

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

10 October 2017

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, **Thursday, 19th October, 2017 at 6.30pm** for the transaction of the following business.

A Griffin
Chief Executive & Town Clerk

AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Youth Mayor and Deputy Youth Mayor Appointments**
- 4 Communications**
- 5 Questions from Members of the Public**
- 6 Questions from Members of the Council**
- 7 Minutes of the Meeting of Council held Thursday 20th July 2017 (Pages 1 - 18)**
Minutes attached
- 8 Minutes of the meeting of Licensing Sub Committee A held Thursday, 27 July 2017 (Pages 19 - 20)**
Minutes attached.
- 9 Minutes of the meeting of Licensing Committee held Thursday, 27 July 2017 (Pages 21 - 22)**
Minutes attached.
- 10 Minutes of the meeting of Development Control Committee held Wednesday, 2 August 2017 (Pages 23 - 50)**
Minutes attached
- 11 Minutes of the meeting of Appeals Committee A held Tuesday, 8 August 2017 (Pages 51 - 52)**
Minutes attached.

- 12 Minutes of the meeting of Licensing Sub-Committee A held Wednesday, 16th August 2017 (Pages 53 - 54)**
Minutes attached.
- 13 Minutes of the meeting of Licensing Sub-Committee B held Thursday, 24 August 2017 (Pages 55 - 56)**
Minutes attached.
- 14 Minutes of the meeting of Licensing Sub-Committee A held Wednesday, 30 August 2017 (Pages 57 - 60)**
Minutes attached.
- 15 Minutes of the meeting of Licensing Committee held Monday, 4 September 2017 (Pages 61 - 62)**
Minutes attached.
- 16 Minutes of the meeting of Audit Committee held Wednesday, 6 September 2017 (Pages 63 - 66)**
Minutes attached.
- 17 Minutes of the meeting of Development Control Committee held Wednesday, 13 September 2017 (Pages 67 - 88)**
Minutes attached.
- 18 Minutes of the meeting of Cabinet Committee held Thursday, 14 September 2017 (Pages 89 - 102)**
Minutes attached
- 19 Minutes of the meeting of Special People Scrutiny Committee held Monday 18th September 2017 (Pages 103 - 106)**
Minutes attached.
- 20 Minutes of the meeting of Cabinet held Tuesday, 19 September 2017 (Pages 107 - 118)**
Minutes attached.
- 21 Minutes of the meeting of Health & Wellbeing Board held Wednesday, 20 September 2017 (Pages 119 - 122)**
Minutes attached
- 22 Minutes of the meeting of Appeals Committee B held Tuesday, 26 September 2017 (Pages 123 - 124)**
Minutes attached.
- 23 Minutes of the meeting of Licensing Sub-Committee B held Thursday, 28 September 2017 (Pages 125 - 126)**
Minutes attached.
- 24 Minutes of the meeting of Development Control held Wednesday, 4 October 2017 (Pages 127 - 144)**
Minutes attached
- 25 Minutes of the meeting of Place Scrutiny Committee held Monday 9th October 2017**
Minutes to follow

- 26 Minutes of the Special Cabinet meeting held Tuesday 10th October 2017**
Minutes to follow
- 27 Minutes of the meeting of People Scrutiny Committee held 10th October 2017**
Minutes to follow
- 28 Minutes of the Policy & Resources Scrutiny Committee held Thursday 12th October 2017**
Minutes to follow
- 29 Opposition Business - To investigate better regulation and management in the private sector housing provision**
- 30 Changes to Membership of Committees and Minor Amendments to the Constitution (Pages 145 - 152)**
Report of the Director of Legal and Democratic Services attached
- 31 Corporate Parenting Group - Change of Membership (Independent Group)**

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 20th July, 2017
Place: Council Chamber - Civic Suite

7

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

Start/End Time: 6.30 pm - 0.45 am

190 Apologies for Absence

Apologies for absence were received from Councillors Borton, Endersby, Hadley, Kenyon, Nevin, Terry, Van Looy and Ward.

191 Declarations of Interest

- **Councillor Arscott**

Development Control Committee – 10th May 2017

Minute 1024 - 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to him and friends own a property nearby;

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Minute 37 - 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest – knows applicant and objectors;

Development Control Committee – 5th July 2017

Minute 122: 16/01475/FULM - Grand Hotel, Broadway, Leigh on Sea – Non-pecuniary interest: Acquainted with various neighbours and business owners in the area;

Minute 123: 16/02045/FULM - Rileys, 258 Leigh Road. Leigh on Sea – Non-pecuniary interest: Acquainted with various neighbours and business owners in the area;

Minute 127: 17/00822/BC3M - Sacred Heart Roman Catholic School, Windermere Road, Southend on Sea – Non-pecuniary interest: Governor of Our Lady of Lourdes Catholic Primary School which is a partner school with Sacred Heart Roman Catholic School;

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals and Governor at Our Lady of Lourdes Catholic Primary School;

Minute 167 - Schools Progress report – non pecuniary – Governor at Our lady of Lourdes Catholic Primary School;

- **Councillor Aylen**

People Scrutiny Committee – 11th July 2017

Minute 162 – School Admission Arrangements – non-pecuniary – lives in area affected by proposals;

- **Councillor Ayling**

Development Control Committee – 10th May 2017

Minute 1030 - 16/02195/FUL – Nova Car Sales, 840 - 846 London Road, Leigh on Sea – Non-pecuniary interest: Applicant is known to him;

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Minute 44 - 17/00769/AMDT – 40 Westbury Road, Southend SS2 4DP – non-pecuniary interest – contacted Planning Inspectorate on application;

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was not debated;

- **Councillor Borton**

Development Control Committee – 10th May 2017

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Place Scrutiny Committee – 10th July 2017

Minute 147 - Growth Strategy – Non-pecuniary interest: Works for the DWP and the Job Centre was mentioned in the debate;

- **Councillor Boyd**

Development Control Committee – 5th July 2017

Minute 122: 16/01475/FULM - Grand Hotel, Broadway, Leigh on Sea – Non-pecuniary interest: Owns a property in the general vicinity;

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas referred to in Model A - withdrew from meeting during consideration of the item;

Minutes 163 - Grammar School Strategy; Minute 164 - Provision of Secondary Places and Minute 167 - School Progress report – non-pecuniary interest – Governor at Westcliff High School for Girls and South East Essex Academy Trust, South East Essex Teaching School Alliance;

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was not debated;

- **Councillor Bright**

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – uncle is on Board of Governors at West Leigh School;

- **Councillor Buckley**

Development Control Committee – 10th May 2017

Minute 1034 - 17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea – Disqualifying non-pecuniary interest: Aware of the objections prior to substituting on the Committee (withdrew);

Development Control Committee – 10th May 2017

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Minute 39 - 17/00213/FULM – RBS Card transactions Centre, Thanet Grange, SS0 0EN – non-pecuniary interest – known to objector on different matter;

Minute 45 - 17/00444/FUL – 79 Orchard Grove, Eastwood, Leigh-on-Sea SS9 5TP – withdrew;

Council – 20th July 2017

Minute 193 – Questions from Public (Mr Allen) – non-pecuniary interest – knows Mr Allen and he was a member of the Conservative St Laurence Committee;

- **Councillor Burzotta**

Place Scrutiny Committee – 10th July 2017

Minute 145 - Tourism Strategy – Non-pecuniary interest: Family business in the Town Centre;

- **Councillor Butler**

Development Control Committee – 10th May 2017

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Minute 37 - 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest – friend;

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals;

- **Councillor Byford**

Place Scrutiny Committee – 10th July 2017

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

- **Councillor Chalk**

Development Control Committee – 10th May 2017

Minute 1023 – Shoeburyness Sorting Office – non-pecuniary interest – Ward Councillor for Shoeburyness;

Minute 1026 (Asda, North Shoebury Road) and Minute 1027 (Asda, North Shoebury Road) – non-pecuniary interest – Ward Councillor for Shoeburyness;

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – Governor at school in Borough;

- **Councillor Courtenay**

People Scrutiny Committee – 11th July 2017

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

- **Councillor Cox**

Place Scrutiny Committee – 10th July 2017

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

Minute 145 - Tourism Strategy – Non-pecuniary interest: Member of Shoeburyness Coastal Community Team;

- **Councillor Davies**

Council – 20th July 2017

Minute 219 – Opposition Business – non-pecuniary interest – private tenant;

- **Councillor Davidson**

Health & Wellbeing Board – 21st June 2017

Minute 92 (STP Pre-Consultation Business Case Briefing) – non-pecuniary interest – Council appointed Governor at Southend Hospital NHS Trust.

Audit Committee – 28th June 2017

Minute 110 - South Essex Homes Annual Governance Statement 2016/17 – Board Member of South Essex Homes – Disqualifying non-pecuniary interest (was able to participate in the debate and vote by virtue of the dispensation agreed by the Standards Committee at its meeting held on 28th February 2017);

All minutes/matters in so far as they relate to Southend Health and Wellbeing Board – Member of Southend Health and Wellbeing Board – Non-pecuniary interest;

Policy & Resources Scrutiny Committee – 13th July 2017

Minute 184 - Housing Investment Company — Disqualifying non-pecuniary interest - Board Member of South Essex Homes (was able to participate in the debate and vote by virtue of the dispensation agreed by the Standards Committee at its meeting held on 28th February 2017).

- **Councillor Endersby**

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals;

- **Councillor Evans**

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas referred to in Model A - withdrew from meeting during consideration of the item;

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was withdrawn from the agenda;

- **Councillor Flewitt**

Development Control Committee – 14th June 2017

Minute 37: 17/00234 – Haydon House, 10 Underwood Square – non-pecuniary interest – Has had discussions as Portfolio holder with planning officers following lobbying from members (took no part in the decision);

Audit Committee – 28th June 2017

Minute 110 – South Essex Homes Annual Governance Statement – non-pecuniary interest – Portfolio holder for Housing and friends and relatives are tenants of SEH Ltd;

Minute 116 – Head of Internal Audit Annual Report – non-pecuniary interest – Portfolio holder for housing and a forthcoming report as to Governance/Audit across the Council (this is also cross referenced to Minute 184 (Housing Investment Company) set out below;

Policy & Resources Scrutiny Committee – 13th July 2017

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

Minute 184 – Housing Investment Company – non-pecuniary interest – Portfolio Holder for Housing and cross referenced to Minute 116 above;

Council – 20th July 2017

Minute 193 – Public Questions (Mr Allen) – non-pecuniary interest – Mr Allen is known to him and lives in the vicinity;

- **Councillor Folkard**

Development Control Committee – 10th May 2017

Minute 1027 - 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;

Minute 1028: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;
Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

- **Councillor D Garston**

Development Control Committee – 10th May 2017

Minute 1026 - 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Owns a property nearby;
Minute 1027 - 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Owns a property nearby;
Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Development Control Committee – 5th July 2017

Minute 122: 16/01475/FULM - Grand Hotel, Broadway, Leigh on Sea – Non-pecuniary interest: Lives in the general vicinity and the premises was referred to by the objector in his address to the Committee;

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas referred to and also son has a property in Leigh (withdrew);

Policy & Resources Scrutiny Committee – 13th July 2017

Minute 184 - Housing Investment Company – non-pecuniary – owns one property to let;

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was not debated;

- **Councillor J Garston**

Development Control Committee – 10th May 2017

Minute 1027: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda
Minute 1028: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Customer at Asda;
Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.
Minute 38 – 16/00001/UNAU_B – Flat 1, 14 Park Road, Westcliff-on-Sea SS0 7RE – non pecuniary interest – lives in a Conservation area;

Development Control Committee – 5th July 2017

Minute 122: 16/01475/FULM - Grand Hotel, Broadway, Leigh on Sea – Non-pecuniary interest: Family member lives in the general vicinity and the premises was referred to by the objector in his address to the Committee;

People Scrutiny Committee – 11th July 2017

Minute 162 – School Admission Arrangements – non-pecuniary interest – father lives in the area affected by the proposals;

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was not debated;

- **Councillor Hadley**

Development Control Committee – 10th May 2017

Minute 1027: 17/00446/FULM - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Lives nearby;

Minute 1028: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Lives nearby;

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was not debated;

- **Councillor Holland**

Cabinet – 20th June 2017

Minute 65 (In-Depth Scrutiny Report: Additional Enforcement Resources for Southend) – non-pecuniary interest – Vice-Chair of Essex Fire Authority and her son works for Essex Police; and Minute 74 (Housing Investment Company) – non-pecuniary interest – son works in the Department for People;

Place Scrutiny Committee – 10th July 2017

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

Minute 144 - In-depth Scrutiny Final Report – To investigate the case for additional enforcement resources for Southend – Non-pecuniary interest: Son is a Police Officer;

Minute 145 - Tourism Strategy – Non-pecuniary interest: Proposed Council appointee to the North Thames Fisheries Local Action Group Board;

Policy & Resources Scrutiny Committee – 13th July 2017

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

Policy & Resources Scrutiny Committee – 13th July 2017

Minute 179 - in depth scrutiny report – non-pecuniary – son is a Police Officer;

- **Councillor Jarvis**

Place Scrutiny Committee – 10th July 2017

Minute 145 - Tourism Strategy – Non-pecuniary interest: Member of Shoeburyness Coastal Community Team;

Minute 149 - Museums Disposal Policy – Non-pecuniary interest: Director of Pier Museum Trust;

- **Councillor Jones**

Development Control Committee – 10th May 2017

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Minute 79 (Provision of Secondary School Places) and Minute 89 (Provision of Secondary School Places in Southend: Free School Site) – non-pecuniary interest – has a child in secondary school;

Audit Committee – 28th June 2017

Minute 109 - The Forum Governance Arrangements – Previous Member of the Forum Board – Non-pecuniary interest;

Minute 113 - Internal Audit Service, Quarterly Performance Report – Son worked for the National Crime Agency – Non-pecuniary interest

People Scrutiny Committee – 11th July 2017

Minute 164 - Secondary School Places and Minute 165 - Council Procedure Rule 46 – non-pecuniary interest – child attends St Bernard's School;

- **Councillor Lamb**

Health & Wellbeing Board – 21st June 2017

Minute 92 (STP Pre-Consultation Business Case Briefing) – non-pecuniary interest – SAVS appointed Governor at Southend Hospital NHS Trust;

Place Scrutiny Committee – 10th July 2017

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

Place Scrutiny Committee – 10th July 2017

Minute 145 - Tourism Strategy – Non-pecuniary interest: Director of Leigh Port Partnership;

People Scrutiny Committee – 11th July 2017

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

Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals; Governor at West Leigh School;

Policy & Resources Scrutiny Committee – 13th July 2017

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

- **Councillor McMahon**

Policy & Resources Scrutiny Committee – 13th July 2017

Minute 178 - MPR – non-pecuniary – co founder HARP, which was mentioned during discussion;

- **Councillor Moring**

Policy & Resources Scrutiny Committee – 13th July 2017

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

- **Councillor Moyies**

Audit Committee – 28th June 2017

All minutes/matters relating to Southend Health and Wellbeing Board – Member of Southend Health and Wellbeing Board – Non-pecuniary interest;

All minutes/matters relating to Essex Partnership University NHS Foundation Trust – Council appointed representative of Essex Partnership University NHS Foundation Trust – Non-pecuniary interest;

- **Councillor Mulroney**

Development Control Committee – 10th May 2017

Minute 1024: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to her, Member of Leigh Town Council (non-participant in planning), the Town Council are lessees of Strand Wharf and Trustee of the Heritage Centre which is close to the site;

Minute 1030: 16/02195/FUL – Nova Car Sales – 840-946 London Road, Leigh-on-Sea – non-pecuniary interest – Member of Leigh Town Council (non-participant in planning) who were consultees;

Minute 1032: 17/00181/FUL – 188 Leigh Road, Leigh-on-Sea – non-pecuniary interest – Member of Leigh Town Council (non-participant in planning) who were consultees;

Minute 1034: 17/00444/FUL - 79 Orchard Grove, Eastwood, Leigh on Sea – Non-pecuniary interest: Objector is the Chaplain to Leigh Town Council;

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Minute 37 – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB - non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); some of background information provided was from Leigh Society (historical);

Minute 45 - 17/00444/FUL – 79 Orchard Grove, Eastwood, Leigh-on-Sea SS9 5TP – non-pecuniary interest – knows objector.

Cabinet – 20th June 2017

Minute 63 – (Notice of Motion: Muscular Dystrophy and Mobility) – Non-pecuniary interest – close relative has muscular dystrophy;

Minute 77 – School Admissions Arrangements – non-pecuniary interest - owner of a property directly affected by a potential change in one of the catchment areas referred to in Model A* (see note below);

Development Control Committee – 5th July 2017

Minute 122: 16/01475/FULM - Grand Hotel, Broadway, Leigh on Sea – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

Minute 123: 16/02045/FULM - Rileys, 258 Leigh Road. Leigh on Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning).

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas referred to in Model A - withdrew from meeting during consideration of the item;

*a non-pecuniary interest was declared at Cabinet but on the advice of the Director of Legal & Democratic Services after the meeting this interest could be deemed to be a pecuniary interest).

- **Councillor Nevin**

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals;

People Scrutiny Committee – 11th July 2017

Minute 168 - Scrutiny Committee Updates – non-pecuniary - Previous employee at Southend Hospital; NHS Employee at Barts; 2 children work at MEHT and sister works for the Department of Health;

- **Councillor Norman**

Development Control Committee – 10th May 2017

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas referred to in Model A - withdrew from meeting during consideration of the item;

- **Councillor Phillips**

People Scrutiny Committee – 11th July 2017

Minute 162 – School Admissions Arrangements – School Admission Arrangements – pecuniary interest – owner of a property directly affected by a potential change in one of the catchment areas referred to in Model A - withdrew from meeting during consideration of the item;

- **Councillor Robinson**

Council – 20th July 2017

Minute 219 – Opposition Business – non-pecuniary interest – tenant in private sector housing;

- **Councillor Salter**

Health & Wellbeing Board – 22nd March 2017

Minute 882 (Health Indicators) and Minute 886 (Health & Social Care Integration Next Steps) – Non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital

Health & Wellbeing Board – 21st June 2017

Minute 89 (A Greater Focus – Refreshing Southend's Health & Wellbeing Strategy); Minute 92 (STP Pre-Consultation Business Case) – non-pecuniary interest – husband is consultant surgeon at Southend Hospital and holds senior posts at the hospital; son-in-law is a GP; daughter is a doctor at Broomfield Hospital;

People Scrutiny Committee – 11th July 2017

Interest in the called in / referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011; Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals;

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was not debated;

- **Councillor Van Looy**

Development Control Committee – 10th May 2017

Minute 1024: 17/00248/BC4M – Theobalds Wharf, Alley Dock, Leigh on Sea – Non-pecuniary interest: Applicant is known to him;
Minute 1027: 17/00368/ADV - Asda, North Shoebury Road, Shoeburyness – Non-pecuniary interest: Applicant is known to him;
Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

- **Councillor Ward**

Minute 37 – 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB - worked for applicant and knows owner – withdrew;

- **Councillor Walker**

Development Control Committee – 10th May 2017

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.
Minute 37 - 17/00234/FUL – Haydon House, 10 Underwood Square SS9 3PB – non-pecuniary interest - friend living in Underwood Square and Lime Avenue;

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – wife is teacher at West Leigh School;

- **Councillor Waterworth**

Development Control Committee – 10th May 2017

Minute 1029: 17/00104/BC4 - SBC Shelter and Public Conveniences at Junction of Thorpe Hall Avenue and Thorpe Esplanade, Southend on Sea – Non-pecuniary interest - the Chairman for the Applicants was a fellow Councillor.

Council – 20th July 2017

Minute 219 – Opposition Business – pecuniary interest – private landlord in the borough – intended to withdraw but the matter was not debated;

- **Councillor Wexham**

Minute 80 (Tourism Strategy) – non-pecuniary interest – Chair of Community Coastal Team;

Place Scrutiny Committee – 10th July 2017

Minute 145 - Tourism Strategy – Non-pecuniary interest: Member of the North Thames Fisheries Local Action Group and Leigh Coastal Community Team.

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals;

- **Councillor Willis**

Audit Committee – 28th June 2017

All minutes/matters relating to Southend Health and Wellbeing Board – Member of Southend Health and Wellbeing Board – Non-pecuniary interest.

People Scrutiny Committee – 11th July 2017

Minute 162 - School Admission Arrangements – non-pecuniary – lives in area affected by proposals;

- **Councillor Woodley**

Council – 20th July 2017

Minute 221 – Woodgrange Close Railway Level Crossing Closure – non-pecuniary interest – shareholder and member of Thorpe Hall Golf Course;

192 Communications

Councillors Hadley and Ware-Lane

The Worshipful the Mayor, on behalf of the Council, extended her best wishes to Councillor Roger Hadley who recently came out of hospital and welcomed Councillor Ware-Lane to the meeting who had also recently been in hospital.

Appointments

The Council noted the appointment of Mr Tim Watts as a non-voting co-opted member representing Southend Carers Forum to the membership of the People Scrutiny Committee.

193 Questions from Members of the Public

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

194 Questions from Members of the Council

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

195 Minutes of the Special Meeting held on Thursday 20th April 2017

Resolved:-

That the Minutes of the Special Meeting held on Thursday 20th April 2017 be confirmed as a correct record and signed.

196 Minutes of the meeting held on Thursday 20th April 2017

Resolved:-

That the Minutes of the meeting held on Thursday 20th April 2017 be confirmed as a correct record and signed.

197 Minutes of the meeting held on Thursday 11th May 2017

Resolved:-

That the Minutes of the Annual Council meeting held on Thursday 11th May 2017 be confirmed as a correct record and signed.

198 Minutes of the meeting held on Thursday 18th May 2017

Resolved:-

That the Minutes of the appointments meeting held on Thursday 18th May 2017 be confirmed as a correct record and signed.

199 Minutes of the Special meeting held on Thursday 15th June 2017

Resolved:-

That the Minutes of the Special Meeting held on Thursday 15th June 2017 be confirmed as a correct record and signed.

200 Petition - One Way System and Daytime Parking in Windsor and Osborne Roads

Councillor D Norman presented a petition on behalf of local residents requesting the Council to make Windsor Road and Osborne Road a one way street and to introduce daytime parking.

Resolved:

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

201 Petition - To make Hadleigh Road One Way System

Councillor Mulronee presented a petition on behalf of local residents requesting the Council to make Hadleigh Road a one way street.

Resolved:

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

202 Minutes of the meeting of Health & Wellbeing Board held Wednesday, 22 March 2017

Resolved:

That the minutes of this meeting be noted.

203 Minutes of the meeting of Licensing Sub Committee B held Thursday, 4 May 2017

Resolved:

That the minutes of this meeting be noted.

204 Minutes of the meeting of Licensing Sub Committee A held Monday, 8 May 2017

Resolved:

That the minutes of this meeting be noted.

205 Minutes of the meeting of Development Control Committee held Wednesday, 10 May 2017

Resolved:

That the minutes of this meeting be noted.

206 Minutes of the meeting of Licensing Sub Committee A held Monday, 5 June 2017

Resolved:

That the minutes of this meeting be noted.

207 Minutes of the meeting of Development Control held Wednesday, 14 June 2017

Resolved:

That the minutes of this meeting be noted.

208 Minutes of the meeting of Appeals Committee A held Thursday, 15 June

2017

Resolved:

That the minutes of this meeting be noted.

209 Minutes of the meeting of Cabinet held Tuesday, 20 June 2017

The Council was advised that there were two minor amendments to the Cabinet minutes. The Tourism Strategy (Minute 81) should be listed as an Executive Function and the Gas Works Site (Minute 88) listed as a Council Function.

Resolved:

That the minutes of this meeting, subject to the minor amendments to Minute 81 (Tourism Strategy) and Minute 88 (Gas Works Site) be noted, and the recommendations contained in Minutes 76 and 83 be approved.

210 Minutes of the meeting of the Health & Wellbeing Board held Wednesday, 21 June 2017

Resolved:

That the minutes of this meeting be noted.

211 Minutes of the meeting of Licensing Sub Committee B held Friday, 23 June 2017

Resolved:

That the minutes of this meeting be noted.

212 Minutes of the meeting of Licensing Sub Committee A held Tuesday, 27 June 2017

Resolved:

That the minutes of this meeting be noted.

213 Minutes of the meeting of the Audit Committee held on Wednesday 28th June 2017

Resolved:

That the minutes of this meeting be noted.

214 Minutes of the meeting of Development Control Committee held on Wednesday 5th July 2017

Resolved:

That the minutes of this meeting be noted.

215 Minutes of the meeting of Appeals Committee B held Thursday 6th July 2017

Resolved:

That the minutes of this meeting be noted.

216 Minutes of the meeting of Place Scrutiny Committee held Monday 10th July 2017

The Council was advised of an amendment to Minute 80 (Tourism Strategy) which should be listed as an Executive Function.

Resolved:

That the minutes of this meeting, subject to the amendment to Minute 80 (Tourism Strategy), be noted and the recommendations contained in Minutes 144, 146 and 148, be approved.

217 Minutes of the meeting of People Scrutiny Committee held Tuesday 11th July 2017

The Worshipful the Mayor withdrew from the meeting for consideration of Minute 162 (School Admission Arrangements) and the Deputy Mayor was in the Chair.

During consideration of Minute 170 the hour of 11.00pm had been reached and in accordance with Council Procedure 1.7 the remaining business on the agenda was proceeded with.

Resolved:

That the minutes of this meeting be noted.

218 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday 13th July 2017

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minutes 180, 181, 182, 183, 184, be approved.

219 Opposition Business - To investigate better regulation and management in the private sector housing provision

This item was withdrawn from the Agenda.

220 Changes to the Constitution

The Council considered a report of the Director of Legal & Democratic Services setting out minor changes to the Constitution in relation to the Chief Officer post of Deputy Director of Public Health (Improvement) in order to reflect a restructuring of the Council's Public Health Senior Management Team, following a recent review.

Resolved:

1. That the Chief Officer post of Deputy Director of Public Health (Improvement) be deleted and that a new fourth tier post of Consultant in Public Health be established.

2. That consequential amendments be made to the following parts of the Constitution as set out in Appendix 1 to the submitted report:

- Part 3 Schedule 3 – Delegations to Officers;
- Part 4(b) – Officer Employment Procedure Rules;
- Part 7 – Composition of the Council and Management Structure.

221 Woodgrange Close Railway Level Crossing Closure - Notice of Objection by Southend-on-Sea Borough Council

The Council considered a report of the Deputy Chief Executive (Place) seeking the Council's approval to formally object to the proposed closure of the railway level crossing at Woodgrange Close in accordance with the procedures of section 239 of the Transport and Works Act 1992.

In view of the legislative requirements which require at least 26 Councillors to vote in favour of the resolution, the voting by show of hands was 36 for and 2 against. It was therefore:

Resolved:

1. That the Council's objection to the Order to close the railway level crossing at Woodgrange Close be confirmed.

2. That the Council submits such written evidence as may be required to oppose the application to close the crossing.

222 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.

223 Minute 172 of People Scrutiny Committee held on Tuesday 11th July 2017

Resolved:

That Minute 172 of People Scrutiny Committee held on Tuesday 11th July 2017, be noted.

224 Minute 189 of Policy & Resources Scrutiny Committee held on Thursday 13th July 2017

In response to a question the Leader confirmed that the next phase of City Beach will involve or include land to the east of the Kursaal.

Resolved:

That the recommendations contained in Minute 189, be approved.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Thursday, 27th July, 2017

Place: Committee Room 1 - Civic Suite

8

Present: Councillor R Hadley (Chair)
Councillors D McGlone (Vice-Chair) and D Kenyton

In Attendance: R Harris, M Newton and A Penn

Start/End Time: 10.00 am - 12.00 pm

225 Apologies for Absence

There were no apologies for absence at this meeting.

226 Declarations of Interest

There were no declarations of interest at this meeting.

227 Southend-on-Sea Beach (East of Sealife Centre), Eastern Esplanade, Southend-on-Sea, Essex - Temporary Event Notice Subject to Objection Notice from the Responsible Authorities

The Sub-Committee received a report of the Deputy Chief Executive (Place) concerning an application that had been made by Mr Michael Mansaray for the grant of a Temporary Event Notice (TEN) made under Section 100 of the Licensing Act 2003 in respect of Southend-on-Sea Beach (west of the Sealife Centre), Eastern Esplanade, Southend-on-Sea, Essex.

The application was presented by Mr Mansaray (event organiser) who was supported by Mr Williams. The applicant sought the TEN for the following:

- a) An event held on the beach located westwards of the Sea Life Centre on Eastern Esplanade;
- b) The licensable activity applied for is regulated entertainment from 10:00 hours to 19.30 hours Saturday 5th August 2017.
- c) The maximum number of people listed as attending the event is to be 499.

The Sub Committee noted that objections had been received from one of the Responsible Authorities, namely Essex Police. The concerns related to all four of the licensing objectives. PC Hemsworth attended the hearing and gave evidence in support of the objection.

The Sub Committee considered all the evidence and submissions that had been made at the meeting and the written documentation that had been presented prior to the hearing. The Sub Committee also had regard to the National Guidelines and the Borough Council's Statement of Licensing Policy and considered the four licensing objectives, namely the prevention of crime and

disorder, public safety, the prevention of public nuisance and the protection of children from harm, in so far as they relate to this application.

In view of this and on the basis of the evidence presented to them, the Sub Committee considered that the applicant had failed to address the four licensing objectives, for the following reasons:-

- a) Inadequate planning for the event;
- b) Lack of an effective management plan;
- c) The number of people attending the event are likely to exceed the maximum numbers permitted for a TEN (499);
- d) Lack of effective stewarding for the event;
- e) Uncertainty as to the location of the event with no defined area specified and affected by incoming tide;
- f) Imprecise information regarding coach parking and transport to the event;

It was therefore:-

Resolved:

That the application for a Temporary Event Notice made by Mr Mansaray for Southend-on-Sea Beach, west of the Sealife Centre, Eastern Esplanade, Southend-on-Sea, Essex, be refused, and a Counter Notice be issued to prevent the temporary event taking place.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Committee

Date: Thursday, 27th July, 2017

Place: Committee Room 4a - Civic Suite

9

Present: Councillor R Hadley (Chairman)
Councillors D McGlone (Vice-Chair), B Ayling, S Buckley, M Butler,
T Callaghan, N Folkard, S Habermel, D Kenyon, C Mulroney,
G Phillips and J Ware-Lane

In Attendance: Councillor Jones
R Harris, A Penn and M Newton

Start/End Time: 10.00/12.00

228 Apologies for Absence

Apologies for absence were received from Councillors Borton and Jarvis (no substitute).

229 Declarations of Interest

The following members declared interests:

(a) Councillor Jones – Minute *** (The Cornucopia Public House) – non-pecuniary interest – lives in the area;

(b) Councillor McDonald – Minute *** (The Cornucopia Public House) – non-pecuniary interest – has made representations against the application and attended the hearing as an objector;

230 Minutes of the Meeting held on Friday 3rd March 2017

Resolved:-

That the Minutes of the Meeting held on Friday 3rd March 2017, be confirmed as a correct record and signed.

231 The Cornucopia Public House, 39 Marine Parade, Southend-on-Sea, Essex - Application for the Renewal and Variation of a Sexual Entertainment Venue Licence

The Committee received a report of the Deputy Chief Executive (Place) concerning an application that had been made by Mr Stimson for a Sexual Entertainment Venue Licence in respect of The Cornucopia Public House, 39 Marine Parade, Southend-on-Sea, Essex, SS1 2EN.

The application was presented by Mrs Stimson (licensee) and her son Mr Stimson (applicant). Staff from the premises were also present.

The Committee noted that no objections to the application were received from the Police. Two representations had, however, been received from local residents. One of the residents attended the hearing and gave evidence.

The Committee considered all the evidence and submissions that had been made at the meeting and the written reports and documentation that had been presented prior to the hearing. The Committee also had regard to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (adopted pursuant to the Police and Crime Act 2009) and the Council's Policy for controlling sex establishments.

Resolved:

That the application for a Sexual Entertainment Venue Licence in respect to The Cornucopia Public House, 39 Marine Parade, Southend-on-Sea, Essex, SS1 2EN, be granted, subject to:

1. The relevant standard operating conditions to the current licence in Appendix 1 to the report of the Deputy Chief Executive (Place);
2. The following additional conditions:
 - A secondary barrier across the main entrance to further obscure the view into the premises;
 - The provision of a segregated private dressing room to be used as the dancers changing room;
 - The SEV Licence shall ensure that a minimum of two SIA Registered Door Supervisors are working at the premises while relevant entertainment is provided.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 2nd August, 2017
Place: Committee Room 1 - Civic Suite

10

Present: Councillor F Waterworth (Chair)
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, H Boyd,
S Buckley, M Butler*, T Callaghan, L Davies*, N Folkard, R Hadley,
H McDonald, D McGlone*, C Mulroney, D Norman MBE and N Ward
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors L Salter
J K Williams, K Waters, C Galforg, M Warren and T Row

Start/End Time: 2.00 p.m. - 3.05 pm

232 Apologies for Absence

Apologies for absence were received from Councillor Borton (no substitute), Councillor J Garston (Substitute: Councillor Butler), Councillor Van Looy (Substitute: Councillor Davies) and Councillor Walker (Substitute: Councillor McGlone).

233 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Buckley – 17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea – Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);

(b) Councillor McGlone – 17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea – Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);

(c) Councillor Mulroney – 17/00303/FUL - 1333 London Road, Leigh on Sea - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); and

(d) Councillor Mulroney – 17/00875/FUL - 1379-1387 London Road, Leigh on Sea - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning)

234 Minutes of the meeting held on Wednesday 10th May 2017

Resolved: That the Minutes of the meeting held on Wednesday 10th May 2017 be received, confirmed as a correct record and signed.

235 Minutes of the meeting held on Wednesday, 14th June 2017

Resolved: That the Minutes of the meeting held on Wednesday 14th June 2017 be received, confirmed as a correct record and signed.

236 Minutes of the meeting held on Wednesday, 5th July 2017

Resolved: That the Minutes of the meeting held on Wednesday 5th July 2017 be received, confirmed as a correct record and signed.

237 Supplementary Report

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

**238 17/00303/FUL - 1333 London Road, Leigh on Sea (Belfairs Ward)
Proposal: Erect part three/part four storey rear extension, form third and fourth floors to form six self-contained flats, alter elevations, layout parking and bin store and form vehicular access onto Tankerville Drive
Applicant: Mr M Saunders
Agent: Town Planning Experts**

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

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

01 The proposed development would by reason of its design, height, scale, bulk, appear as an overly dominant and incongruous addition that is out of keeping with and detrimental to the character and appearance of the host property, the streetscene and the area more widely. This is contrary to the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

02 The proposed development would by reason of its siting, size, bulk, massing and scale result in a visually obtrusive and overbearing form of development which causes an unacceptable sense of enclosure to the detriment of amenities enjoyed by existing occupiers of 7 Tankerville Drive contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of Development Management Document (2015), and the advice contained within the Design and Townscape Guide (2009).

03 The proposal would, by reason of the limited internal size of a number of the dwellings and the provision of insufficient outdoor amenity space and refuse and cycle storage, result in a poor quality living environment for future occupiers to the detriment of their amenity. This would be contrary to National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007), policies DM1, DM3 and DM8 of the Development Management Document (2015) and the guidance contained within the National Technical Housing Standards (2015).

04 The proposed development, by reason of the insufficient provision of parking, would cause additional on street parking in an area of existing parking stress to the detriment highway safety and the local highway network, contrary to the guidance contained within the National Planning Policy Framework Section 4, Development Management Document (2015) Policy DM15 and Core Strategy (2007) policy CP3.

05 The proposed vehicular crossover, by reason of the extent of hardstanding proposed and its proximity to existing street trees, would be likely to result in their loss. This would be detrimental to the visual amenities of the streetscene contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

Informative

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

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

239 17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea (St Laurence Ward)

Proposal: Demolish existing garages, erect 2no three storey buildings comprising 12 self-contained flats, three terraced dwelling houses, hard and soft landscaping, associated parking, bin and cycle store, form vehicular access on to Rochford Road

Applicant: Mr. T. Holland (Southend-on-Sea Borough Council)

Agent: Mr. S. Lewis (AK Design Partnership LLP)

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 3679-7.105 PL1 Existing site plan, key plan, location plan & existing garage elevations; 3679-7-106. PL2 Proposed site plan; 3679-7-107 PL2 Proposed floorplans and elevations; 3679-7-108 PL1 Existing and proposed street scenes; 3679-7.109 PL1 Proposed shed, cycle/bin stores and floorplans/elevations; 3679-7-110 PL1 Proposed landscaping plan.

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

03 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of the materials details of which are shown on the plans and Rochford Road Planning Statement for pre commencement conditions dated June 2017 hereby approved.

Reason: To safeguard character and appearance of surrounding area in accordance with policies DM1 and DM3 of the Development Management Document and KP2 and CP4 of the Core Strategy.

04 The development hereby approved shall be carried in accordance with drawings 3679-7.105 Existing Site Plan and 3679-7 in relation to the highways works in relation to the new access road to the development. The works shall thereafter be undertaken in accordance with the approved details and completed prior to first occupation of the development hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with Core Strategy (2007) policy KP2, CP3, CP4; Development Management Document (2015) policies DM13 and the advice contained within the Design and Townscape Guide (2009).

05 The development shall not be occupied until 20 car parking spaces have been provided at the site in accordance with drawing 3679-7.106 PL2 Proposed Site Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy (2007) and policy DM15 of the Council's Development Management Document (2015).

06 Prior to their occupation the proposed development the first floor and second windows in the flank elevations of the flats and houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

07 The soft and hard landscape works shall be carried out in accordance with drawing 3679-7.110 Revision PL1 and external material and boundary treatment samples and Rochford Road Planning Statement for pre commencement conditions dated June 2017.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management Document (2015).

08 All planting in the approved landscaping scheme shall be carried out within the first planting season following the completion of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the local planning authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management (2015).

09 Prior to occupation of the development hereby approved a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4, policy DM2 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

10 Prior to the occupation of the development hereby approved the bicycle stores as shown on drawing 3679-7-109 PL1, shall be implemented and made available for use prior to the first occupation of the flats and dwellinghouses hereby approved to provide one cycle space per dwelling.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy (2007) and policy DM15 of the Development Management Document (2015).

11 No development other than the highway works shown on plan 369-7.105, demolition and site clearance works shall take place until details of the

implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details before the development is occupied and brought into use and be maintained as such thereafter. Those details shall include:

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

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

iii) a timetable for its implementation; and

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

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

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

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

13 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 2 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user

dwellings' and the remaining houses and flats comply with building regulation part M4(2) 'accessible and adaptable dwellings'.

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

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

15 Prior to installation of any external lighting, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

16 The development shall not be occupied until the refuse store as shown on drawing 3679-7-109 PL1 have been installed. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

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

Informatives

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

amount, when this is payable and when and how exemption or relief on the charge can be sought.

02 Due to the time constraints and work programme it will be necessary to carry out the highway works through the tendered highways framework contract.

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

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

240 17/00875/FUL - 1379 - 1387 London Road, Leigh on Sea (Belfairs Ward)
Proposal: Demolish existing buildings, erect 8 no three storey terraced dwelling houses, layout parking and amenity space
Applicant: Mr Melvin Mason
Agent: SKArchitects

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 431 P01 Location and Site Plans; 431 P02 Existing Elevations; 431 P03 Proposed Elevations; 431 P06; 204 P04 Proposed Floor Plans; 204 P05 Visuals.

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

03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, windows, doors, roofs,

balustrades to roof terraces, porches, paving, window detailing including brick surround and reveals, brick banding, guttering, balcony hoods and any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area and relates to the host buildings at the application site. In accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

04 The 16 parking spaces (2 per dwelling) shown on the plan 431P01 (Site and Block Plans) hereby approved shall be provided in accordance with plan 431P01 prior to the first occupation of the building hereby approved. Subsequently, the parking spaces shall be retained in perpetuity and only used by the occupants of dwellings hereby approved and their visitors.

Reason: To ensure that adequate parking is provided at the site. In accordance with the National Planning Policy Framework, policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

05 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i) proposed finished site levels or contours;
- ii) means of enclosure, of the site including any gates or boundary fencing;
- iii) car parking layouts;
- iv) other vehicle and pedestrian access and circulation areas;
- v) hard surfacing materials;
- vi) minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii) details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- viii) details of measures to enhance biodiversity within the site;
- ix) details of the external amenity areas.

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1), policy DM2 of the Development Management Document DPD2.

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

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

08 Prior to the first occupation of the dwellings hereby approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwellings hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM3, DM8 and DM15 of DPD2 (Development Management).

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

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

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

Reason: To safeguard the amenity of neighbours and the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy.

11 Prior to their occupation the development hereby approved the ground and first floor windows in the flank elevations (east and west) of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

12 No meter boxes, flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes are allowed to be attached to the outside of the building facing the street unless they are shown on approved drawings or unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area and relates to the host buildings at the application site. In accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

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

hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

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

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

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

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

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

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

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

16. Prior to the commencement of development, sections and design details at a scale of not less than 1:20 for: the brick framing to the windows, doors and porches (including reveals), parapet details, balustrade arrangement and brick banding shall be submitted and agreed in writing with the Local Planning Authority.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (2009)

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

Informatives

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

02 Consent is given to this development on the condition that a new metered water supply is provided for each new dwelling for revenue purposes for Essex and Suffolk Water.

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

241 17/00908/FUL - 1 - 3 First Avenue, Westcliff on Sea (Chalkwell Ward)
Proposal: Demolish former nursing home and erect eight dwellings comprising of three blocks, layout 16 parking spaces, amenity space to rear, form hard and soft landscaping and install two vehicular accesses onto First Avenue
Application: Childs Property Limited
Agent: SKArchitects

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

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

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

02 The development shall be carried out in accordance with the approved plans: P01 Revision A Site and Block Plans; P02 Revision D Site Plan; P04 Houses 1-3 Floor Plans; P05 Houses 1-3 Floor Plans and Typical Section; P06 Houses 4-6 Floor Plans; P07 Houses 4-6 Floor Plans and Sections; P08 Houses 7-8 Floor Plans; P09 Houses 7-8 Floor plans and sections; P10 Houses 1-3 External Elevations; P11 Houses 4-6 External Elevations; P12 Houses 7-8 External Elevations; P21 Street Elevations Proposed; P31 Houses 1-3 Part M Compliance; P32 Houses 1-3 Part M Compliance; P33 Houses 4-6 Part M Compliance; P35 Houses 7-8 Part M Compliance; P40 External Finish Materials; P10 Typical Front Elevation details House 1 (example), P50 Site Arrangement Details.

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

03 Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.

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

04 The development shall not be occupied until 16 car parking spaces have been provided at the site in accordance with drawing P02 Revision D Site Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

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

05 The development hereby permitted shall be carried out in accordance with the landscaping details shown on drawings First Avenue Planting Proposal reference ED263 for houses H1-H3, H4-H6 and H7-H8, unless otherwise agreed in writing by the local planning authority. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

06 No development shall commence until a detailed Arboricultural Method Statement and Tree Protection Plan including but not limited to the following information fencing type, piling, ground protection measures, access facilitation pruning specification, project phasing and an auditable monitoring schedule have been submitted to and agreed in writing by the local planning authority including. The works must be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

07 The development hereby permitted shall be carried out in accordance with drawings P05, P 07 and P09 and the renewable energy strategy report carried out by pexmq dated 07.02.2017 and implemented in full prior to the first occupation of the dwellinghouses. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1), policy DM2 of the Development Management Document.

08 The development hereby approved shall be carried out in accordance with the Surface Water Strategy Report carried out by Innervision Design dated February 2017. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

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

09 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development

Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

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

10 Final glazing, acoustic insulation and ventilation details for the dwellings hereby approved shall be carried out in accordance with Environmental Noise Impact Assessment Report number IMP4935-1 of January 2017 and be implemented in their entirety priority to the occupation of the building. This include secondary acoustic glazing (10 - 200 - 6) on facades facing the rail line and glazing (4 - 16- 6) for facades not facing the rail line. Mechanical ventilation system must be installed to alleviate the requirement for partially open windows to all facades to ensure the internal noise level is acceptable. Appropriate mitigation must be given to ensure that construction of the development and cumulative noise levels are in accordance with BS EN ISO 140-3 and BS4142:2014 and meet the relevant internal noise criteria in accordance with BS8233:2014. The development shall be carried out in accordance with the approved details before it is occupied and be retained as such thereafter in perpetuity.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1 and DM8 of the Development Management DPD2 and SPD1 (Design and Townscape Guide).

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

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

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders without the receipt of express planning permission from the local planning authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to

safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

13 Prior to their occupation the proposed first and second floor windows in the flank elevations of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

14 Prior to installation of any external lighting, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

15 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time Sundays or Bank Holidays.

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

16 Full details of mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works must be submitted and approved in writing by the local planning authority prior to demolition or construction commencing at the site, taking into consideration control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". The development shall be implemented in accordance with the approved details.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with

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

17 Prior to occupation of the development hereby approved an acoustic fence to be constructed to the boundary of the site with the land owned by Network Rail to the satisfaction of the local planning authority.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1 and DM8 of the Development Management DPD2 and SPD1 (Design and Townscape Guide).

18 Prior to occupation of the development hereby approved, details of the provision of refuse storage facilities at the site (including day-to-day refuse storage areas and day of collection storage areas as necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided prior to the occupation of the development and be retained in perpetuity thereafter.

Reason: To safeguard the amenities of the future occupants of the proposed HMO and adjoining properties in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

Informative

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

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

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

prepared by officers.commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

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

242 17/00562/BC3M - Multi-Storey Car Park, Victoria Avenue, Southend on Sea (Victoria Ward)

Proposal: Demolish existing car park and erect multi storey car park

Applicant: Alan Richards

Agent: Michelle Fishlock

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1440/P/101B; 1440/P/102 A; 1440/P/103 A; 1440/P/104 B; 1440/P/105 B and 1440/P/106.

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

03 No development shall take place until details and samples of the materials to be used on all the external elevations, including walls, cladding (details of materials/colour and finish and a cross section at a scale of not more than 1:20 to show how it will be fitted to the building), windows, doors, louvers/grilles, pcc bars and panels, paving, screen/boundary walls and fences, driveway, forecourt or parking area; have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development

Management Document (2015) policy DM1, and SPD1 (Design and Townscape Guide).

04 The proposed highways works, including the formation of new vehicular access onto the service road at the rear of the application and the formation of new pavement shall be carried out in full prior to the first use of the car park hereby approved in accordance with the details shown in plan no. 1440/P/106.

Reason: In the interests of highways management and safety in accordance with (Southend Core Strategy (2007) policies KP2, CP3, CP4; (Development Management Document (2015) policy DM15 and the Design and Townscape Guide (2009).

05 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction – Recommendations, has been submitted to and agreed in writing by the local planning authority. The tree protection measures and working methods shall be implemented in full as set out in the approved tree protection plan.

Reason: To protect the health of the trees, in the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

06 Demolition or construction works shall not take place outside 8:00 hours to 18:00 hours Mondays to Fridays and 8:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

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

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

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be

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

02 It is noted that at the time when both the Civic Centre East public car park and the redeveloped of existing Library car park will be operate together, the Council will have to manage staff permit allocation to ensure the number of permits issued would not be increased to an extent that would unacceptably increase trips.

03 It is noted that advertisement consent would potentially be required for the proposed signage.

04 Consideration should be given to include the payment of parking charges in cash, in addition to a cashless payment provision.

243 17/00563/OUTM - 939 - 953 London Road, Leigh on Sea (Blenheim Park Ward)

Proposal: Demolish existing building and erect two blocks part 2, part 3, part 4 storey comprising of 30 flats, 1 commercial unit on ground floor lay out parking, refuse and cycle stores (Outline Application) (Amended Proposal)

Applicant: EMEX International

Agent: Third Dimension Architectural Group Ltd.

Resolved:

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

- Provision of 6 affordable housing units (comprising of 1x1bed, 3x2bed and 2x3bed, and including 4 affordable rented units and 2 shared ownership units) prior to occupation of the 10th dwelling
- A financial contribution towards secondary education provision of £88,728.77 (index-linked), specifically providing increased capacity at Belfairs Academy, which is payable prior to commencement

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

01 Details of the appearance and landscaping (hereinafter called the "Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matter to be approved.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans 100 Location Plan; 201 Proposed site plan; 105 Existing Floor Plans; 106 Existing Elevations; 201 Indicative Streetscenes; 202A Indicative Basement and Ground Floor plans; 202 Indicative First and Second Floorplans; 204 Indicative Third and Fourth Floor plans.

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

03 Details of the external materials to be used in the construction of the development hereby approved shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall only be implemented in accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), Development Plan Document 1 Southend on Sea Core Strategy 2007 policy KP2 and CP4; Development Plan Document 2 Southend on Sea Development Management 2015 policy DM1, and SPD1 (Design and Townscape Guide) 2009.

04 No development approved by this permission shall be commenced until the Local Planning Authority has approved in writing a full scheme of highway works (including detailed designs and contract details) and the relevant highways approvals are in place, in relation to loading bay on London Road.

The works shall thereafter be undertaken in accordance with the approved details and completed prior to occupation of the hotel hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with (Core Strategy) DPD1 policy KP2, CP3, CP4; (Development Management) DPD2 policy DM15 and the Design and Townscape Guide.

05 No dwelling shall be first occupied until one parking space to serve that dwelling and four disabled spaces have been laid out, together with properly constructed vehicular access to the adjoining highway, all in accordance with

details which shall have been submitted to and approved by the local planning authority, such provision to be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order).

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

06 The commercial premises shall not be occupied until twenty four parking space to serve commercial unit have been laid out, together with properly constructed vehicular access to the adjoining highway, all in accordance with details which shall have been submitted to and approved by the local planning authority, such provision to be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order).

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

07 Details of waste and cycle storage to be provided at the site shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The waste and cycle storage shall be implemented in accordance with the approved details before the development is occupied and shall be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided to promote sustainable transport and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with Development Plan Document: Southend on Sea Core Strategy 2007 policies KP2, CP3 and CP4; Southend on Sea Development Plan Document 2 Development Management 2015 policies DM1 and DM15, and Supplementary Planning Document 1 (Design and Townscape Guide) 2009.

08 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted concurrently with the Reserved Matters application and be implemented in full in accordance with the approved details prior to the first occupation of the flats. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Development Plan Document 1 Southend on Sea Core Strategy 2007 Policy KP2; Development Plan Document 2 Southend on Sea Development Management Document Policy DM2 (2015).

09 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details before the development is occupied and brought into use and be maintained as such thereafter. Those details shall include:

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

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

iii) a timetable for its implementation; and

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

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

10 Details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Development Plan Document 1: Southend on Sea Core Strategy policy KP2, Development Plan Document 2: Southend on Sea Development Management Document policy DM2 (2015) and SPD1 (Design and Townscape Guide) 2009.

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

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

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

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

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

13 The commercial units, hereby permitted, shall only be used for the purposes falling with Class A1, A2, B1 (a), D2 (gym) of the Schedule to the Town and Country Planning (Use Classes) Order, unless otherwise agreed in writing by the Local Planning Authority.

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

14 Details of the proposed hours and days of opening in conjunction with A1, A2, B1 (a), D2 (gym) and Class uses shall be submitted to and approved in writing prior to occupation of each unit respectively. Thereafter the A1, A2, B1 (a), D2 (gym) uses shall be operated only in accordance with the approved hours of opening.

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

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

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

16 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 3 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' and the remaining 27 flats comply with building regulation part M4(2) 'accessible and adaptable dwellings'.

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

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

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

18 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time Sundays or Bank Holidays.

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

19 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the

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

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

20 The development shall comprise: 5 x 1 bed units, 7 x 2 bed units, 12 x 3 bed units, and 6 x 4 bed units.

Reason: To ensure that the development provides a range of dwelling types and a sustainable housing mix in order to meet the housing needs of the Borough in accordance with Policies KP2 and CP8 of the Core Strategy and Policy DM7 of the Development Management DPD.

21 The gross internal floorspace of the A1, A2, B1, D2 (gym) development hereby approved shall not exceed 375 sqm. The gross internal floorspace of residential development hereby approved shall not exceed 3005sqm.

Reason: To determine the scope of this permission in accordance with the Development Plan.

Informatives

01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at www.southend.gov.uk/cil

02 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to affordable housing provision and an education contribution.

03 In relation to Condition 4, you are advised to contact Highways Engineer – Martin Warren (Tel: 01702 534328) to discuss the requisite Highways Licence, and costs of associated works. You are advised that a Highways Licence needs to be in place before any works are carried out to the public highway and you will need to employ a Council approved contractor to carry out any works.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 1st September 2017 or an extension of this time as may be agreed by the Deputy Chief Executive (Place), Director of Planning and

Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not provide for affordable housing or education provision. As such, the proposal would be contrary to Policies KP2, KP3, CP6 and CP8.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Tuesday, 8th August, 2017

Place: Committee Room 2 - Civic Suite

11

Present: Councillor C Walker (Chair)
Councillors S Buckley, M Butler and A Jones

In Attendance: F Abbott

Start/End Time: 5.00 - 5.15 pm

244 Apologies for Absence

Apologies for absence were received from Councillor Habermel (Vice-Chair), Councillor Ayling and Councillor Hadley (no substitutes).

245 Declarations of Interest

There were no declarations of interest made at the meeting.

246 Minutes of the Meeting held on Thursday 15th June 2017

Resolved:-

That the Minutes of the Meeting held on Thursday, 15th June, 2017 be confirmed as a correct record and signed.

247 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.

248 Post 16 School Transport Appeal - Pupil AG

The Committee considered a report of the Director for People together with supporting correspondence from the parent of pupil AG in connection with an application for post 16 home to school transport assistance.

Resolved:-

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Wednesday, 16th August, 2017

Place: Committee Room 1 - Civic Suite

12

Present: Councillor D McGlone (Chairman)
Councillors S Buckley and N Folkard

In Attendance: A Brown, T Row, M Newton and L Coombes

Start/End Time: 10.00 am - 12.50 pm

249 Apologies for Absence

There were no apologies for absence.

250 Declarations of Interest

No interests were declared at the meeting.

251 136 Broadway, Leigh-on-Sea, SS9 1AA - Application for the Grant of Premises Licence

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Navana Ltd for the grant of a Premises Licence in respect of Navana, 136 Broadway, Leigh-on-Sea, SS9 1AA.

The application was presented by the applicant's solicitor, Mr J Wallsgrove. Mr H Fenner, attended on behalf of the applicants.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities although measures had been agreed between the applicant and Essex Police, the Licensing Authority and the Council's Environmental Protection Team should the application be granted. These were set out in Appendix 3 to the report of the Deputy Chief Executive (Place).

Representations had however, been received from fifty local residents and Leigh Town Council. One of the objections was withdrawn prior to the hearing. Four of those residents, namely Ms Boughtwood, Ms Galgey, Mr Thomason and Ms Upton attended the hearing and gave evidence.

The residents' concerns related to all four of the licensing objectives and, in particular, noise nuisance as the premises was located in a residential area with residential flats above the premises.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and

disorder, public safety, the prevention of public nuisance and the protection of children from harm.

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

Resolved:-

The application be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);

(ii) The conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place), subject to the following amendment to condition 5 to now read:

“5. No use shall be made of the external bottle bins or bottle banks between 21.00 and 08.00 the following day.”

(iii) The conditions set out in Appendix 3 to the report to the Deputy Chief Executive (Place) agreed between the applicant and the Essex Police, the Licensing Authority and the Council’s Environmental Protection Team.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Thursday, 24th August, 2017
Place: Committee Room 1 - Civic Suite

13

Present: Councillor R Hadley (Chairman)
Councillors T Callaghan and *N Folkard

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris, A Brown, M Newton and Lloyd Coombs

Start/End Time: 10.30 am - 12.30 pm

252 Apologies for Absence

Apologies for absence were received from Councillor Butler (substitute: Cllr Folkard).

253 Declarations of Interest

There were no declarations of interest at this meeting.

254 188 Leigh Road, Leigh-on-Sea, SS9 1BT - Application for the Grant of Premises Licence

The Sub Committee received a report of the Deputy Chief Executive (Place) concerning an application made by Mr Rocco Di Leone for the grant of a Premises Licence in respect of 188 Leigh Road, Leigh on Sea, Essex SS9 1BT.

The Application was presented by Mr West (the Applicant's representative).

The Sub Committee noted that no objections were received from any of the Responsible Authorities, although conditions had been agreed with Essex Police should the application be granted.

Objections had been received from 19 interested parties, one of whom, namely Mr Clark, attended the hearing and gave evidence. The objections primarily related to two of the licensing objectives, namely the prevention of crime and disorder and the prevention of public nuisance.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

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

Resolved:-

That the application be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);

(ii) The conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place); and

(iii) The conditions set out in Appendix 3 to the report to the Deputy Chief Executive (Place) agreed between the applicant and the Essex Police.

(iv) The following additional conditions:

- That no more than 6 persons shall be permitted in the designated smoking area at any one time and this area shall be monitored by staff at regular intervals (approximately every 15 minutes);
- No drinks shall be permitted to be consumed in the designated smoking area;
- The premises licence holder shall ensure that no external bottle bins are used between the hours of 21.00 to 09.00 daily.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Wednesday, 30th August, 2017

Place: Committee Room 1 - Civic Suite

14

Present: Councillor D McGlone (Chairman)
Councillors M Borton and H McDonald

In Attendance: A Brown, T Row, A Penn and L Coombes

Start/End Time: 10.10 am - 12.05 pm

255 Apologies for Absence

There were no apologies for absence.

256 Declarations of Interest

No interests were declared at the meeting.

257 Saltwater Beach Café, 111 Chalkwell Esplanade, Westcliff-on-Sea, SS0 8JP - Application for the Grant of Premises Licence

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Saltwater Beach Café Ltd for the grant of a Premises Licence at Saltwater Beach Café, 111 Chalkwell Esplanade, Westcliff-on-Sea, Essex, SS0 8JP.

The application was presented by Mr West, the applicant's representative. Ms Carr (Director and Manager of the Café) was in attendance at the hearing and gave evidence.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities. 91 (ninety one) representations had however, been received in response to the application. 65 (sixty five) of these were in support of the application and 26 (twenty six) in objection to the application. 17 (seventeen) of those who had objected were represented by Mr Murrell (a solicitor). However, following agreement of further conditions to be appended to the licence between the applicant and Mr Murrell, those objections were withdrawn prior to the hearing.

The residents' concerns mainly related to two of the Licensing Objectives, namely the prevention of crime and disorder and the prevention of public nuisance, as the premises was located in a residential area.

The sub-committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The sub-committee further considered the four licensing objectives namely the prevention of crime and

disorder, public safety, the prevention of public nuisance and the protection of children from harm.

On the basis of the evidence presented to it, the sub-committee considered that the licensing objectives and the objectors concerns would be adequately addressed by the conditions imposed on the licence. The sub-committee therefore:

Resolved:

That the application for the grant of a premises licence be granted, subject to the following:-

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);

(ii) The conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place) subject to the following amendments:

Condition 8 to now read:

“The sale of alcohol shall be ancillary to the purchase of a substantial meal.”

Condition 9 to now read:

“There shall be a minimum of 23 covers maintained at all times comprising at least 15 internally and 8 on the terrace/veranda area as shown hatched on the plan of the premises.”

Condition 10 to now read:

“There shall be no use of the outside area between 21.00 hrs and 09.30 hrs (including the use of the external bottle bins).”

(iii) The additional conditions agreed between the applicant and Mr Murrell, on behalf of the objectors, as set out below:

1. There will be no off-sales of alcohol from premises other than for consumption on the terrace (veranda) of the premises being that area hatched on the attached plan in compliance with condition 3 below.

2. The sale of alcohol for consumption on the premises will take place between noon and 22:00 hrs.

3. In respect of the terrace (veranda) area of the premises as shown on hatched on the plan, the consumption of alcohol is to be permitted between noon and 21:00 hours only and ancillary to a substantial meal where the patron is seated at a table.

4. Substantial meals are meals purchased from the premises with a cost in excess of £5.00

5. No alcohol will be sold or supplied from the premises to any external area or garden area and only to the terrace (veranda) area as hatched on the plan and the internal licensed area edged red on the plan.

6. The sale of food take-aways will cease at 21:00 hrs. Food will cease to be supplied to the terrace (veranda) area as hatched on the plan by 21:00 hours and will cease to be supplied to the garden area by 20:00 hrs.

Chairman: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Committee

Date: Monday, 4th September, 2017

Place: Committee Room 1 - Civic Suite

15

Present: Councillor R Hadley (Chairman)
Councillors D McGlone (Vice-Chair), S Buckley, M Butler,
T Callaghan, N Folkard, S Habermel (present for Minute 261 only),
D Jarvis, A Jones, D Kenyon and G Phillips

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: T Row, R Harris, A Penn, M Newton and A Byrne

Start/End Time: 10.00 am - 3.45 pm

258 Apologies for Absence

Apologies for absence were received from Councillors Ayling (no substitute), Borton (Substitute: Councillor Jones), Mulroney (Substitute: Councillor Wexham – sent apologies) and Ware-Lane (no substitute).

259 Declarations of Interest

No interests were declared at the meeting.

260 Minutes of the Meeting held on Thursday, 27th July, 2017

Resolved:-

That consideration of the Minutes of the meeting held on Thursday, 27th July 2017 be deferred to the next meeting.

261 Application for the Renewal and Variation of a Sexual Entertainment Venue Licence - Entice, 3 Warrior House, 42 - 82 Southchurch Road, Southend-on-Sea, Essex, SS1 2LZ

The Committee received a report of the Deputy Chief Executive (Place) concerning an application that had been made by Wizard Sleeve Bars (Essex) Limited for a Sexual Entertainment Venue Licence in respect of Entice, 3 Warrior House, 42 - 82 Southchurch Road, Southend-on-Sea, Essex, SS1 2LZ.

The application was presented by Mr Sutherland (Applicant's Solicitor). Mr Weatherstone (applicant) was also in attendance and gave evidence. Staff from the premises were also present.

The Committee noted that no objections to the application had been received from the Police. Letters of objection had, however, been received from three residents. One of the residents attended the hearing and gave evidence.

The Committee considered all the evidence and submissions that had been made at the meeting and the written reports and documentation that had been presented prior to the hearing. The Committee also had regard to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (adopted pursuant to the Police and Crime Act 2009) and the Council's Policy for controlling sex establishments.

Resolved:

1. That the application for the renewal of a Sexual Entertainment Venue Licence in respect of Entice, 3 Warrior House, 42 - 82 Southchurch Road, Southend-on-Sea, Essex, SS1 2LZ be granted, subject to the relevant standard operating conditions to the current licence set out in Appendix 1 to the report of the Deputy Chief Executive (Place).
2. That the licensee signpost performers and staff to suitable support services when requested or as appropriate.

262 Application for the Renewal of a Sexual Entertainment Venue Licence - The Foresters, 65 Marine Parade, Southend-on-Sea, Essex, SS1 2EN

The Committee received a report of the Deputy Chief Executive (Place) concerning an application that had been made by Mr Lee Jonathon Phyers for a Sexual Entertainment Venue Licence in respect of The Foresters Arms Public House, 65 Marine Parade, Southend-on-Sea, Essex, SS1 2EN.

The application was presented by Mr Flaherty (Applicant's representative). Mr Phyers (applicant) was also in attendance and gave evidence.

The Committee noted that no objections to the application had been received from the Police. Letters of objection had, however, been received from one resident who attended the hearing and gave evidence.

The Committee considered all the evidence and submissions that had been made at the meeting and the written reports and documentation that had been presented prior to the hearing. The Committee also had regard to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (adopted pursuant to the Police and Crime Act 2009) and the Council's Policy for controlling sex establishments.

Resolved:

1. That the application for the renewal of a Sexual Entertainment Venue Licence in respect of The Foresters Arms Public House, 65 Marine Parade, Southend-on-Sea, be granted, subject to the relevant standard operating conditions to the current licence set out in Appendix 1 to the report of the Deputy Chief Executive (Place) and the following additional conditions:

- The licensee shall ensure that clear signage is displayed on the external Iron Gate stating 'Private: No Entry.'
- The licensee shall submit to the Licensing Authority within a reasonable period a new plan of the premises showing the internal and external doors, all room layouts and the location of the external Iron Gate.

2. That the Performers' Code of Conduct continues to contain the following rule:

'Dancers may not perform any act which simulates masturbation, oral sex or sexual intercourse, including the insertion of any object, including their own finger, into the anus or vagina.'

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee
Date: Wednesday, 6th September, 2017
Place: Committee Room 1 - Civic Suite

16

Present: Councillor M Davidson (Chair)
Councillors H Boyd (Vice-Chair), B Arscott*, A Bright, J Moyies,
M Terry, C Willis and K Pandya
*Substitute in accordance with Council Procedure Rule 31

In Attendance: J Chesterton, L Everard, I Ambrose, C Fozzard, J Denham, M Coker,
C Gamble, A Barnes (BDO), L Clampin (BDO) and M Waller (BDO).

Start/End Time: 6.30 p.m. - 8.00 p.m.

263 Apologies for Absence

Apologies for absence were received from Councillors Ayling (no substitute), Ware-Lane (no substitute) and Phillips (substitute: Cllr Arscott).

264 Declarations of Interest

Councillor Davidson – matters in relation to South Essex Homes – Disqualifying non-pecuniary interest (was able to participate in the debate and vote by virtue of the dispensation agreed by the Standards Committee at its meeting held on 28th February 2017).

265 Minutes of the Meeting held on Wednesday 28th June 2017

Resolved:-

That the Minutes of the Meeting held on Wednesday 28th June 2017 be confirmed as a correct record and signed.

266 BDO: Audit Completion Report to the Audit Committee 2016/17

The Committee considered a report summarising the results of the work completed to date for the 2016/17 financial year with regard to:

- the opinion on the Statement of Accounts;
- the conclusion on the adequacy of the Council's arrangements for securing economy, efficiency and effectiveness in the use of resources (the VFM conclusion).

The Committee asked a number of questions which were responded to by the BDO External Auditor and officers.

The External Auditor thanked the Council officers involved for their help and cooperation during the audit process.

Resolved:

That the BDO report to the Audit Committee 2016/17, including the unadjusted audit differences and draft representation letter, be accepted.

267 Statutory Statement of Accounts 2016/17

The Committee considered a report of the Chief Executive on the Statement of Accounts for 2016/17.

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

On consideration of the report, Members noted that a report on the governance arrangements of the authority's trading companies would be submitted to the January meeting of the Committee.

Resolved:-

That the Statement of Accounts 2016/17 be adopted and approved for publication.

268 BDO: Progress Report to Those Charged with Governance

The Committee considered a report outlining the progress made in delivering the 2016/17 Annual Audit Plan

The Committee asked a number of questions which were responded to by the BDO External Auditor.

Resolved:-

That the progress made in delivering the Annual Audit Plan for 2016/17, be accepted.

269 Counter Fraud & Investigation Directorate, Quarterly Performance Report

The Committee considered a report of the Chief Executive presenting the first quarterly performance report outlining the progress made in delivering the Corporate Counter Fraud & Investigation Work Plan.

At the meeting, Members received the Local Government Association publication entitled "A Councillor's workbook on bribery and fraud prevention."

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

Members noted the progress made on the review of counter fraud policies and procedures and that a report would be submitted to the January meeting of the Committee.

Resolved:-

That the Counter Fraud & Investigation Directorate's performance to date be noted.

270 Internal Audit, Quarterly Performance Report

The Committee considered a report of the Chief Executive providing an update on the progress made in delivering the Internal Audit Strategy for 2017/18.

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

Resolved:

That the progress made in delivering the 2017/18 Internal Audit Strategy, be noted.

Chairman: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 13th September, 2017

Place: Committee Room 1 - Civic Suite

17

Present: Councillor F Waterworth (Chair)
Councillors D Garston (Vice-Chair), B Ayling, M Borton, H Boyd,
S Buckley, T Callaghan, N Folkard, J Garston, R Hadley,
H McDonald, C Mulroney, D Norman MBE, P Van Looy, C Walker
and N Ward

In Attendance: J K Williams, P Geraghty, C Galforg, J Rowley, P Keyes, M Warren
and T Row

Start/End Time: 2.00 p.m. - 2.40 p.m.

271 Apologies for Absence

Apologies for absence were received from Councillor Arscott (no substitute).

272 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Folkard – Agenda Item No. 12 (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) – Disqualifying non-pecuniary interest: Applicant is known to him as a Councillor and socialises with him (withdrew);

(NOTE: All other Councillors present declared non-pecuniary interest in this item on the grounds that the applicant was known to them as a fellow Councillor.)

(b) Councillor Mulroney – Agenda Item Nos. 4 (17/01001/FUL - 141 Leighton Avenue, Leigh-on-Sea), 5 (17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea), 8 (17/01041/FUL - 34 Percy Road, Leigh-on-Sea), 9 (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea), 10 (17/00969/FUL - 42A Lord Roberts Avenue, Leigh-on-Sea) and 11 (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

(c) Councillor Norman MBE – Agenda Item No. 7 (17/01090/FUL - 78 Mounddale Gardens, Leigh-on-Sea) – Non-pecuniary interest: Daughter worked at the School;

(d) Councillor Van Looy – Agenda Item No. 5 (17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: Applicant is known to him;

(e) Councillor Walker – Agenda Item No. 7 (17/01090/FUL - 78 Mounddale Gardens, Leigh-on-Sea) – Non-pecuniary interest: Head teacher is a fellow trustee of Southend Boys and Girls Choir;

(f) Councillor Walker – Agenda Item No. 9 (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea) – Non-pecuniary interest: Friends live in Underwood Square and Lime Avenue;

(g) Councillor Ward – Agenda Item No. 9 (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea) – Non-pecuniary interest: Applicant is known to him.

NOTE: All Councillors present also declared a non-pecuniary interest in Agenda Item No. 11 (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) on the grounds that the applicant was an officer at the Council.

273 Supplementary Report

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

- 274 17/01001/FUL - 141 Leighton Avenue, Leigh-on-Sea (Leigh Ward)**
Proposal: Demolish existing two storey dwelling house and erect a pair of two storey semi-detached dwelling houses, layout associated parking and form vehicular accesses on to Leighton Avenue
Applicant: Mr Herrtage
Agent: Mr John Beuvink

Resolved: That Planning Permission be GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: 17-101 PO1C; 17-101 P02; 17-101 P03; 17-101 PO4 & 17-101 P05.

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

03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, dormers, porch canopy, paving, and on any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

04 The development shall not be occupied until four car parking spaces have been provided at the site in accordance with drawing 17-101 PO1C, together with

properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy, policy DM15 of the Development Management Document.

05 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- (i) proposed finished site levels or contours;
- (ii) means of enclosure, of the site including any gates or boundary fencing;
- (iii) car parking layouts;
- (iv) other vehicle and pedestrian access and circulation areas;
- (v) hard surfacing materials;
- (vi) minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- (vii) details of the number, size and location of the trees including new street tree shrubs and plants to be retained and planted together with a planting 11 specification
- (viii) details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

06 No development approved by this permission shall take place until Southend Borough Council (as local planning authority and highway authority) has approved in writing a full scheme of replacement tree planting on a two for one basis (including details of size, species and location (to be agreed with the Councils arboriculturalist) and contract details and the relevant approvals are in place) in relation to loss of the street tree. The development and the associated replacement tree planting shall thereafter be undertaken in accordance with the approved details prior to occupation of the development hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and policy DM2 of the Development Management Document.

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

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

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

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

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, DPD2 Development Management Document Policy DM1 and Design and Townscape Guide.

11 Prior to their occupation the proposed windows in the flank elevations of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and

unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level and shall be retained as such in perpetuity thereafter. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide.

12 Prior to the first occupation of the dwellings hereby approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwellings hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM3, DM8 and DM15 of Development Management Document.

Informative

01 In relation to condition 06 please contact Development Engineer Martin Warren on 01702 534328 and Park Management Officer Ian Brown 01702 215176.

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

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

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

out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

- 275 17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea (Leigh Ward)**
Proposal: Erect additional garage to existing garage site rear of 1 to 4 Chalkwell bay flats (Amended Proposal)
Applicant: Mr Christopher Bailey

Resolved: That Planning Permission is REFUSED for the following reasons:

01 The proposed development, by reason of its size, scale, bulk, use of materials, siting and the prominence of the proposed structure, would be detrimental to the character and appearance of the application site and the area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 The proposed development would result in a reduction in the area available for parking vehicles at the application site and be likely to cause additional vehicles to park within the surround public highway, to the detriment of the free flow of traffic and highway safety conditions in the area. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policy CP3 of the Southend-on-Sea Core Strategy (2007); and Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015).

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

Informative

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

276 **17/00821/AMDT - Crown Secretarial College Ltd, 411 - 415 Sutton Road, Southend-on-Sea (Victoria Ward)**
Proposal: Application to vary condition 2 (approved plans) of planning permission 16/01503/FULM (Demolish existing buildings, erect 3 storey block comprising of 44 flats, 252sq. m retail commercial floor space at ground floor, communal amenity space, landscaping, parking and associated works) dated 29/03/2017 to alter elevations, alter layout, alter unit mix.
Applicant: Dove Jeffrey Homes Ltd
Agent: FRONT Architecture Ltd

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

- A minimum of 9 units of affordable rented housing units (20% of overall provision) comprising 2x1 bed and 7x2 bed units.
- Traffic Regulation Order contribution of £4,000
- Provision of Travel Packs for residents.
- Retail Travel Plan.

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

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of the original permission (29th March 2017).

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

02 The development shall be carried out in accordance with the approved plans: FRNT_16.563_200_P5 site plan and streetscene; FRNT_16.563_201_P4 Block A floor plans; FRNT_16.563_202_P4 Block B floor plans; FRNT_16.563_204_P4 Block A elevations; FRNT_16.563_205_P4 Block B elevations; FRNT_16.563_203_P3 Block C Floor Plans; FRNT_16.563_206_P4 Block C elevations: Location plan 001.

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

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

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009

04 Hard and Soft Landscaping shall be carried out in accordance with details approved under application 17/00884/AD and plan No 2244-17 received on 14th August 2017 unless otherwise agreed in writing with the Local Planning Authority. Hard Landscaping shall be completed prior to first occupation of the development and soft landscaping/planting shall be completed within the planting season following first occupation of the development. (or within any other time limit agreed in writing with the local planning authority) The landscaping shall be permanently retained thereafter. If any trees are removed or found to be dying, severely damaged or diseased within 5 years of planting them, they must be replaced with trees of a similar size and species.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 and DM3 of the Development Management Document 2015.

05 The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 200 P4 for cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking spaces shall be permanently retained thereafter for the parking of occupiers, staff and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document 2015.

06 The development shall not be occupied until a car park management plan for the development has been submitted to and agreed in writing by the Local Planning Authority. The development shall only be occupied in accordance with the agreed management plan.

Reason: To ensure that the car parking is satisfactorily managed in the interests of traffic management and highway safety in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015)

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

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

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

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) DPD1 and Policy DM15 of the Development Management Document (2015).

09 Construction shall be carried out in accordance with the Construction Method Statement approved under application 17/00883/AD unless otherwise agreed in writing with the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of visual amenity and to protect the amenities of occupiers of the development and surrounding occupiers pursuant to Policies CP4 of the Core strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015).

10 Before the retail use hereby permitted begins a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the retail unit is occupied. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015)

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

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015.)

12 The retail use hereby permitted shall not be open to customers outside the following times: 07:00 to 23:00 hours on any day.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015)

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

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology approved under application ref 17/00953/AD. The results of the site investigation shall be made available to the local planning authority before any construction begins.

If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

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

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

15 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;
- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
- iii) a timetable for its implementation; and

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

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

16 Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the retail use hereby permitted begins and residential apartments are occupied. The development shall be carried out in accordance with the approved details. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the area, and to protect the amenities of surrounding occupiers in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 of the Development Management Document (2015).

17 No construction works above the level of the floor slab shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the Local Planning Authority. The details shall include the insulation scheme including predicted internal L_{max} and L_{Aeq} levels for the noise sources identified in the noise assessment. Glazing and ventilation shall be selected with relevant acoustic properties as outlined in the Noise Assessment submitted with application 16/01503/FULM and dated 18 December 2014. The agreed noise prevention measures will be installed prior to first occupation of the dwellings and retained at all times thereafter.

Reason: In order to protect the amenities of future residents in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

19 Landscape management of the development, including management responsibilities and maintenance for all landscape areas shall be carried out only in accordance with details approved under application 17/00884/AD.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015.)

20 No construction works above the level of the floor slab shall take place until details of the proposed Photovoltaic cells set out in the Energy and Sustainability Statement by Fusion 13 submitted with application 16/01503/FULM have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and brought into use on first occupation of the development.

Reason: To ensure the development maximises the use of renewable and recycled energy, water and other resources, in accordance with Policy KP2 of the Core Strategy (2007) and Policy DM2 of the Development Management Document 2015.

21 Prior to the installation of any shopfront, the details of the design, materials, glazing, doors, shutters, signage and lighting shall be submitted to and approved in writing by the Local Planning Authority. The retail unit development shall be carried out in accordance with the approved details before it is occupied and permanently retained thereafter.

Reason: In order to protect the character and visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document 2015.

22 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any order revoking and re-enacting that Order with or without modification, no advertisement shall be displayed on the building without the prior written consent of the Local Planning Authority.

Reason: In the interest of the visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 and DM13 of the Development Management Document (2015).

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

Reason: In order to protect the character and visual amenities of the development and surrounding area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015)

24 The commercial floorspace hereby approved shall only be occupied for uses falling within Use Class A1 retail and shall not be used for any other purpose and for no other purpose including any within Classes A, C3 or D1 of the Town and Country Planning (Use Classes) Order 1987 as amended (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force). The hereby approved Use Class A1 retail floorspace shall also not be used for any alternative uses otherwise permitted under the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking or re-enacting that Order).

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

25 The development shall be carried out in accordance with the Method Statements for Tree Protection and Tree Works approved under application 17/00885/AD unless otherwise agreed in writing by the Local Planning Authority.

Reason In the interests of amenity, to protect existing trees and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management Document (2015)

26 The development shall not be occupied until new accesses, removal of the existing redundant crossovers and street furniture, loading bays, on street car parking spaces and public realm improvements in accordance with details approved under application 17/00974/AD have been implemented in full and (prior to this) the Council as Highways Authority has approved in writing a full scheme of highways works and the relevant associated highways approvals are in place.

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

Informatives

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

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

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

04 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the

owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

05 An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

06 There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire and Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk of life, business continuity and limit the impact of fire on the environment and local economy. Even where not required under Building Regulation's guidance, ECFRS would strongly recommend a risk base approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We would also encourage developers to use them to allow design freedom, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the regulations are met.

07 The applicant is reminded that additional water supplies for fire fighting may be necessary for this development. The applicant is urged to contact the Water Technical Officer at Service Headquarters tel 01376 576342

08 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil.

09 In relation to Condition 26; you are advised to contact Highways Engineer – Martin Warren; (Tel: 01702 215003) to discuss the requisite Highways Licence/Agreements under the Highways Act 1980. You are advised that a Highways Licence/Agreement needs to be in place before any works are carried out to the public highway and any works to public transport infrastructure (e.g. bus stops) will need to be carried out by a Council approved contractor.

10 Informative (approval of S73 applications where original permission granted post-CIL charging AND there is no net increase in floorspace):
Community Infrastructure Levy (CIL): This application has been made pursuant to Section 73 of the Town and Country Planning Act 1990 and as such CIL Regulation 9(6) applies. You are advised that as the amount of CIL payable would not change from the previous permission ref. 16/01503/FULM, the chargeable development is the development for which permission was granted

by the previous permission as if that development was commenced. Therefore, CIL Liability Notice ref. 16/01503/FULM/0001 still applies to the permission hereby granted and is enclosed for your reference.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 20th September 2017 the Director of Planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not :-

- i) provide for improvements to the public highway and the public realm within the vicinity of the site;
- ii) provide an effective means of enforcing/delivering a Travel Plan;
- iii) provide for a satisfactory provision of public art;
- iv) provide for a satisfactory method of servicing the development;
- v) provide for affordable housing.

As such, the proposal would not make a satisfactory contribution towards the quality of the built environment within the vicinity of the site, would traffic congestion and be to the detriment of highway safety and is likely to place increased pressure on public services and infrastructure to the detriment of the general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4 and CP6 of the Core Strategy, Policies DM1, DM3, DM7, and DM15 of the Development Management DPD 2015.

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

277 17/01090/FUL - 78 Mountdale Gardens, Leigh-on-Sea (Blenheim Park Ward)

Proposal: Change of use from dwellinghouse (Class C3) to Non-residential education centre (Class D1).

Applicant: The St. Christopher School Academy

Agent: The Livemore Partnership – Mr Tony Watts

Resolved: That Planning Permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 16032-01(-), 16032-02(-), 16032-03(-), 16032-04(-)

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

03 The use hereby permitted shall be carried on only by St Christopher School Academy Trust for the purpose of education. When the premises cease to be occupied for educational purposes, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed. The premises would then return to a residential (Class C3 use).

Reason: Permission has been granted taking into consideration the special circumstances of this case. The local planning authority needs to control future use of the premises if the education use of the premises ceases to ensure compliance with, DPD1 (Core Strategy) 2007 policy K2, CP4, CP8; Borough Local Plan 1994 policies U7 and H4 and SPD1 (Design and Townscape Guide).

04 The Class D1 use allowed by this permission can only be carried out as an ancillary use to The St Christopher School Academy and for no other purpose unless agreed in writing by the Local Planning Authority.

Reason: Planning permission for unrestricted use within Class D1 cannot be granted in this case because of the special circumstances of the application and it would therefore fail to comply with the National Planning Policy Framework (2012), Core Strategy 2007 policy CP8.

05 The premises shall not be used outside the following hours: -

8am to 4pm Monday - Friday and at no time on Saturdays, Sundays or Bank Holidays or within the Essex County Council school holiday dates.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2012), Core Strategy 2007 policy KP2 and CP4.

Informative

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

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

278 17/01041/FUL - 34 Percy Road, Leigh-on-Sea (West Leigh Ward)
Proposal: Demolish existing bungalow, erect detached bungalow with roof extension to front and sides, boundary wall to side to form covered courtyard, form layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)
Applicant: Mrs H Collins
Agent: Knight Gratrix Architects

Resolved: That Planning Permission be REFUSED for the following reason:

01 The proposed development would, by reason of its scale, size bulk, mass, detailed design and use of materials appear incongruous and out of keeping within the streetscene to the detriment of the character, appearance of the site and area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

Informative

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

02 It should be noted there are a number of mistakes on the submitted plans and any resubmission should ensure the first floor plan shows northern windows, roof plan needs to clearly detail the width of the dormer roof at the northern end and the parking arrangement differs between ground floor and block plan including crossovers.

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

- 279 17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea (West Leigh Ward)**
Proposal: Fell one Oak tree, crown lift, prune and removal of deadwood to various oak trees (works covered by a tree preservation order)
Applicant: Mr Newton
Agent: DF Clark Bionomique Limited

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

Resolved: That consideration of this application be DEFERRED for a site visit.

- 280 17/00969/FUL - 42A Lord Roberts Avenue, Leigh-on-Sea (Leigh Ward)**
Proposal: Erect dormer to rear and first floor rear extension
Applicant: Mr J Beuvink

Resolved: That Planning Permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: PL01 and PL02.

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, Development Management Document policies DM1 and DM3, and Design and Townscape Guide.

04 The roof of the development hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

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

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

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policy CP4, Development Management Document policy DM1 and Design and Townscape Guide

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

Informative

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

281 17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea (Leigh Ward)
Proposal: Erect single storey side extension, alter side roof to form pitched roof with dormer to front and alter elevations
Applicant: Mr and Mrs Ian Brown (Council employee)
Agent: Trudy's Architectural Consultants

Resolved: That Planning Permission be GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 60/17/A, 60/17/B, 60/17/C

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policies DM1 and DM3, and SPD1 (Design and Townscape Guide).

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

Informative

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

- 282 17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea (Chalkwell Ward)**
Proposal: Raise ridge height and alterations to roof to form habitable accommodation, install dormers, Juliette balcony with terrace area and alter elevations
Applicant: Mr S Habermel (Councillor)
Agent: SKArchitects

Resolved: That Planning Permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 353P01, 353P02

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

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

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

Informative

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

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

Chairman: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 14th September, 2017

Place: Committee Room 1 - Civic Suite

18

Present: Councillor T Cox (Chair)
Councillors M Flewitt and A Moring*
* Substitute in accordance with Council Procedure Rule 31

In Attendance: Councillors B Arscott, S Ayles, B Ayling, M Borton, M Butler, T Callaghan, M Davidson, J Garston, D Jarvis, D Kenyon, C Mulronee, P Van Looy, C Walker, J Ware-Lane, P Wexham and R Woodley
P Geraghty, Z Ali, T Row, D Carpenter, D Caldwell, N Hunwicks and B Frost

Start/End Time: 6.00 p.m. - 10.45 p.m.

283 Apologies for Absence

Apologies for absence were received from Councillor Byford (Substitute: Councillor Moring).

284 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Callaghan – Agenda Item No. 6 (Members Requests List: Request Reference 17/11 – Waiting restrictions in The Rodings) – Non-pecuniary interest: Friend lives in the road;

(b) Councillor Flewitt – Agenda Item No. 6 (Members Requests List: Request Reference 17/12 – Waiting restrictions in Eastwood Park Drive) – Non-pecuniary interest: Mother in law lives in the road;

(c) Councillor J Garston – Agenda Item No 4 (Objections to Traffic Regulation Orders – Permit Parking Areas: Westcliff Parade) – Non-pecuniary interest: Lives in the vicinity of one of the proposed areas;

(d) Councillor J Garston – Agenda Item No. 6 (Members Requests List: Request Reference 17/06 and 17/24 – Waiting restrictions in Teigngrace) – Non-pecuniary interest: Close friend lives in the street;

(e) Councillor Moring – Agenda Item No. 6 (Members Requests List: Request Reference 17/13, 17/18, 17/26, 16/11 – Waiting restrictions in Colbert Avenue) – Non-pecuniary interest: Relative lives in the road;

(f) Councillor Mulronee – Agenda Item No. 9 (Petition for 20mph Speed Limit – Southsea Avenue) – Non-pecuniary interest: Lives in the road;

(g) Councillor Walker – Agenda Item No. 5 (Objections to Traffic Regulation Orders – Various Locations: Boston Avenue) – Non-pecuniary interest: Accompanies wife when attending St Mary’s School in connection with the Southend Boys and Girls Choir;

(h) Councillor Ware-Lane – Agenda Item No. 6 (Members Requests List: Request Reference 17/04 – Verge hardening in Bridgwater Drive) – Non-pecuniary interest: Family live in the vicinity;

(i) Councillor Ware-Lane – Agenda Item No. 8 (Request to Amend Traffic Flows to One-Way - Osborne Road and Windsor Road) – Non-pecuniary interest: Lives in the vicinity;

(j) Councillor Woodley – Agenda Item No. 6 (Members Requests List: Request Reference 17/14 and 17/15 Amendment of waiting restrictions in Tyrone Road) - Non-pecuniary interest: Lives in Tyrone Road.

285 Minutes of the Meeting held on Thursday, 9th March 2017

Resolved:-

That the Minutes of the meeting held on Thursday, 8th March 2017 be received, confirmed as a correct record and signed.

286 Objections to Traffic Regulation Orders – Permit Parking Areas

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of the representations that had been received in response to the statutory consultation for proposed Traffic Regulation Orders in respect of a number of proposals to introduce Permit Parking Areas in various areas as detailed in the appendices to the report.

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

In response to concerns expressed regarding the parking problems in the Westcliff Parade area, the Director for Planning & Transport undertook to reduce the lengths of waiting restrictions where safe and appropriate to do so to maximise the parking space available.

Resolved:

1. That the Deputy Chief Executive (Place) be authorised to confirm The Southend-on-Sea Borough Council (Cliffs Pavilion Area) (Prohibition of Waiting and Permit Parking Places) (Zone CP) Order 2016 (As Amended) (Amendment No. 2) Order 2017 as advertised and that, subject to the level of responses from the additional area between this area and the Town Centre CPZ meet the required criteria, the additional area be formally advertised and any resulting works undertaken at one time. Any objections received following statutory advertisement will be referred to a future meeting of the Traffic & Parking Working Party for consideration.

2. That the Deputy Chief Executive (Place) be authorised to confirm The Southend-on-Sea Borough Council (Heygate Avenue Area) (Zone HY) (Permit Parking Places and Prohibition of Waiting) Order 2017 as advertised and that the effect of the permit parking scheme be monitored for a period of up to 6 months following implementation. In the event the operational hours of the scheme need to be extended as a result of the monitoring, the Deputy Chief Executive (Place), in consultation with the Executive Councillor for Transport, Waste and Regulatory Services, be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order to amend the Order as may be required. Any objections received following statutory advertisement will be referred to a future meeting of the Traffic & Parking Working Party for consideration.

Reason for Decision

The proposals aim to improve parking availability on areas subject to high levels of parking pressures. Formalising parking controls maximises parking while maintaining highway safety and reduce congestion.

Other Options

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

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

287 Objections to Traffic Regulation Orders – Various Locations

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

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

Resolved:

1. That, subject to the following amendments, the Deputy Chief Executive (Place) be authorised to confirm The Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading, and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 6) Order 2017 as advertised:

(i) remove the proposed “no waiting at any time” restrictions in Merilies Gardens opposite its junction with Seldon Close; and

(ii) remove the proposed “no waiting at any time” restrictions in Merilies Gardens opposite its junction with Merilies Close.

2. That, subject to the following amendments, the Deputy Chief Executive (Place) be authorised to confirm The Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading, and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 8) Order 2017 as advertised:

(i) remove the proposed introduction of residents permit parking/business parking permits on Mondays to Saturdays 8.30 .am. to 6.30 p.m. in Boston Avenue and retain existing restrictions.

(ii) remove the proposed introduction of two limited waiting bays on Mondays to Saturdays 8.30 .am. to 6.30 p.m. for 1hour no return in 4 hours in Harcourt Avenue and Officers work with the Ward Councillors to identify appropriate alternative locations.

3. That the Deputy Chief Executive (Place) be authorised to confirm The Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading, and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 11) Order 2017 as advertised.

4. That The Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading, and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 4) Order 2017 not be confirmed and the proposals not be implemented.

5. That The Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading, and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones) (Consolidation) Order 2016 (Amendment No. 7) Order 2017 not be confirmed and that revised proposals be submitted to a future meeting of the Traffic & Parking Working Party and Cabinet Committee for consideration.

Reasons for Decision

To improve the operation of the existing parking controls to contribute to highway safety and to reduce congestion.

Other Options

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

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

288 Members Requests List

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of the requests received from Members of the Council, together with officers' recommendations relating to those requests. Having considered the views of the Traffic & Parking Working Party it was:-

Resolved:

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

- (i) Request Reference No. 16/01 – Introduction of waiting restrictions or a parking management scheme to deter airport parking in Rochford Road service road;
- (ii) Request Reference No. 17/29 – Introduction of waiting restrictions in Belfairs Park Drive; and
- (iii) Request Reference No. 17/30 – introduce limited waiting parking restrictions in Southchurch Boulevard adjacent to the church to deter all day parking by coaches.

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

- (i) Request Reference No. 17/04 – Verge hardening in Bridgwater Drive between Mannering Gardens and Southbourne Grove;
- (ii) Request Reference No. 17/07 – Provide disabled parking bay near to doctor's surgery in Southchurch Boulevard;
- (iii) Request Reference No. 17/09 – Remove build-outs in London Road between Eastwood Road and Station Road;
- (iv) Request Reference No. 17/10 – Convert existing crossing point in Eastwood Road at junction with the Prittlebrook Greenway to zebra;
- (v) Request Reference No. 17/16 (Duplicated as Request Reference No. 17/23) – Extension of single yellow line waiting restrictions between 11.00 a.m. to 12.00 noon on both sides of The Broadway, Thorpe Bay between Johnstone Road to Burgess Road;
- (vi) Request Reference No. 17/17 – Extension of yellow lines in Fermoy Road over PVX to property at 125 St James Avenue;
- (vii) Request Reference No. 17/25 – Provide pedestrian crossing in Lifstan Way near to Apollo Drive;
- (viii) Request Reference No. 17/28 – Propose alternative pedestrian facility following assessment for pedestrian crossing in Station Road.

3. That the following requests be retained on the list pending further discussions with the Ward Councillors and residents:

- (i) Request Reference No. 15/07 – Provide facility to assist pedestrians crossing in Elmsleigh Drive;
- (ii) Request Reference No. 16/04 – Verge hardening in Silversea Drive
- (iii) Request Reference No. 16//07 – Introduction of waiting restrictions on the bend in Campfield Road, Shoeburyness by Cumberland Packaging;
- (iv) Request Reference No. 17/05 – Extend existing waiting restrictions in Waking Avenue with its junction with Elm Road, Shoeburyness; and

(v) Request Reference No. 17/06 (Duplicated as Request Reference No. 17/24) – Introduction of waiting restrictions in Teigngrace, Shoeburyness to deter residents parking from neighbouring street.

4. That the Deputy Chief Executive (Place) be authorised to publish the statutory notices and undertake the necessary consultation for the relevant traffic regulation order(s) in respect of the following requests and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented:

(i) Request Reference No. 17/03 – Introduction of waiting restrictions on the west side of Benvenue Avenue at peak school times;

(ii) Request Reference No. 17/08 – Extension of existing junction protection waiting restrictions on the southern kerbline of Shaftsbury Avenue from its junction with Warwick Road for a distance of approximately 40m to cover the bend;

(iii) Request Reference No. 17/11 – Extension of existing waiting restrictions in The Roding around the bend;

(iv) Request Reference No. 17/12 – Introduction of no waiting at any time restrictions in Eastwood Park Drive at its junction with Rayleigh Road;

(v) Request Reference No. 17/13 (Duplicated at Request Reference No. 17/18) – Extension of existing junction protection waiting restrictions in Colbert Avenue at its junctions with Warwick Road, Clieveden Road, Walton Road, Lynton Road and Burges Terrace.

(vi) Request Reference No. 17/14 – Amendment of existing no waiting at any time restrictions in Tyrone Road between Fermoy Road and Johnstone Road (with the exception of the section between Fermoy Road to 91 Tyrone Road) from 2.00 p.m. to 3.00 p.m. Mondays to Fridays to 11.00 a.m. to 12.00 noon Mondays to Fridays;

(vii) Request Reference No. 17/15 – Introduction of waiting restriction for 1 hour no return in 4 hours on Mondays to Fridays between 9.00 a.m. to 5.00 p.m. in Tyrone Road on the west kerbline from its junction with Fermoy Road to 91 Tyrone Road and in Fermoy Road from its junction with Thorpe Hall Avenue to 51 Fermoy Road; and amendment of existing junction protection waiting restrictions at the junction of Fermoy Road and Tyrone Road to no waiting at any time including for the purposes of loading and unloading.

(viii) Request Reference No. 17/26 – Introduction of waiting restrictions on north side of Colbert Avenue between 9.00 a.m. to 6.00 p.m. daily from April to October; and

(ix) Request Reference No. 16/11 – Provision of waiting restrictions in Colbert Avenue, west of the church; and

(x) Request Reference No. 17/27 – Amendment of traffic flows in Chalkwell Park Drive to southbound only.

5. That, with regard to Request Reference No. 17/02 for verge hardening in Mansell Close, the works be added to the 2018/19 work programme.

Reasons for Decision

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

Other Options

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

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

289 Petition Regarding Amending Traffic Flow - Hadleigh Road (southern section) Leigh on Sea

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of a petition comprising 24 signatures from the residents of Hadleigh Road, Leigh-on-Sea requesting the current two-way traffic flow in the section between Leigh Park Road to New Road be amended to one-way in a southerly direction. Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the Deputy Chief Executive (Place) be authorised to publish the statutory notices and undertake the necessary consultation for the relevant traffic regulation order for the introduction of a one-way traffic flow in the section of Hadleigh Road, Leigh-on-Sea between Leigh Park Road to New Road, the direction of which to be determined by the Deputy Chief Executive (Place) in consultation with the Executive Councillor for Transport, Waste and Regulatory Services, following consultation with the Ward Councillors.

2. That, subject to there being no objections received following statutory advertisement, the Deputy Chief Executive (Place) be authorised to confirm the Order(s) as advertised. Any unresolved objections will be referred to a future meeting of the Traffic & Parking Working Party and Cabinet Committee for consideration.

Reason for Decision

To improve traffic flow and safety on the highway network.

Other Options

Do nothing – road safety may be compromised.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

290 Request to Amend Traffic Flows to One-Way - Osborne Road and Windsor Road

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of a petition comprising 30 signatures that had been presented by Councillor David Norman M.B.E. on behalf of residents in Osborne Road and Windsor Road requesting that the traffic flows be amended to one-way

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

Resolved:

1. That the Deputy Chief Executive (Place) be authorised to publish the statutory notices and undertake the necessary consultation for the relevant traffic regulation order(s) to introduce one-way traffic flows in Osborne Road and Windsor Road, Westcliff-on-Sea and the revocation of any appropriate lengths of waiting restrictions in the streets, the direction of flow and extent of waiting restrictions to be revoked to be determined by the Deputy Chief Executive (Place), in consultation with the Executive Councillor for Transport, Waste and Regulatory Services, following consultation with the Ward Councillors.

2. That, subject to there being no objections received following statutory advertisement, the Deputy Chief Executive (Place) be authorised to confirm the Order(s) as advertised. Any unresolved objections will be referred to a future meeting of the Traffic & Parking Working Party and Cabinet Committee for consideration.

Reason for Decision

To reflect residents' views and create additional on street parking capacity.

Other Options

Do nothing – existing problems would not be addressed.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee

Executive Councillor: Councillor Cox

291 Petition for 20mph Speed Limit – Southsea Avenue

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of a petition from the residents of Southsea Avenue, Leigh-on-Sea requesting a reduction in the speed limit to 20mph in the road. Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the petitioner for be thanked for taking the time to compile the petition.

2. That no further action at this time, on the basis of the findings of the In-depth Place Scrutiny Report 2016, the low average speeds of vehicles using the road and the agreed process for the consideration of speed reduction measures as set out in the Traffic and Parking Working Party Recommendations, January 2016 (Minute 516 of the meeting of Cabinet Committee held on 4 January 2106 refers).

Reason for Decision

To reflect the low incidence of excessive speeds evidenced and general lack of support indicated.

Other Options

To proceed with implementing a 20mph speed limit the costs of which, would need to be met through existing budgets. It should be noted that introducing a speed limit of 20mph is not generally supported by the Police who would be responsible for any enforcement activity.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

292 Bailey Road Area - Permit Parking Proposal

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of the results of the consultation that had been led by residents in the area around Bailey Road, Leigh-on-Sea. Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That, subject to the inclusion of Barnard Road and Eaton Road, the proposal to introduce a Permit Parking Area in the Bailey Road area, Leigh-on-Sea, as based on the streets consulted, be approved.

2. That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order to introduce permit parking controls in the area around Bailey Road and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented. Any unresolved objections will be referred to a future meeting of the Traffic & Parking Working Party and Cabinet Committee for consideration.

Reasons for Decision

To improve the parking opportunity for residents of the local area leading to improved management of parking.

Other Options

Do nothing – parking problems would be addressed.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee

Executive Councillor: Councillor Cox

293 Station Avenue Permit Parking Area

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of the representations that had been received in response to the statutory consultation for proposed Traffic Regulation Orders for the introduction of a permit parking area in Station Avenue and East Street Southend-on-Sea.

The report sought the Cabinet Committee's approval on the way forward in respect of all of these proposals, after having considered the views of the Traffic & Parking Working Party the Traffic & Parking Working Party following

consideration of all the representations that had been received in writing and at the meeting.

Resolved:

That the matter be deferred for consideration at the next meeting of the Traffic & Parking Working Party.

Reason for Decision

To ensure an informed decision to reflect the previous decisions taken by the Traffic and Parking Working Party and Cabinet Committee relating to the exclusion of established properties within a street from eligibility to purchase parking permits and reflect the outcome of the consultation on the revised proposals.

Other Options

Re-advertise the proposal excluding any property with off-street parking availability whether flats, houses in multiple occupation or individual houses. This would however create additional costs and resources to amend the Traffic Regulation Order on every occasion that an individual property created off-street parking provision.

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

294 Requests for Waiting Restrictions

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

Resolved:

1. That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order(s) for the following requests and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented:

(i) to introduce permit parking controls to prevent non-resident parking in the Coleman Street car park fronting Malvern;

(ii) to introduce permit parking controls to prevent non-resident parking in the car park adjacent to Blackdown in North Road accessed from Newlands Road;

(iii) to amend the current parking arrangements in the car parking area at the Cliffs Pavilion to pay and display;

(iv) to introduce a part time loading bay in Western Esplanade, near to the Pier, operational from 7.00 a.m. to 9.00 a.m. daily and reverting to pay and display parking from 10.00 a.m. until 6.00 p.m.; and

(v) to provide a parking bay for the fleet vehicles belonging to the Council in the Service Road to the Civic Centre;

(vi) to provide limited waiting restrictions in the section of Ness Road, Shoeburyness from the existing pay and display parking bays to its junction with Freemantle; and

(vii) to introduce any appropriate prohibitions of vehicular access to the High Street, Southend on Sea.

2. That consideration of the request for the installation of waiting restrictions on the bend in Shoebury Road be deferred to the next meeting.

3. That, in respect of the request for permit parking controls in Percy Road, officers meet with Ward Councillors to assess the level of issues in the area and discuss an appropriate way forward.

Reason for Decision

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

Other Options

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

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

295 Deployment of Fixed Safety Cameras

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that sought Members' views on the request for the deployment of a fixed safety camera on the west bound carriageway of Eastern Avenue (A1159) close to the roundabout at Sutton Road (outside No. 38 Eastern Avenue). Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That, on the basis that the proposed location does not meet the criteria set out by the Safer Essex Roads Partnership (SERP), the request for the deployment of a fixed safety camera at this location be refused.

2. That officers identify possible measures to address the issues being experienced in this section of road, including the feasibility of introducing a traffic light controlled junction at the junction of Eastern Avenue with Bournemouth Park Road, the details of which to be submitted to a future meeting of the Traffic &

Parking Working Party and Cabinet Committee for consideration at the first meeting of the next Municipal year.

Reasons for Decision

To confirm the Council's approach to installing safety cameras.

Other Options

To proceed with the deployment of the safety camera. This be against the criteria set out by SERP (of which the Council is a member) and would have significant impact on the Council's budget.

Note:- This is an Executive Function

Eligible for call-in to Place Scrutiny Committee:

Executive Councillor: Councillor Cox

296 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.

297 Permanent Vehicular Crossing (PVX) - Exceptional Circumstances Application(s)

The Cabinet Committee considered a report of the Deputy Chief Executive (Place) concerning various applications on the grounds of exceptional circumstances following the refusal for consent to form permanent vehicle crossings.

Resolved:

1. That consideration of the applications be deferred to a special meeting to enable applicants or their appointed representative to attend the meeting and present their application in person.

Recommended:

2. That the Council make the following amendments to the Constitution:

(i) Part 3, Schedule 2 - Terms of Reference of the Traffic and Parking Working Party: Amend paragraph 3.6.3(c) to now read:

“(c) To consider exceptional circumstances PVX applications and hear oral representations by the applicant or their appointed representative and make appropriate recommendations to the Cabinet Committee.”

(ii) Part 4(a) Council Procedure Rules – add the following:

“6E. Public Participation in Respect of Exceptional Circumstances PVX Applications

(a) When an exceptional circumstances PVX application is being considered by the Traffic & Parking Working Party, the applicant or their appointed representative may attend that part of the meeting only to present their application in person to the Working Party.

(b) The applicant or their appointed representative will be limited to a maximum period of 3 minutes to make their oral presentation.

(c) The use of visual aids will not be permitted and copies of speakers' comments and / or additional written information cannot be circulated at the meeting.

(d) Upon completion of the oral presentation, the applicant or their appointed representative will be required to withdraw from the meeting whilst the application is being determined. The applicant will be notified of the decision in writing.”

Reason for Decision

To ensure a full and proper hearing of exceptional circumstances PVX applications by the Traffic & Parking Working Party.

Other Options

To deal with the applications on the basis of written submissions from the applicant.

Note:- The decision set out in resolution 1 above is an Executive Function. The recommendation set out in 2 above is a Council function.

Eligible for call-in to Place Scrutiny Committee

Executive Councillor: Councillor Cox

298 Council Procedure 44.2

Following consideration of Agenda Item No. 7 entitled (Petition Regarding Amending Traffic Flow - Hadleigh Road (southern section) Leigh on Sea, and the hour of 10.00 p.m. having been reached, the Cabinet Committee resolved that the remaining items of business on the Agenda be dealt with at this meeting.

Chairman: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Monday, 18th September, 2017
Place: Committee Room 1 - Civic Suite

19

Present: Councillor C Nevin (Chair)
Councillors L Davies (Vice-Chair), B Arscott, M Borton, H Boyd,
A Bright, A Chalk, C Endersby, D Garston, S Habermel,
A Jones, C Mulroney, G Phillips, M Stafford and C Walker
E Lusty and L Crabb – co opted members

In Attendance: Councillor L Salter (Executive Councillor)
Councillors J Moyies and C Willis
F Abbott, S Leftley, D Simon and A Atherton

Start/End Time: 6.00 - 8.20 pm

299 Apologies for Absence

Apologies for absence were received from Councillor M Butler (no substitute), Councillor Buckley (no substitute), T Watts and A Semmence (co opted members).

300 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillor Boyd - agenda item relating to IVF consultation – non-pecuniary – Dr J Garcia Lobera is GP at her practice;
- (b) Councillor Borton - agenda item relating to IVF consultation – non-pecuniary – one of the presenters is GP at her practice;
- (c) Councillor Salter - agenda item relating to Mid and South Essex STP – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;
- (d) Councillor Nevin - agenda item relating to Mid and South Essex STP - non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;
- (e) Ms E Lusty - agenda item relating to Mid and South Essex STP – non-pecuniary interest – husband is orthopaedic Consultant Surgeon at Southend Hospital / Wellesley Hospital.

301 Questions from Members of the Public

Councillor Salter, the Executive Councillor for Health & Adult Social Care responded to a written question from Mr Fieldhouse.

302 Public Consultation on In Vitro Fertilisation (IVF) in Southend-on-Sea

The Committee considered a report of the Chief Executive which advised that the CCG are currently consulting on proposals to change the service restriction policy with regard to In Vitro fertilisation (IVF) in Southend-on-Sea. The consultation runs from 26th July – 26th October 2017.

The Chairman welcomed the following health representatives to the meeting for this item:-

- Dr Jose Garcia Lobera – Chair, NHS Southend CCG
- Mr Ian Stidston – Accountable Officer, NHS Southend CCG
- Dr Krishna Chaturvedi – Clinical Executive Committee Chair, NHS Southend CCG
- Mr Matt Ranguie – Chief Nurse, NHS Southend CCG

The Committee received a detailed presentation on the proposals and received an update on the consultation responses to date, including:-

- Rationale for proposal and are reviewing all services which are commissioned;
- CCG has to make £18.2m worth of savings;
- Referred to NICE guidelines and NHS Commissioning Guidance;
- CCG's need to take account of the needs of the population overall;
- Outlined current clinically based service restriction policy and the proposal being consulted on which is that the CCG would no longer routinely fund IVF and other assisted conception treatments other than for 2 exceptions;
- IVF is often unsuccessful with success rates varying between 2% and 32% mainly depending on age of mother;
- Outlined ways in which NHS can help couples;
- IVF is not routinely funded in other areas already, including within Essex – Basildon & Brentwood, Mid Essex and North East Essex. West Essex is currently looking at the provision of IVF and specialist fertility services;
- Provided some information on responses received to the consultation to date and workshop. Further workshops are being planned. The themes, concerns and suggestions will be included in final report to be considered by the CCG Governing Body.

This was followed by questions from the members of the Committee which were responded to by the CCG, as summarised below:-

- Impact of change, especially mental health – will look this as there are links between mental & physical health and will also encourage people to access other services such as Talking Therapy;
- How the CCG is publicising the consultation and encouraging people to respond – the consultation is on the CCG website and has been circulated to stakeholders and the local press, social media, stakeholder groups etc. - the CCG will re circulate information about the consultation to GP's / Practice Managers to remind them about the consultation and to disseminate. Hard copies of the document can also be provided;

- Number of responses seems low & query if representative – will provide breakdown on demographics and will also ensure differentiate between those who live in or outside borough in analysis;
- Other areas considering same matter & ‘post code lottery’ issue – will provide information on situation in London area;
- The proposals are cost driven rather than clinical – issue needs to be considered in the round and around other services which need to be provided to residents.

In conclusion, the Committee made the following comments:-

- Extremely difficult decision and disappointing that IVF will no longer be offered (funded) for Southend residents (except for the exceptions mentioned);
- Contraception pill possibly had impact on fertility;
- Right to review the service but if the CCG Governing Body does decide to go ahead with the change there will need to be careful managing of expectations (message) / human side there;
- Whether have considered impact on other services (Adoption Service mentioned);
- There needs to be more detailed analysis of responses at the end of the consultation (age range, who responded etc.);
- The CCG should consider extending the consultation deadline to encourage more responses.

Resolved:-

That the views of the Committee be forwarded to NHS Southend CCG and the CCG present the results from the consultation to a future meeting.

Note:- This is a Scrutiny Function.

303 Mid and South Essex Sustainability and Transformation Plan

The Committee considered a report of the Chief Executive which updated members on the Mid and South Essex Sustainability and Transformation Plan and the role of the Scrutiny Committee going forward.

The Committee also had before it an update briefing on current progress towards consultation. The Mid and South Essex STP is finalising a business case for potential service changes over the next five years, including proposals to reconfigure some hospital services. It is anticipated that the draft consultation document and plan will be shared with the Committee by the end of the month.

Resolved:-

1. That agreement to the establishment of a Joint Committee with Essex and Thurrock Councils be deferred to the next meeting of the Committee or when the draft consultation document and plan has been forwarded to the Committee for consideration.
2. That NHS England be invited to attend the meeting when this matter is considered.
3. That the briefing by NHS England regarding the STP be noted.

4. To note the formation of the CCG STP Joint Committee as detailed in section 5 of the Report.

Note:- This is a Scrutiny Function

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 19th September, 2017
Place: Committee Room 1 - Civic Suite

20

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 B Arscott, D McGlone and C Mulroney
A Griffin, J K Williams, S Leftley, A Lewis, A Atherton, J Chesterton,
S Dolling, P Geraghty, B Martin, C Robinson, T MacGregor,
A Keating, K Clarke, J Astle, J Tompson and C Gamble

Start/End Time: 2.00 p.m. - 3.10 p.m.

304 Apologies for Absence

There were no apologies for absence at this meeting.

305 Declarations of Interest

The following Members declared interests as indicated:

(a) Councillor Flewitt – Agenda Item No. 10 (Secondary School Placements) – Non-pecuniary interest: Ward Councillor for St Laurence Ward and has been communicating with residents;

(b) Councillor Holland – Agenda Item No. 4 (Fire Safety Measures following Grenfell Tower Tragedy) – Non-pecuniary interest: Vice-Chair of the Essex Fire Authority; and

(c) Councillor Lamb – Agenda Item No. 12 (Co-ordinated Admissions Scheme) – Non-pecuniary interest: School governor.

306 Minutes of the Meeting held on Tuesday 20th June 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday 20th June 2017 be confirmed as a correct record and signed.

307 Fire Safety Measures following Grenfell Tower Tragedy

The Cabinet considered a report of the Deputy Chief Executive (Place) advising of the action the Council has taken following the Grenfell Tower fire tragedy.

Resolved:

1. That the action taken to date, be noted.

2. That it be noted that a further report will be submitted to Cabinet detailing the outcomes of the first phase of the Fire Safety review being undertaken by the Council, South Essex Homes and Essex Fire & Rescue Service.

3. That it be agreed that there is consideration in the Capital Budget proposals for 2018/19 to fund any necessary remedial work or fire safety improvements that are identified by the review set out in resolution 2 above.

Reason for Decision:

To reassure Members that the Council has reviewed the fire safety management measures across its own property portfolio and that assurance is being sought from other public and private sector building owners that they are also reviewing safety measures.

Other options

None.

Note:- This is an Executive function
Eligible for call in to Place Scrutiny Committee
Executive Councillor: Flewitt
***Called in to:- Place Scrutiny Committee**

308 Monthly Performance Report (July)

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
***Referred direct and called in to:- all three Scrutiny Committees**

309 Risk Based Verification Framework

The Cabinet considered a report of the Chief Executive proposing the adoption of a policy for risk based verification within the benefits service.

Resolved:

That the implementation of the Risk Based Verification Policy attached at Appendix 1 to the submitted report, be approved.

Reason for Decision

To improve performance in reducing fraud and error leading to additional Government funding through the Right Benefit initiative.

Other Options

To continue to work as we are but this would not free up the additional resources required to do the further checks.

Note: This is an Executive function

Eligible for call in to Policy & Resources Scrutiny Committee

Executive Councillor: Moring

***Called in to:- Policy & Resources Scrutiny Committee**

310 Quarter One Treasury Management Report

The Cabinet considered a report of the Chief Executive covering the treasury management activity for the period from April 2017 to June 2017.

Resolved:

1. That the Quarter One Treasury Management Report for 2017/18, be approved.
2. That it be noted that the Treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to June 2017.
3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
4. That it be noted that an average of £48.6m of investments were managed in-house. These earned £0.052m of interest during the three month period at an average rate of 0.43%. This is 0.32% over the average 7-day LIBID and 0.18% over the bank base rate.
5. That it be noted that an average of £5.0m was managed by an enhanced cash fund manager. This earned £0.006m during this three month period at an average rate of 0.52%.
6. That it be noted that an average of £15.2m was managed by two short dated bond fund managers. This earned £0.046m during this three month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 1.21%.
7. That it be noted that an average of £15.9m was managed by two property fund managers. These earned £0.403m during this three month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 10.14%.
8. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £227.8m (HRA: £77.0m, GF: £150.8m) during the period from April to June 2017.

9. That it be noted that during the quarter the level of financing for 'invest to save' schemes increased from £7.90m to £8.75m.

Reason for Decision

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

Other options

None.

Note: This is an Executive Function

Eligible for call in to: Policy & Resources Scrutiny Committee

Executive Councillor: Moring

311 Debt Position at 31 July 2017

The Cabinet considered a report of the Chief Executive informing Members of the current position on the outstanding debt to the Council as at 31st July 2017.

Resolved:

1. That the current outstanding debt position as at 31st July 2017 and the position of debts written off to 31st July 2017 as set out in Appendices A and B of the submitted report, be noted.
2. That the write offs as detailed in Appendix B, be approved.

Reason for Decision

All reasonable steps to recover the debt have been taken and therefore where a 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

***Called in to:- Policy & Resources Scrutiny Committee**

312 Appropriation of Land at Burr Hill Chase

The Cabinet considered a report of the Chief Executive proposing the appropriation of land at Priory School and Burr Hill Chase from education use for

planning purposes to enable the wider redevelopment of the land following the relocation of the school.

Resolved:

That under S122 (1) of the Local Government Act 1972, the land at Priory School and Burr Hill Chase be appropriated from education use for planning purposes immediately following the vacation of the site to enable its redevelopment following relocation of the school in accordance with the consent of the Secretary of State for Education.

Reasons for Decision

The appropriation of land is required to ensure that the use is appropriately recorded and the land is enabled for future development.

Other options

As the Cabinet has agreed the future use of land subject to the consent of the Secretary of State for education which has now been received, other options are not relevant in this case.

Note: This is an Executive Function

Eligible for call in to: Policy and Resources Scrutiny Committee

Executive Councillor: Moring

***Called in to:- Policy & Resources Scrutiny Committee**

313 Secondary School Placements

The Cabinet considered a report of the Deputy Chief Executive (People) updating Members on the progress of the Secondary School Places Programme and the progress on identifying a site for a new Free School.

Resolved:

1. That current progress on the progression of current expansion projects at good and outstanding secondary schools for September 2018, namely Shoeburyness High School and St Thomas More High School, be noted.
2. That the continuation of expansion discussions with remaining Good and Outstanding Schools, namely Belfairs Academy, The Eastwood Academy and St Bernard's High School, to secure the remaining 60 places still required for September 2018, be approved.
3. That work continues on securing the plot of land identified in the submitted report to support an application to the Department of Education for a new secondary free school for September 2019.

Reasons for Decision

The Council has a statutory duty to ensure sufficient places for all statutory school aged children

Other Options

The Council has no option other than to provide sufficient school places if it is to meet its statutory duties.

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

314 School Performance Report Summer 2017 - Outcomes KS2 and KS4

The Cabinet considered a report of the Deputy Chief Executive (People) which informed Members of the high level performance outcome for all Southend schools at all key stages following the summer tests and examinations.

On consideration of the report, the Chairman referred to the excellent school examination results and thanked the relevant officers and others for their contribution towards the positive outcomes.

Resolved:

That the overall performance of Southend schools at each of the key stages, in particular relative to the emerging national benchmarks, be noted.

Reasons for Decision

To note the performance of Southend schools.

Other Options

None.

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

315 Co-ordinated Admissions Scheme

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the Coordinated Admissions Scheme for 2019 onwards and the Published Admission Limits for community schools.

Resolved:

1. That a consultation with governing bodies of community schools takes place on the published admission numbers for community infant, junior and primary schools for September 2019, as set out in Appendix 1 to the submitted report.

2. That the proposed Coordinated Admissions Scheme for 2019 onwards (as set out at Appendix 2 to the submitted report), in principle, be approved, and if there are minor areas to be resolved following the consultation with all schools, the decisions on minor amendments be delegated to the Deputy Chief Executive (People) in consultation with the Executive Councillor for Children & Learning.

Reasons for Decision

The determination of admission arrangements for community schools and the provision of a coordinated admissions scheme is a statutory requirement.

Other Options

None.

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

316 Suicide Prevention Strategy

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the draft Suicide Prevention Strategy for Southend, Essex and Thurrock entitled 'Let's Talk About Suicide.'

Resolved:

That the Suicide Prevention Strategy and associated actions, be approved.

Reasons for Decision

To reduce suicide rates.

Other Options

None.

Note: This is an Executive function
Eligible for call in to: People Scrutiny Committee
Executive Councillor: Salter
***Called in to:- People Scrutiny Committee**

317 Skills Strategy

The Cabinet considered a report of the Deputy Chief Executive (Place) updating Members on the development of a Skills and Labour Market Strategy for Southend-on-Sea 2018-2022.

Resolved:

That the Towards a Skills and Labour Market Strategy for Southend-on-Sea, attached at appendix 1 to the submitted report, for wider consultation, be approved.

Reasons for Decision

The strategy aims to improve the Southend skills support landscape, raise ambition and skills levels, increase employment opportunities in local jobs and

enable economic growth through equipping residents with the skills needed by business. A clear strategy for the Council and its stakeholders will play an integral role in maximising the benefit realised by local residents facilitating economic growth.

Other Options

Decide not to pursue the development of a Skills and Labour Market Strategy and allow the market to continue as it is. The result of this would be an absence of community leadership on the subject and a lack of response to the issues identified in the first stage consultation and assessment.

Note: This is an Executive function
Eligible call in to: Place Scrutiny Committee
Executive Councillor: Holland
***Called in to:- Place Scrutiny Committee**

318 Energy Opportunities

The Cabinet considered a report of the Deputy Chief Executive (Place) which sought approval to launch a set of energy generation, storage and management services under the Southend Energy brand underpinned by minimum standards and an associated marketing campaign.

Resolved:

1. That a set of minimum standards for energy generation and storage devices and associated management services to be managed through the proposed governance process, be established.
2. That the devices and services be marketed to help households to save money and reduce their net energy consumption.
3. That the scheme be supported by an appropriate governance process, as set out in paragraph 5 of the submitted report, that will approve suppliers and processes for the scheme and the marketing for both the scheme, as a whole, and individual suppliers.
4. That it be noted that the scheme will be funded over time by referral fees and marketing contributions from suppliers with an initial investment of £50k from the Business Transformation Fund (already approved) to launch the scheme and to fund one staffing post until revenues cover on-going costs. Over time, any net revenues will be used to fund the energy team.

Reasons for Decision

The savings to households together with other benefits of the proposals are detailed in the report.

Other Options

Doing nothing will remove the opportunity for Southend residents to make significant savings on their energy costs in the face of rising energy prices and

remove the opportunity for improved local grid resilience. Households wishing to engage with the market would be exposed to a confusing marketplace without support.

Note: This is an Executive function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Holland

***Called in to:- Place Scrutiny Committee**

319 S-CATS (London Road Projects)

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the progress of the 'Southend Central Area Transport Scheme (S-CATS).

Resolved:

1. That either of the two design options for London Road (between Queensway and College Way) be taken forward to construction which will allow selection of the final design to be carried out in consultation with stakeholders and public.

2. That the drainage works can be started along London Road in September 2017, in preparation for the scheme construction to start in October 2017.

3. That the authority be delegated to the Chief Executive and Deputy Chief Executive (Place), in consultation with the Leader of the Council and the Executive Councillor for Transport, Waste and Regulatory Services, to agree the final design option, Option A or Option B, selected after stakeholder and public consultation, to be taken forward to implementation with a programmed commencement in October 2017, together with the advertisement of any necessary Traffic Regulation Orders.

Reasons for Decision

Southend Central Area Transport Scheme represents a major opportunity to support the continued growth and regeneration of the Southend Central Area.

Other Options

If no action was taken, the investment opportunity would be lost. This would reduce the contribution to supporting local health and wellbeing and restrict accessibility and local mobility, and potentially undermine business confidence and investment within the area.

Note: This is an Executive function.

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Cox

***Called in to:- Place Scrutiny Committee**

320 **Museums Service – Large Objects Collection**

The Cabinet considered a report of the Deputy Chief Executive (Place) informing Members of the large object social history collection of Southend Museums Service and set out a future plan for maximising related resources.

Resolved:

That the submitted proposals for the future of the Museum Service's large object social history collection, be approved.

Reasons for Decision

This is essential to the maintenance and development of the Museums Service and its collections.

Other Options

None.

Note: This is an Executive function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Holland

***Called in to:- Place Scrutiny Committee**

321 **Highway Infrastructure Asset Management Plan**

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on progress in developing the Council's approach to Highways/Transport Infrastructure Asset Management (HIAM) and requesting that consideration be given to the Highways Infrastructure Asset Management Plan (HIAMP).

Resolved:

1. That the HIAMP and associated appendices as the Council's approach to asset management and operational service delivery, be approved.

2. That continued cross boundary joint working on asset management, enabling better understanding and development of collaborative working, benchmarking and efficiency, resilience, customer communications and operation delivery to support the management of assets in Southend-on-Sea, be approved.

3. That the lifecycle plans which form the basis for the prediction of future performance of a group of assets, based on investment scenarios and maintenance strategies, be noted.

4. That it be agreed that the HIAMP and appendices will influence the Council's approach to highway maintenance and management of assets in order to meet the requirements as set out by the Department of Transport.

5. That the increase of the Council's banding for the next Department for Transport self-assessment questionnaire (SaQ) return, be noted. (The result of

which will be the Council will receive its full funding awards and improve the case for additional funding grants by adopting asset management principles).

Reasons for Decision

To establish a framework which has the means to deliver a more efficient and effective approach to the management of highway infrastructure assets.

Other Options

Do nothing and settle for a lower band score. However, this would mean that the Council has no credible strategy for investing in assets and result in a significant loss of external funding for maintenance.

Note: This is an Executive function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Cox

***Called in to:- Place Scrutiny Committee**

322 Essex & Southend Waste Local Plan

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the Essex and Southend-on-Sea Waste Local Plan.

Recommended:

1. That all the recommendations of the Inspector's Report set out at Appendix 1 to the submitted report and the revised version of the Essex and Southend-on-Sea Waste Local Plan set out at Appendix 2 to the report, be approved.
2. That the Essex and Southend-on-Sea Waste Local Plan as set out at Appendix 2 to the report, in accordance with Planning Regulations, be approved.
3. That it be noted that the Essex and Southend-on-Sea Waste Local Plan Proposed Submission version, approved by Council for publication and submission in February 2016 has been amended as per:
 - a) the main modifications recommended by the Inspector in her report and agreed for consultation under delegated authority in 2016 (attached at Appendix 1);
 - b) The minor modifications agreed for consultation under delegated authority in 2016 (attached at Appendix 3); and
 - c) The further minor modification (attached at Appendix 4).

Reasons for Decision:

It is clearly advantageous for the Council to have a new Waste Local Plan in place as soon as possible. This would avoid the risk of new planning applications for waste related development being considered without an up-to-date Plan - one of the consequences being a lack of certainty regarding where new waste development will take place in future and whether such development is indeed required in the Plan area.

Other Options

Do nothing – work on the Plan would cease and the joint planning authorities would be forced to rely on national planning policy and guidance in making planning decisions in future. This option risks penalties for the Councils levied by the Government for the absence of an up-to-date Waste Local Plan

Note: This is a Council function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Flewitt

323 Council Procedure Rule 46

Resolved:

That the submitted report be noted.

Note: This is an Executive function

Eligible for call in to: As appropriate to the item

Executive Councillor: As appropriate to the item

324 Minutes of the Grants Strategy Working Party held on Tuesday 5th September 2017

The Cabinet considered the recommendations of the Grants Strategy Working Party held on 5th September 2017 regarding a Community Commissioning Prospectus 2018-21

Resolved:

That the proposals put forward for a Community Commissioning Prospectus 2018-21, be approved.

Note: This is an Executive Function

Eligible for call in to: Policy & Resources Scrutiny Committee

Executive Councillor: Moring

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 20th September, 2017

Place: Darwin Room - Tickfield

21

Present: Councillor L Salter (Chair)
J Garcia-Lobera (Deputy Chair),
Councillors M Davidson, J Moyies, C Willis and R Woodley,
A Semmence, A Griffin, S Leftley, A Atherton and L Crabb

In Attendance: R Walters, F Abbott, J Lansley, N Faint and L Watson
M McCann (EPUT), A Vowles and J Boxer (ABSS)

Start/End Time: 5.00 - 6.40 pm

325 Apologies for Absence

Apologies for absence were received from Dr Chaturvedi, N Leitch, Michael Freeston (substitute J Boxer), Sally Morris (substitute M McCann), Yvonne Blucher (no substitute), Councillor Lamb (no substitute) and Councillor Nevin (Chair, People Scrutiny Committee).

326 Declarations of Interest

The following declarations of interest were made at the meeting:-

- (a) Councillor Salter – agenda items relating to – Refreshed Health & Wellbeing Strategy; STP briefing – non-pecuniary interest - husband is consultant surgeon at Southend Hospital and holds senior posts at the hospital; son-in-law is a GP; daughter is a doctor at Broomfield Hospital;
- (b) Councillor Davidson – agenda item relating to STP briefing – non-pecuniary interest – Council appointed Governor at Southend Hospital NHS Trust;
- (c) Councillor Moyies - agenda item relating to STP briefing – non-pecuniary interest – Council appointed Governor at Essex Partnership University Trust.

327 Minutes of the Meeting held on Wednesday 21st June 2017

Resolved:-

That the Minutes of the Meeting held on Wednesday, 21st June, 2017 be confirmed as a correct record and signed.

With reference to Minute 96, second bullet point (STP pre-consultation business case briefing), it was clarified that the Board wanted to be advocates for the STP.

328 Health & Wellbeing Strategy 2017-2021 Refresh Progress

The Board considered a joint report of the Deputy Chief Executive (People) and Interim Accountable Officer (NHS Southend CCG) which presented the initial draft

of the refreshed Health & Wellbeing (HWB) Strategy (Appendix 1) and the draft activity mapping (Appendix 2).

In considering the report, the following comments were made:-

- The Strategy is still in development and will include case studies at the section 'how are local people being helped to be active'.
- Appendix 2 – need further clarification on 'Transformation programme' in text (Ambition 5, Living Independently).
- Appendix 2 – needs to appropriately reference HWB Strategy refresh through the document.
- Need to ensure the HWB Strategy Refresh/Physical Activity Strategy influences the whole system - each organisation should take to their respective management teams to progress further.

Resolved:-

1. That subject to amendments, the Board approves the draft HWB Strategy refresh 2017-2021 for further development.
2. That following development, a refined draft be circulated electronically to Board members for comment, prior to going live at the December meeting of the Board.

329 Better Care Fund

The Board considered a report of the BCF Programme Lead providing an update on the Better Care Fund for 2017/19. The report also advised the Board that the BCF Plan 2017/19 had been submitted to NHS England on 11th September 2017, following sign off from the Deputy Chief Executive (People) and the Interim Accountable Officer (Southend CCG), in conjunction with the Chair and Vice Chair of the HWB.

The Programme Lead advised that early indications are that the plan will be approved without conditions.

The challenges regarding information sharing were discussed and it was noted that the Locality Transformation Group (LTG) oversee this issue. The Board's ongoing interest will be conveyed to the LTG.

Resolved:-

1. That the update for the BCF 2017/19 be noted.
2. To note the Southend BCF Plan for 2017/19 that was submitted to NHS England on 11th September 2017.

330 Sustainability and Transformation Fund (STP) Briefing on current position

The Board considered an update briefing from the STP Programme Director on current progress towards consultation. The Mid and South Essex STP is finalising a business case for potential service changes over the next five years, including proposals to reconfigure some hospital services.

The Programme Director attended the Board to answer questions. The Board made the following comments:-

- Board members need to have time to understand the plan before public consultation phase.
- Noted the revised timetable which is a challenge and also means that consultation will begin within the next month or so.
- Made a number of suggestions on what issues need to be addressed in consultation document – for example, transport, information on patient pathways.
- Noted that the consultation will be run by the 5 CCG's in Mid and South Essex through the Joint Committee of the CCG's.

Resolved:-

That the update be noted.

331 A Better Start Southend Governance Update

The Board considered a report of the Acting Programme Director on progress and current position of the A Better Start Southend (ABSS) programme. J Boxer, Project Manager, Pre-school Learning Alliance was in attendance for this item.

The Board had some questions on the pace of change and that the Board needs assurances to provide necessary oversight.

Resolved:-

That the next report should include further information on the work happening in the borough (success stories) and the ABSS will be a topic for broader discussion in near future.

Chairman: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee B

Date: Tuesday, 26th September, 2017

Place: Committee Room 1 - Civic Suite

22

Present: Councillor G Phillips (Chair)
Councillors N Folkard (Vice-Chair), H Boyd, D Garston, D Kenyon
and D McGlone

In Attendance: R Harris

Start/End Time: 5.00 - 5.15 pm

332 Apologies for Absence

Apologies for absence were received from Councillor Borton (no substitute).

333 Declarations of Interest

There were no declarations of interest at this meeting.

334 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.

335 Post 16 Education Transport - LM

The Committee considered a report of the Deputy Chief Executive (People), together with supporting correspondence from the parent of pupil LM, in connection with an application for home to school transport assistance.

Resolved:

That there being no circumstances reported which would justify a departure from the Council's policy, the appeal be dismissed.

Chairman: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Thursday, 28th September, 2017

Place: Committee Room 1 - Civic Suite

23

Present: Councillor R Hadley (Chairman)
Councillors D McGlone (Vice-Chair) and C Mulroney

In Attendance: Councillor Lamb
E Anakwue, T Row, M Newton and T Byrne

Start/End Time: 1.00 p.m. - 2.45 pm.

336 Apologies for Absence

There were no apologies for absence.

337 Declarations of Interest

Councillor Mulroney declared a non-pecuniary interest in the application under consideration on the grounds that one of the objectors was known to her.

338 Application for the Grant of Premises Licence - The Crafty Half, 1376 London Road, Leigh-on-Sea, Essex, SS9 2UH

The Sub Committee received a report of the Deputy Chief Executive (Place) concerning an application by Mr Stephen Warner for the grant of a Premises Licence in respect of The Crafty Half, 1376 London Road, Leigh on Sea, Essex SS9 1UH.

The Application was presented by the applicant, Mr Warner.

The Sub Committee noted that no objections had been received from any of the Responsible Authorities, although measures had been agreed between the applicant, Essex Police and the Licensing Authority, as set out in Appendix 3 to the report of the Deputy Chief Executive (Place), should the application be granted.

Objections had however, been received from four residents and one local business, one of who attended the meeting. All of the objectors were however, represented by Councillor Lamb who attended the hearing and gave evidence on their behalf. The objections related to all four of the licensing objectives.

At the meeting, the applicant confirmed that the application sought the supply of alcohol both on and off the premises daily from 10.00 hrs to 23.00 hrs (in accordance with the plan attached to the application) and for recorded music to be played inside the premises only for the same times. The premises would be open to the public from 10.00 hrs to 23.30 hrs daily.

The Sub Committee listened to all the evidence and submissions, and read all the documents. It had regard to the Statutory Guidance Notes and Southend-on-Sea Borough Council's Statement of Licensing Policy. The Sub Committee further considered the four licensing objectives namely the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

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

Resolved:

That the application for the grant of a premises licence be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Deputy Chief Executive (Place);

(ii) The conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place);

(iii) The amended and additional conditions agreed between the Applicant, Essex Police and the Licensing Authority as set out in Appendix 3 to the report of the Deputy Chief Executive (Place); and

(iv) The following additional condition:

"The licensee shall ensure that all alcohol on the shelves within the premises will be secured by means of a lockable shutter from the terminal hour for licensable activities until after the premises is closed to the public."

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 4th October, 2017
Place: Committee Room 1 - Civic Suite

24

Present: Councillor F Waterworth (Chair)
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton, H Boyd, S Buckley, M Butler*, T Callaghan, N Folkard, R Hadley, H McDonald, C Mulroney, P Van Looy and C Walker
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: J K Williams, P Geraghty, K Waters, C Galforg, J Rowley, M Warren and T Row

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

339 Apologies for Absence

Apologies for absence were received from Councillors J Garston (Substitute: Councillor Butler), Norman MBE (no substitute) and Ward (no substitute).

340 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item No. 4 (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea) – Non-pecuniary interest: Applicant and objectors are known to him;

(b) Councillor Folkard – Agenda Item No. 6 (17/00219/FUL - 135 Ness Road, Shoeburyness) – Non pecuniary interest: Applicants are known to him;

(c) Councillor Mulroney – Agenda Item Nos. 4 (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea) and 5 (16/01756/FULM - Car Wash, 120 Broadway, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

(d) Councillor Mulroney – Agenda Item 7 (17/01121/FUL - Oak House, 77 Wimborne Road, Southend on Sea) – Non pecuniary interest: Applicants are known to her; and

(e) Councillor Walker – Agenda Item No. 4 (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea) – Non-pecuniary interest: Friends live in Underwood Square and Lime Avenue.

341 Supplementary Report

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

342 17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea (West Leigh Ward)
Proposal: Crown lift, prune and removal of deadwood to various oak trees (works covered by a tree preservation order)
Applicant: Mr Newton
Agent: DF Clark Bionomique Limited

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

Resolved: That consent for the work be GRANTED subject to following conditions:

01 The works covered by this permission shall begin no later than two years from the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in the interests of Policy DM1 of the Development Management Document (2015).

02 The works shall be carried out in accordance with BS 3998 (2010) by a suitably qualified person.

Reason: In the interests of visual amenity and to protect the tree, pursuant to Policy DM1 of the Development Management Document (2015).

03 The pruning works to the Oak tree T-14 must only include reduction of 2 main limbs over garden at approximately 7m and 7.5m from ground level by approximately 3m to suitable growing points and crown lift to 6m.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

04 The pruning works to the Oak tree T-15 must only include reduce crown on east side by 3m, crown lift to 6m. The reduction of the west side by 3m is not permitted by this consent.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

05 The pruning works to Oak tree T16 must only include reduction of the lowest limb over the garden by approximately 3m and reduce the 2 lowest limbs in line with each other.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

06 The pruning works to Oak tree T17 must only include the reduction of the crown by 2m over the garden to a height of 8m-9m, balancing into the upper crown and removing epicormic growth.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document.

07 The pruning works to Oak tree T18 must only include a crown lift by removing lowest sub lateral over the garden on the south and south east side, shaping the back crown over the garden by 1.5m -2 m up to a height of approx. 7m-8m. The reduction of the sides by 3m is not permitted by this consent.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

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

343 16/01756/FULM - Car Wash, 120 Broadway, Leigh on Sea (Leigh Ward)
Proposal: Demolish existing buildings and erect 20 self-contained flats with balconies and terraces, 445sq.m of commercial floorspace, basement parking, public realm enhancements, associated works and install new vehicular access onto Victor Drive to 114-120 Broadway
Applicant: Mr L. Panormo, Plaistow Broadway Filling Stations
Agent: Mr M. Calder, Phase 2 Planning and Development

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

01 The submission does not include a formal undertaking to secure an appropriate contribution to affordable housing provision to meet the demand for such housing in the area despite it having been found financially viable for the development proposed to make such a contribution. The application is therefore unacceptable and contrary to the National Planning Policy Framework; Strategic Objective SO7, and policies KP3 and CP8 of the Core Strategy (2007); and the advice contained within Supplementary Planning Document 2 Planning Obligations (2015).

02 The submission does not include a formal undertaking to secure an appropriate financial contribution to the provision of education facilities in the borough, to mitigate the demand for such facilities generated by the development proposed. The application is therefore unacceptable and contrary to the National Planning Policy Framework; Strategic Objective SO13, and Policies KP2, KP3 and CP6 of the Core Strategy (2007), and the advice contained within Supplementary Planning Document 2 Planning Obligations (2015).

Informative

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application and therefore, the proposal is not considered to be sustainable development. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

344 17/00219/FUL - 135 Ness Road, Shoeburyness (West Shoebury Ward)
Proposal: Erect six detached two storey dwelling houses and two detached garages, retain the existing dwelling, erect boundary wall, form vehicular access on to Ness Road
Applicant: Mr and Mrs Gillies

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

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

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

02 The development shall be carried out in accordance with the approved plans: 9369/LP/01; 9369/DR/01; 9369/E/01; 9369/ES/01; 9369/GA/01; 9369/LP/01; 9369/P/01 Revision F; 9369/PL02 Revision B; 9369/PL/03 Revision B; 9369/PL/04 Revision B; 9369/PL/05 Revision B; 9369/PL/06 Revision B; 9369/PL07 Revision B, 9368/SL/01 Revision A.

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

03 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment carried out by AGB Environmental (5th June 2017 reference: P2653.2.1) and drawing 9368/SL/01 Revision A.

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

04 Once occupied the development hereby permitted shall operate at all time in accordance with the reference Flood Evacuation and Warning Plan carried out by Stone Frigate dated April 2017 submitted with this application.

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

05 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of the materials details of which are shown on the plans and Developers Specification dated 14.09.2017 (reference 9369) hereby approved.

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

06 The development shall not be occupied until garages and car parking spaces have been provided at the site in accordance with drawing 9369/P/01 Revision F, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy (2007) and policy DM15 of the Council's Development Management Document (2015).

07 Prior to occupation of the proposed development the lower half of the first floor and second windows in the flank elevations of the plots 2 and 7 hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority). In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policies DM1 and DM3 and advice contained within the Design and Townscape Guide.

08 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. car parking layouts;

- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- viii. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management Document and Policy CP4 of the Core Strategy.

09 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been agreed in writing by the local planning authority. These measures shall be carried out as described and approved during the implementation of the development.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

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

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

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

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework,

Core Strategy policy KP2, Development Management Document policy DM2 and Design and Townscape Guide.

12 The development hereby approved shall be carried out in a manner to ensure all houses comply with Building Regulation M4 (2) 'accessible and adaptable dwellings'.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2 and Design and Townscape Guide.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, Development Management Document policies DM1 and DM3 and Design and Townscape Guide.

14 Prior to installation of any external lighting, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. Lighting shall be installed at the site only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, and Development Management Document 2015 policy DM1.

15 No development shall take place until details of the measures to be taken to protect badgers breeding birds and reptiles in connection with the development hereby approved have been submitted to and approved in writing by the local planning authority (in consultation with Natural England). The development shall only be carried out in full accordance with the approved details.

Reason: To ensure the development has an acceptable impact on the biodiversity of the environment in accordance with the National Planning Policy Framework and Core Strategy (2007) policies KP2 and CP4, policies DM1 and DM3 of the Development Management Document (2015).

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

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

17 No development shall take place until a site investigation of the nature and extent of contamination (including ordnance risk) has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before development commences. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures in full before the development is occupied.

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

18 No development or preliminary groundwork of any kind shall take place until the applicant has secured the implementation of a programme of Archaeological work in accordance with a written scheme of investigation which has previously been submitted by the applicant and approved in writing by the Local Planning Authority. The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow them to observe the excavations and record items of interest and finds.

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

19 Construction and demolition works (including the unloading and loading of associated materials) associated with this permission shall only take place between the hours of 07:30 and 18:00 Monday to Friday 08:00 and 13:00 Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the character and amenity of the area in accordance with Policies DM1 and DM3 of the Development Management Document.

Informatives

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy

(CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

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

2. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215810 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ.

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

345 17/01121/FUL - Oak House, 77 Wimborne Road, Southend on Sea (Kursaal Ward)

Proposal: Erect single storey detached classroom to rear (Class D1), with canopy to the front and rear, decking with balustrade to the front

Applicant: Oakhouse Montessori

Agent: Knight Gratrix Architects

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 010 Revision D, 011 Revision B.

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

03 The development hereby permitted shall be used for purposes in connection with the existing nursery including any other use permitted under the General Permitted Development Order (2015) (as amended) or Use Class Order (2015 (as amended) and no other use within Class D1.

Reason: To safeguard the amenities of adjoining residents, in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

04 The nursery shall not be open for use outside the hours of 07:00 to 19:00 hours Monday to Friday and shall not be open for use on Saturdays, Sundays or Bank Holidays.

Reason: To protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

05 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, decking, balustrade, windows and doors have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management 2015 and the advice contained within the Design and Townscape Guide 2009.

06 Prior to first use of the development hereby approved a Travel Plan shall be submitted to and agreed in writing by the local planning authority, and The Travel Plan shall be implemented in full accordance with the approved details from the first occupation of the development. At the end of the first and third years' operation of the development hereby approved, reports monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must thereafter be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with Core Strategy (2007) policies KP2, CP3 and CP4, policy DM15 of Development Management Document (2015), and the Design and Townscape Guide (2009).

07 The development hereby approved shall be carried out in strict accordance with the mitigation measures and recommendations of the Arboricultural Method Statement dated 16th August 2017 carried out by Moore Partners Limited and

the submitted Tree Protection Plan unless otherwise agreed in writing by the local planning authority.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, and Design and Townscape Guide (2009).

08 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i. proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. changes to car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- viii. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management Document and Policy CP4 of the Core Strategy.

09 Details of an acoustic fence, to be erected along the northern and western boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development and the fence shall be installed in accordance with the approved details shall be implemented in full prior to the first occupation of the development and be retained as such in perpetuity thereafter.

Reason: To safeguard the amenities of adjoining residents, in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

10 The development shall not be occupied until details of 9 secure, covered cycle storage spaces have been submitted to and agreed in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development and shall be permanently retained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy, policy DM15 of the Development Management Document.

11. All servicing of the development must take place between 07:00 hours-19:00 hours Monday to Friday and there shall be servicing or no deliveries on Saturdays, Sundays or Bank Holidays.

Reason: To protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

12. Construction hours of the development hereby permitted shall be restricted to 08:00 hours – 18:00 hours Monday to Friday, 08:00 hours – 13:00 hours Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

Informative

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

2. In relation to condition 6 the details of a travel plan should include:

(i). General provisions- A Travel Plan is a long-term management strategy for the site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.

(ii). The Travel Plan will set the general objective to:

- a) reduce journeys to the site by single occupancy car and all car traffic;
- b) not adversely affect parking in the local area; and
- c) seek to secure appropriate staggered pick up and drop off arrangements.

The Travel Plan must be consistent with the objectives of the National Planning Policy Framework, the Local Transport Plan and the Local Development Framework (departures from this will generally be unacceptable); clearly set out the benefits of a Travel Plan including carbon reduction and the health benefits from more active travel; and demonstrate how the travel needs for all users of the new development will be met.

3. The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2014 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG

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

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

346 17/01071/FUL - Kiosk 10 West, Chalkwell, Leigh on Sea (Chalkwell Ward)
Proposal: Part demolish existing building, extend front elevation, alter elevations, change of use to a café (Class A3) and internal layout to form new kiosk with bin store to side
Applicant: Mr and Mrs Grant
Agent: Stone Me Limited

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

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans 1700-03; 1700-01; 1700-04A; 1700-02A; 1700-06; 1700-07, 1700-08B; 1700-09A

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

03 Notwithstanding the details shown on the plans submitted, 1700-08B; 1700-09A submitted otherwise hereby, approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposal, roller shutters and display board have been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management Document 2015 and the advice contained within the Design and Townscape Guide 2009.

04 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment carried out by Richard Jackson Engineering Consultants dated August 2017 reference 48330.

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

05 The development hereby permitted shall be carried out in accordance with the supporting information received on the 9th August 2017 detailing how the front server of the kiosk will be removed for on-going maintenance of the flood defence as set out on drawings 1700-06 and 1700-07. Notwithstanding the above: The kiosk operator shall be responsible for removing the counter, the fibreglass arch and the floor section, when the Council requires reasonable access for maintenance of the wall. Nonetheless they should have a simple and quick removal method for these structures in case the Council's contractor requires access, in which event neither the contractor nor the Council shall be liable for storing them or for any damage to them.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment and access to the sea wall pursuant to the National Planning Policy Framework and policy KP2 of Core Strategy.

06 No construction works associated with this permission involving heavy plant or machinery are to be carried out during periods of freezing weather (i.e. when the ground or air temperature is at or below 0°C, or the ground is snow covered).

Reason: in order to minimise the risk of disturbance to over-wintering wildfowl and waders using the nearby foreshore during periods when they are already subject to additional stress due to the weather conditions.

07 No materials or waste are to be deposited within the Benfleet and Southend Marshes Site of Special Scientific Interest, Special Protection Area and Ramsar site, outside the boundary of the area to which the planning application refers.

Reason: To ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

08 No security or other exterior lighting shall be installed or used at the site, unless such lights are so arranged as to prevent any light spill onto the Benfleet and Southend Marshes SSSI, and to minimise direct glare when viewed from the foreshore. Prior to installation of any external lighting full details of the lighting and an assessment of the proposed lighting using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme and shall be maintained as such in perpetuity.

Reason: to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight and to ensure the nature

conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

09 Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details of the display board and any other advertisements have been submitted to and approved in writing by the Local Planning Authority. The display board and any other advertisements shall not be internally or external illuminated. The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is occupied.

Reason: to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight and to ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

10 The refuse storage as shown on drawing 1700-02A shall be provided at the site prior to it being brought into use and shall be permanently retained for the storage of waste and the development shall be operated and waste stored in accordance with the approved details in perpetuity. No waste shall be stored external to the building at any time except for purposes of waste collection.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with Core Strategy 2007 policies KP2 and CP4 and policies DM1 and DM3 of the Development Management Document.

11 The building hereby approved shall not be open for use outside the hours of 08:00 – 20:00 hours Monday to Sunday including Bank Holidays.

Reason: In the interests of visual amenity and to protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

12 All deliveries and collections to the kiosk shall take place between: 08:00-20:00hrs Monday to Saturday and no deliveries on Sundays or Bank Holidays.

Reason: In order to protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

13 Notwithstanding the details shown on the plans submitted and otherwise approved, prior to the installation of the extract ventilation system in the scheme details of noise attenuation measures in relation to the extract and ventilation equipment of the premises shall be submitted to and agreed in writing with the local planning authority. The attenuation measures shall then be installed in full

accordance with the approved details before the development is brought into use and permanently maintained thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, and Development Management Document policies DM1 and DM3.

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

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, and Development Management Document policies DM1 and DM3.

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007), Development Management Document (2015) Policy DM2 and the advice contained within the Design and Townscape Guide (2009).

16 Notwithstanding the provisions of the Advertisement Regulations (2007) as amended or any subsequent amendment, revocation or alteration of these Regulations no advertisements of any sort shall be displayed at the site other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard character, protect wildlife and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management Document 2015 and the advice contained within the Design and Townscape Guide 2009.

17 No live or recorded music which is audible outside the site boundary shall be played at the premises at any time.

Reason: In order to protect wildlife the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

18 Construction hours shall be restricted to between 7.30am – 6pm Monday to Friday, 8am – 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policies DM1, DM3 and the advice contained within the Design and Townscape Guide.

Informative

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

2. In relation to condition 5, the removal for maintenance may need to be for periods greater than one day, so securing the kiosk should be possible after removal. In time, the Council may need to raise the level of the sea wall, and this must be possible with adaptations to the counter, the arch and the floor, which will all be the responsibility of the operator.

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

- 347 17/00664/FULM - 831 - 837 London Road, Westcliff on Sea (Blenheim Park Ward)**
Proposal: Demolition of vacant car showroom and workshops, erect four storey building with retail (Class A1) at ground floor level, 31 retirement apartments above with balconies, install terrace at third floor to front elevation, layout parking and install vehicular access on to London Road (Amended Proposal)
Applicant: Mr J. Brook, Laidon Holdings Limited
Agent: Mr C. Green, Town Planning Services

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

Resolved: That consideration of the application be DEFERRED.

- 348 17/00125/UCOU_B - Rear Of 1 Burnaby Road, Southend on Sea (Kursaal Ward)**
Variously known as 3 Burdett Road, 58 Burdett Road, and rear of 1 Burnaby Road or Land to rear of 'Smithys' Public House, Eastern Esplanade, Southend.
Breaches of Control: Without planning permission, conversion of a storage building ancillary to a public house to create three self-contained residential units (Class C3 use) together with material changes to the external appearance of the premises

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure:

- (a) the cessation of the residential use;
- (b) the removal of the domestic doors and windows from the front elevation and removal of internal fixtures and fittings serving the residential use to include kitchen units, showers, domestic appliances and domestic furniture;
- (c) the cessation of the use of the part of the yard area used for associated residential parking; and
- (d) the removal of all rubble, materials and equipment associated with complying with the notice.

The unauthorised development is considered detrimental to the character and visual amenity of the area by reason of its contrived and cramped domestic design. The properties lies within flood zones 2 and 3 and there is no evidence that the risk of flooding has or can be satisfactorily mitigated. The proposal also provides inadequate amenity for future occupiers. The unauthorised development conflicts with Policies CP4, KP1 and KP2 of the Southend-on-Sea Core Strategy, Policies DM1, DM3, DM6 and DM8 and DM15 of the Southend-on-Sea Development Management Document and the advice contained within the Council's Design and Townscape Guide.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, up to 3 separate families may need to find alternative accommodation. A compliance period of 3 months is deemed reasonable for this to be completed. In respect of the physical conversion of the property 3 months is also considered a reasonable time to return the property to its former condition (with the exception of the retained new roof which is not proposed for enforcement). In the event that the invalid planning application is satisfactorily validated following receipt of the necessary information this would be considered and determined on its merits having regard to all of the planning considerations raised.

Chairman: _____

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Director of Legal and Democratic Services

to
Council
on
19th October 2017

30

Report prepared by John Williams
Director of Legal & Democratic Services

Changes to Membership of Committees and Minor Amendments to the Constitution

Part 1 - Public Agenda Item

1. Purpose of Report

For the Council to agree minor changes to appointments to Committees, Working Parties and one outside body as a result of a change to the Conservative Group on the Council

For the Council to make several minor amendments to the Constitution.

2. Recommendations

2 1 To note that as a result of Councillor McMahon having given notice to the Chief Executive that she has joined the Conservative Group on the Council, the political make-up of the Council is now as follows

- Conservative Group – 28
- Independent Group – 11
- Labour Group – 9
- Liberal Democrat Group – 2
- Non-aligned – 1 (Councillor Ayles)

2.2 That Councillor McMahon be appointed to the Policy and Resources Scrutiny Committee and General Purposes Committee in accordance with the wishes of the Conservative Group

2 3 To agree the minor amendments to the Constitution set out in Appendix 1

3. Background

3 1 On 19th September 2017 Councillor McMahon gave formal notice to the Chief Executive pursuant to Regulation 9(b) of the Local Government (Committees

and Political Groups) Regulations 1990 that she wished to be treated as a member of the Conservative Group on the Council with immediate effect
As a consequence of the notice, the political make-up of the Council is now as set out in recommendation 2 1

- 3 2 Places on Committees and other bodies for the municipal year 2017/18 were previously agreed at the Appointments Council held on 18 May 2017 and then amended at Council on 15 June 2017 and generally reflected the wishes of the political groups in the context of the political proportionality rules

The political composition of the Council necessitates the Council agreeing minor changes to Committees for the remainder of the municipal year 2017/18 in accordance with the political proportionality rules

The proportionality calculations entitle the Conservative Group to an additional seat on a committee of 17 and it is proposed that Cllr McMahon is allocated a seat on the Policy and Resources Scrutiny Committee (she was previously appointed to the Committee as a Non-Aligned Member) in accordance with the wishes of that Group

The 3 Committee places remaining (after allocating places to the 4 political groups under the political proportionality rules) must be allocated to the one Member who is not a member of any political group ("Non-aligned Member"), this being Councillor Aylen

However, Councillor Aylen has confirmed that he wants his three places on Appeals Committees A and B and General Purposes Committee to be reallocated. The Conservative Group already hold the two additional places on the Appeals Committees by virtue of the decision made at the June meeting of Council. As Councillor McMahon was appointed to the General Purposes Committee as a Non-Aligned Member at the June meeting, it is proposed that she retains her place, but as a Conservative member in accordance with the wishes of that Group. The allocation of the seats would result in a non-proportional arrangement. If such arrangement was wanted, then this would have to be agreed by the Council with no-one voting against (see S 17(1) of the Local Government and Housing Act 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990) In the absence of such unanimity, these 3 Committee places would remain with Councillor Aylen

- 3 3 It is important to note that no other changes are required to Committees, Sub-Committees, Working Parties, Panels etc or to any of the other outside bodies to which the Council makes appointments. These will remain as agreed the Council meetings referred to above

- 3 4 Several minor amendments are needed to the Constitution as set out in Appendix 1. The changes are as follows

(a) Paragraph 5 1 of the Special Scheme of Delegation in Part 3, Schedule 3 to reflect the latest arrangements for dealing with obtaining communications data,

- (b) Paragraph 5 6 (b) of the Special Scheme of Delegation in Part 3, Schedule 3
– the addition of a further officer to serve notices,
- (c) Paragraph 5(a) the addition of a footnote to record the general dispensations
agreed by Council on 19th July 2012

4. Background Papers

None

5. Appendices

Appendix 1 – Minor amendments to the Constitution

5. Special Schemes of Delegation

5.1 Regulation of Investigatory Powers Act 2000

5.1.1 All Chief Officers and the following Group Managers in the Department for Place (Regulatory Services, Waste & Environmental Care and Partnership Manager, Community Safety) are Authorising Officers for directed surveillance or CHIS activity under the Regulation of Investigatory Powers Act 2000 provided they have received appropriate training and comply with the Council's RIPA Policies & Procedures.

5.1.2 Any Council Officer who has received appropriate training may carry out directed surveillance authorised under 5.1.1. Such Officer shall be known as an "Investigating Officer" and must comply with the Council's RIPA Policies and Procedures.

~~5.1.3 Any Council Officer trained and accredited for the role by the Home Office and appointed by his / her Chief Officer shall act as single point of contact (SPOG) for the Council to acquire Communications Data.~~

5.1.4³ All Chief Officers, the Group Manager Regulatory Services (Place) and the Group Manager Investigations (Chief Executive Department) shall each act as Designated Person to ~~serve notice and authorise applications~~ for Communications Data, provided they have received appropriate training and comply with the Council's RIPA Policies & Procedures.

Submit applications to the National Anti-Fraud Network (NAFN) and to the Magistrates' Court.

5.2 Cemeteries & Crematorium

The Bereavement Services Group Manager is authorised to enforce and execute the duties and functions of the Council in respect of the following:

- (i) To grant exclusive rights of burial and rights to erect monuments and memorials.
- (ii) To enter into undertakings for the maintenance of graves.
- (iii) In appropriate circumstances, to arrange funerals at the Council's expense in accordance with Section 46 of the Public Health (Control of Disease) Act 1984.

Under the direction of the Bereavement Services Group Manager; the Crematorium Manager; Office Manager and Administration Officer are appointed to authorise cremations under the Cremation Act 1902, the Cremation Regulations 1930-1979 and the Cremation (Amendment) Regulations 1988.

5.3 Estate Management Service

The Group Manager (Corporate Property & Asset Management) may exercise all the powers of the Chief Executive and Director of Finance & Resources in respect of Estate Management Services as defined in 4.4 above subject to the limits set out in the Financial Procedure Rules.

5.4 Private Sector Housing

The following Officers may serve notices and take appropriate action (including but not limited to works in default) under Private Sector Housing legislation within their area of responsibility, subject to being authorised in that regard by their Chief Officer pursuant to 3.2(h):

- Private Sector Housing Manager
- Strategy & Planning Manager, Private Sector Housing
- Private Sector Enforcement Officers

5.5 Building Control

The Group Manager (Planning & Building Control) may exercise all the powers of Deputy Chief Executive (Place) and the Director of Planning & Transport in respect of Building Control and Dangerous Buildings.

5.6 Public Protection (including Regulatory Services, Waste Management & Environmental Care and Community Safety)

- (a) The Group Managers for Regulatory Services, Waste Management & Environmental Care and Community Safety may exercise all the powers of the Deputy Chief Executive (Place) and the Director of Public Protection in respect of functions within their remit as defined in 4.11 above.
- (b) The following Officers may serve notices and take appropriate action (including but not limited to works in default) under legislation within their area of responsibility, subject to being authorised in that regard by their Chief Officer pursuant to 3.2(h):
- Regulatory Services Manager(s)
 - Regulatory Services Officer(s)
 - Service Manager, Waste Management
 - Waste and Contracts Officer(s)
 - Environmental Care Co-ordinator(s)
 - Environmental Care Officer(s)
 - Enforcement Officer(s)
 - Animal Warden
 - Sustainability Officer
 - Anti-Social Behaviour Team Leader
 - Anti-Social Case Worker(s)
 - CCTV Team Leader
 - Community Safety Officer
 - Any other duly appointed and trained contracted staff
- Enforcement Support Officer.*

5.7 Planning

5.7.1 Subject to the **Committee Referral Procedure** in 5.7.4 below, approval or refusal of all applications made under The Town and Country Planning Act 1990, The Planning (Listed Buildings and Conservation Areas) Act 1990 and The Planning (Hazardous Substances) Act 1990 and associated Regulations and Orders is delegated to each of the following officers ("**the Relevant Officer(s)**");

- The Deputy Chief Executive (Place);
- The Director of Planning and Transport; and
- The Group Manager (Planning and Building Control)

provided that:

- (a) In the case of an approval the proposals do not conflict materially with a policy of the current Development Plan;
- (b) In the case of refusals the proposals are materially in conflict with a policy of the current Development Plan;
- (c) Consultations, neighbour notification and publicity have been carried out in accordance with statutory requirements and Council Policies;
- (d) The decision would not conflict with a material planning objection in principle from a statutory consultee received within the statutory consultation period;

9. Disclosure of Interests (Disclosable Pecuniary Interests, Other Pecuniary Interests and Non-Pecuniary Interests)

- 9.1 Subject to sub-paragraphs 9.2 to 9.3, where you have a Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.
- 9.2 Sub-paragraph 9.1 only applies where you are aware or ought reasonably to be aware of the existence of the Interest.
- 9.3 Where you have an interest in any business of the Authority which would be disclosable by virtue of paragraph 9.1 but by virtue of paragraph 12 (Sensitive Information) details of the interest are not registered in the Authority's published Register of Members' Interests and the interest is a Disclosable Pecuniary Interest or Other Pecuniary Interest you need not disclose the nature of the interest to the meeting.
- 9.4 Where you have a Pecuniary Interest in any business of the Authority which would be Disclosable by virtue of paragraph 9.1 and a function of the Authority may be discharged by you acting alone in relation to that business, you must ensure you notify the Authority's monitoring officer of the existence and nature of that interest within 28 days of becoming aware that you will be dealing with the matter even if more than 28 days before you will actually deal with the business.
- 9.5 Where you have an interest in any business of the Authority which would be disclosable by virtue of paragraph 9.1 and you have made an executive decision in relation to that business you must ensure that any written statement of that decision records the existence and nature of that interest. In this paragraph "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

10. Effect of Interests on Participation

10.1 Disclosable Pecuniary Interests

- (a) If you are present at a meeting of the Authority or of any committee, sub-committee, joint committee or joint sub-committee of the Authority and you or a Relevant Person has a Disclosable Pecuniary Interest in any matter to be considered, or being considered, at the meeting and you are aware of that Interest:
- (i) You must not participate, or participate further, in any discussion of the matter at the meeting, or participate in any vote, or further vote, taken on the matter at the meeting;
 - (ii) You must withdraw from the room or chamber where the meeting considering the business is being held unless you have received a dispensation from the Standards Committee or the Authority's proper officer. ①
- (b) If you have a Disclosable Pecuniary Interest in any business of the Authority you must not:
- (i) exercise executive functions in relation to that business; or
 - (ii) seek improperly to influence a decision about that business
- (c) If a function of the Authority may be discharged by a Member acting alone and you have a Disclosable Pecuniary Interest in any matter to be dealt with or being dealt with in the course of discharging that function you may not take any steps or any further steps in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by yourself).

Footnote ① On 11 July 2012 the Standards Committee granted the following general dispensations and these were endorsed by Council on

the 19th July 2012 :-

- (i) where the matter relates to the housing functions of the Council and the Member is a tenant of the Council (provided that the matter does not relate particularly to the Member's tenancy or lease)
- (ii) school meals or school transport and travelling expenses, where the Member is a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends
- (iii) an allowance, payment or indemnity given to Members
- (iv) any ceremonial honour given to Members
- (v) setting Council Tax or a precept under the Local Government Finance Act 1992
- (vi) where an Executive Councillor attends a meeting of a Scrutiny Committee in respect of executive matters, including call-in and pre-Cabinet Scrutiny items.

This page is intentionally left blank