer if required.

6.7 Staff must be aware of the need to reduce the session times when new tubes have been fitted and a sign advising clients must be affixed within the relevant treatment room (for how long??).

6.8 Fans should be adequately guarded.

6.9 The maximum permissible output for all new UV tubes is 0.3w/m². Existing premises shall change all UV tubes to comply with this standard as and when the tubes are due to be changed as part of the routine maintenance schedule.

6.10 A poster that provides accurate information on the health risks from exposure to Ultra Violet light must be clearly displayed near each sunbed.

6.11 Unattended or coin operated tanning devices are not permitted.

6.12 Persons under the age of 18 must not be permitted to have access to or use UV tanning equipment, in accordance with the Sunbeds (Regulation) Act 2010. Tanning unit operators must take appropriate steps as part of the client consultation process to ensure under 18s are not offered use of the UV tanning equipment. Where necessary, suitable photographic proof of identification should be requested as proof of age and the information noted on the client record card.

6.13 Clients must not be permitted to be accompanied by any persons within the sunbed room/cubicle whilst the device is in operation.

6.13 Persons under the age of 18 must not have access to restricted zones.

7.0 Client Consultation Procedures

7.1 All clients must be screened prior to first sunbed use and any contra-indications identified. Clients whose skin is prone to UV damage must be advised not to use tanning equipment. Those most at risk will include:

- a.) People who have fair sensitive skin that burns easily.
- b.) People with a history of sunburn, especially in childhood.
- c.) People with a large number of freckles or red hair.
- d.) People with a significant number of moles.
- e.) People taking a medicine or using a cream which may sensitise the skin to sunlight, including some antibiotics, tranquillisers, some birth control pills, high blood pressure tablets, diuretics, certain analgesics for arthritis & rheumatism.
- f.) People who have, or have had, skin cancer or who have a history of skin cancer in their immediate family.
- g.) Anybody under the age of 18.
- h.) Women who are pregnant.
- i.) People prone to frequent cold sores.
- j.) People with a heart or circulatory condition, low or high blood pressure.
- k.) Some forms of Diabetics.

Where a sunbed operator is unsure as to whether UV tanning treatment is suitable for a client, treatment should be refused or the client referred to their GP for medical advice.

7.2 Suitable tanning advice must be given to all clients relative to their skin type. Early sessions should be more restricted. The following matters shall be discussed before an appropriate regime is recommended:

- a.) What is your normal reaction to sunlight, remembering that you may be exposing parts of your body not normally exposed to sunlight?
- b.) Certain medical conditions may affect reactions to UV light. If this were the case, then the Doctor would normally have advised you. However, if you have any doubts then obtain medical advice before the first treatment session.
- c.) Many medical preparations such as medicines, drugs, pills, lotions, creams etc. can increase your sensitivity to UV light. Please check the manufacturers leaflets if you are using any such preparations or obtain medical advice before the first treatment session.
- d.) Many skin preparations, including some cosmetics, deodorants, anti-perspirants, soaps and other substances applied to the skin may increase your sensitivity to UV light. These should be avoided on the day intended for tanning unless the supplier or

manufacturer is able to give specific advice that the preparation does not influence UV sensitivity.

e.) Showering or washing before tanning is recommended. However, this will not necessarily remove all the effects of some skin preparations.

f.) Please note the poster on display that gives further safety advice.

7.3 Client record cards must be kept detailing each and every sunbed exposure including duration of exposure.

7.4 Client record cards must contain the information needed for the client to determine their skin type (I to VI) and list the contra-indications to sunbed use as listed in section 7.1 and 7.2.

7.5 Clients must sign and date the record card at the time of their first visit.

7.6 After 20 sessions in any 12-month period clients should be advised in writing of the situation and reminded of the risks related to UV exposure. This is in line with HSE guidance.

7.7 Suitable goggles for the protection of the eyes of users of the equipment must be provided. Each user must be advised of the possible damage of failing to properly protect their eyes and that contact lenses should be removed.

8.0 Tanning Accelerators

8.1 Licence holders must hold product information for any tanning accelerators they sell.

8.2 Tanning accelerators must comply with the appropriate legislation for the cosmetic products.

9.0 Control of Infection

9.1 The surface of the sunbed must be disinfected after each use in accordance with manufacturer's instructions and with cleaning materials specified by the manufacturer.

9.2 All goggles must be disinfected between clients or single use disposable goggles provided.

10.0 Record Keeping

10.1 Records must be kept of the hours of use of each machine.

10.2 Records of all maintenance and details of when tubes are replaced must be kept and be available for inspection. Tubes must be replaced at intervals recommended by the manufacturer, together with the Ultra Violet transmitting plastic sheet if fitted. Replacement tubes shall be compatible with those supplied by the manufacturer.

10.3 Consultation records must be held in a secure storage area at the premises and be available for inspection by an authorised officer.

11.0 Review

This Code of Practice will be reviewed regularly and updated in light of current industry guidance and legal opinion. Any changes will be notified to licensees and will be attached as conditions to your licence with effect from the date of the next renewal of your licence.

Code of Practice 4 Saunas and Steam Rooms

Special Treatment Premises

1.0 Purpose

The purpose of this Code of Practice (COP) is to support the policy decisions and conditions of licence adopted by the Council in respect of Special Treatments Establishments. This particular code of practice is concerned with Sauna and Steam room facilities.

2.0 Scope

This COP details specific requirements for Sauna and Steam Room treatments in addition to those laid down in the Regulations prescribing standard conditions applicable to all special treatment licensed premises.

3.0 Definitions

3.1 Sauna

Saunas consist of an insulated enclosure made of wood, together with heat generating equipment usually in the form of a heat-generating stove. Benches are provided within the sauna enclosure. Saunas provide a dry heat and the temperature may range from 85°C to 100°C for up to a 10 minute treatment.

3.2 Steam room/bath

These consist of an enclosure made of an impervious material and steam generating equipment. They are designed to operate at temperatures of up to 50°C regulated by a thermostat with relative humidity of 80 to 100%. They produce a wet humid heat and are intended for indoor use. Usually lasting 6 – 12 minute treatment.

3.3 Cleaning

This is a physical process which removes soil e.g. dust, dirt and organic matter, along with a large proportion of germs. Cleaning with hot water and detergent breaks up grease and dirt on floors and surfaces. Cleaning is also essential prior to disinfection and sterilisation of instruments and equipment.

3.4 Disinfectant

For the purposes of cleaning a high level disinfectant relates to disinfectants capable of reducing the number of viable bacteria and blood borne viruses including Hepatitis B & C and HIV but may not necessarily inactivate some viruses and bacterial spores. Where the disinfectant requires dilution this must be carried out in accordance with the manufacturer's instructions using clean potable water. Once diluted the disinfectant must be used in accordance with the manufacturer's instructions.

4.0 Qualifications and Training

4.1 From January 2005 one person on reception at anyone time must have one of the following:

- a.) Sports management Sauna/Steam room training (ISRM)

- b.) ITEC Level 3 diploma in Spa Treatments (must have completed a level 3 Diploma in Holistic Massage or Diploma in Body Treatments first.)
- b.) Specific manufacturer training for the facility offered in your premises

4.2 Staff should be trained and competent to carry out all duties and responsibilities in an approved manner. Holders of qualifications or training not listed above must be able to demonstrate during interview a sound knowledge and understanding of the basic principles of responsible management of such facilities this will include:

- a.) Health & Safety Risks
- b.) Infection control
- c.) Client consultation and Contra-indications
- d.) Emergency Action Plan

Further training may be required if these criteria cannot be met.

5.0 Health and Safety Procedures

5.1 The floor of the equipment should be impervious; laid to fall to promote drainage and easily cleaned. It should also be constructed of a non-slip material.

5.2 Sauna: A thermometer gauge must be present and located on the inside of the unit Steam room. The operator must be aware of the temperature the unit is operating at. Ideally there should be a thermometer located inside the unit. If this is not fitted the temperature inside the unit must be checked regularly and in accordance with usage and a log maintained of the temperature.

5.3 Temperature control must remain under the control of the licence holder.

5.4 Sauna/steam room doors must have a glazed panel to allow safe access and egress by clients and supervising staff.

5.5 The door must have an internal handle to allow the client to exit the room when required.

5.6 There must be a non-verbal alarm system linked to a manned reception area for summoning help when users are left unattended. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it.

5.7 The licensee shall have a written policy detailing the action to be taken in the event of the alert mechanism being used. This shall be communicated to all relevant personnel.

5.8 All equipment shall be of sound mechanical construction.

5.9 The electrical safety, including the adequate earthing and insulation of all equipment, should be examined periodically by a qualified engineer who should report in writing the result of his inspection. Equipment must be regularly serviced in accordance with the manufacturers instructions and a record of such services and copies of the electrical

engineers report must be kept on the premises for inspection if required. In accordance with the latest IEE (Institute of Electrical Engineers) requirements.

5.10 A clock or timer must be visible in order to monitor time elapsed in the sauna/steam room.

5.11 A notice providing accurate information on the safe use of the sauna/steam room must be clearly displayed near each unit.

5.12 Clients should be advised to sit on a towel in the sauna/steam room to reduce the risk of infection and burning.

5.13 The licensee shall provide a procedure whereby all saunas/steam rooms are checked on a half hourly basis for cleanliness and for state of health of the user e.g. signs of fainting.

5.14 A cool shower/plunge pool should be provided. Where a plunge pool is provided adequate arrangements must be made for the water to be circulated, filtered and disinfected.

5.15 A rest area for users should be provided. Users should be advised to rest for half an hour after treatment.

5.16 The sauna/steam room shall have adequate lighting such that any users can see the exit door and any signs/instructions clearly.

5.17 Health and Safety Specific to Saunas

- a.) Only coals recommended for use by the manufacturer should be used and they should be replaced at regular intervals depending on usage.
- b.) The coals/heater unit within the sauna must be fenced to protect from burning. This should surround the unit extending 150mm above the coals.
- c.) The temperature must be between 80°C and 100°C for a sauna
- d.) Clients must wear appropriate bathing costumes to reduce the risk of infection and burning
- e.) Towels should be provided to sit on in the sauna as a hygiene measure.

5.18 Health and Safety specific to Steam rooms

- a.) The temperature must not exceed 50°C for a steam room

6.0 Client Consultation Procedures

All clients must complete a medical questionnaire before their first use of the sauna/steam room to ascertain any contra-indications these should include:

- a.) Pregnancy
- b.) Diabetes
- c.) Seizures; e.g. epilepsy
- d.) Suffering from heart disease, circulatory problems, high or low blood pressure
- e.) Suffering from infectious skin disease, sores and wounds
- f.) Suffering an illness causing an inability to perspire

- g.) Are taking antihistamines, anticoagulants, vasoconstrictors, vasodilators, stimulants, hypnotic or tranquilliser or any other medication which makes the potential user unsure as to the advisability of using the sauna/steam room.
- h.) Have consumed a heavy meal within 1 ½ hours
- i.) Suffer from migraine attacks
- j.) Suffer from any condition whatsoever that makes the user unsure as to the advisability of using sauna/steam room

Clients that indicate they suffer from one of the above should be referred to their GP for advice on their suitability to use the facilities.

7.0 Control of Infection

The surface of the sauna/steam room must be cleaned and disinfected each day in accordance with manufacturer's instructions and with cleaning materials specified by the manufacturer.

8.0 Record Keeping

8.1. A risk assessment must be carried out for this activity to include slipping, tripping, falling, risk of burning, the risk to individuals with pre-existing medical conditions and pregnant women and any other hazards associated with the facilities. The risk assessment must be available for inspecting officers at the time of the inspection.

8.2 Consultation records must be held on the premises and be available for inspection by an authorised officer.

9.0 Review

This Code of Practice will be reviewed regularly and updated in light of current industry guidance and legal opinion. Any changes will be notified to licensees and will be attached as conditions to your licence with effect from the date of the next renewal of your licence.

Code of Practice 5 Spa Pools, and other Baths

Special Treatment Premises

1.0 Purpose

The purpose of this Code of Practice (COP) is to support the policy decisions and conditions of licence adopted by the Council in respect of Special Treatments Establishments. This code of practice is concerned with Spa Pool operation.

2.0 Scope

This COP details specific requirements for Spa Pool operation in addition to those laid down in the Regulations prescribing standard conditions applicable to all special treatment licensed premises.

3.0 Definitions

3.1 Spa Pool

For the purpose of this COP a spa pool is defined as a pool full of warm water at approximately body temperature, designed for sitting in rather than swimming and consisting of a contained pool of warm water with jets of water, or air bubbles or combination of both to provide a warm water massage. Spa pools are distinguished from whirlpool baths in that they are not emptied between use.

3.2 Cleaning

This is a physical process which removes soil e.g. dust, dirt and organic matter, along with a large proportion of micro-organisms (germs). Cleaning with hot water and detergent breaks up grease and dirt on floors and surfaces. Cleaning is also essential prior to disinfection and sterilisation of instruments and equipment.

3.3 Disinfection

A process or treatment designed to reduce the number of viable bacteria and viruses in the water to a level not harmful to health but which may not necessarily inactivate some viruses and spores.

4.0 Qualifications and Training

4.1 Operational Supervision and Management

Persons with managerial or supervisory responsibility must hold one of the following qualifications:

- Institute of Sport and Recreation Management (ISRM) National Spa Pool Plant Operators Course (1 day course).
- ITEC Level 3 Diploma in Spa Pools. (must have completed a Level 3 Diploma in Holistic Massage or Diploma in Body Treatments first).
- CIBTAC Spa Therapy Diploma.

Training should be in addition to, or include, training in the specific system at the premises. Managers and Supervisors holding qualifications not listed above should contact the Health & Safety Team to ensure the training meets the requirements of this Code of Practice.

4.1 Staff involved in monitoring, checking, testing and supervision of a spa pool must, as a minimum, have satisfactorily completed one of the following Institute of Sports and Recreation (ISRM) courses:

- Introduction To Spa Pools On-line Training Course
- National Spa Pool Plant Foundation Course (1 day)

Other course providers may offer courses with the same level of training and assessment however you are advised to contact Environmental Health to ensure the course meets the requirements of this Code of Practice.

4.3 Reception staff must be aware of the requirement to carry out a client consultation prior to use of the spa pool and encourage good practice which should include advice to shower prior to using the facility and to limit the time spent in the pool.

5.0 Health and Safety

A risk assessment for the control of Legionella bacteria and other associated microbiological hazards in relation to the spa pool must be carried out, documented and available for inspection by authorised officers. A risk assessment of the hazards associated with using, operating and maintaining the spa pool must also be carried out. The spa pool must be operated and maintained in accordance with the joint HSE/HPA guidance, Management of Spa Pools: Controlling the Risks of Infection and any superseding guidance.

6.0 Cleaning

6.1 Regular cleaning of the spa pool, balance tanks, all associated components and the area around the spa pool must be carried out. Cleaning products must be suitable for the purpose and not compromise disinfection of the spa pool water.

6.2 A documented cleaning schedule must be set up detailing:

- Frequency of cleaning of each part of the system
- Cleaning products designated for each part
- Action required in the event problems are encountered or noted

The schedule must be monitored and tasks signed off by a competent person.

6.3 A list of all chemicals used in connection with the spa pool must be maintained and detailing appropriate safety precautions and correct personal protective equipment (PPE).

6.4 The spa pool must be emptied and refilled at regular intervals in accordance with the manufacturer's guidance and usage but in any event emptied and physically cleaned at least every week. Cleaning must include the balance tank and underside of lids or covers. Best practice indicates daily emptying.

6.5 In line with best practice for well-managed spa pools up to 30 litres of fresh water per bather should be added each day. In a busy spa pool with a capacity of 3,000 litres and a daily bather load of 50 people this will result in ½ the spa pool capacity being replaced.

6.6 The spa pool filters should be backwashed to waste at the end of the day after closing the pool.

7.0 Disinfection

7.1 The spa pool may be treated either as an independent unit or as part of a swimming pool complex.

7.2 When using a chlorinating product the free chlorine residual should be maintained between 3-5mg/l, if bromine is used there should be 4–6mg/l total active bromine. Chlorine or bromine levels must be checked and recorded at start-up and at 2 hourly intervals during operation or more frequently as deemed necessary with regard to bather load and higher throughput. Records must be available for inspection by an authorised officer.

7.3 Introduction of the disinfecting chemical must be automatically controlled, dosed and adjusted. The pH must be capable of being adjusted automatically in response to changes in water pH to ensure effective disinfection occurs. Routine manual or hand dosing of disinfecting and pH adjusting chemicals is not permitted. Action to be taken in the event of a breakdown of the automated system must be detailed in the spa pool emergency procedure document. Events that lead to the necessity to manually or hand dose the spa pool and the remedial action taken must be recorded.

7.4 pH must be maintained between 7.0 – 7.6. The pH must be checked and recorded at start-up and at 2 hourly periods during operation at the same time as the chlorine or bromine level is checked. Records must be available for inspection by an authorised officer.

7.5 The pool must be drained and refilled if left unused for 5 days or more and suitable records made. Disinfection must continue during periods when the pool is not in use.

8.0 Monitoring

8.1 Routine microbiological water samples must be taken from the pool and balance tanks at appropriate intervals based on risk assessment, as a minimum this should include tests taken monthly for:

- Aerobic Colony count
- Coliforms
- Escherichia coli
- Pseudomonas aeruginosa

And quarterly for:

- Legionella

Test reports must be held at the premises and be available for inspection by authorised officers.

8.2 In the event of problems, or notifications of illness, further testing may be necessary and advice should be sought from the Health & Safety Team on 01702 215005.

8.3 The licensee must have a written policy of action to be taken in the event of an unsatisfactory microbiological result or other health concerns associated with use of the pool. This in effect will include drain down, clean down and disinfection. The Health & Safety Team must be informed immediately of unsatisfactory microbiological results or other health concerns associated with the spa pool. Refer to section 77, 79 & 80 of HPA Guidance for Spa Pools.

8.4 pH, chlorine or bromine levels, clarity, temperature must be recorded at start up and every two hours, or more frequently if deemed necessary. The number of bathers in the pool at the time of testing must also be recorded.

8.5 A log book must be available for recording daily poolside tests to include pH, chlorine or bromine levels, water clarity, temperature, number of bathers. The log-book should state acceptable limits for all tests and record action taken in the event of an unsatisfactory result. The log-book must be held at the premises and be available for inspection by authorised officers.

8.6 The spa must be managed and maintained to avoid the risk of Legionella growth with regard to the guidance produced by the Health and Safety Executive and the Health Protection Agency entitled 'Management of Spa Pools- Controlling the Risks of Infection ISBN 0901144800 and the Approved Code of Practice and Guidance L8 (ACOP L8)(4th Edition), The Control of Legionella Bacteria in Water Systems ISBN 9780717666157.

8.7 Microbiological test reports must be held and available at the premises for a minimum of 5 years in accordance with ACOP L8 and HPA Guidance for Spa Pools.

9.0 Operation

9.1 Spa pool users should be advised to shower prior to using the facility in order to reduce the bacterial loading of the pool.

9.2 There must be a non-verbal alarm system in the vicinity linked to a manned reception area for summoning help when users are left unattended. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it.

9.3 The licensee shall have a written policy detailing the action to be taken in the event of the alert mechanism being used. This shall be communicated to all relevant personnel.

9.4 All equipment shall be of sound mechanical construction and regularly maintained. Records of maintenance should be held for inspection by authorised officers

9.5 The electrical safety, including the adequate earthing and insulation of all equipment, should be examined periodically by a qualified electrical engineer or approved contractor registered with the National Inspection Council for Electrical Installation Contracting

(NICEIC) who should report in writing the result of his inspection. Equipment must be regularly serviced in accordance with the manufacturer's instructions and a record of such services and copies of the electrical engineers report must be kept on the premises for inspection by authorised officers.

9.6 A clock must be visible in order to monitor time elapsed in the spa pool.

9.7 Due to the effects of heat on the body clients should be advised to limit immersion to 15 minute periods with a 5 minute rest period.

9.8 The licensee shall have a written procedure detailing steps taken to ensure the maximum bather load for the facility is not exceeded.

9.9 A notice providing information on the use of the spa pool must be clearly displayed near each unit.

9.10 The licensee shall provide a procedure whereby the spa pool is checked on a half hourly basis when in use for cleanliness and for state of health of the user.

9.11 A rest area for users should be provided.

9.12 The water circulation system must be run for a minimum of 3 hours/day and preferably continuously.

9.13 Water jets must be operated for a minimum of 1 hour/day.

10.0 Client Consultation Procedures

10.1 All clients must complete a medical questionnaire before their first use of the spa pool to ascertain any contra-indications. If clients indicate one of the following access to the spa should be restricted, refused or the client referred to their GP for advice as appropriate:

- a.) Pregnancy
- b.) Suffering from heart disease, circulatory problems, high or low blood pressure
- c.) Diabetes
- d.) Suffering from infectious skin disease, sores and wounds
- e.) Taking antihistamines, anticoagulants, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics or tranquillisers or any other medication that makes the potential user unsure as to the advisability of using the spa pool.
- f.) Have consumed a heavy meal within one and a half hours
 - a.) Have consumed alcohol within one and a half hours
 - b.) Children under 16
 - c.) It is inadvisable for under 16's to use the pool.

11.0 Record Keeping

11.1 Client consultation records must be held on the premises and be available for inspection by an authorised officer.

11.2 Daily, weekly, monthly and periodical check records must be available for inspection by an authorised officer.

11.3 Maintenance and electrical safety records must be available for inspection by an authorised officer.

12.0 Review

This Code of Practice will be reviewed regularly and updated in light of current industry guidance and legal opinion. Any changes will be notified to licensees and will be attached as conditions to your licence with effect from the date of the next renewal of your licence.

Code of Practice 6

Electric, Electric Vapour Treatment (Not Sauna) and Radiant Heat

Special Treatment Premises

1.0 Purpose

The purpose of this Code of Practice (COP) is to support the policy decisions and conditions of licence adopted by the Council in respect of Special Treatments Establishments.

2.0 Scope

This COP details specific requirements for electric, electric vapour and radiant heat treatments in addition to those laid down in the Regulations applicable to all special treatment licensed premises.

3.0 Definitions

3.1 Electric, Vapour Treatments and Radiant Heat: For the purposes of this COP Electric, Vapour and Radiant Heat Treatments refers to treatments listed below including:

- Hydradermie
- Faradism
- Endermologie
- Galvanism
- High Frequency
- Facial Steamer
- Kirilian Photography
- Lumi Lift/Lumi Facials
- Micro Current Therapy
- Scenar Therapy
- Ultra Sonic
- Heat / Heat Lamps Therapy
- Infra-Red Heat Therapy
- NB: This is not an exhaustive list of all treatments contact Regulatory Services on 01702 215005 for further advice.

4.0 Client consultation

4.1 A full client consultation must be carried out and recorded at the time of the first visit.

This must include:

- a) Name and address of the client
- b) Age – Clients under 16 years of age should be accompanied by a parent or guardian
- c) Medical history:
 - Pregnancy / Breast feeding
 - Heart disease/pacemaker
 - Epilepsy

- Diabetes
- High or low blood pressure
- Allergies
- Taking blood thinning medication
- Haemophilia
- Hepatitis
- Concurrent drug treatments such as antihistamines, steroids
- Skin conditions, Eczema, Psoriasis, Acne
- Immuno-compromising conditions
- Implants as a result of surgery/artificial joints
- Psychiatric disorders
- Any other medical condition that may affect treatment

d) Where any of the above conditions exist then the client shall be referred to their GP for suitability of treatment.

e) Type of treatment requested and treatment plan

f) Risks and reactions to treatment discussed and recorded

4.2 The record should be signed by the client, or guardian/parent of the client if under 16, as a declaration of agreement to treatment, having been advised of the risks.

4.3 A record of subsequent treatments and any contra-actions must be kept.

4.4 Clients should be provided with suitable verbal and written aftercare advice.

4.5 If pre-existing conditions are declared or noted during the consultation, and fall outside the scope of the therapist's training, treatment should not be provided without the consent of the client's Doctor or other appropriate healthcare professional.

5.0 Infection control

5.1 Handwash facilities shall be available within the treatment area.

5.2 Liquid soap and hand drying facilities must be located by the hand wash basin

5.3 A separate hand wash basin must be available within the toilet facilities.

5.4 Hands must be washed using liquid soap immediately prior to and after treatment

5.5 Couches, tables and trolleys must be wiped with a suitable disinfectant between clients. If towels are used a clean towel must be used for each client. Towels should be washed at 65°C or greater.

5.6 Couch roll should be changed between clients

5.7 Any piece of equipment, machine or plant which comes into contact with clients skin, hair or nails shall be thoroughly sanitised between clients with a suitable and appropriate cleaner.

Whilst handwashing is vital to maintaining hygiene and infection control the therapist must have due regard to the risk of dermatitis and use appropriate products. (further information available via the HSE & HABIA websites).

6.0 Training

6.1 All therapists carrying out treatments detailed in this COP must hold a relevant professional qualification that is externally verified, specific to the treatment and meets current national occupational standards. Suitable qualifications include:

- ITEC
- NVQ Level 3
- VTCT Level 3
- City & Guilds Level 3
- Cidesco
- CIBTAC / BABTAC Diplomas

6.2 Practitioners who hold qualifications not listed above, or hold a qualification obtained abroad, will need to undertake a suitable course as listed above or have the qualification verified by a NVQ approved acquired learning assessor and the U.K. equivalent qualification awarded or apply for UK comparison through an organisation such as UK NARIC.

6.3 Therapists must not offer treatment types outside their area of qualification.

6.4 Therapists are advised to obtain membership of a recognised professional body.

6.5 Members of one of the following are exempt from requiring a licence:

- Registered Medical Practitioner
- Person Registered by any board established under the Professions Supplementary to Medicine Act 1960
- Member of the Chartered Society of Physiotherapy
- A Nurse registered or enrolled by the Nursing and Midwifery Council
- A member of any organisation or association which specifies qualifications for the practice by its members of chiropody, chiropractic, osteopathy, naturopathy, or acupuncture being a member who is required by that organisation or association to observe professional standards in such practice.
- Any hospital.
- Any charity registered under section 4 of the Charities Act 1960.
- Any registered nursing home under the Nursing Homes Act 1975.
- NB: This is not an exhaustive list of exemptions, contact Regulatory Services on 01702 215005 for further advice.

7.0 Aftercare

7.1 Suitable and sufficient, written and/or verbal aftercare advice must be given to all clients for all treatments administered.

7.2 Provision must be made for clients to rest after treatment if required.

8.0 Review

This Code of Practice will be reviewed regularly and updated in light of current industry guidance and legal opinion. Any changes will be notified to licensees and will be attached as conditions to your licence with effect from the date of the next renewal of your licence.

Appendix 8 - Consultation Responses

	Type of respondent	Comments	Licensing Authority Response
1	Trading from home	Consultation received included comments as follows- All training is provided to Codes of Practice. I am fully trained and fully qualified with approved certification Why does the Council need to stick their nose in at my expense?	No changes required
2	Trading from home	No comments with 'No' ticked for changes to conditions or COP's	No changes required
3	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
4	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
5	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
6	Trading from home	No to aromatherapy/massage and NA to rest	No changes required
7	Trading from home	5.1 on Aromatherapy and COP 6- problem with hand wash in all treatment rooms Also commented that this should apply to home therapists and mobile	Sinks within treatment rooms form part of the overall hygiene regime of a treatment premises, protecting both staff and customers. Home and mobile therapists have access via bathroom facilities. No changes required
8	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
9	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
10	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
11	Trading from home	No comments with 'No' ticked for changes to conditions or COP's	No changes required
12	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
13	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required
14	Trading from a commercial premises	No comments with 'No' ticked for changes to conditions or COP's	No changes required

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Massage and Special Treatments Explained

Code of Practice 1 – Massage, Aromatherapy and Reflexology

- Swedish Massage (occasionally referred to as traditional massage)
- Sports Massage (except when administered by an exempted person e.g Registered Physiotherapist)
- Thai Massage
- Stone / Hot Stone Massage
- Bowen technique
- Beauty Massage
- Shiatsu Massage
- Rolfing
- Manual lymphatic drainage
- Aromatherapy massage: massage involving the use of essential oils
- Reflexology: Use of pressure and massage on the reflex points on the feet and hands to treat or alleviate symptoms and disorders.

Code of Practice 2 - LASER IPL ILS

Lasers (class 3b and 4) Intense Pulsed Light and Intense Light systems
Used for hair removal, thread vein removal, skin rejuvenation, tattoo fading/removal

Code of Practice 3 – UV Light Treatment

Sunbeds, UV facials

Code of Practice 4 – Sauna and Steam Rooms

Saunas consist of an insulated enclosure made of wood, together with heat generating equipment usually in the form of a heat-generating stove. Benches are provided within the sauna enclosure. Saunas provide a dry heat and the temperature may range from 85°C to 100°C for up to a 10 minute treatment.

Steam Rooms consist of an enclosure made of an impervious material and steam generating equipment. They are designed to operate at temperatures of up to 50°C regulated by a thermostat with relative humidity of 80 to 100%. They produce a wet humid heat and are intended for indoor use. Usually lasting 6 – 12 minute treatment.

Code of Practice 5 – Spa pools

A pool full of warm water at approximately body temperature, designed for sitting in rather than swimming and consisting of a contained pool of warm water with jets of water, or air bubbles or combination of both to provide a warm water massage. Spa pools are distinguished from whirlpool baths in that they are not emptied between uses.

Code of Practice 6 - Electric and Electric Vapour Treatment

This involves the use of an electrical device to administer treatments by way of either an electrical current or mechanical means. Examples include;

- Endermologie
- Facial Steamers
- Lumi Lift/Lumi Facials
- Micro Current Therapy
- Ultra Sonic
- Heat / Heat Lamps Therapy
- Infra-Red Heat Therapy

Note - skin piercing activities such as tattooing, micro blading, body piercing, semi-permanent make-up and electrolysis all fall under separate legislation.

Southend-on-Sea Borough Council

Agenda
Item No.

Report of the Deputy Chief Executive (People)

to

Cabinet

on

13th March 2018

Report prepared by: Jacqui Lansley Director of Strategy,
Commissioning and Procurement

Annual Procurement Plan 2018/19

Relevant Scrutiny Committee: Policy and Resources
Executive Councillor: Councillor Mooring

A Part 1 Public Agenda Item

1. Purpose of Report

To obtain approval for the Council's Annual Procurement Plan for 2018/19.

2. Recommendation

That the Annual Procurement Plan 2018/19 attached at **Appendix 1** be approved.

3. Background

The Contracts Procedure Rules in Part 4g of the Constitution require the Cabinet to approve an Annual Procurement Plan prior to the start of each financial year.

The Annual Procurement Plan lists the high value (Contracts with a value over £74,999) procurement activity that will be managed by the Corporate Procurement team. It includes all spend areas across each service where leverage and efficiency opportunities exist.

The Annual Procurement Plan for 2018/19 attached at **Appendix 1** has been produced in consultation with the appropriate Deputy Chief Executives, Directors, Group Managers and Council contract managers who have provided details of known contracts in their areas that are due for renewal and any new procurements (Revenue and Capital) in 2018/19.

The Annual Procurement Plan for 2018/19 ensures professional procurement expertise will be employed on the high value and/or high risk contracts. Whilst

this plan gives Cabinet authority to procure, officers will still need to comply with all relevant managerial processes.

Alongside delivery of the Plan during 2018/19 Commissioners across the Council will analyse spend data and the Corporate Contracts Register with the intention of creating a 5-year timetable of when Corporate Contracts are due to expire. Key stakeholders across the Council will start to map out the Council's commissioning intentions and opportunities that exist moving forward. Alongside this will be consideration of the social value benefits, commissioning for outcomes, investment opportunities, and the approach to de-commissioning and how best The Council spends the 'Southend £'. This will further cross-departmental approaches to commissioning and also align with the transformation agenda.

Whilst the longer-term strategic review of contracts is conducted Corporate Procurement and Commissioners will be doing some in depth work around the Procurements on the 2018/19 plan and sourcing opportunities where contracts can be grouped according to outcomes and a more strategic approach to commissioning being developed. This may lead to some quick wins in terms of streamlining services, removing duplication and ever closer alignment with what already exists in the community.

The recent review of the Council's Contracts Procedure Rules (CPRs) will also consider how best The Council spends the 'Southend £'. Notably the CPRs now set out the aspiration to increase spend with local businesses and the added benefits that this could bring to the Town's economy, environment and communities.

An analysis of spend (revenue and capital) in 2016/17 highlighted that The Council spent £154m with external suppliers and of this 25% (£38.7m) was with Southend based businesses. The revised CPRs place a requirement on the service areas to specifically request quotes and single source from local suppliers where spend is under £25k and best value can be ascertained.

Corporate Procurement will continue to work closely with the Economic Development Team and provide training to ensure that local businesses, voluntary and community sector providers are aware of how to formally bid for Council tendered contracts (both in Southend and across the Local/Central Government sector) as well as quoting for lower value contracts (under £75,000). Contractual spend under £75,000 accounted for a total of £19.5M spend in 2016/17, of which local businesses only succeeded in securing £3.3M (17%). The expectation is that the application of the revised CPRs over the coming years will lead to the local percentage spend increasing and therefore benefit Southend by:

- Increased local **employment**,
- Improved **business start-up** success and sustainability
- Increased spend in the local economy because **local suppliers often spend locally**
- Increased **income** through business rates, parking charges and council tax

4. Other Options

An Annual Procurement Plan is a requirement in the Constitution.

5. Reasons for Recommendations

Approval of the Annual Procurement Plan is a requirement of the Council's Constitution. Inclusion of a contract in the Plan removes the need for Cabinet approval to issue a tender or award the contract provided it falls within budget tolerances in the Plan and the Plan, does not require it to come back to Cabinet for further scrutiny.

6. Corporate Implications & Corporate Priorities

6.1 Contribution to Council's vision

The Corporate Priorities support the aims and vision of the Council along with the objectives of Southend partnerships to improve the quality of life, prosperity and life chances for people in the borough. The Annual Procurement Plan covers activity in all areas of the Council's Corporate Priorities and these are reviewed as part of the options appraisal process.

6.2 Financial Implications

All procurements will be conducted to ensure value for money and the most economically advantageous tender to the Council is selected.

6.3 Legal Implications

All of the attached contracts will be tendered in compliance with the UK Public Contracts Regulations 2015.

6.4 People Implications

Approval of this Plan will commit the Corporate Procurement team resources to these contracts in accordance with the Contracts Procedure Rules and Financial Procedure Rules.

6.5 Property Implications

None

6.6 **Consultation**

End users of services will be consulted to assist in the design and evaluation of tenders as appropriate.

6.7 **Equalities and Diversity Implications**

Contract specifications will take into account equality aspects and these will be evaluated as part of the tender process through to contract management. The Options Appraisal stage for each procurement also considers whether an Equality Analysis is required and if so this is conducted and signed off by the necessary corporate leads.

6.8 **Risk Assessment**

Risks will be assessed at the 'options appraisal' stage and managed through the tender process and mitigated with an appropriate contract management plan. As part of each procurement the General Data Protection Regulation (GDPR) is also considered in terms of the use and handling of data by the supplier. As part of this process a Privacy Impact Assessment may be required as well as approval by the necessary corporate leads.

6.9 **Value for Money**

The Plan is part of a framework to ensure the Council obtains value for money in procurement. Delivery of the Plan will also contribute to the delivery of the Council's budget for 2018/19.

6.10 **Community Safety Implications**

As detailed in 6.1 these are considered in terms of the contractual contribution to enhanced community safety and the safeguarding of vulnerable adults and children.

6.11 **Environmental Impact**

As detailed in 6.1 these are considered in terms of the contractual contribution to our environment and also the potential added benefits under the Social Value Act.

7. **Background papers**

Contracts Procedure Rules and Financial Procedure Rules as previously approved.

8. **Appendices**

Appendix 1 – Master Procurement Plan 2018/19

E-Proc Ref no	Category	Department	Procurement Lead	Title	Contract Manager	Named ICT Service Delivery Mechanism	Estimated value	Revenue, Capital or Income	Start date	Expiry date	Contract period	Tendered?	Option to extend	Mandatory, Essential, Optional Service	Suppliers	Estimated annual value	Comments
	Property	South Essex Homes	SEH	Structural Works (W&A)	SEH	Richard Whitehead	£250k	Capital	18/03		3Y	New	No	Essential		£250k	
	Property	South Essex Homes	SEH	Regulation Report and Void Property Review with provision for future planned work elements	SEH	Richard Whitehead	£30k-£50k	Revenue	01/04/19		3Y+5	New	Yes	Essential		£3-5k	PA programme procurement already commenced
	Property	South Essex Homes	SEH	Service & Maintenance of Gas Boilers	SEH	Richard Whitehead	£10M	Revenue	15/03		3Y+5	New	Yes	Essential	Arco Services M4451215	£1M	Currently reviewing existing contract which has option to extend 27 beyond date 2019 and 2020
	Property	South Essex Homes	SEH	Kitchens, Bathrooms & Rooms	SEH	Richard Whitehead	£3M	Capital	18/03		3Y+2	New	Yes	Essential		£700k	Existing contract in place but performance issues may necessitate renegotiation
	Property	South Essex Homes	SEH	Heating - Boiler Replacements	SEH	Richard Whitehead	£1.4M	Capital	18/03		3Y+1	New	Yes	Essential		£850k	
	Property	South Essex Homes	SEH	Heating - Boiler Replacements	SEH	Richard Whitehead	£200k	Capital	01/06/16		2Y+1	Yes M1517/10	Yes	Essential	CPGB1	£150k	Contract to be extended post-Mar-18
	Property	South Essex Homes	SEH	Heating - Radiator (E2, Dual Alternative)	SEH	Richard Whitehead	£75k	Capital	18/03		3Y	New	No	Essential		£75k	
	Property	South Essex Homes	SEH	Commercial Boiler Replacements	SEH	Richard Whitehead	£300k	Capital	18/03		2Y+2	New	Yes	Essential		£75k	
	Property	South Essex Homes	SEH	Oil Maintenance	SEH	Richard Whitehead	£400k	Revenue	15/06		3Y+2	Yes M1518/01	Yes	Essential	Precision Life	£40k	Contract to be extended post-Mar-18
	Property	South Essex Homes	SEH	Consultant - Oil Refurb, Strip & Supply (10/12)	SEH	Richard Whitehead	£100k	Capital	18/03		3Y+2	New	Yes	Essential		£20k	
	Property	South Essex Homes	SEH	Equality & Equality Requirements	SEH	Richard Whitehead	£250k	Capital	18/03		3Y+2	New	Yes	Essential		£50k	
	Property	South Essex Homes	SEH	High Rise Roof	SEH	Richard Whitehead	£270k	Capital	18/03		3Y	New	No	Essential		£270k	
	Property	South Essex Homes	SEH	Widened Area	SEH	Richard Whitehead	£400k	Capital	18/03		3Y	New	No	Essential		£200k	
	Property	South Essex Homes	SEH	Lifts - Adams One	SEH	Richard Whitehead	£100k	Capital	18/03		3Y	New	No	Essential		£100k	
	Property	South Essex Homes	SEH	Lifts - Adams One Refurbishment	SEH	Richard Whitehead	£10k	Capital	18/03		3Y	New	No	Essential		£0k	
	Property	South Essex Homes	SEH	Lifts - Yordan	SEH	Richard Whitehead	£80k	Capital	18/03		3Y	New	No	Essential		£80k	
	Property	South Essex Homes	SEH	DBSA Doors (Open DM)	SEH	Richard Whitehead	£800k	Capital	18/03		3Y	New	No	Essential		£800k	Procure/PA Framework
	Property	South Essex Homes	SEH	Fire Doors (Open & Associated Works Medium Rise)	SEH	Richard Whitehead	£200k	Capital	18/03		3Y	New	No	Essential		£200k	Possible lift with contracts or vans
	Property	South Essex Homes	SEH	Fire Doors & Associated Works (Medium Rise)	SEH	Richard Whitehead	£125k	Capital	18/03		3Y	New	No	Essential		£125k	
	Property	South Essex Homes	SEH	Window Repairs (High Rise)	SEH	Richard Whitehead	£35k	Capital	18/03		3Y	New	No	Essential		£35k	
	Property	South Essex Homes	SEH	Window Cleaning	SEH	Richard Whitehead	£250k	Capital	18/03		3Y	New	No	Essential		£250k	
	Property	South Essex Homes	SEH	Outdoor Lighting Replacements & Landlord Services Upgrade	SEH	Richard Whitehead	£380k	Capital	18/03		3Y	New	No	Essential		£380k	
	Property	South Essex Homes	SEH	Emergency Lighting (Landlord Battery Units Upgrade)	SEH	Richard Whitehead	£60k	Capital	18/03		3Y	New	No	Essential		£60k	
	Property	South Essex Homes	SEH	Legionella Prevention & Monitoring Equipment	SEH	Richard Whitehead	£80k	Capital	18/03		3Y	New	No	Essential		£80k	
	Property	South Essex Homes	SEH	Legionella	SEH	Richard Whitehead	£150k	Revenue	18/03		2Y+2	New	Yes	Essential		£25k	
	Property	South Essex Homes	SEH	Terminal Block Upgrade	SEH	Richard Whitehead	£120k	Capital	18/03		3Y	New	No	Essential		£120k	
	Property	South Essex Homes	SEH	Vertical Maintenance Framework	SEH	Richard Whitehead	£36k	Revenue	18/03		3Y+1	New	Yes	Essential		£9k	MC Framework
	Property	South Essex Homes	SEH	Door Entry Service & Repair	SEH	Richard Whitehead	£270k	Revenue	18/03		2Y+1	New	Yes	Essential		£50k	
	Property	South Essex Homes	SEH	Emergency Lighting (Landlord Service & Maintenance)	SEH	Richard Whitehead	£120k	Revenue	18/03		3Y+1	Yes M1516/07	Yes	Essential	Bible Contracts	£20k	Contract to be extended post-Mar-18
	Property	South Essex Homes	SEH	Commercial Extract Fans	SEH	Richard Whitehead	£30k	Revenue	18/03		3Y+2	New	Yes	Essential		£7k	
	Property	South Essex Homes	S&C	Asbestos removal Works	SEH	Richard Whitehead	£450k	Capital	18/03		3Y+2	New	Yes	Essential		£90k	S&C/M1516 Procurement (figures shown are SEH requirements only)
	Property	South Essex Homes	SEH	Strip off, Haul off & Strip off Services	SEH	Richard Whitehead	£150k	Revenue	18/03		3Y+2	New	Yes	Essential		£30k	

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Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (People)

to
Cabinet

on

13th March 2018

Report prepared by: Brin Martin, Director of Learning

Annual Education Report

People Scrutiny Committee

Executive Councillor: Councillor Courtenay
A Part 1 (Public Agenda Item)

1. Purpose of Report

This report is to inform Cabinet of the publication of the Annual Education Report (AER) on the retrospective performance of Southend Schools for the academic year 2016/17.

2. Recommendations

- a. That Cabinet notes and approves the new format for the AER;
- b. That Cabinet approve the report and recognise the very positive outcomes for learners across all Key Stages.

3. Background

Traditionally the Council has published a very detailed document on the retrospective performance for learners in Southend based upon the previous academic year's outcomes. These outcomes are not validated by the Department for Education nationally until late in the year. In reality, this has meant that the AER is published once a year, some nine months after the summer outcomes are known.

Whilst the report has previously been detailed, its frequency and usefulness to both members and members of the public has been limited. The decision was made to make the AER more accessible through the use of "infographics", whilst still retaining the same key headline information.

As a result of the establishment of the Southend Education Board, and the relevant sub group for School Performance that supports it, far greater scrutiny and analysis has been provided to Cabinet in the 19th September 2017 report, and through far more regular and detailed summaries contained in the School Progress Reports submitted

to each People Scrutiny Committee. In addition, the later paper is now Part One, in the public domain, and therefore more accessible and open to members of the public.

4. Other Options

The other option of pursuing the previous format has been dismissed for the reasons stated above.

5. Reasons for Recommendations

Irrespective of the format of the report, recognition of the very strong performance of Southend Schools should be celebrated. It is hoped that the new AER will allow more people to access their achievements.

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

Ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment

6.2 Financial Implications

Traditionally the compilation of the 80 page AER has taken a significant number of days from the Data and Performance Team, and indeed in previous iterations consultant time to draw the report together. The new format, whilst still compiled by the team is considerably shorter and more cost effective.

6.3 Legal Implications

None

6.4 People Implications

The same degree of scrutiny will be made available through People Scrutiny Committee.

6.5 Property Implications

None

6.6 Consultation

None required

6.7 Equalities and Diversity Implications

Not applicable, although the report and the data sets that underpin it intrinsically considers in detail the performance of groups by gender, SEND, deprivation and ethnicity.

6.8 Risk Assessment

None required

6.9 Value for Money

See 6.2 above

6.10 Community Safety Implications

Not applicable

6.11 Environmental Impact

Not applicable

7. Background Papers

None

8. Appendices

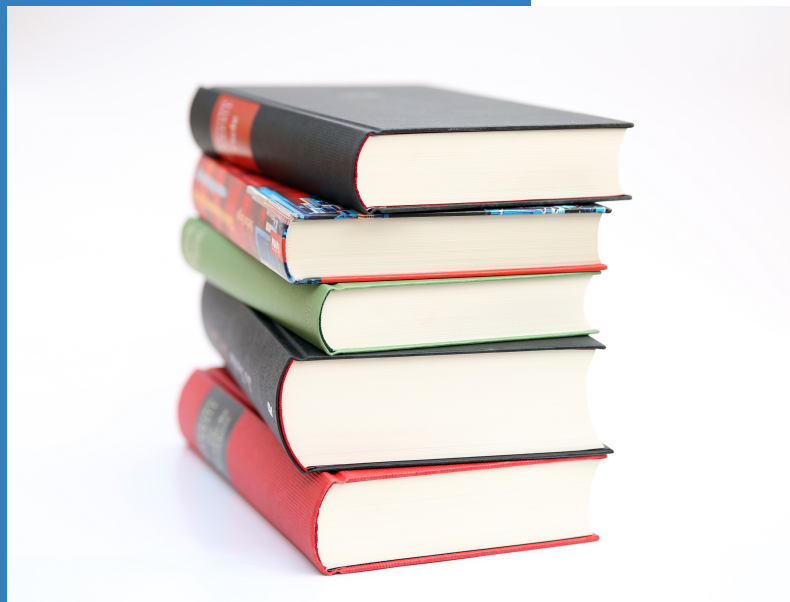
Appendix 1 - Annual Education Report 2016/17

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Annual Education Report - 2017

Operational Performance & Intelligence Team

Southend-on-Sea Borough Council



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Foreword

James Courtenay, Executive Portfolio Holder, Children and Learning

I am pleased to be able to report a very strong set of school performance indicators across the board in all key stages, as contained in this newly formatted Annual Education Report (AER). From the early years to post sixteen, results across the Borough are both strong and consistent compared to the national picture and to our regional and statistical neighbours.

Of particular note in this report (retrospective based upon the summer 2017 results) are the very strong rankings in the headline attainment measures at Key Stage Two and Key Stage Four (28th and 16th respectively out of 152 Local Authorities). However our success is not just limited to attainment at the end of the key stages; we have performed well against the national benchmarks within the Early Years Foundation Stage and also in the progress measures between key stages. It is fair to say that for a small unitary authority, Southend on Sea is punching above its weight.

We have taken the opportunity to try and make the AER more accessible and readable from the previous lengthy text versions, and would welcome your views. The AER is supplemented throughout the year with additional and new information for councillors, Corporate Parenting Group and members of the public through committee reports and updated to the Southend Education Board; all new initiatives to ensure that the work in all of our schools is both recognised and valued.

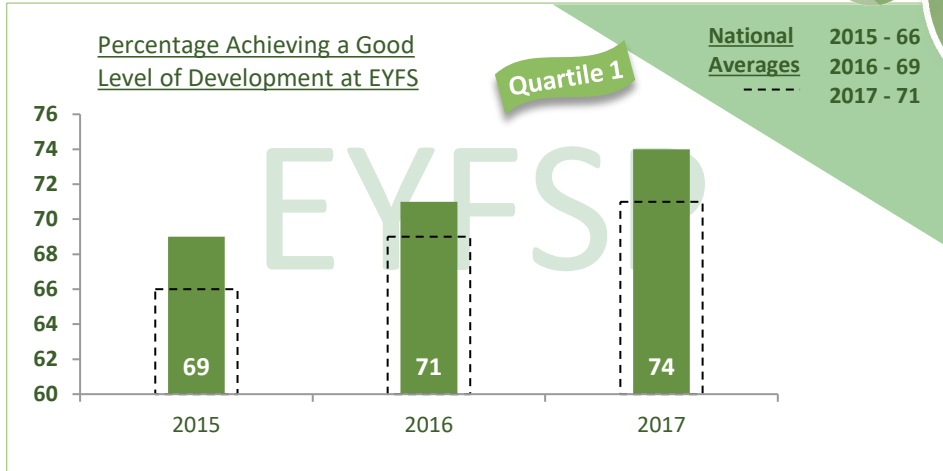
Dashboard Guide

The information below is a guide to the 'Key Stage' dashboards.

- **National Averages:** National averages are presented with a dotted line, and these figures are shown in the top right hand corners of the charts.
- **Trend Tables:** Where a green arrow is shown, this indicates a statistically significant improvement. Grey arrows indicate the direction of travel.
- **Quartile 1 Flags:** Green 'Quartile 1' flags indicate that the Southend figure is in the top 25% nationally.
- **Rank Info:** Rank information is shown in the top right hand corner for every dashboard for various measures. The rank figure is Southend's position of 152 Local Authorities.

Annual Education Report - 2017

Achievement



Early Years Foundation Stage

Performance in the main measure has improved year-on-year in Southend and remains above the national average

Southend is ranked in the top 25% of all local authorities in the main attainment measures

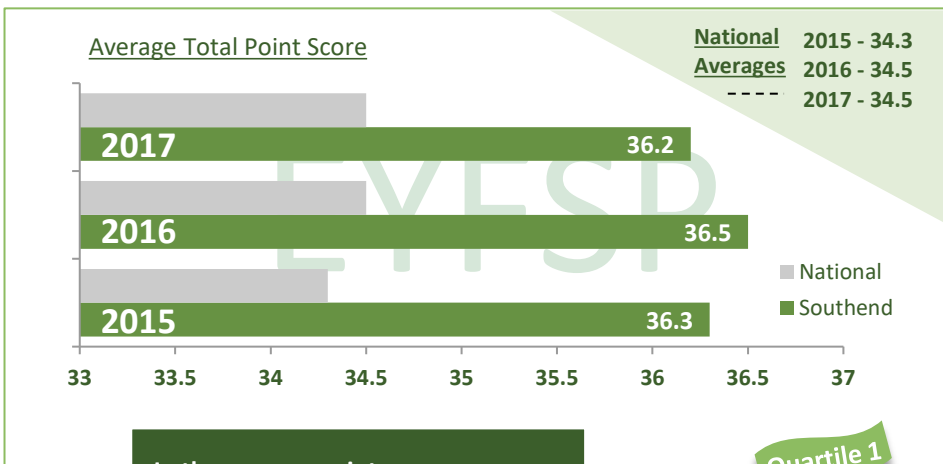
The attainment gap between FSM pupils and their peers has narrowed slightly and is less than the national average

Rank Info

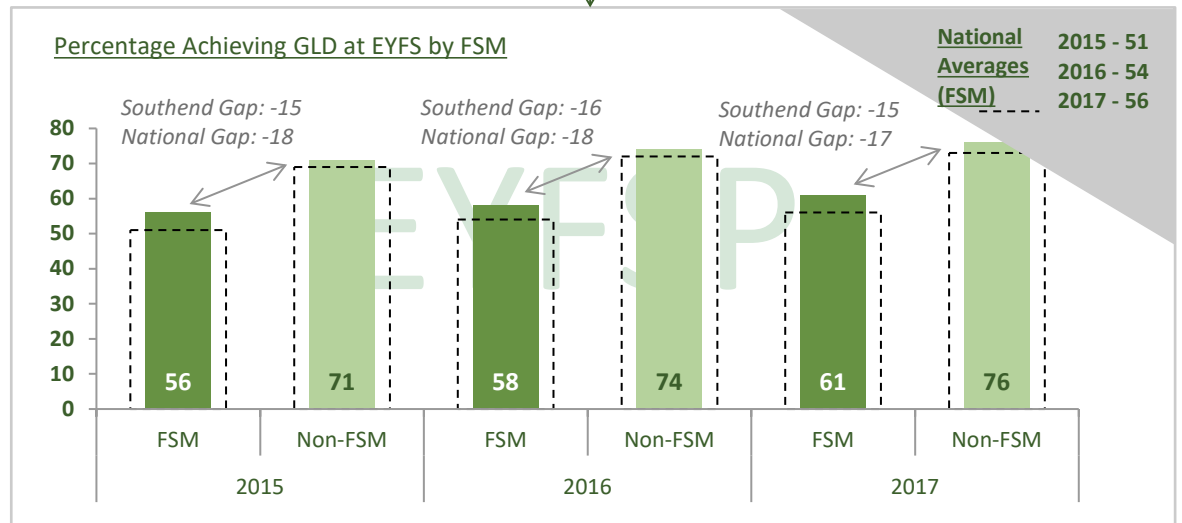
Of 152 LAs

% achieving a Good Level of Development: **28th**

Average Total Point Score: **10th**

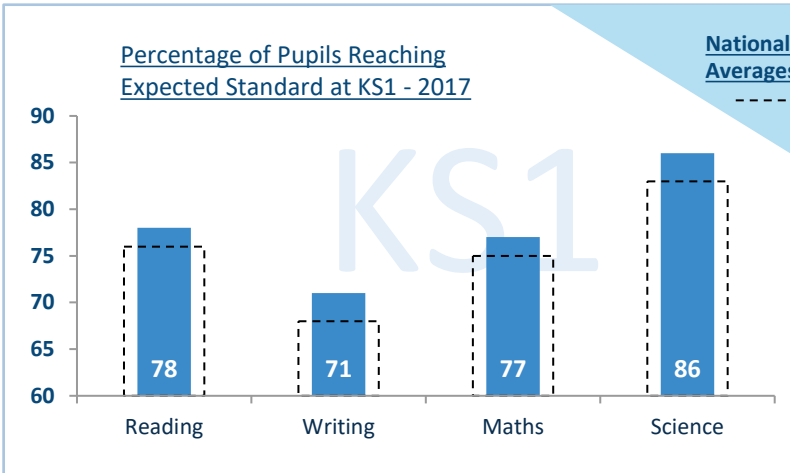


In the average point score measure Southend is ranked in the top 10 of all LAs



Annual Education Report - 2017

Expected Standard - By Subject



Key Stage 1

Performance was above the national average in all subjects in the expected standard measure

This was a new measure for 2016. Outcomes have improved in all subjects since last year

R - 76
W - 68
M - 75
S - 83

Rank Info
Of 152 LAs

Pupils reaching the expected standard:

Reading	34th
Writing	36th
Maths	44th
Science	16th

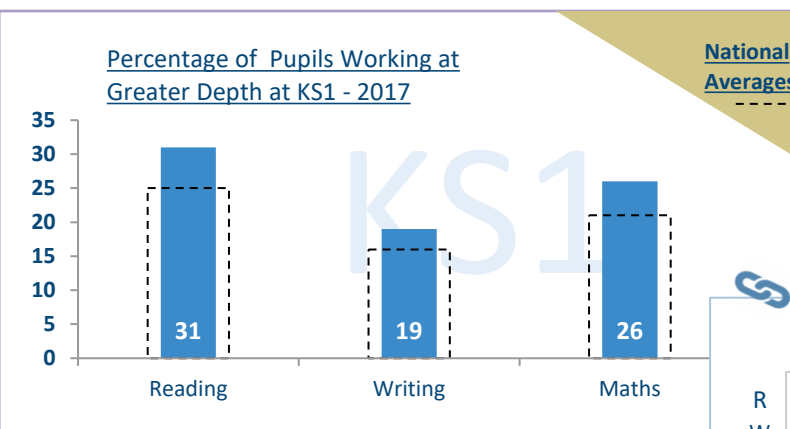
Trend Info

	2016	2017	
R	77	78	↑
W	69	71	↑
M	74	77	↑
S	82	86	↑

Outcomes for FSM pupils have not significantly changed since 2016. The trend table shows data for FSM only

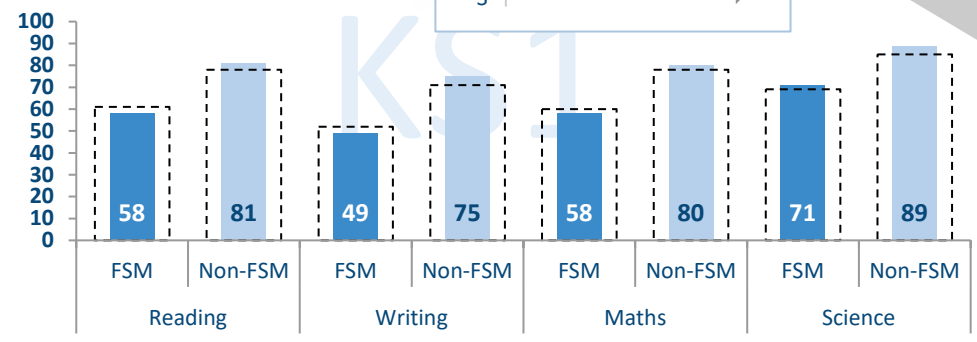
Pupils working at greater depth:

Reading	12th
Writing	19th
Maths	8th



R - 25
W - 16
M - 21

Percentage Pupils Reaching Expected Standard FSM and Non-FSM at KS1 - 2017



Trend (FSM)

	2016	2017	
R	60	58	↓
W	54	49	↓
M	59	58	↓
S	71	71	→

National Averages (FSM)
R - 61
W - 52
M - 60
S - 69

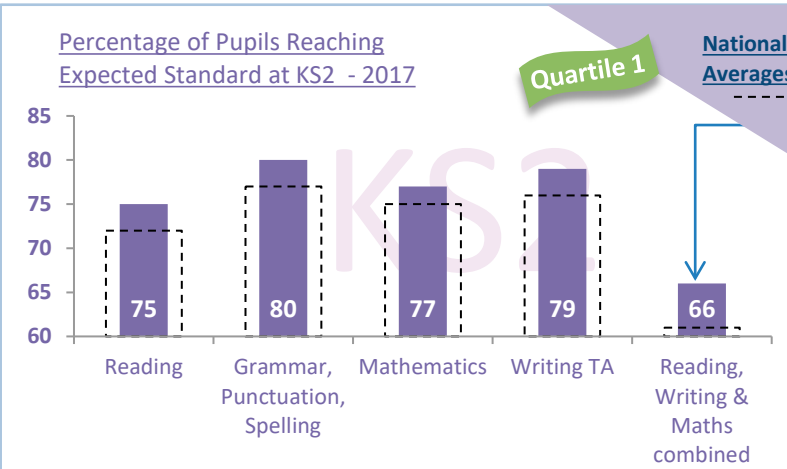
Trend Info

	2016	2017	
R	31	31	→
W	18	19	↑
M	23	26	↑
S	-	-	-

Quartile 1 In the more demanding measure of pupils working at greater depth, Southend was ranked in the top 25% of all local authorities in each subject

Annual Education Report - 2017

Expected Standard - By Subject



Quartile 1

National Averages



Key Stage 2

R - 72
GPS - 77
M - 75
W - 76
Com. - 61

Performance was above the national average in all subjects in the expected standard measure

Southend was ranked in the top 25% of all local authorities in the combined reading, writing and maths measure

Rank Info

Of 152 LAs

Reading, writing & maths combined

Pupils achieving the expected standard **28th**

Pupils achieving the higher **24th**

Trend Info

	2016	2017	
R	67	75	↑
GPS	73	80	↑
M	71	77	↑
W	79	79	→
Com.	56	66	↑

Outcomes for FSM pupils have improved but the gap between these pupils and their peers has widened since 2016 due to the improved performance of non-FSM pupils. In 2017 only the combined RWM figure was published

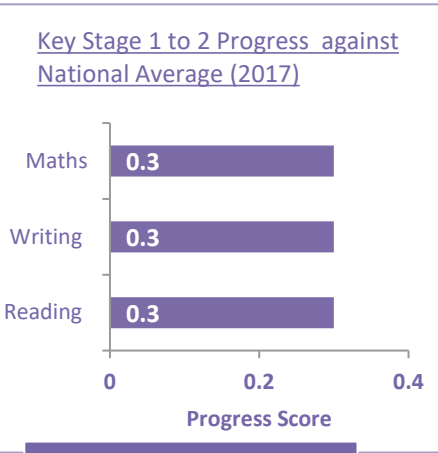
Trend (FSM)

	2016	2017	
R	52	53	↑
W	68	58	↓
M	55	57	↑
Com.	38	44	↑

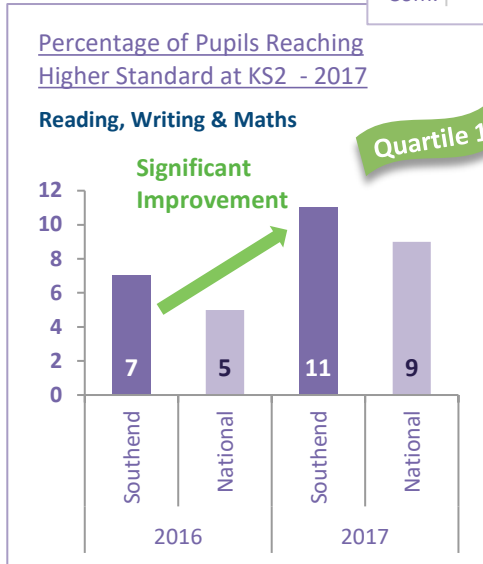
National Averages

Combined FSM - 43

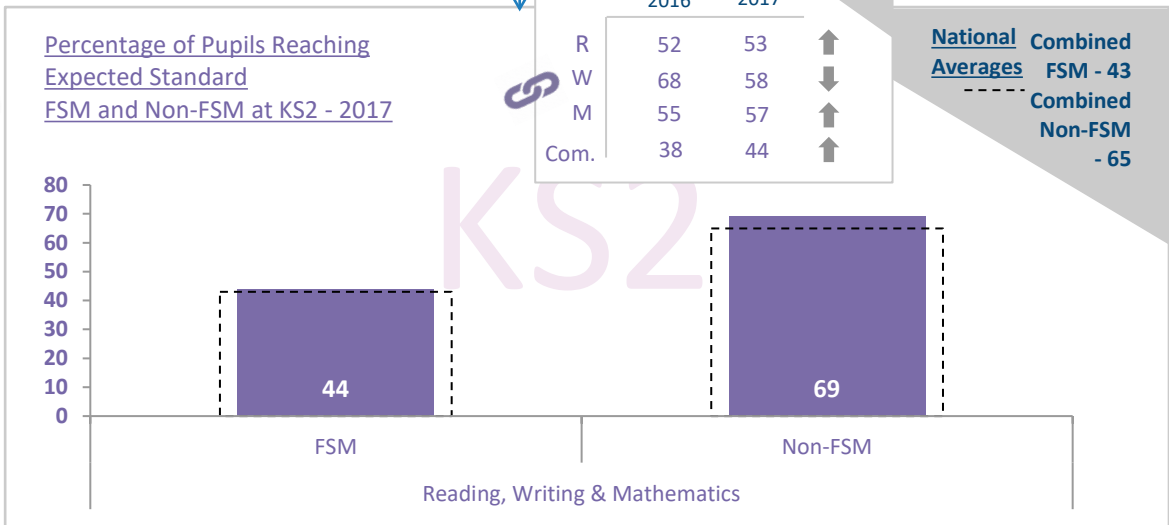
Combined Non-FSM - 65



The progress scores of pupils were higher than the national average (0.0)

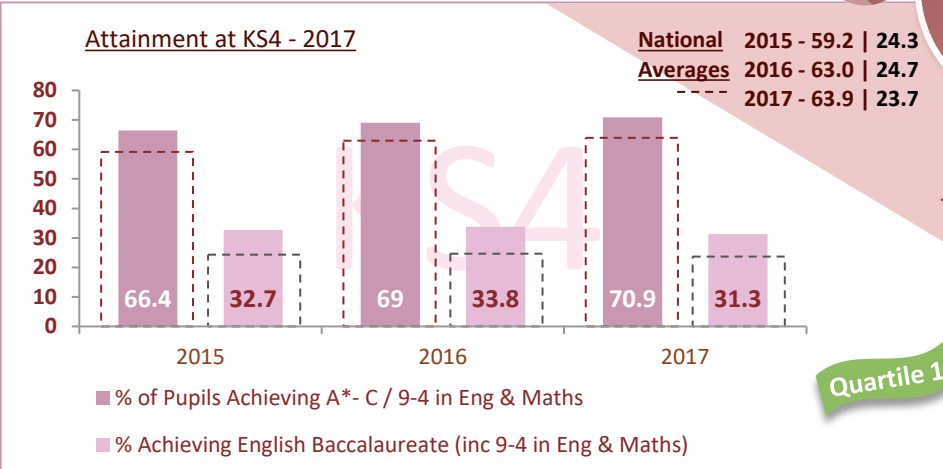


Quartile 1



Annual Education Report - 2017

Attainment



Key Stage 4

Performance was above the national average in the headline attainment measures

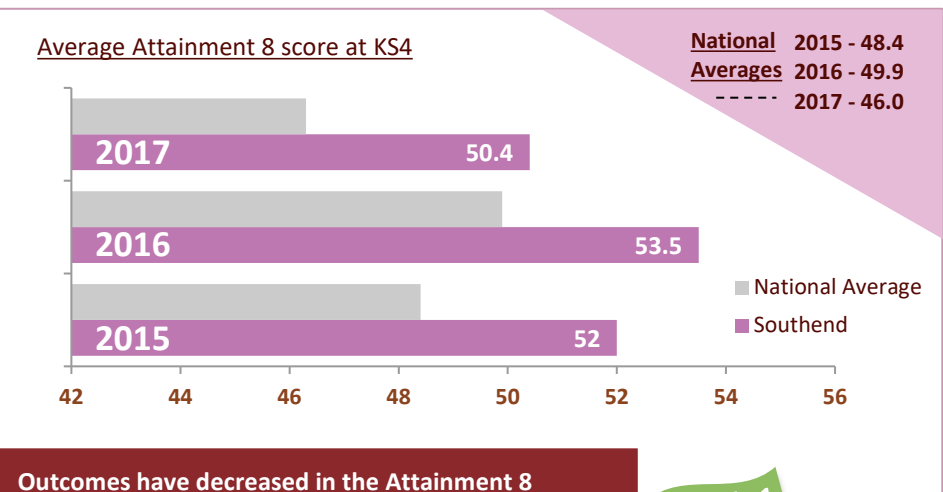
Southend was ranked in the top 25% of all local authorities in the English and maths 'basics' measure and the English Baccalaureate. Outcomes have decreased in the EBacc measure compared to 2016, which reflects the national trend

Southend's pupils made significantly more progress from KS2 than the national average, particularly in English

Rank Info

Of 152 LAs

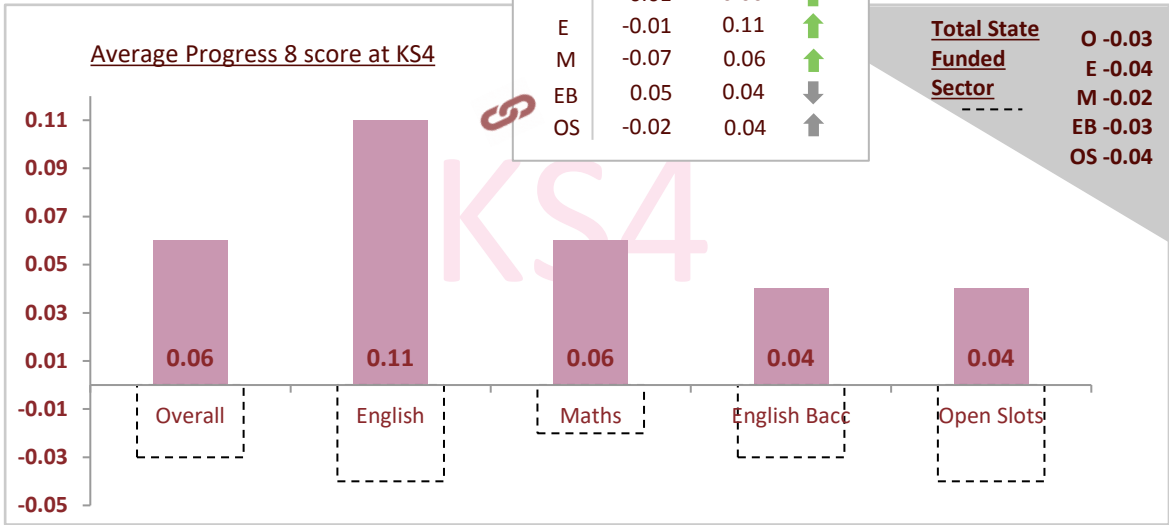
Attainment 8	16th
% achieving a strong pass in English and maths	13th
% achieving EBacc inc 9-5 in English and maths	17th
Progress 8	40th



Outcomes have decreased in the Attainment 8 measure but this change is as expected following changes to the 2017 point scores assigned to grades

Trend Info

	2016	2017	
O	-0.01	0.06	↑
E	-0.01	0.11	↑
M	-0.07	0.06	↑
EB	0.05	0.04	↓
OS	-0.02	0.04	↑



Annual Education Report - 2017

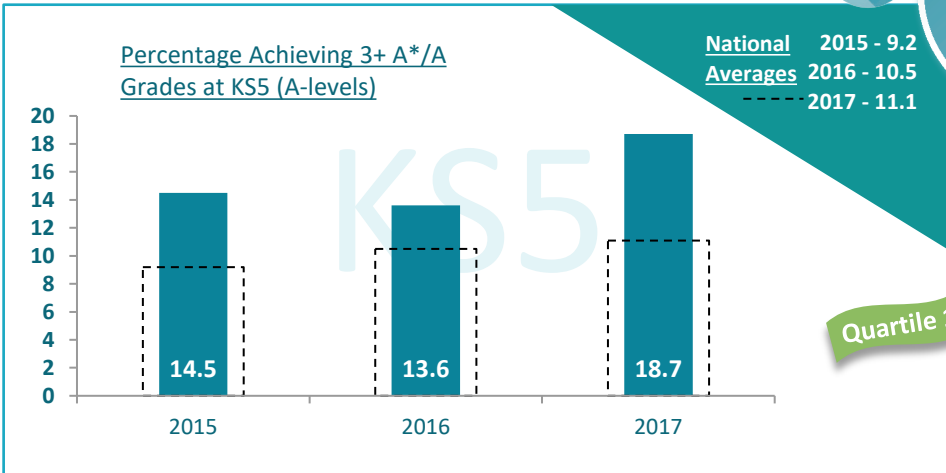
Achievement



Key Stage 5

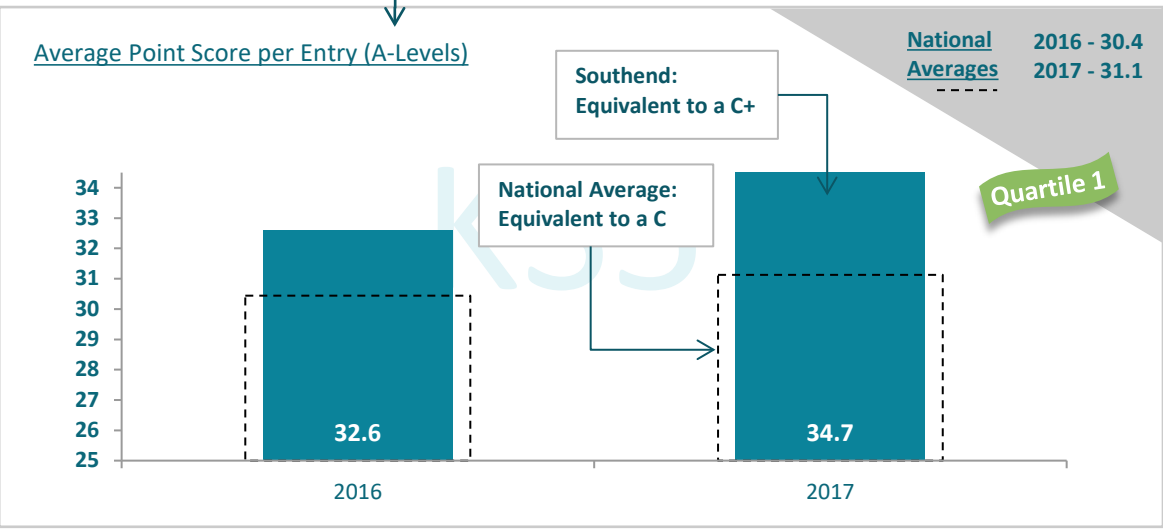
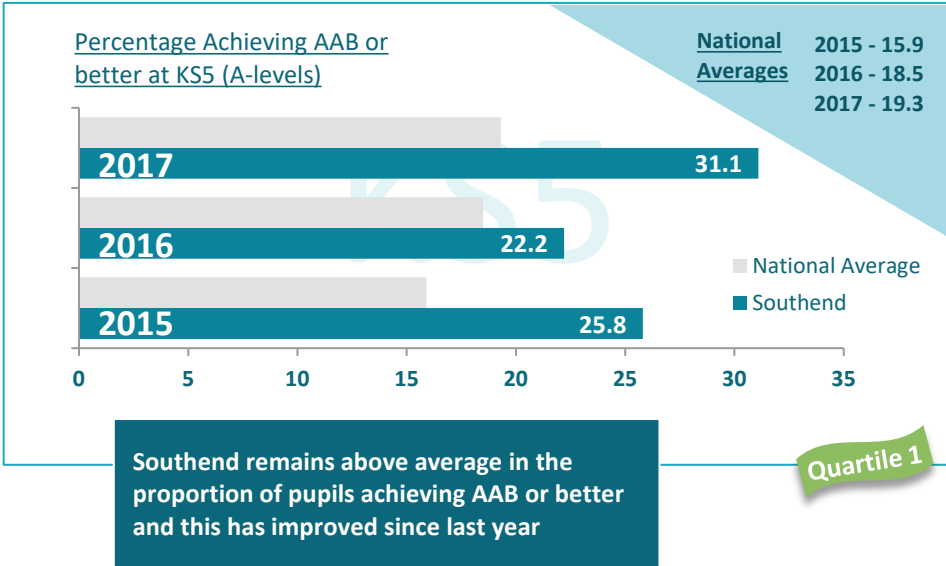
Southend was ranked in the top 10 local authorities for each of these measures

Rank Info	
Of 152 LAs	
3+ A* - A	7th
AAB or Better	6th
AAB inc. 2 facilitating subjects	7th
APS Per entry	8th
APS per entry (best 3) A-Levels	5th



The percentage of students achieving 3 or more A*-A grades has increased since last year and remains above the national average

The average point score per entry has increased since 2016 and remains above the national, equivalent to a C+



Conclusion

Through the work of the Education Board, outcomes in all schools, academies and maintained alike, will remain a key focus. Whilst we are proud of our outcomes, some areas remain stubborn, such as the achievement of disadvantaged learners. In addition, we will continue to closely monitor progress in all schools, and where we are required to do so we will directly support them in conjunction with the Regional Schools Commissioner (RSC), who is accountable for improvements in academies.

In addition, the priorities for the coming year will be to:

- Support leaders in schools and trusts where performance is less than good;
- Work directly through primary school leaders to narrow the gap in the achievement of disadvantaged youngsters and their peers;
- Robustly champion and support the achievement of children in care;
- Undertake year two of the successful initiative to allow parents the choice of the most appropriate education at aged eleven;
- Continue the drive to improve the number of pupils who attend a good or outstanding school.

We will do this by:

- Maintaining our (the Education Board's) information and intelligence of all schools;
- Working very closely with the RSC and school leaders to support their own drive for self-improvement;
- Offering bespoke support through the Teaching School by building the network of excellent school based practitioners who increasingly support each other;
- Looking outwardly for innovative and best practice to improve even faster and further.

Data Sources

All data sourced from Department for Education Statistical First Releases:

<https://www.gov.uk/government/organisations/department-for-education/about/statistics>

Figures are based on revised datasets for all key stages with the exception of Key Stage 1 which used the provisional dataset.

Southend figures and national averages are for state funded schools only (excluding pupil referral units) with the exception of Early Years Foundation Stage (which includes private, voluntary and independent sectors) and Key Stage 5 (which includes state funded colleges).

Key Stage 4 dashboard note: Total State - funded Sector indicates National Average

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Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (People)

to
Cabinet

on

13th March 2018

Report prepared by: Brin Martin, Director of Learning

Secondary School Places

People Scrutiny Committee

Executive Councillor: Councillor Courtenay
A Part 1 (Public Agenda Item)

1. Purpose of Report

This report is to update Cabinet on the current position regarding the future provision for Secondary School places across the Borough 2018-2020 and beyond.

2. Recommendations

- a. That Cabinet notes the position regarding the provision of sufficient secondary school places.
- b. That Cabinet approve the decision to reverse its decision to pursue a Free School option in favour of expansion in existing secondary schools.

3. Background

Cabinet has for some years been informed of the impending requirement for additional school places from 2018 onwards in secondary schools. This followed on from the primary school growth in previous years, combined with other demographic changes in Southend.

In essence, this will require an additional 3 forms of entry (90 pupils) in 2018; 6 forms of entry (180) in 2019 and a further 2 in 2020 (60). In all, this will require 330 addition places each year for the next 5 years.

We have been working very closely with Essex County Council (ECC) to consider mobility across the South Essex boarder, both for learners attending a Grammar School from out of Southend, but also for whatever reason, a Southend resident choosing an Essex school. This information from Essex has fluctuated, but is currently estimated to be 250 pupils a year being educated in South Essex from Southend. ECC originally gave a very clear message that in 2018 these places would increasingly no longer be available.

As a result of the known numbers increasing, for some years officers had worked through the School Places Working Party to ask schools to expand, with very limited success.

Therefore, the decision was taken by Cabinet in Sept 2017 to pursue an additional school, which would have to be a free school. This was due to be funded by the Wave 13 Free School Capital route, but this has yet to be announced. The only other alternative would be for the Council to fund the capital build through a presumption route, in addition to relinquishing the identified land in St Laurence.

As a result of this Free School direction, the collective of non-selective secondary schools made a late proposal to expand to the required number, on the condition that the Free School option was discontinued. Meetings with the Leader and Executive Portfolio holder followed, where a commitment to reverse the Free School decision was given, the purpose of this report.

Currently, given Cabinet's approval of this report, officers are pursuing the expansion route. Bearing in mind that the first set of places are required for September 2018, the timeline is very tight, and will almost certainly have to result in temporary mobile solutions in a number of projects. This will escalate costs. In addition, constraints and conditions placed upon the projects by planning control make for additional complications and delays.

Currently, for 2018, the additional places of one form of entry each are progressing at Shoeburyness; Belfairs, St Thomas More leaving no surplus places, however through the successful project to attract more Southend residents to our Grammar Schools, an additional form of entry has also accessed local places within the Grammar schools enabling Southend to meet late and in-year secondary applications.

Officers are continuing to confirm the expansion plans with schools for 2019 and 2020. Whilst this paper seeks Cabinet approval to reverse the previous decision to pursue a Free School option for this period, the demographic situation beyond 2020 with the projected need for 10,000 houses for Southend within the next ten years may require an additional school into the future as it is unlikely these numbers could be met by further expansion of existing schools.

4. Other Options

The decision previously taken by Cabinet was in effect the alternative option.

5. Reasons for Recommendations

The decision to revert to an expansion as opposed to a free school option has been taken for a number of reasons:

- a. The Government's Wave 13 Capital Free School programme, due in March 2017, has yet to materialise;
- b. Schools collective desire to pursue an expansion route over and above a new free school has the backing of the school community;
- c. This will no longer result in the loss of a capital asset to the Council as additional land is no longer required.

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

Ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment

6.2 Financial Implications

The original decision was predicated upon the loss of a capital land asset in the St Lawrence ward. This land now will remain under Council control for future use.

6.3 Legal Implications

None

6.4 People Implications

None, other than the requirement to provide sufficient Secondary School Places for Southend residents.

6.5 Property Implications

See 6.4 above

6.6 Consultation

Consultation has already taken place with all secondary schools in the Borough, with Essex County Council Capital Team and with the office of the Regional Schools Commissioner.

6.7 Equalities and Diversity Implications

Not applicable

6.8 Risk Assessment

The situation regarding the possible funding through a free school route has in effect in part led to the current proposal. A full risk assessment is logged on the Corporate Risk Register, and each separate project for expansion will also feature a detailed specific risk assessment.

6.9 Value for Money

With no announcement of a Free School Capital Programme, this option provides good value for money based upon the allocated and approved budget.

6.10 Community Safety Implications

Not applicable

6.11 Environmental Impact

Not applicable, other than at each specific Capital Project.

7. Background Papers

None

8. Appendices

None

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Deputy Chief Executive (People)
to
Cabinet
on
13th March 2018

Report prepared by: Chrissy Papas, Pupil Access Manager

School Term Dates 2019/20

Executive Councillor: Councillor James Courtney

A Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 To propose the guideline school term and holiday dates for the academic year 2019/20.

2. Recommendation

- 2.1 That the school term and holiday dates for 2019/20 as set out in Appendix 1 be approved as a guide to schools.

3. Background

- 3.1 There is no national determination of school term dates. Historically the Council has set the term dates for community schools in Southend. In the main, academies, foundation, voluntary aided and maintained schools have chosen to adopt dates set by the Council.
- 3.2 In view of the cross border movement with Essex County Council of both pupils and staff, the coordination with Essex has been an important principle. It is not clear at this stage if Essex County Council will be changing their dates post their consultation.
- 3.3 It is recommended that we proceed with the dates as set out in Appendix 1.

4. Proposed term dates

- 4.1 The proposed term dates for 2019/20 are set out in Appendix 1.
- 4.2 The proposed term dates for 2019/20 for Essex County Council are set out in Appendix 2.
- 4.3 The approved final term dates for 2018/19 for Southend-on-sea are provided for reference in Appendix 3.
- 4.2 A consultation was held with all schools in the borough between 3rd -31st January 2018 and no comments or objections were received. There is no requirement to consult with parents and carers.

- 4.3 It is the view of officers that Southend-on-Sea should proceed with the approval of the term dates as set out in Appendix 1.

5. Reasons for recommendations

- 5.1 As set out in the report.

6. Corporate Implications

- 6.1 **Contribution to Council's Vision & Corporate Priorities**
Improving public satisfaction is a critical priority for the Council. It is anticipated that as the proposed dates coincide with Essex they should be acceptable to the majority of schools, parents and carers.
- 6.2 Financial Implications - None
- 6.3 Legal Implications - None
- 6.4 People Implications – Coordination with Essex is important for pupils and staff.
- 6.5 Property Implications - None
- 6.6 Consultation – as detailed in section 4 of the report.
- 6.7 Equalities and Diversity Implications – None as dates serve the same for all pupils in the borough.
- 6.8 Risk Assessment – None undertaken as dates serve the same for all pupils in the borough.
- 6.9 Value for Money implications – None
- 6.10 Community Safety Implications – None
- 6.11 Environmental Impact – The coordination of term and holiday dates will minimise the number of car journeys to school.

7. Background Papers

- 7.1 There are no background papers.

8. Appendices

Appendix 1 – Proposed Southend-on-sea Term dates 2019-20

Appendix 2 – Essex County council Draft Term Dates 2019-20

Appendix 3 – Final Term Dates, Southend-on-sea Borough Council, 2018-19

Proposed Southend-on-Sea Term and Holiday Dates for Community and Voluntary Controlled Schools - Academic Year 2019-2020

September 2019							October 2019							November 2019							December 2019							
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	
						1		1	2	3	4	5	6					1	2	3							1	
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8	
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15	
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22	
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29	
30																					30	31						
January 2020							February 2020							March 2020							April 2020							
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	
		1	2	3	4	5						1	2							1			1	2	3	4	5	
6	7	8	9	10	11	12	3	4	5	6	7	8	9	2	3	4	5	6	7	8	6	7	8	9	10	11	12	
13	14	15	16	17	18	19	10	11	12	13	14	15	16	9	10	11	12	13	14	15	13	14	15	16	17	18	19	
20	21	22	23	24	25	26	17	18	19	20	21	22	23	16	17	18	19	20	21	22	20	21	22	23	24	25	26	
27	28	29	30	31			24	25	26	27	28	29		23	24	25	26	27	28	29	27	28	29	30				
														30	31													
May 2020							June 2020							July 2020							August 2020							
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	5							1	2
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
25	26	27	28	29	30	31	29	30						27	28	29	30	31			24	25	26	27	28	29	30	
																					31							

= Schooldays / Weekends

= School holidays

= Bank holidays

**In addition, schools allocate five non-pupil days out of the school days indicated,
or the equivalent in disaggregated twilight sessions.**

Autumn Term:	Tuesday 3 September 2019 – Thursday 19 December 2019 <i>Half Term 28 October – 1 November</i>	73 days
Spring Term:	Monday 6 January 2020 – Friday 3 April 2020 <i>Half Term 17 February - 21 February</i>	60 days
Summer Term:	Monday 20 April 2020 – Wednesday 22 July 2020 <i>Half Term 25 May – 29 May, and May Bank Holiday, 4 May</i>	62 days
		195 days

Please note: The above dates may vary for individual schools, especially Foundation, Voluntary Aided schools and Academies. You are strongly advised to check with your child's school before making any holiday or other commitments.

DRAFT Essex County Council School Term and Holiday Dates for Community and Voluntary Controlled Schools - Academic Year 2019-2020

September 2019							October 2019							November 2019							December 2019						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
						1		1	2	3	4	5	6					1	2	3							1
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29
30																					30	31					
January 2020							February 2020							March 2020							April 2020						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
		1	2	3	4	5						1	2							1			1	2	3	4	5
6	7	8	9	10	11	12	3	4	5	6	7	8	9	2	3	4	5	6	7	8	6	7	8	9	10	11	12
13	14	15	16	17	18	19	10	11	12	13	14	15	16	9	10	11	12	13	14	15	13	14	15	16	17	18	19
20	21	22	23	24	25	26	17	18	19	20	21	22	23	16	17	18	19	20	21	22	20	21	22	23	24	25	26
27	28	29	30	31			24	25	26	27	28	29		23	24	25	26	27	28	29	27	28	29	30			
														30	31												
May 2020							June 2020							July 2020							August 2020						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
				1	2	3	1	2	3	4	5	6	7			1	2	3	4	5						1	2
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
25	26	27	28	29	30	31	29	30						27	28	29	30	31			24	25	26	27	28	29	30
																					31						

= Schooldays / Weekends
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In addition, schools allocate five non-pupil days out of the school days indicated, or the equivalent in disaggregated twilight sessions.

Autumn Term:	Tuesday 3 September 2019 – Thursday 19 December 2019 <i>Half Term 28 October – 1 November</i>	73 days
Spring Term:	Monday 6 January 2020 – Friday 3 April 2020 <i>Half Term 17 February - 21 February</i>	60 days
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		195 days

Please note: The above dates may vary for individual schools, especially Foundation and Voluntary Aided schools and Academies. You are strongly advised to check with your child's school before making any holiday or other commitments.

Southend-on-Sea Borough Council School Term and Holiday Dates for Community and Voluntary Controlled Schools - Academic Year 2018-2019

September 2018							October 2018							November 2018							December 2018						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
					1	2											1	2	3	4						1	2
3	4	5	6	7	8	9	1	2	3	4	5	6	7	5	6	7	8	9	10	11	3	4	5	6	7	8	9
10	11	12	13	14	15	16	8	9	10	11	12	13	14	12	13	14	15	16	17	18	10	11	12	13	14	15	16
17	18	19	20	21	22	23	15	16	17	18	19	20	21	19	20	21	22	23	24	25	17	18	19	20	21	22	23
24	25	26	27	28	29	30	22	23	24	25	26	27	28	26	27	28	29	30			24	25	26	27	28	29	30
							29	30	31												31						
January 2019							February 2019							March 2019							April 2019						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
	1	2	3	4	5	6					1	2	3					1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	4	5	6	7	8	9	10	8	9	10	11	12	13	14
14	15	16	17	18	19	20	11	12	13	14	15	16	17	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	18	19	20	21	22	23	24	22	23	24	25	26	27	28
26	29	30	31				25	26	27	28				25	26	27	28	29	30	31	29	30					
May 2019							June 2019							July 2019							August 2019						
M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S
		1	2	3	4	5						1	2	1	2	3	4	5	6	7				1	2	3	4
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				26	27	28	29	30	31		



= Schooldays / Weekends



= School holidays



= Bank holidays

**In addition, schools allocate five non-pupil days out of the school days indicated,
or the equivalent in disaggregated twilight sessions.**

Autumn Term:	Wednesday 5 September 2018 – Thursday 20 December 2018 <i>Half Term 22 October – 26 October</i>	72 days
Spring Term:	Thursday 3 January 2019 – Friday 5 April 2019 <i>Half Term 18 February - 22 February</i>	62 days
Summer Term:	Tuesday 23 April 2019 – Wednesday 24 July 2019 <i>Half Term 27 May – 31 May, and May Bank Holiday, 6 May</i>	61 days
		195 days

Please note: The above dates may vary for individual schools, especially Foundation and Voluntary Aided schools and Academies. You are strongly advised to check with your child's school before making any holiday or other commitments.

Approved by Cabinet 14/3/2017, 859. <http://democracy.southend.gov.uk/ieListDocuments.aspx?CId=130&MID=2369#A12415>

CABINET

Tuesday, 13th March 2018

COUNCIL PROCEDURE RULE 46

The following action taken in accordance with Council Procedure Rule 46 is reported. In consultation with the appropriate Executive Councillor(s):-

1. The Director for Culture Tourism and Property authorised:

- 1.1 Deed of Variation – HQ Theatres
The signing of the Deed of Variation in respect of the contract with HQ Theatres

2. The Director of Finance and Resources authorised:

- 2.1 Surrender and Renewal of Miller Leisure's Leasehold Interests at Sealife Centre, Eastern Avenue, Southend-on-Sea
Agreement of terms for the surrender and renewal of the main Sealife Adventure lease to enable the extension of the attraction on to land to the east whilst protecting the Council's revenue position and generating a capital receipt.
- 2.2 Grant of agreement for lease of land at East Beach for a Restaurant Development
Approval of updated Heads of Terms (subject to planning) for proposed building agreement and lease for a new restaurant development at East Beach.

3. The Chief Executive authorised:

- 3.1 Memorandum of Understanding to form ASELA
The signing of the memorandum of understanding on behalf of the Council to form the Association of South Essex Local Authorities (ASELA).

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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