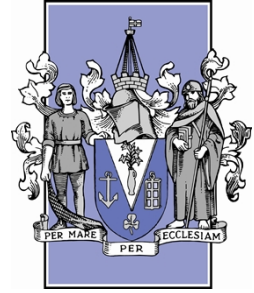


Public Document Pack
Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

5 December 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, 14th December, 2017 at 6.30 p.m.** for the transaction of the following business.

A Griffin
Chief Executive

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Minutes of the Meeting of Council held on Thursday 19th October 2017 (Pages 1 - 20)**
Minutes attached.
- 7 Minutes of the meeting of Licensing Sub-Committee A held on Monday, 16 October 2017 (Pages 21 - 22)**
Minutes attached.
- 8 Minutes of the special meeting of Cabinet Committee held on Thursday, 26 October 2017 (Pages 23 - 24)**
Minutes attached.
- 9 Minutes of the meeting of Cabinet Committee held on Thursday 2nd November 2017 (Pages 25 - 28)**
Minutes attached.

- 10 Minutes of the meeting of Cabinet held on Tuesday, 7th November 2017**
(Pages 29 - 44)
Minutes attached.
- 11 Minutes of the meeting of Development Control Committee held on Wednesday, 8th November 2017** (Pages 45 - 74)
Minutes attached.
- 12 Minutes of the meeting of Appeals Committee A held on Tuesday, 14th November 2017** (Pages 75 - 76)
Minutes attached.
- 13 Minutes of the meeting of Licensing Sub Committee B held on Monday, 20th November 2017** (Pages 77 - 78)
Minutes attached.
- 14 Minutes of the meeting of Standards Committee held on Tuesday, 21st November 2017** (Pages 79 - 80)
Minutes attached.
- 15 Minutes of the meeting of Place Scrutiny Committee held on Monday, 27th November 2017** (Pages 81 - 84)
Minutes attached.
- 16 Minutes of the meeting of People Scrutiny Committee held on Tuesday, 28th November 2017** (Pages 85 - 90)
Minutes attached.
- 17 Minutes of the meeting of Policy & Resources Scrutiny Committee held on Thursday, 30th November 2017** (Pages 91 - 100)
Minutes attached.
- 18 Minutes of the meeting of Health & Wellbeing Board held on Wednesday, 6th December 2017**
To follow
- 19 Minutes of the meeting of Licensing Sub Committee A held on Friday, 8th December 2017**
To follow
- 20 Notice of Motion - Caged Peafowl (Pages 101 - 102)**
Notice of Motion attached.
- 21 Notice of Motion - UBER Licensing (Pages 103 - 104)**
Notice of Motion attached.
- 22 Notice of Motion - Traveller Community (Pages 105 - 106)**
Notice of Motion attached.
- 23 Notice of Motion - The Effects of Development in Leigh-on-Sea (Pages 107 - 108)**
Notice of motion attached.

- 24 Notice of Motion - Scrap the Pay Cap (Pages 109 - 110)**
Notice of Motion attached.
- 25 Local Council Tax Support Scheme 2018/19 (Pages 111 - 116)**
Report of the Chief Executive attached.
- 26 Appointments to The Shareholder Board**

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 19th October, 2017

Place: Council Chamber - Civic Suite

6

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

Start/End Time: 6.30 pm - 11.20 pm

390 Apologies for Absence

Apologies for absence were received from Councillors Chalk and Wexham.

391 Declarations of Interest

- **Councillor Arscott**

Development Control Committee – 4th October

Minute 342: (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea) – Non-pecuniary interest: Applicant and objectors are known to him;

Cabinet – 10th October

Minute 364: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives within Darlington School catchment area;

Minute 314 (Schools Performance Report Summer 2017) – Non-pecuniary interest – Governor at Our Lady of Lourdes Catholic Primary School;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives within Darlington School catchment area;

Minute 373: (School Progress report) – Non-pecuniary interest: Governor at Our Lady of Lourdes Catholic Primary School;

- **Councillor Ayling**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – pecuniary interest – private landlord (withdrew);

- **Councillor Borton**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council.

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

People Scrutiny Committee – 18th September

Minute 302: (Public Consultation on In Vitro Fertilisation (IVF) in Southend-on-Sea) - Non-pecuniary interest – one of the presenters is a GP at her practice;

Council Agenda Item No. 6 (Question 12 from Members of the Council) – non-pecuniary interest – employed by DWP and work at Basildon where Universal Credit is processed;

- **Councillor Boyd**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

People Scrutiny Committee – 18th September

Minute 302: (Public Consultation on In Vitro Fertilisation (IVF) in Southend-on-Sea)

- Non-pecuniary interest – Dr J Garcia Lobera is GP at her practice;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest - Owns a property in Leigh-on-Sea;

Minute 373: (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 Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision - Pecuniary interest – Private landlord (withdrew);

- **Councillor Bright**

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Uncle is on Board of Governors at West Leigh School and lives in affected catchment area

- **Councillor Buckley**

Development Control Committee – 2nd August

Minute 239: (17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea) – Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest: Eastwood primary school is in ward;

- **Councillor Burzotta**

People Scrutiny Committee – 10th October

Minute 369 (School Admissions for Community Schools 2019/20) – non-pecuniary interest - lives in the ward affected by the proposals;

- **Councillor Callaghan**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

Cabinet Committee – 14th September

Minute 288: (Members Requests List: Request Reference 17/11 – Waiting restrictions in The Rodings) – Non-pecuniary interest: Friend lives in the road;

- **Councillor Chalk**

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest: Governor at Bournes Green school;

- **Councillor Courtenay**

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 370: (Monthly Performance Report (July)) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 371: (Suicide Prevention Strategy) – Disqualifying non-pecuniary interest; 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 – 9th October

Minute 353: (Fire Safety Measures following Grenfell Tower Tragedy) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 354: (Monthly Performance Report) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 355: (Skills Strategy) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 356: (Energy Opportunities) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 357: (S-CATS (London Road Projects)) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 358: (Museums Service – Large Objects Collection) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 359: (Highway Infrastructure Asset Management Plan) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 360: (Council Procedure Rule 46) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Council Agenda Item No. 6 (Question 13 from Members of the Council) – non-pecuniary interest – daughter is in receipt of an EHCP;

- **Councillor Davidson**

Audit Committee – 6th September

Minute 266: (BDO: Audit Completion Report to the Audit Committee 2016/17) - 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);

Minute 267: (Statutory Statement of Accounts 2016/17) - 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);

Minute 268 (BDO: Progress Report to Those Charged with Governance) - 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);

Minute 269: (Counter Fraud & Investigation Directorate, Quarterly Performance Report) - 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);

Minute 270: (Internal Audit, Quarterly Performance Report) - 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);

Health & Wellbeing Board – 20th September

Minute 330: (Sustainability and Transformation Fund (STP) Briefing on current position) – Non-pecuniary interest – Council appointed Governor at Southend Hospital NHS Trust;

- **Councillor Evans**

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Pecuniary interest: owner of a property directly affected by a potential change in one of the catchment areas (withdrew);

Council Agenda Item 5 – Questions from the Public – Pecuniary interest: owner of a property directly affected by a potential change in one of the catchment areas (withdrew);

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – Pecuniary interest – Private landlord (withdrew);

- **Councillor Flewitt**

Development Control Committee – 2nd August

Minute 239: (17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea (St Laurence Ward)) – Non-pecuniary interest: Supported publically the proposals in the local media;

Minute 242: (17/00562/BC3M - Multi-Storey Car Park, Victoria Avenue, Southend on Sea (Victoria Ward)) – Non-pecuniary interest: Supported publically the proposals in the local media;

Development Control Committee – 13th September

Minute 275: (17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea (Leigh Ward)) – Non-pecuniary interest: Communicated with the Applicant on process issues as Portfolio Holder;

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: Applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to him as a fellow Councillor;

Cabinet Committee – 14th September

Minute 288: (Members Requests List: Request Reference 16/01 - Introduction of waiting restrictions or a parking management scheme to deter airport parking in Rochford Road service road) – Non-pecuniary interest: Previously dealt with this issue as a Ward member;

Minute 288: (Members Requests List: Request Reference 17/12 – Waiting restrictions in Eastwood Park Drive) – Non-pecuniary interest: Mother in law lives in the road;

Cabinet – 19th September

Minute: 313 (Secondary School Placements) – Non-pecuniary interest: Ward Councillor for St Laurence Ward and has been communicating with residents;

Development Control Committee – 4th October

Minute 342: (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea

(West Leigh Ward)) – Non-pecuniary interest: Dealt with some process as Portfolio Holder;

Place Scrutiny Committee – 9th October

Minute 353: (Fire Safety Measures following Grenfell Tower Tragedy) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 353: (Fire Safety Measures following Grenfell Tower Tragedy) – Non-pecuniary interest: Friends and family are tenants; of South Essex Homes;

Minute 354: (Monthly Performance Report) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 355: (Skills Strategy) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 356: (Energy Opportunities) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 357: (S-CATS (London Road Projects)) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 358: (Museums Service – Large Objects Collection) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 359: (Highway Infrastructure Asset Management Plan) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 360: (Council Procedure Rule 46) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Eastwood School is within the St Laurence Ward;

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – Non-pecuniary interest: Friends And Family are tenants of SE Homes Ltd;

- **Councillor Folkard**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: Applicant was an officer at the Council;

Minute 282: (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);

Development Control Committee – 4th October

Minute 344: (17/00219/FUL - 135 Ness Road, Shoeburyness) – Non pecuniary interest: Applicants are known to him;

Special People Scrutiny Committee – 18th October

Minute 388 (Mid and South Essex Sustainability and Transformation Partnership) – non-pecuniary interest – relative works at Bromfield Hospital;

- **Councillor D Garston**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

People Scrutiny Committee – 10th October 2017

Minute 369 (School Admissions for Community Schools 2019/20) – non-pecuniary interest – son lives in catchment area of West Leigh School;

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – Non-pecuniary interest – Trustee of a Trust which owns a property with a tenant in the borough;

- **Councillor J Garston**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

Cabinet Committee – 14th September

Minute 286: (Objections to Traffic Regulation Orders – Permit Parking Areas: Westcliff Parade) – Non-pecuniary interest: Lives in the vicinity of one of the proposed areas;

Minute 288: (Members Requests List: Request Reference 17/06 and 17/24 – Waiting restrictions in Teigngrace) – Non-pecuniary interest: Close friend lives in the street;

People Scrutiny Committee – 10th October 2017

Minute 369 (School Admissions for Community Schools 2019/20) – non-pecuniary interest – family lives in the area affected by the proposals;

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – Pecuniary interest – Private landlord (withdrew);

- **Councillor Habermel**

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives in Chalkwell Schools catchment area;

Special People Scrutiny Committee – 18th October

Minute 388 - Mid and South Essex STP – non-pecuniary interest – sister is a nurse at Southend Hospital;

Minute 389 - Ambulance Trust – non-pecuniary interest – brother is a paramedic with Thames Ambulance Service.

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – pecuniary interest – private landlord (withdrew);

- **Councillor Hadley**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – pecuniary interest – private landlord (withdrew);

- **Councillor Holland**

Development Control Committee – 2nd August

Minute 239 (17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea – disqualifying non-pecuniary interest – son was the applicant (withdrew)

Cabinet – 19th September

Minute 307: (Fire Safety Measures following Grenfell Tower Tragedy) – Non-pecuniary interest: Vice-Chair of the Essex Fire Authority;

Place Scrutiny Committee – 9th October

Minute 353: (Fire Safety Measures following Grenfell Tower Tragedy) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 354: (Monthly Performance Report) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 355: (Skills Strategy) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 356: (Energy Opportunities) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 357: (S-CATS (London Road Projects)) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 358: (Museums Service – Large Objects Collection) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 359: (Highway Infrastructure Asset Management Plan) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 360: (Council Procedure Rule 46) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Policy and Resources Scrutiny Committee – 12th October

Minute 379: (Monthly Performance Report (July)) - Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 380: (Risk Based Verification Framework) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 381: (Debt Position at 31 July 2017) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 382: (Appropriation of Land at Burr Hill Chase) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 384: In depth scrutiny project - 'Additional enforcement resources for Southend' – update) Non-pecuniary interest: Son is a Police Sgt.;

- **Councillor Jones**

Licensing Committee – 27th July

Minute 231: (The Cornucopia Public House) – Non-pecuniary interest – lives in the area;

- **Councillor Lamb**

Cabinet – 19th September

Minute 315: (Co-ordinated Admissions Scheme) – Non-pecuniary interest: School governor;

Cabinet – 10th October

Minute 364: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives in West Leigh catchment area and Governor of West Leigh Junior School;

- **Councillor McDonald**

Licensing Committee – 27th July

Minute 231: (The Cornucopia Public House) – Non-pecuniary interest – has made representations against the application and attended the hearing as an objector;

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

- **Councillor McGlone**

Development Control Committee – 2nd August

Minute 239: (17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea) – Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);

Place Scrutiny Committee – 9th October

Minute 353: (Fire Safety Measures following Grenfell Tower Tragedy) – Non-pecuniary interest: Board Member of South Essex Homes;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest: Eastwood primary school is in ward;

Policy and Resources Scrutiny Committee – 12th October

Minute 380: (Risk Based Verification Framework) – Non-pecuniary interest: Board member South Essex Homes;

- **Councillor Moring**

Cabinet Committee – 14th September

Minute 288: (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;

Policy and Resources Scrutiny Committee – 12th October

Minute 379: (Monthly Performance Report (July)) - Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 380: (Risk Based Verification Framework) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 381: (Debt Position at 31 July 2017) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 382: (Appropriation of Land at Burr Hill Chase) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

- **Councillor Moyies**

Health & Wellbeing Board – 20th September

Minute 330: (Sustainability and Transformation Fund (STP) Briefing on current position) – Non-pecuniary interest – Council appointed Governor at Essex Partnership University Trust;

- **Councillor Mulroney**

Development Control Committee – 2nd August

Minute 238: (17/00303/FUL - 1333 London Road, Leigh on Sea) - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 240: (17/00875/FUL - 1379-1387 London Road, Leigh on Sea) - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Development Control Committee – 13th September

Minute 274: (17/01001/FUL - 141 Leighton Avenue, Leigh-on-Sea) – Non-pecuniary

interest: Member of Leigh Town Council (non-participant in planning);

Minute 275: (17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 278: (17/01041/FUL - 34 Percy Road, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 279: (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 280: (17/00969/FUL - 42A Lord Roberts Avenue, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning) and applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

Cabinet Committee – 14th September

Minute 291: (Petition for 20mph Speed Limit – Southsea Avenue) – Non-pecuniary interest: Lives in the road;

Licensing Sub Committee B – 28th September

Minute 338: (Application for the Grant of Premises Licence - The Crafty Half, 1376

London Road, Leigh-on-Sea, Essex, SS9 2UH) – Non-pecuniary interest – One of the objectors was known to her;

Development Control Committee – 4th October

Minute 342: (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);

Minute 343: (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);

Minute 345: (17/01121/FUL - Oak House, 77 Wimborne Road, Southend on Sea) – Non pecuniary interest: Applicants are known to her;

Cabinet – 10th October

Minute 364: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives in North Street school catchment area;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives in North Street school catchment area;

- **Councillor Nevin**

People Scrutiny Committee – 18th September

Minute 303: (Mid and South Essex Sustainability and Transformation Plan) Non-pecuniary interest – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives in area affected by proposals;

People Scrutiny Committee – 10th October

Minute 374: (Scrutiny Committee – updates) – Non-pecuniary interest: 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

Special People Scrutiny Committee – 18th October

Minute 388 - Mid and South Essex STP - non-pecuniary interest – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

- **Councillor Norman MBE**

Development Control Committee – 13th September

Minute 277: (17/01090/FUL - 78 Mounddale Gardens, Leigh-on-Sea – Non-pecuniary interest: Daughter worked at the School;

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) - Non-pecuniary interest – Applicant known to them as a fellow Councillor;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) –pecuniary interest: Main residence is affected by the proposals and would be removed from catchment/house value change (withdrew);

- **Councillor Phillips**

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) –pecuniary interest: Main residence is affected by Model K and would be removed from catchment/house value change (withdrew)

Council Agenda Item No. 5 (Questions from the Public) – pecuniary interest - main residence is affected by Model K and would be removed from catchment/house value change (withdrew);

- **Councillor Robinson**

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – non-pecuniary interest – private sector housing tenant;

- **Councillor Salter**

People Scrutiny Committee – 18th September

Minute 303: (Mid and South Essex Sustainability and Transformation Plan) - 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 – 20th September

Minute 328: (Health & Wellbeing Strategy 2017-2021 Refresh Progress) – 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;

Minute 330: (Sustainability and Transformation Fund (STP) Briefing on current position) – 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;

Cabinet – 10th October

Minute 364: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – Lives in the Chalkwell Hall School catchment area;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest - Lives in the Chalkwell Hall School catchment area;

Minute 370: (Monthly Performance Report (July)) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 371: (Suicide Prevention Strategy) – Disqualifying non-pecuniary interest; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;

Minute 374: (Scrutiny Committee – updates) – 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;

Special People Scrutiny Committee – 18th October

Minute 388 - 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;

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – pecuniary interest – private landlord (withdrew);

- **Councillor Terry**

Place Scrutiny Committee – 9th October

Minute 355: (Skills Strategy) – Non-pecuniary interest: Partner works for the local education authority;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – wife is a teacher in the borough;

- **Councillor Van Looy**

Development Control Committee – 13th September

Minute 275: (17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: Applicant is known to him;

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council.

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor

- **Councillor Walker**

Development Control Committee – 13th September

Minute 277: (17/01090/FUL - 78 Mounddale Gardens, Leigh-on-Sea) – Non-pecuniary interest: Head teacher is a fellow trustee of Southend Boys and Girls Choir;

Minute 279: (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea) – Non-pecuniary interest: Friends live in Underwood Square and Lime Avenue;

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council.

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

Cabinet Committee – 14th September

Minute 287: (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;

Development Control Committee – 4th October

Minute 342: (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea) – Non-pecuniary interest: Friends live in Underwood Square and Lime Avenue;

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest: Wife is teacher at West Leigh School;

Minute 373: (School Progress report) – Non-pecuniary interest: Head Teacher at school referred to in report is involved with Southend Choirs Trust;

- **Councillor Ward**

Development Control Committee – 13th September

Minute 279: (17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea) – Non-pecuniary interest: Applicant is known to him;

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council.

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – pecuniary interest – private landlord (withdrew);

- **Councillor Ware-Lane**

Cabinet Committee – 14th September

Minute 288: (Members Requests List: Request Reference 17/04 – Verge hardening in Bridgwater Drive) – Non pecuniary interest: Family live in the vicinity;

Minute 290: (Request to Amend Traffic Flows to One-Way - Osborne Road and Windsor Road) – Non-pecuniary interest: Lives in the vicinity;

- **Councillor Waterworth**

Development Control Committee – 13th September

Minute 281: (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) - Non-pecuniary interest: applicant was an officer at the Council;

Minute 282: (17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea) Non-pecuniary interest – Applicant known to them as a fellow Councillor;

Council Agenda Item No. 29 - Opposition Business - To investigate better regulation and management in the private sector housing provision – pecuniary interest – private landlord (withdrew);

- **Councillor Willis**

People Scrutiny Committee – 10th October

Minute 369: (School Admissions for Community Schools 2019/20) – Non-pecuniary interest – wife is a teacher in the borough;

- **Councillor Woodley**

Cabinet Committee – 14th September

Minute 288: (Members Requests List: Request Reference 17/14 and 17/15 Amendment of waiting restrictions in Tyrone Road) - Non-pecuniary interest: Lives in Tyrone Road.

392 Youth Mayor and Deputy Youth Mayor Appointments

The Worshipful the Mayor presented the chain of office to this year's Youth Mayor, Maise Riley and the Chain of Office to this year's Deputy Youth Mayor, Yasmin Bey.

393 Communications

Minutes Silence

The Council stood for a one minute silence in tribute to the memory of the Sir Teddy Taylor (former MP), Mr Reg Copley and Mr Al Smulian (former Councillors) who all passed away in recent months.

Councillor Wexham

The Worshipful the Mayor, on behalf of the Council, extended her best wishes to Councillor Wexham who had recently been unwell and was now on the way to recovery.

394 Questions from Members of the Public

The relevant Executive Councillors responded to written questions received from members of the public.

395 Questions from Members of the Council

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

396 Minutes of the Meeting of Council held Thursday 20th July 2017

Resolved:-

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

397 Minutes of the meeting of Licensing Sub Committee A held Thursday, 27 July 2017

Resolved:

That the minutes of this meeting be noted.

398 Minutes of the meeting of Licensing Committee held Thursday, 27 July 2017

Resolved:

That the minutes of this meeting be noted.

399 Minutes of the meeting of Development Control Committee held Wednesday, 2 August 2017

Resolved:

That the minutes of this meeting be noted.

- 400 Minutes of the meeting of Appeals Committee A held Tuesday, 8 August 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 401 Minutes of the meeting of Licensing Sub-Committee A held Wednesday, 16th August 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 402 Minutes of the meeting of Licensing Sub-Committee B held Thursday, 24 August 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 403 Minutes of the meeting of Licensing Sub-Committee A held Wednesday, 30 August 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 404 Minutes of the meeting of Licensing Committee held Monday, 4 September 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 405 Minutes of the meeting of Audit Committee held Wednesday, 6 September 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 406 Minutes of the meeting of Development Control Committee held Wednesday, 13 September 2017**
- Resolved:
- That the minutes of this meeting be noted.

- 407 Minutes of the meeting of Cabinet Committee held Thursday, 14 September 2017**
- Resolved:
- That the minutes of this meeting be noted and the recommendations contained in Minute 297, be approved.
- 408 Minutes of the meeting of Special People Scrutiny Committee held Monday 18th September 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 409 Minutes of the meeting of Cabinet held Tuesday, 19 September 2017**
- Resolved:
- That the minutes of this meeting be noted and the recommendations in Minute 322, be approved.
- 410 Minutes of the meeting of Health & Wellbeing Board held Wednesday, 20 September 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 411 Minutes of the meeting of Appeals Committee B held Tuesday, 26 September 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 412 Minutes of the meeting of Licensing Sub-Committee B held Thursday, 28 September 2017**
- Resolved:
- That the minutes of this meeting be noted.
- 413 Minutes of the meeting of Development Control held Wednesday, 4 October 2017**
- Resolved:
- That the minutes of this meeting be noted.

414 Minutes of the meeting of Place Scrutiny Committee held Monday 9th October 2017

Resolved:

That the minutes of this meeting be noted.

415 Minutes of the Special Cabinet meeting held Tuesday 10th October 2017

Resolved:

That the minutes of this meeting be noted.

416 Minutes of the meeting of People Scrutiny Committee held 10th October 2017

Resolved:

That the minutes of this meeting be noted.

417 Minutes of the Policy & Resources Scrutiny Committee held Thursday 12th October 2017

Resolved:

That the minutes of this meeting be noted.

418 Minutes of the meeting of People Scrutiny Committee held Wednesday 18th October 2017

Resolved:

That the minutes of this meeting be noted.

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

The Worshipful the Mayor advised that under Council Procedure Rule 19, the Independent Group requested that this item be placed on the Council Agenda for discussion and be treated as opposition business.

The Executive Councillor for Housing, Planning and Sustainability acknowledged that these were serious issues and agreed to take the motions proposed by Councillor Woodley to the next meeting of Cabinet on 7th November 2017.

Resolved:-

That the following motions be considered by Cabinet at its meeting on 7th November 2017:

1. That Cabinet be recommended to introduce a compulsory licensing scheme for all residential landlords in the Borough, such scheme to supersede the voluntary arrangements with South East Alliance of Landlords (SEAL).

2. That Cabinet be recommended to lobby the Government for changes in the law so that there are rent controls on private sector landlords letting properties to tenants and those rent controls to have the effect of reducing the private sector rents to the level of social housing rents over the life time of parliament (i.e. 5 years).

420 Changes to Membership of Committees and Minor Amendments to the Constitution

The Council considered a report of the Director of Legal & Democratic Services on the above.

Resolved:

1. That it be noted 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 Aylen)

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.

3. That the minor amendments to the Constitution set out in Appendix 1 to the report, be approved.

421 Corporate Parenting Group - Change of Membership (Independent Group)

The Council noted that Councillor Woodley had replaced Councillor Endersby as the Independent Group representative on the Corporate Parenting Group.

422 Council Procedure Rule 1.7

During consideration of Minute 419 (Opposition Business) 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.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Monday, 16th October, 2017
Place: Committee Room 1 - Civic Suite

7

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

In Attendance: T Row and M Newton

Start/End Time: 10.00 - 11.30 am

423 Apologies for Absence

There were no apologies for absence.

424 Declarations of Interest

No interests were declared at the meeting.

425 Application for the Grant of Premises Licence - Oyster Beach Brasserie & Sports Bar, 99-101 Ness Road, Shoeburyness SS3 9DA

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Oysterfleet PLC for the grant of a Premises Licence in respect of Oyster Beach Brasserie & Sports Bar, 99-101 Ness Road, Shoeburyness SS3 9DA.

The application was presented by Mr S Matthews (Director).

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities although additional and amended measures had been agreed between the applicant and Essex Police and the Licensing Authority should the application be granted. These were set out in Appendix 2 to the report of the Deputy Chief Executive (Place).

Representations had however, been received from five local residents, none of whom attended the hearing. The residents' concerns related to all four of the licensing objectives.

For the sake of clarity, the applicant confirmed that the sale of alcohol for consumption off the premises was not being sought.

The sub-committee expressed concern that the outside area marked on the plan would be used as the designated smoking area, as this area may not meet the required standards. The applicant would need to ensure that this area complied with the necessary requirements.

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 a premises licence in respect of Oyster Beach Brasserie & Sports Bar, 99-101 Ness Road, Shoeburyness SS3 9DA 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 amended and additional conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place), agreed between the applicant and the Essex Police and the Licensing Authority.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 26th October, 2017
Place: Committee Room 1 - Civic Suite

8

Present: Councillor T Cox (Chair)
Councillor T Byford (Vice-Chair)

In Attendance: Councillors M Borton, M Butler, T Callaghan, J Garston, D Kenyon
and J Ware-Lane
P Geraghty, T Row, C Hindle-Terry and N Hunwicks

Start/End Time: 6.00 p.m. - 9.35 p.m.

426 Apologies for Absence

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

427 Declarations of Interest

Councillor Cox declared a non-pecuniary interest in Agenda Item No. 4 in respect of Application Ref No. 17/00013 on the grounds that he works for Barking & Dagenham Council, which was mentioned in respect of this application.

428 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.

429 Permanent Vehicular Crossing (PVX) - Exceptional Circumstances Application(s)

The Cabinet Committee received a report of Deputy Chief Executive (Place) that appraised Members of the exceptional circumstance applications for permanent vehicle crossings (PVX) as set out in Appendix 1 to the report. Some of the applicants attended the meeting in respect of their own application.

Having considered all the evidence and submissions made and the views of the Traffic & Parking Working Party, it was:

Resolved:

1. That, in view of the extenuating factors in relation to the individual cases, the following PVX exceptional circumstance applications be granted:

Application Ref. No. 17/00066

Application Ref No. 16/00181

2. That the following PVX exceptional circumstance applications be refused:

Application Ref. No. 16/00025

Application Ref. No. 16/00207

Application Ref. No. 17/00041

Application Ref. No. 17/00056

Application Ref. No. 16/00347

Application Ref. No. 17/00013

Application Ref. No. 17/00244

Application Ref. No. 17/00223

Application Ref. No. 17/00217

3. That, on the basis that planning permission had been granted and no new issues have arisen since the highway and safety implications of the proposals were taken into account in assessing the proposal, the Director for Planning and Transport be delegated authority to grant the PVX exceptional circumstance application ref no. 17/00149

Reasons for Decision

To ensure compliance with the statutory duty under Section 184 of the Highways Act 1980 and the current Policy, to ensure safety, free flow of traffic and protection of the local environment.

Other Options

The local highway authority may approve a request with or without modification, or may propose alternative works or reject the request.

Note: This is an Executive function

Not eligible for call-in pursuant to Scrutiny Procedure Rule 15(e)(iv)

Executive Councillor: Cox

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 2nd November, 2017
Place: Committee Room 1 - Civic Suite

9

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

In Attendance: Councillors M Borton, M Butler, T Callaghan, J Garston, A Jones,
H McDonald, M Terry and J Ware-Lane
T Row, Z Ali, C Hindle-Terry and N Hunwicks

Start/End Time: 6.00 p.m. - 7.10 p.m.

430 Apologies for Absence

There were no apologies for absence.

431 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Callaghan – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Lucy Road) – Non-pecuniary interest: Taxi Driver.

432 Minutes of the Meeting held on Thursday, 14th September 2017

Resolved:-

That the Minutes of the Meeting held on Thursday, 14th September 2017 be received, confirmed as a correct record and signed.

433 Objections to Traffic Regulation Orders

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. Large scale plans of the proposals were displayed at the meeting.

With reference to the proposed introduction of a shared taxi rank and pay and display parking in Lucy Road, the Cabinet Committee was informed that the taxi rank currently marked in Lucy Road had been removed in 2006 (Minute 1121 of the meeting of Licensing Sub Committee C held on 13th February 2006 refers).

Any requests to re-introduce a taxi rank at this location would be a matter for the Licensing Committee to consider and determine.

Resolved:-

1. That the Deputy Chief Executive (Place) be authorised to arrange for 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. 16) Order 2017 to be confirmed as advertised and for the proposals to be implemented.

2. That the Deputy Chief Executive (Place), in consultation with the Chairman of the Licensing Committee, be requested to expedite the commencement of the statutory consultation process and necessary arrangements for the introduction of a taxi rank in Lucy Road on the northern kerbline from a point 19 metres east of its junction with Herbert Grove to a point 38 metres west of its junction with Seaway (southern section), the hours of operation of which to be 10.00 p.m. until 9.00 a.m.

3. That, subject to the satisfactory outcome of the request to introduce a taxi rank in Lucy Road referred to in resolution 2 above, the Deputy Chief Executive (Place) be authorised to arrange for 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. 18) Order 2017 to be confirmed with the following amendment and for the proposals to be implemented:

- The time the taxi rank shall be in operation to be reduced from 6.00 p.m. until 9.00 a.m. to 10.00 p.m. until 9.00 a.m.

4. That, in the event that the taxi rank does not proceed following the statutory consultation, the Deputy Chief Executive (Place) be authorised to arrange for 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. 18) Order 2017 to be confirmed without the introduction of the taxi rank.

Reasons for Decision

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

Other Options

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

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

434 Requests for Waiting Restrictions

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

With reference to the proposals for Ambleside Drive, the Cabinet Committee noted that whilst waiting restrictions of up to 10 metres would be advertised at the various junctions, this may be reduced to a distance of only 5 metres where appropriate.

During the discussion regarding Delaware Road, the Cabinet Committee also considered a suggestion that the Highways team work with South Essex Homes in relation to providing some additional parking facilities on areas of the land in Delaware Road opposite Blythe Avenue and in Delaware Crescent, where indiscriminate parking already occurred. Any proposals arising from this should be the most environmentally friendly solution.

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:

- Ambleside Drive, Southend on Sea - Amend existing waiting restrictions;
- Delaware Road, Shoeburyness - Amend existing waiting restrictions; and
- Southchurch Boulevard, Southend on Sea - Provide School Keep Clear Marking outside Futures College.

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(s) for the introduction of a residents parking scheme in the area covering Pleasant Road (excluding the car park to Norman Harris House), Hartington Road, Hartington Place, Ash Walk and Seaway (southern section only) and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented.

3. That, in relation to resolution 2 above, officers of the highways team work with the relevant Ward Councillors to identify appropriate areas for shared use resident parking and pay and display parking bays such as the southern extremities of Hartington Road and Pleasant Road and where residents parking is not compromised.

4. That officers be requested to approach South Essex Homes with regard to the introduction of appropriate environmentally friendly parking on the areas of open

space/verge on the north side of Delaware Road opposite Blythe Avenue and in Delaware Crescent.

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

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 7th November, 2017
Place: Committee Room 1 - Civic Suite

10

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

In Attendance: Councillors N Folkard, C Mulronev and R Woodley
A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle,
C Gamble, I Ambrose, E Cooney, S Houlden, A Keating, J Lansley,
T MacGregor, J O'Loughlin, C Robinson and V Smith

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

435 Apologies for Absence

There were no apologies for absence at this meeting.

436 Declarations of Interest

The following Members declared interests as indicated:

(a) Councillor Flewitt – Agenda Item 8 (Alternative Delivery Models – Governance Arrangements) – Non-pecuniary interest – friends and family are tenants of South Essex Homes Ltd;

(b) Councillor Flewitt – Agenda Item 21 (Airport Business Park) – Non-pecuniary interest – lives in the vicinity of London Southend Airport;

(c) Councillor Holland – Agenda Item 13 (Transport Review – Policy) and Agenda Item 14 (Transport Review – Delivery Models) – Non-pecuniary interest – president of Southend Stroke Club which uses the Council's passenger transport services;

(d) Councillor Salter – Agenda Item 4 (Reference from Council – Compulsory Licensing Scheme and Rent Controls) – Disclosable Pecuniary Interest – private landlord in the borough (withdrew).

437 Minutes of the Meetings held on Tuesday 19th September and Tuesday 10th October 2017

Resolved:-

That the Minutes of the Meetings held on Tuesday 19th September and Tuesday 10th October 2017 be confirmed as a correct record and signed.

438 Reference from Council, Thursday 19th October 2017 - Compulsory Licensing Scheme and Rent Control

The Cabinet considered a report of the Deputy Chief Executive (People) requesting consideration of the resolutions of Council (19th October 2017) regarding the introduction of a compulsory licensing scheme and rent controls on private sector landlords.

Resolved:

1. That the proposal to introduce a compulsory licensing scheme be referred to the Policy & Resources Scrutiny Committee for consideration by way of pre-Cabinet Scrutiny.

2. That the Deputy Chief Executive (People) be requested to write to the Secretary of State for Communities and Local Government to ascertain the Government's view on the introduction of rent controls on private sector landlords letting properties to tenants.

Reason for Decision:

To respond to the resolutions of Council.

Other Options:

None.

Note: This is an Executive Function

The decision in 1 above is referred direct to Policy & Resources Scrutiny Committee

The decision in 2 above is eligible for call in to Policy & Resources Scrutiny Committee

Executive Councillor: Flewitt

***Called in to:- Policy & Resources Scrutiny Committee**

439 Monthly Performance Report

Resolved:

That the submitted report be noted.

Note: This is an Executive Function.

Eligible for call in to all three Scrutiny Committees.

Executive Councillor: as appropriate to the item.

***Referred direct to all three Scrutiny Committees**

440 Comments, Compliments and Complaints

The Cabinet considered a report of the Chief Executive presenting the annual report on compliments and complaints received throughout the Council for 2016/17, incorporating separate sections on Adult Social Care Services,

Children's Social Care and a report from the Monitoring Officer on decisions by the Local Government & Social Care Ombudsman.

Resolved:

That the Council's performance in respect of compliments, comments and complaints for 2016-17 be noted, including the summary of decisions by the Local Government & Social Care Ombudsman.

Reason for Decision

To inform Members of the comments, compliments and complaints received throughout the Council.

Other Options

None

This is an Executive Function

Executive Councillors – Courtenay, Cox, Lamb and Salter

***Referred direct and called-in to all three scrutiny committees**

441 Information Governance and the GDPR

The Cabinet considered a report of the Chief Executive which provided an update on the Council's approach to information governance and management and presented the Senior Information Risk Owner's (SIRO) Annual Report 2016/17.

Resolved:

1. That the SIRO's report on Information Governance for 2016/17, be noted.
2. That the introduction of the General Data Protection Regulation (GDPR) from 25th May 2018 and the publication of the Data Protection Bill along with related implications of these measures for the Council, be noted.
3. That the action being taken to prepare for the GDPR and Data Protection Bill, be noted.

Reason for decision:

To comply with the requirement for the SIRO to provide an annual report and to note the actions being taken to prepare for the impending new legislation on data protection and information management.

Other options:

None.

Note: This is an Executive Function.

Eligible for call in to Policy & Resources Scrutiny Committee

Executive Councillor: Moring

442 Alternative Delivery Models - Governance Arrangements

The Cabinet considered a report of the Chief Executive presenting a range of alternative delivery vehicles that the Council controls, the current governance arrangements and proposals on potential ways forward.

Resolved:

1. That the current group structure of the Council Companies, Joint Ventures and Charitable Trusts and associated governance arrangements, be noted.
2. That a new advisory forum reporting to Cabinet be established to be called "The Shareholder Board" to provide an effective means of Council governance of the Council Companies and this shall replace the existing Member Advisory Forum (re: Trading Companies).
3. That the terms of reference of the Shareholder Board shall be added as a new section 4.6 in Schedule 2 of Part 3 to the Constitution, as set out in Appendix 3 to the submitted report, with a membership that is politically proportional (5 Conservatives, 2 Independent, 2 Labour) and that includes the following members of Cabinet:
 - The Leader
 - The Deputy Leader
 - Executive Councillor for Corporate & Community Support Services
 - One other Executive Councillor
4. That Cabinet receive an annual report on the operation of the Council's Joint Ventures and Charitable Trusts.

Reasons for decision:

To provide a common unified governance structure between the Council and Council Companies, Joint Ventures, and to ensure proper exercise of its role as trustee of its Charitable Trusts.

Other options:

To retain the current ad-hoc arrangements by which the Council exercises its shareholder role or to establish other arrangements.

Note: This is a Council Function

Eligible for call in to Policy & Resources Scrutiny Committee

Executive Councillor: Moring

***Called-in to: Policy & Resources Scrutiny Committee**

443 Capital Monitoring for 2017/18 and Revised Capital Programme 2017/18 to 2020/21

The Cabinet considered a report of the Chief Executive setting out the capital expenditure as at 30th September 2017 and recommending in-year amendments to the approved Capital Programme for 2017/18 to 2020/21.

Recommended:

1. That the actual capital expenditure position as at 30th September 2017 of £27.790 million as shown in Section 4 and Appendix 1 of the submitted report, be noted.
2. That the financial position of the Capital Programme as at 30th September 2017, as set out in Section 5 of the report, be noted.
3. That the proposed changes to the Capital Programme as set out in Appendix 6 to the report, be approved.
4. That the revised Capital Programme for 2017/18 to 2020/21 resulting from these changes, as set out in Appendix 7 to the report, be approved.

Reason for decision:

To approve proposed changes to the Capital Programme.

Other options:

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

Note:-This is a Council Function

This item is eligible for call in to Policy and Resources Scrutiny Committee

Executive Councillor:- Lamb

***Called-in to:- Policy & Resources Scrutiny Committee**

444 Mid-Year Treasury Management Report 2017/18

The Cabinet considered a report of the Chief Executive detailing the treasury management activity for both quarter two and the period from April to September 2017.

Recommended:

1. That the Mid-Year Treasury Management Report for 2017/18, be approved.
2. That the revisions to the Minimum Revenue Provision Policy for 2017/18 and prior years as set out in Section 14 and in Appendix 3 of the submitted report, be approved.
3. That these revisions to the Minimum Revenue Provision Policy are applied retrospectively to 2016/17 and prior years as appropriate.
4. That it be noted that treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to September 2017.

5. 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.
6. That it be noted that an average of £46.9m of investments were managed in-house. These earned £0.099m of interest during this six month period at an average rate of 0.42%. This is 0.31% over the average 7 day LIBID (London Interbank Bid Rate) and 0.17% over the average bank base rate.
7. That it be noted that an average of £5.0m was managed by an enhanced cash fund manager. This earned £0.012m during the six month period at an average rate of 0.48%.
8. That it be noted that an average of £15.2m was managed by two short dated bond fund managers. This earned £0.078m during the six month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 1.02%.
9. That it be noted that an average of £16.1m was managed by two property fund managers. This increased in value by £0.845m during this six month period from a combination of an increase in the value of the units and by income distribution, giving a combined return of 10.47%.
10. That it be noted that the level of borrowing from the Public Works Loan Board (PWLb) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA); £77.0m, General Fund: £150.8m) during the period from April to September 2017.
11. That it be noted that the level of financing for 'invest to save' schemes increased from £7.90m to £8.82m during the period April to September 2017.

Reasons 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:

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

Note: This is a Council Function.

Eligible for call in to Policy and Resources Scrutiny Committee
Executive Councillor: Moring

445 Corporate Debt Management Policy

The Cabinet considered a report of the Chief Executive proposing the adoption of the revised "Debt Collection and Recovery Policy."

Resolved:

That the revised “Debt Collection and Recovery Policy” set out at appendix A to the submitted report, be approved.

Reasons for Decision:

To adopt the revised policy which will ensure consistent level of service and collection across a range of public services.

Other Options:

None.

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**

446 Discretionary Relief Policy

The Cabinet considered a report of the Chief Executive setting out the required changes to the current Business Rates Discretionary Relief Policy to reflect the new rate reductions announced by the Chancellor in the 2016 Autumn Statement and 2017 Spring Budget.

Resolved:

1. That the award of Public House Relief of up to £1,000 to qualifying businesses in occupation of Public Houses which have a rateable value of £100,000 or less in accordance with Discretionary Rate Relief powers for the financial year 1st April 2017 to 31st March 2018 only, subject to State Aid limits, be approved.

2. That it be noted that the businesses to qualify for the relief must be a ‘Public House’ as detailed in paragraph 4.4 of the submitted report.

3. That it be noted that where a ratepayer demonstrates their entitlement to the Public House Relief, the Revenues Manager has the authority to award the relief.

4. That the award of Local Newspaper Relief of up to £1,500 for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for the financial years 1st April 2017 to 31st March 2018 and 1st April 2018 to 31st March 2019, subject to State Aid limits, be approved.

5. That it be noted that where a ratepayer demonstrates their entitlement to the Local Newspaper Relief, the Revenues Manager has the authority to award the relief.

6. That the award of Supporting Small Business Relief (SSBR) to businesses who as a result of the change in their rateable value at the 2017 revaluation lost some or all of their small business relief, in accordance with guidance given by the Department for Communities and Local Government for the financial years 1st

April 2017 to 31st March 2018 to 1st April 2021 to 31st March 2022, subject to State Aid limits, be approved.

7. That the scheme and amount of Discretionary Business Rate Relief, in accordance with Section 7 and Appendix G of the revised policy, subject to State Aid limits, be approved.

8. That it be noted that the Council, through the National Non-Domestic Rate return process, will seek full reimbursement of the cost of this relief from Central Government.

9. That the amended Business Rates Discretionary Relief Policy set out at Appendix A to the submitted report, be approved.

Reasons for Decision:

To grant relief to qualifying ratepayers and amend the current business rates discretionary relief policy to enable the granting of the new relief benefits in accordance with Central Government expectations.

Other Options:

The Council could choose not to grant the relief. However, not awarding the relief would mean the funding being returned to Government.

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**

447 Transport Review (Policy)

The Cabinet considered a report of the Deputy Chief Executive (People) setting out proposed changes to policies which were recommended as part of the transport review.

Resolved:

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

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

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

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

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

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

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

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

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

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

Reasons for Decision:

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

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

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

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

Other Options:

None

Note: This is an Executive Function

Eligible for call in to Policy and Resources Scrutiny Committee

Executive Councillors: Salter, Moring and Courtenay.

***Called-in to:- Policy & Resources Scrutiny Committee**

448 Transport Review (Delivery Models)

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the potential operating models for the delivery of passenger transport services and sought approval to progress the preferred option to procurement stage to identify a preferred partner.

Resolved:

1. That the following key elements to enable procurement activities to commence around this passenger transport review, in parallel with completing the policy consultation with users, be approved:

(a) Procure a partner to develop a 'For Profit' JV partnership as the recommended operating model for providing all its passenger transport services;

(b) Use a full procurement procedure (either competitive dialogue or open procedure) to procure a partner to develop a 'For Profit' JV partnership as opposed to contracting directly with a local authority owned company under Regulation 12 (the old teckal arrangements);

(c) Implement the new service from 1st August 2019 based on the time table set out in paragraph 6.2 of the submitted report;

(d) Grant a tender exemption to extend existing contracts, based on the understanding that market conditions and potential legislative changes have hindered the Council's ability to procure a partner to develop other types of JV partnership.

2. That a further report be presented to Cabinet in January 2018 that will provide details of the confirmed procurement procedure to procure a partner to develop the JV partnership.

Reasons for Decision:

It is critical that the Council has an agreed, robust and transparent position on each of the matters presented in the report in order to shape the procurement approach and ensure that the ambitions for passenger transport are delivered through the partnership. Not reaching a decision on any of these matters risks delaying the procurement process.

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**

449 Careline Consultation

This item was withdrawn.

Note: This is an Executive Function.

Eligible for call in to People Scrutiny Committee

Executive Councillors: Salter

450 Mid-Year Adoption Report & RAA Update

The Cabinet considered a report from the Deputy Chief Executive (People) on the activities of the Southend Adoption Service between April and September 2017.

On consideration of the report, the Chairman referred to the excellent work undertaken by the Adoption Team and conveyed his thanks to the staff concerned.

Resolved:

That the submitted report be noted.

Reasons for Decision:

To note the activities of the Southend Adoption Service in the first six months of 2017/18.

Other Options:

None

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

451 Corporate Parenting Annual Report

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the annual report on the work of the Corporate Parenting Group (CPG) regarding the progress and outcomes of children who are looked after by the Council.

In referring to the report, the Chairman expressed his appreciation to the staff concerned for their contribution towards the achievement of the positive outcomes for children.

Resolved:

1. That the annual report set out at Appendix 1 to the submitted report, be noted.
2. That the overarching priorities set for 2017/18 set out at Appendix 2 to the report, be approved.
3. That the Corporate Parenting Strategy for Looked After Children 2017/18 set out at Appendix 3 to the report, be approved.

Reasons for Decision:

None.

Other Options:

None.

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

452 Local Account

The Cabinet considered a report from the Deputy Chief Executive (People) presenting the Local Account of Adult Social Care services in 2016-17, including the priorities and plans for 2017-18.

Resolved:

That the Local Account of Adult Social Care services in 2016-17 be noted as the Council's self-assessment for these services.

Reasons for Decision:

The publication of the Local Account of Adult Social Care Services for 2016-17 ensures the continuity of information for the public about the performance of this service.

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**

453 Annual Report of Implementation of SEN Strategy

The Cabinet considered a report of the Deputy Chief Executive (People) setting out the progress of the first year (financial year April 2016-March 2017) of the implementation plan of the strategy for children with Special Educational Needs and/or Disabilities.

Resolved:

1. That the progress and areas that require further improvement as indicated in the submitted report for the first year of "Working together to improve outcomes", be noted.
2. That a full review of the provision for SEND area and refresh of the current strategy, with a view to presenting the updated version to Cabinet by the end of the current financial year, be approved.

Reasons for Decision:

To undertake a review of the SEND provision and refresh the strategy.

Other Options:

None.

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

454 Success for All Annual Report

The Cabinet considered a report of the Deputy Chief Executive (People) which presented the draft Success for All Children Group's Annual Report for April 2016 – March 2017.

Resolved:

That the report be noted.

Reasons for Decision:

To note the Annual Report.

Other Options:

None.

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

455 Airport Business Park

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the progress of the Airport Business Park Southend (ABPS) development, specifically in relation to the phase 2 Local Growth Fund (LGF) allocation.

Resolved:

That the progress of the development of the Airport Business Park Southend, be noted.

Reasons for Decision:

To note the positive progress made in delivering the ABPS project and the significant opportunity it presents to increase economic growth, employment and skills.

Other Options:

None.

Note: This is an Executive Function
Eligible for call in to Place Scrutiny Committee
Executive Councillors: Lamb, Holland and Moring.

456 Low Carbon Strategy

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the updated annual report on the Council's Low Carbon Energy and Sustainability Strategy 2015-2020.

Resolved:

That the Low Carbon Energy and Sustainability Strategy updated Annual Report, be approved.

Reasons for Decision:

To continue to position the Council as a leading local authority in the East of England with regard to the UK's transition to the low carbon economy. The Strategy continues to provide an excellent opportunity for the Council to make a real contribution in delivering local objectives around health and wellbeing, housing, fuel poverty, air quality, transport, education, economic development and community cohesion.

Other Options:

None.

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

457 Council Procedure Rule 46

Resolved:

That the submitted report be noted.

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

***Called-in to:- Place Scrutiny Committee and Policy & Resources Scrutiny Committee**

458 Minutes of the Conservation Working Party held Tuesday 26th September 2017

The Cabinet considered the recommendations of the Conservation Working Party held on 26th September 2017 concerning proposals to investigate the potential

designation of Hamlet Court Road (and associated streets) as a Conservation Area.

Resolved:

That the potential designation of Hamlet Court Road (and associated streets) as a Conservation Area be investigated by officers and a report be submitted to a future meeting of the Conservation Working Party.

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

459 Minutes of the Public Transport and Buses Working Party held Monday 23rd October 2017

The Cabinet considered the recommendations of the Public Transport and Buses Working Party held on 23rd October 2017 concerning proposals to investigate the potential for introducing a wider park and ride scheme for the Borough.

Resolved:

That it be noted that an analysis of the pilot park and ride scheme would be undertaken and the results would be taken into account in the development of a parking strategy.

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

460 Minutes of the London Southend Airport Monitoring Working Party held Tuesday 24th October 2017

Resolved:

That the minutes of the meeting of the London Southend Airport Monitoring Working Party held on 24th October 2017, be noted.

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

461 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.

462 Council Procedure Rule 46 - Confidential Sheet

Resolved:

That the submitted report be noted.

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

***Called-in to:- Place Scrutiny Committee and Policy & Resources Scrutiny Committee**

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 8th November, 2017

Place: Committee Room 1 - Civic Suite

11

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, D Norman MBE, P Van Looy, C Walker and N Ward

*Substitute in accordance with Council Procedure Rule 31.

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

Start/End Time: 2.00 p.m. - 3.40 p.m.

463 Apologies for Absence

Apologies for absence were received from Councillor J Garston (Substitute: Councillor Butler).

464 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item No. 8: 17/01049/FULH (54 Undercliff Gardens, Leigh-on-Sea) – Non-pecuniary interest: A resident of Undercliff Gardens is a friend;

(b) Councillor Arscott – Agenda Item No. 10 (17/00664/FULM - Toomey Nissan, 831-837 London Road, Westcliff-on-Sea, SS0 9TE) – Non-pecuniary interest: An objector is known to him;

(c) Councillor Arscott – Agenda Item No. 11 (17/01306/FULM - St Thomas More High School, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BW) – Non-pecuniary interest: School Governor at School within proposed academy led by St Thomas More High School;

(d) Councillor Ayling – Agenda Item No. 12 (17/01464/FULM - Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ) – Non-pecuniary interest: Knows the applicant;

(e) Councillor Boyd – Agenda Item No. 11 (17/01306/FULM - St Thomas More High School, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BW) – Non-pecuniary interest: Lives close to the school and residents of Arundel Gardens are known to her;

(f) Councillor D Garston – Agenda Item No. 10 (17/00664/FULM - Toomey Nissan, 831-837 London Road, Westcliff-on-Sea, SS0 9TE) – Non-pecuniary interest: An objector is known to him;

(g) Councillor Mulroney – Agenda Item Nos. 7 (17/01379/FULH - 68 Pall Mall, Leigh-on-Sea), 8 (17/01049/FULH - 54 Undercliff Gardens, Leigh-on-Sea), 12 (17/01464/FULM - Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ), 14 (17/00912/FUL - 109 - 111 Broadway, Leigh-on-Sea, Essex, SS9 1PE) and 15 (17/01460/FULH - 29 Hadleigh Road, Leigh-on-Sea, Essex, SS9 2DY) – Non-pecuniary interests: Member of Leigh Town Council and Leigh Society (non-participant in planning); and

(h) Councillor Norman MBE – Agenda Item No. 11 (17/01306/FULM - St Thomas More High School, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BW) – Non-pecuniary interest: Governor at Westcliff High School for Boys.

465 Minutes of the meeting held on Wednesday 2nd August 2017

Resolved: That the Minutes of the meeting held on Wednesday 2nd August 2017 be received, confirmed as a correct record and signed.

466 Minutes of the meeting held on Wednesday 13th September 2017

Resolved: That the Minutes of the meeting held on Wednesday 13th September 2017 be received, confirmed as a correct record and signed.

467 Minutes of the Meeting held on Wednesday 4th October 2017

Resolved: That the Minutes of the meeting held on Wednesday 4th October 2017 be received, confirmed as a correct record and signed.

468 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.

**469 17/01379/FULH - 68 Pall Mall, Leigh-on-Sea (Leigh Ward)
Proposal: Demolish existing garage to rear and erect replacement garage
Applicant: Mr Tracy Meade
Agent: Mr Bruce Warren**

Mr Lee, a local resident, spoke as an objector to the application. Mr Meade, the applicant, responded.

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

1. The proposed garage would, by reason of its height and position coupled with its projection into a shared pedestrian access and the consequent relationship to the existing garage at 28 Canonsleigh Crescent, result in an unduly dominant and oppressive built form prejudicial to the character and appearance of the street scene and harmful to the amenity of users of the pedestrian access whose reasonable sense of a safe and accessible environment would be materially

impaired. The proposal therefore conflicts with the objectives of the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4 and Development Management Document Policies DM1 and DM3.

470 17/01049/FULH - 54 Undercliff Gardens, Leigh-on-Sea (Leigh Ward)

Proposal: Raise ridge height and form hip to gable roof extension, erect dormers to front and rear to form habitable accommodation in roof, erect first floor front extension including enlargement of roof, replacement front balcony, new walkway to rear, relocate main entrance door and alter elevations.

Applicant: Mr Rupert Cousins

Agent: THS Concepts LTD

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: PA-001/F

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/or samples of the facing materials to be used in the construction of external elevations of the building hereby permitted, including the proposed windows, have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policy DM1 and DM6 and The Design and Townscape Guide (2009).

04. The first floor windows in the west side 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) 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 and shall be retained as such in perpetuity. 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: In order to protect the character and appearance of the area and the amenities of the future occupiers from loss of privacy, in accordance with of the

Council's Policies KP2 and CP4 of the Core Strategy DPD1, Development Management DPD2 policies DM1 and DM3.

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.

- 471 17/00173/UNAU_B - 365 Victoria Avenue, Southend on Sea, Essex. SS2 6NH (Prittlewell Ward)**
Breach of Control: Without planning permission, construction of single storey side extension to north side and single storey rear extension

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure:

- (a) The removal of the side extension;
- (b) the removal of the rear structure;
- (c) the removal of all rubble, materials and equipment associated with complying with the notice.

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, a compliance period of 2 months is deemed reasonable for the removal of the unauthorised structures.

- 472 17/00664/FULM - Toomey Nissan, 831-837 London Road, Westcliff-on-Sea, SS0 9TE (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, responded.

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: 6766_P12; 6766_P11A; 6766_P300; 6766_P301.0B; 6766_P301.1C; 6766_P301.2C; 6766_P301.3C; 6766_P301.4C; 6766_P301.5C; 6766_P301.6; 6766_P306.1C; 6766_P307.2D; 6766_P307.3C; 6766/P307.1C.

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

03. Each of the units hereby permitted shall be only occupied by:

- (i) persons aged 65 years or older; or
- (ii) persons living as part of a single household in the development with such a person or persons aged 65 years or older; or
- (iii) persons who were living as part of a single household in the development with such a person or persons who have since died.

Reason: To define the scope of this permission with respect to parking provision, amenity space, general living conditions and the provision of affordable housing and infrastructure required to support the development, in accordance with Core Strategy (2007) Policies KP2, KP3, CP4, CP6 and CP8 and Policies DM1 and DM3 of the Development Management Document (2015).

04 The communal spaces and guest facility as shown on the approved plans shall be provided before the proposal is occupied and shall not be altered or removed in any way and be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that amenity space and living conditions are safeguarded for future occupiers of the development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Council's Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

05. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the ground floor (parking) 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 projecting elevational box details including projection, reveals, balustrade, lighting, entrance canopy, screening, fenestration, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full 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) and policies DM1 and DM3 of the Development Management Document (2015).

06. The car parking spaces, cycle storage and refuse store shall be implemented in accordance with plan no. 6766/301.4 Revision C prior to occupation of the retail and residential uses hereby approved to provide not less than 29 car parking spaces for the residential use, 14 car parking spaces for the retail use and 5 cycle parking spaces and shall thereafter be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

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).

07. Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not be commenced until the Local Planning Authority has approved in writing a full scheme of highways works (including detailed designs and contract details) and the relevant associated highways approvals are in place, in relation to the new service layby and new pedestrian crossing point. 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) policies KP2, CP3, CP4; Development Management Document (2015) policy DM15.

08. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be fully 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 to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

09. No development shall take place until a site investigation of the nature and extent of contamination at this site 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 construction begins. If, during the course of

development, any contamination is found which has not been identified in the site investigation construction shall stop immediately and additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority before construction continues. The remediation of the site shall incorporate the approved additional measures before construction continues.

Reason: To ensure that any contamination on the site 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 policy DM14 of the Development Management Document (2015).

10. The retail unit hereby approved shall not be open for customers outside the following hours: - 07:00 hours to 23:00 hours Monday to Sundays and Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document.

11. All servicing of the site must take place between 07:00 to 23: 00 hours Monday to Sunday, with the exception of newspaper deliveries. Servicing includes loading and unloading goods from vehicles and transferring rubbish outside the building.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document.

12. No dust or fume extraction or filtration equipment or air conditioning, ventilation, or refrigeration equipment shall be installed at the site until full details of its design, siting, discharge points and predicted acoustic performance have been submitted to and approved by the Local Planning Authority. The equipment shall only be installed in accordance with the approved details and shall be maintained in good working order thereafter.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential occupiers of the development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

13. No construction works above the slab level shall take place until full details of both hard and soft landscape works to take place at the site have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures. Details for the soft landscape works shall include the number, size and location of any shrubs, trees and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The development shall be

implemented in full accordance with the approved details before it is occupied or brought into use.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14. 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 in perpetuity.

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) and Design and Townscape Guide (2009).

15. 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 in accordance with the approved details before the development is occupied or 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

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

Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM2.

17. 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 (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

18. Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or adaptation of this legislation of for the time being maybe in force, the retail floorspace hereby approved shall be used only for purposes falling within Use Class A1 and for no other purpose.

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.

19. Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure the 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 the National Planning Policy Framework, Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2 and Design and Townscape Guide (2009).

20. The development shall not be occupied until details of the privacy screens to be installed at the site have been submitted to and approved in writing by the local planning authority. The development shall be occupied in full accordance with the approved details before it is occupied and be maintained as such in perpetuity thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with the National Planning Policy Framework (2012),

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 (2009).

21. Prior to their occupation the proposed first floor windows in the north elevation serving the kitchen to flat 1 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 safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with the National Planning Policy Framework (2012), 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 (2009).

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). 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.

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 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.

3. In relation to condition 07 above, the works to existing highway will require a Section 278 agreement or Highways Licence.

- 473 **17/01306/FULM - St Thomas More High School, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BW (Blenheim Park Ward)**
Proposal: Erect two storey building creating additional class rooms and fitness suite and associated accommodation, layout 10 additional car parking spaces and erect cycle store, layout Multi Use Games Area and associated works
Applicant: St Thomas More High School
Agent: Ingleton Wood LLP

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

Resolved: That considered of the application be DEFERRED pending a pre-meeting site visit.

- 474 **17/01464/FULM - Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ (Leigh Ward)**
Proposal: Convert existing hotel into mixed use comprising basement wine bar and health club, ground floor restaurants and terrace, 18 self-contained flats on three floors, demolish existing mansard roof and form new replacement mansard roof, erect three storey rear extension with mansard roof, install balconies to rear and sides at first floor and third floor level, external alterations, install extract/ventilation equipment and solar PV panels on roof, layout additional parking, associated landscaping and communal roof terrace and form vehicular access onto Broadway (Amended Proposal)
Applicant: 460 Leisure Ltd
Agent: Smart Planning

MS P Godfrey, a local resident, spoke as an objector to the application. Mr Dadds, the applicant's solicitor, responded.

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

- A financial contribution towards secondary education provision of £9,607.57 (index-linked), specifically providing increased capacity at Belfairs Academy which is payable prior to commencement;
- A financial contribution of £2500 to cover the cost of amending the Traffic Regulation Order to accommodate the new vehicular access ;
- The provision of Travel Packs for the commercial uses.

(b) The 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. 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: 1391-14A, 1622-01; 1622-02G; 1622-03J; 1622-04K; 1622-05L; 1622-06H; 1622-07E; 1622-08D; 1622-09D; 1622-11B; 1622-12A; 1622-25, Soft Landscape Plan; Location Plan

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

03. Prior to the commencement of development samples and / or product details of the materials to be used in the construction / alteration of the external elevations of the development hereby permitted, including bricks (sample required), tiles (sample required), roof materials, stonework (sample required) cladding (sample required) balconies and balustrades, windows and doors including doors and gates to storage areas, dormers, hardstanding and terrace paving, steps and ramp, boundary railings and boundary wall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

04. Prior to the commencement of development, a sample panel showing the pointing profile, copings, mortar mix, bricks and brick bond to be used on the extension and brick wall shall be submitted to and agreed in writing by the local planning authority. The works shall be carried out only in accordance with the agreed details unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

05. Prior to the commencement of development, detailed drawings, including all styles of doors and windows, balustrades, balconies and railings, dormers, mansard ridge detail, stonework (window surrounds and boundary wall copings), dormer details including decorative pediments, chimney and parapet detail for the extension and details of the staircase access/lift shaft at roof level at scales of 1:20, 1:10 or 1:1 as appropriate shall be submitted to and agreed in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the

Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

06. Prior to the commencement of development of the front terrace hereby approved, details of the junction between the existing building and the proposed terrace, the ramp and the terrace wall/balustrade shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out only in accordance with the approved details.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

07. No electricity, gas or water meter boxes, soil ventilation pipes, air extraction pipes, air conditioning units, boiler flues, ventilation grills or ducting shall be fixed to the exterior of the building other than in accordance with details that have been submitted to and approved in writing by the local planning authority.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

08. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above a lower ground floor slab level shall take place until full details of both hard and soft landscape works and proposed boundary treatment have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure, car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and the initial tree planting and tree staking details.

The hard landscaping shall be implemented in full accordance with the approved details before the development is occupied or brought into use. The soft landscaping shall be completed before the end of the first planting season following first occupation of the building.

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 policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

09. No construction works above a lower ground floor slab level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas,

has been submitted to and approved by the Local Planning Authority prior to the occupation of the development. The landscaping of the site shall be managed in accordance with the approved plan from occupation in perpetuity.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM5 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

10. Prior to the commencement of the development details of tree protection measures, in relation to the cedar tree to the front, shall be submitted to and approved by the local planning authority. The approved tree protection measures shall be implemented in full prior to commencement of the development and be retained throughout construction unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the cedar tree to the front of the site is adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

11. The development shall not be occupied or brought into use until space has been laid out within the site in accordance with drawing No. 1622-02G for 28 cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking spaces shown in the approved plans shall be permanently retained only 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 Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management (2015).

12. The development shall not be occupied or brought into use until the refuse and recycling storage facilities are provided in full within the details shown on approved site in accordance with drawing No. 1622-02G . The refuse and recycling facilities shall be permanently retained as such thereafter.

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.

13. The development shall not be occupied or brought into use 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 only 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.

14. 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 prior to commencement of the development and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) policy DM2.

15. Prior to the commencement of the development details of any extraction and ventilation equipment to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the basement and ground floor commercial space is brought into use. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

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

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

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

17. A Noise Management Plan in respect of the non-residential uses hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the first use of non-residential uses hereby approved. The Noise Management Plan shall include measures to reduce noise transmission from the outdoor terrace area which may cause a nuisance to neighbouring properties including a prohibition on amplified music being played within this terrace area. The non-residential uses at the site shall be managed and operated in full accordance with the measures in the approved Noise Management Plan from them being first brought into use and in perpetuity thereafter.

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

18. There shall be no new orders for dining on the front terrace from 22:30 until the close of business that day and the entire front terrace area cleared of all customers by 23:00 until the close of business that day. Additionally all doors accessing the terrace shall be closed, except temporarily for access and egress, from 23:00 to 08:30.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document (2015).

19. Notwithstanding the details specified in the submitted acoustic report by SRL dated 20th July 2016, prior to the commencement of the development, an amended acoustic report that also includes an assessment of the noise potential of the function room and health club and which includes recommendations for mitigation measures for these areas shall be submitted and agreed in writing with the local planning authority. These uses in the scheme shall be managed and operated in full accordance with the measures in the approved report from them being first brought into use and in perpetuity thereafter.

Reason: In order to protect the amenities of the first floor flat occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document 2015.

20. The class A4 (wine bar) use hereby permitted in the basement shall not be open to customers outside the following times: 09:00 to 01:00 on Monday to Saturdays and 09:00 to 23:00 on Sundays and Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development and surrounding residential area from noise associated with patrons leaving the establishment and smokers congregating outside during opening times in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

21. The restaurant, brasserie and function room use hereby permitted at ground floor shall not be open to customers outside the following times: 09:00 to 01:00 on Mondays to Saturdays and 09:00 to 23:00 on Sundays and bank holidays and the French doors to access these areas shall be kept closed from 23:00 to 09:00.

Reason: In order to protect the amenities of occupiers of the development and surrounding residential area from noise associated with patrons leaving the establishment and smokers congregating outside during opening times in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or adaptation of this legislation of for the time being maybe in force, the basement floorspace hereby approved and identified as the Health Club area, as shown on plan No 1662-.9D, shall only be used as a health club (class D2) and for no other purpose whatsoever.

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

23. The basement floorspace hereby approved and identified as the Health Club, as shown on plan No 1662-.9D shall not be used outside of the following hours: 07:00 to 23:00 Mondays to Sundays.

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

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

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

25. No external lighting shall be installed on the building other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority. No additional external lighting shall be installed on the building or within the site without the prior written consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the conservation area, and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM5 of the Development Management Document (2015).

26. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not be occupied until details of the secure, covered cycle parking spaces to serve the residential development and separate secure covered cycle parking spaces to serve the commercial uses and additional external visitor cycle parking have been submitted to and agreed in writing by the local planning authority. The approved cycle parking shall be implemented in full prior to first occupation of the development and shall be permanently retained thereafter for the storage of cycles.

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) and Policy DM15 of the Development Management Document (2015).

27. 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 in full 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 (2007) and Policy DM1 of the Development Management Document (2015).

28. Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours 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 (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

29. 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 locally listed building and surrounding conservation area and airport safety in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

30. 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 approved scheme shall be implemented, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity. 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 Policy DM2 of the Development Management Document (2015)

31. Prior to occupation of the flats hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the development and thereafter retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

32. Prior to the commencement of the development details shall be submitted to the local planning authority and approved in writing specifying the measure that shall be put in place to ensure that the chimneys on the existing building shall be able to be retained in full. The development shall be implemented only in accordance with the details approved under this condition.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

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

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. 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.

03. The applicant is advised that 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

04. Please note that if you require crane or piling rig to construct the proposal, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

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

06. In the event that the planning obligation referred to in part (a) above has not been completed by 16th November or an extension of this time as may be agreed 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 provide for education provision. As such, the proposal would be contrary to Policies KP2, KP3 and CP6

07. The applicant is advised that 18 cycle spaces are required for the residential cycle store and 1 space per 100 sqm for the staff of the A3 and A4 uses (which equates to 6 spaces) as well as 10 spaces for the staff of the D2 use which need to be provided within a segregated secure store. In addition to this there is also a

requirement for 1 space per 100 sqm for visitors of A3 and A4 uses which may be located in the external area.

- 475 17/01524/BC3M - Futures Community College Lower College Building, Prospects College, Southchurch Boulevard, Southend-on-Sea (Southchurch Ward)**
Proposal: Erect building to be used as sports hall (Class D2) adjoining existing building
Applicant: Southend-on-Sea Borough Council
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 plan: 453P01, 453P02

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

03. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition and site clearance works, until samples of the materials to be used in the construction of the external elevations of the building hereby permitted 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. Other than the demolition and site clearance, no development shall take place until a site investigation of the nature and extent of any land contamination present 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 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 Document (2015).

05. Prior to first occupation of the sports hall hereby permitted, a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement submitted shall include, but not be limited to, details of the following:

- (i) Hours of opening for the different sporting and community facilities provided at the site.
- (ii) Pricing policy on charging for use of the facilities provided at the site.
- (iii) Policy on access and availability to the sites facilities for non-school users and non-members.
- (iv) Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement.
- (v) Parking arrangements for users of the site, including cycle parking.
- (vi) Code of conduct for users of the site.

The development shall be occupied in full accordance with the approved Community Use Agreement in perpetuity from the first occupation of the site.

Reason: To secure well managed access to the sports and community facilities provided by the scheme and to ensure sufficient benefit to the development of sport in accordance with the National Planning Policy Framework (NPPF) and policies CP6, CP7 of the Core Strategy (2007).

06. A scheme detailing how at least 10% of the total energy needs of the new building 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 building. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with the National Planning Policy Framework (NPPF) and Policy KP2 of the Core Strategy (2007).

07. No development shall take place until details of the implementation, adoption, maintenance and management of the drainage system to be used at the site have been submitted to and approved in writing by the local planning authority. This shall include full details of the sustainable urban drainage systems to be used and how these have been selected. The system shall be implemented and thereafter managed and maintained in accordance with the approved details.

Those details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable urban drainage system throughout its lifetime.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (NPPF), Policies KP2 and CP4 of the Core Strategy (2007) and policy DM2 of the Development Management Document (2015)

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

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities;
- measures to control noise and the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- hours of work.

Reason: To protect residential amenity and general environmental quality in accordance with the general principles of the National Planning Policy Framework (NPPF); Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policies DM1 and DM14.

09. The use of the development hereby approved shall be used for no purposes other than for those falling within Use Class D1 or a D2 or combination thereof. Notwithstanding the content of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking or amending or re-enacting this order, the development shall be used for no other purposes falling outside Use Class D1 and/or D2 as defined by the Town and Country Planning (Use Classes) Order 1987.

Reason: In order to protect the impacts on community infrastructure in accordance with policy CP6 of the Core Strategy (2007).

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.

Informatives

01. Community Infrastructure Levy Liability Notice (CIL Regulation 65):- You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use. However, should the nature of the use change then you are advised to contact the planning department to discuss the requirement for planning permission and CIL liability. See www.southend.gov.uk/cil for further details about CIL.

02. 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.

03. The developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". <http://www.london.gov.uk/priorities/planning/supplementary-planning-guidance>.

04. The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Sport England's "Sports Hall Design & Layouts" design guidance note; <https://www.sportengland.org/facilities-planning/design-and-cost-guidance/>.

**476 17/00912/FUL - 109 - 111 Broadway, Leigh-on-Sea, Essex, SS9 1PE
(Leigh Ward)**

Proposal: Change of use of first floor self-contained flat (Class C3) to restaurant (Class A3) to be used with existing ground floor restaurant, external seating area and alter elevations.

Applicant: The Roslin Beach Hotel

Agent: APS Design Associates - Mr Paul Seager

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: 2565 01, 2565 02, 2565 03 Rev C

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

03. Prior to the commencement of the development hereby approved, details of any external materials to be used in the conversion of the building and the provision of the outside seating area must be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority and maintained thereafter.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area and to preserve the character of the Locally Listed Building and Leigh Conservation Area. This is as set out in the National Planning Policy Framework (2012), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and DM5 and Design and Townscape Guide (2009).

04. The premises shall not be open for customers outside the following hours:

10am to 11pm Sundays to Thursdays (inclusive), including Public and Bank Holidays
10am to 1am Fridays and Saturdays.

Reason: To protect residential amenity and general environmental quality in accordance with, Core Strategy (2007) Policy KP2 and Development Management Document Policy DM1 and DM3 and Design and Townscape Guide (2009).

05. The proposed outside seating area to the front of the premises fronting Broadway and contained within the site boundary, hereby approved shall be removed between 22:00 and 10:00 hours on all days.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

06. Prior to the first operation of the restaurant, an assessment shall be carried out by a suitably qualified and experienced acoustic consultant (who would normally be a member of the Institute of Acoustics) and submitted to the Local Planning Authority and approved in writing. The assessment shall demonstrate how the rating level of noise for all activities taking place at the premises shall be managed and mitigated so that they are at least 10dB(A) below the background noise (with no tonal elements) level when measured at neighbouring noise sensitive properties. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The management and mitigation identified in the approved document shall be fully in place from first occupation of the first floor as a restaurant and the site shall be managed and maintained in accordance with the approved measure in perpetuity thereafter.

Reason: To ensure inaudibility in noise sensitive premises and to protect the environment of people in neighbouring properties and general environmental

quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

07. Activities at the site shall be carried out so as to not give rise to structure borne noise to any noise sensitive premises including those within the building to which this application relates.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

08. Notwithstanding the details shown on the plans submitted and otherwise hereby approved, before the first floor restaurant area hereby approved, is first brought into use, an acoustic lobbied entrance to the ground floor main entrance of an adequate size shall be provided, in order to ensure that the outer door can be closed before the inner door is opened, in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority. Except for ingress and egress, both outer and inner doors to the front entrance lobby shall remain closed between 21:00 and 10:00 hours the following day whilst customers remain on the premises on all days.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

09. No deliveries and/or collections to the premises shall be undertaken except between: 07:00 to 19:00 hours Monday to Friday and 08:00 to 13:00 hours Saturdays, with no deliveries or collections at all on Sundays, Public or Bank Holidays.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

10. The construction works associate with this permission shall be restricted to between 08:00 and 18:00hrs Monday to Friday, 08:00 and 13:00hrs on Saturdays and not at all on Sundays, Public or Bank Holidays.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

11. The development hereby approved shall be used for no purposes other than a restaurant (Use Class A3). The site shall be used for no other purposes falling within Use Class A3 as defined by the Town and Country Planning (Use Classes) Order 1987 as amended or any other use permitted under the Town and Country planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or re-enactment of these orders.

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

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.

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. You will need to get separate planning permission for any alterations to the existing windows and may need advertisement consent if you wish to put up any signage at the property.

03. Compliance with this decision notice does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. Contact 01702 215005 for more information

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

05. For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour

and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK

477 17/01460/FULH - 29 Hadleigh Road, Leigh-on-Sea, Essex, SS9 2DY (Leigh Ward)

Proposal: Erect single storey side extension and extend existing balcony, install door to side elevation, removal of 2 Yew Trees (subject to tree preservation order) and erect detached outbuilding with decking area with associated landscaping and boundary treatment

Applicant: Mr & Mrs Jeremy and Amanda Holmes

Agent: Mosley Thorold Architects

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: A1000C, A1001C, A1002C, A1010F, A1011C, A1020F, A1021C, A1022C, A1030C, A3000C, A3001D, A3002C, A3003E, A3010E, A3011E, PJC-0649-003

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

03. The materials used for the external surfaces of the proposed side extension and balcony shall match those used on the existing dwelling unless differences are shown on the drawings hereby approved or are required by other conditions attached to this permission

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

04. The proposed door to the existing utility area on the southern side of the property shall be constructed from timber in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

05. The materials used for the external surfaces of the proposed outbuilding shall be painted timber featheredged weather board, timber fascia, painted timber or aluminium windows and doors and a wildflower green roof unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

06. The boundaries treatments and means of enclosure installed at the application site in association with this permission shall be as set out on approved drawing No. PJC-0649-003 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

07. Three replacement trees shall be planted at the site by the end of the first planting season following completion of the development (end of March). The replacement trees shall comprise 1 x Swedish whitebeam (*Sorbus intermedia* 'Brouwers'), 1 x Scots pine (*pinus sylvestris*) and 1 x bird cherry (*prunus padus*) and shall be heavy standard (5-6m in height and 18-20cm girth) at time of planting and be planted in the locations shown on approved plan No PJC-0649-003. The trees shall be supplied, planted and maintained in accordance with 'BS 8545 2014 Trees: From Nursery to Independence in the Landscape Recommendations'. Any tree that fails within 3 years of planting shall be replaced with the same specification.

Reason: To mitigate for the loss of existing preserved trees and to safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies. This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

08. No site clearance, preparatory work or development shall take place in association with this development until the protection measures set out in the submitted Arboricultural report titled 'Arboricultural Impact Assessment for 29 Hadleigh Road by PJC Consultancy dated 14th August 2017' have been implemented in full. These measures shall be maintained and the consent implemented in accordance with the approved protection measures for the extent construction period as associated with this consent.

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 the Core Strategy (2007) policies KP2 and CP4, policy DM1 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

09. The outbuilding hereby permitted shall solely be used for purposes incidental to the use of the main dwelling No 29 Hadleigh Road and for no other purpose including as habitable accommodation.

Reason : To safeguard the visual and residential amenities of the surrounding area in accordance with Core Strategy (2007) Policies KP2 and CP4 and Development Management DPD (2015) Policy DM1.

Informative

01. You are advised that as the proposed development equates to less than 100 sqm of additional floorspace so 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.

Chairman: _____

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee A

Date: Tuesday, 14th November, 2017
Place: Committee Room 2 - Civic Suite

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Present: Councillor C Walker (Chair)
Councillors S Habermel (Vice-Chair), B Ayling, M Butler, N Folkard*,
R Hadley and A Jones
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris

Start/End Time: 5.00 p.m. - 5.25 p.m.

478 Apologies for Absence

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

479 Declarations of Interest

The following member declared an interest as indicated:

(a) Councillor Habermel – Agenda Item 6 (Post 16 Education Transport Appeal – Pupil AI) – disqualifying non-pecuniary interest – knows the applicant (withdrew).

480 Minutes of the Meeting held on Tuesday 8th August 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday 8th August 2017 be confirmed as a correct record and signed.

481 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.

482 Secondary School Transport Appeal - Pupil MB

The Committee considered a report of the Deputy Chief Executive (People) together with supporting correspondence from the parent of pupil MB 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.

483 Post 16 Education Transport Appeal - Pupil AI

The Committee considered a report of the Deputy Chief Executive (People) together with supporting correspondence from the parent of pupil AI 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.

484 Post 16 Education Transport Appeal - Pupil KS

The Committee considered a report of the Deputy Chief Executive (People) together with supporting correspondence from the parent of pupil KS 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: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Monday, 20th November, 2017

Place: Jubilee Room - Civic Suite

13

Present: Councillor D McGlone (Chairman)
Councillors M Butler and D Jarvis

In Attendance: T Row, E Anakwue, M Newton and T Byrne

Start/End Time: 9.30 a.m. - 11.15 am

485 Apologies for Absence

There were no apologies for absence.

486 Declarations of Interest

No interests were declared at the meeting.

487 Application for the Grant of Premises Licence - 44 Broadway, Leigh-on-Sea, Essex, SS9 1AH

The Sub Committee received a report of the Deputy Chief Executive (Place) concerning an application by Ms Phoebe Parry and Mr Jack Morris for the grant of a premises licence in respect of 44 Broadway, Leigh-on-Sea, Essex, SS9 1AH.

The application was presented by Mr West, the applicant's representative. Ms Parry and Mr Morris were in attendance at the hearing.

The Sub Committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, although the proposed conditions drawn from the operating schedule had been amended following agreement the applicant and Essex Police during the consultation period should the application be granted. These were set out in Appendix 2 to the report of the Deputy Chief Executive (Place).

Objections had however, been received from four local residents, none of whom attended the meeting. Their concerns mainly related to one of the licensing objectives, namely the prevention of public nuisance, and in particular noise 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 approved 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 following additional conditions:

- The Licensee shall ensure that signage is displayed advising customers to leave the premises in a respectful manner and to close their car doors as quietly as possible.
- The use of the side door in Victoria Road shall only be permitted at the time the external seating area is in operation, except for the purposes of gaining access to the toilets and/or the smoking area.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Standards Committee

Date: Tuesday, 21st November, 2017
Place: Committee Room 6 - Civic Suite

14

Present: Councillor D Burzotta (Vice-Chair, in the Chair)
Councillors D Jarvis, M Butler, C Endersby, N Folkard*, I Gilbert,
D McGlone*, M Terry and J Ware-Lane,
Ms J Morgan and Ms J Tetley (Independent Persons – non-voting
observers)
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors B Ayling and M Flewitt
J K Williams and C Gamble

Start/End Time: 6.30 p.m. – 7.35 p.m.

488 Appointment of Vice-Chairman for the Meeting

Resolved:

That Councillor Jarvis be appointed Vice-Chairman for the meeting.

489 Apologies for Absence

Apologies for absence were received from Councillors J Garston (Substitute: Councillor McGlone) and Waterworth (Substitute: Councillor Folkard) and from Councillor Parker (Leigh Town Council).

490 Declarations of Interest

All Members of the Committee and Councillor Flewitt declared a non-pecuniary interest in Agenda Item No. 4 (Requests for Dispensations) on the grounds that the applicants are known to them as political colleagues.

Councillor Ayling declared a disqualifying interest in Agenda Item No. 4 (Requests for Dispensations) on the ground that has applied for a dispensation (withdrew from the meeting following his representation to the Committee).

491 Minutes of the Meeting held on Tuesday 28th February 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday 28th February 2017 be received, confirmed as a correct record and signed.

492 Requests for dispensations

The Committee considered a report of the Chief Executive regarding applications for dispensations under Section 30 of the Localism Act 2011 that had been submitted by eight Councillors.

The Committee noted that five Councillors had sought a dispensation in respect of the Opposition Business (Compulsory Licensing Scheme for Residential Landlords and Rent Controls on Private Sector Landlords) which had been considered by Council at its meeting on 19th October 2017 and Cabinet on 7th November 2017. Three Councillors had sought a wider dispensation to cover not only the subject matter of the Opposition Business, but any future landlord and tenant matters where they might otherwise be disqualified.

At the invitation of the Chairman, Councillor Ayling addressed the meeting to make his representation in support of his application.

On consideration of the report, the Committee had regard to the circumstances under which a dispensation could be granted as set out in the Localism Act. The Committee also took into account the guidance issued by the former Standards Board for England which was still pertinent in dealing with dispensation requests.

Having considered the various grounds for granting a dispensation, the Committee gave particular weight to ground C (that the authority considers the dispensation is in the interests of persons living in the authority's area) on the basis of the need for Members to represent residents (including landlords). The Committee also recognised that the issues the subject of the Opposition Business were common to both the eight Members and a significant proportion of the population in the area.

Resolved:-

1. That dispensations are required by the applicants.
2. That the dispensations be granted to all eight Councillors (namely Councillors Ayling, Boyd, Evans, J Garston, Habermel, Hadley, Salter and Waterworth) to enable them to participate, speak and vote at all Council meetings where the two specific matters comprising the Opposition Business are being considered. In reaching its decision, the Committee recognised the need for Members to represent residents (including landlords) and that the issues were common to the eight Members and a significant proportion of the general public.
3. That the dispensations shall operate for a period of two years from the date of this meeting.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 27th November, 2017
Place: Committee Room 1 - Civic Suite

15

Present: Councillor K Robinson (Chair)
Councillors B Arscott*, H Boyd, A Bright, D Burzotta, T Callaghan,
N Folkard, J Garston, S Habermel, D Kenyon, H McDonald,
D McGlone, J Moyies, C Mulroney*, M Terry, N Ward and J Ware-
Lane

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors T Cox, M Flewitt and A Holland
A Lewis, S Dolling, J K Williams, M Smith, T Row and T MacGregor

Start/End Time: 6.30 pm - 7.20 pm

493 Apologies for Absence

Apologies for absence were received from Councillors Jarvis (Substitute: Councillor Arscott) and Wexham (Substitute: Councillor Mulroney).

494 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillors Cox, Flewitt and Holland (Executive Councillors) – 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;

(b) Councillor Burzotta – Agenda Item No. 8 (Minutes of the meeting of the Conservation Working Party held on Tuesday 26th September 2017) – Disclosable pecuniary interest: Interest company that owns a property in Hamlet Court Road (withdrew); and

(c) Councillor Mulroney – Agenda Item No. 8 (Minutes of the meeting of the Conservation Working Party held on Tuesday 26th September 2017) – Non-pecuniary interest: Member of Leigh and Southend Societies.

495 Questions from Members of the Public

The Executive Councillor for Culture, Tourism and the Economy and the Executive Councillor for Transport, Waste and Regulatory Services responded to written questions from Mr Webb.

The Executive Councillor for Transport, Waste and Regulatory Services also responded to a written question from Mrs Hewitt.

496 Minutes of the Meeting held on Monday, 9th October, 2017

Resolved:-

That the Minutes of the Meeting held Monday, 9th October 2107 be received, confirmed as a correct record and signed.

497 Monthly Performance Report

The Committee considered the Monthly Performance Report (MPR) covering the period to end September 2017, which had been circulated recently.

In response to questions regarding CP2.3 – the percentage of household waste sent for re-use, recycling and composting, the Executive Councillor for Transport, Waste and Regulatory Services gave his assurances that he would inform Members of the outcome of the discussions with the contractors in relation to the relevant data and the need to rebalance targets.

In response to questions regarding CP4.7 – other planning applications determined in 8 weeks, the Executive Councillor for Housing, Planning and Sustainability undertook to provide a written response clarifying why the monthly value showed that the target was being exceeded but that the report indicated that the overall performance was worsening.

Resolved:-

That the report be noted.

Note: This is an Executive function.

Executive Councillor:- As appropriate to the item.

498 Comments, Compliments and Complaints

The Committee considered Minute 440 of the meeting of Cabinet held on 7th November 2017, which had been referred direct by Cabinet to all 3 scrutiny committees and called in to Scrutiny, together with a report of the Chief Executive which presented the annual report on compliments and complaints received throughout the Council for 2016/17. The report also incorporated separate sections on Adult Social Care Services, Children's Social Care and a report from the Monitoring Officer on decisions by the Local Government & Social Care Ombudsman.

In response to questions regarding the number of complaints regarding the waste collection service, the Deputy Chief Executive (Place) undertook to provide to Members the number of default notices issued to contractors in 2015/16 & 2016/17.

Resolved:-

That the following decision of Cabinet be noted:-

“That the Council’s performance in respect of compliments, comments and complaints for 2016-17 be noted, including the summary of decisions by the Local Government & Social Care Ombudsman.”

Note:- This is an Executive Function
Executive Councillors: Courtenay, Cox, Lamb and Salter

499 Council Procedure Rule 46

The Committee considered Minute 457 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with a report which summarised the actions taken in accordance with Council Procedure Rule 46.

Resolved:-

That the submitted report be noted.

Note: This is an Executive function
Executive Councillor: As appropriate to the item

500 Minutes of the meeting of the Conservation Working Party held on Tuesday 26th September 2017

The Committee considered Minute 458 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with the Minutes of the meeting of the Conservation Working Party held on Tuesday, 26th September 2017.

Resolved:-

That the following decision of Cabinet be noted:

“That the potential designation of Hamlet Court Road (and associated streets) as a Conservation Area be investigated by officers and a report be submitted to a future meeting of the Conservation Working Party.”

Note:- This is an Executive Function
Executive Councillors: Flewitt

501 Minutes of the meeting of the Chairmen's Scrutiny Forum held on Monday 20th November 2017

Resolved:-

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Monday, 20th November 2017 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

502 In-depth Scrutiny Project - Maximising the Use of Technology

The Committee received an oral update on the progress that had been made in respect of the agreed in-depth Scrutiny study: Maximising the use of technology through the Smart Cities and Digital Futures agendas.

Resolved:-

That the project plan be agreed.

Note:- This is a Scrutiny Function.

503 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.

504 Council Procedure Rule 46 - Confidential Sheet

The Committee considered Minute 462 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with a report which summarised the actions taken in accordance with Council Procedure Rule 46.

Resolved:-

That the submitted report be noted.

Note: This is an Executive function
Executive Councillor: As appropriate to the item

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 28th November, 2017

Place: Committee Room 1 - Civic Suite

16

Present: Councillor C Nevin (Chair)
Councillors L Davies (Vice-Chair), B Arscott, M Borton, H Boyd,
A Bright, A Chalk, S Habermel, H McDonald*, D McGlone*,
G Phillips, M Stafford, M Terry*, C Walker and P Wexham*
E Lusty and T Watts (co-opted members)
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Courtenay and L Salter (Executive Councillors)
J K Williams, F Abbott, S Leftley, A Atherton, J O'Loughlin and
S Houlden
M Riley and Y Bey – Youth Council (observers)

Start/End Time: 6.30 - 8.40 pm

505 Apologies for Absence

Apologies for absence were received from Councillor S Buckley (no substitute), Councillor M Butler (no substitute), Councillor C Endersby (substitute Cllr M Terry), Councillor D Garston (substitute Cllr D McGlone), Councillor A Jones (substitute Cllr H McDonald) and Councillor P Wexham (substitute Cllr C Mulroney) and A Semmence and L Crabb (co-opted members).

On behalf of the Committee, the Chairman welcomed M Riley, Youth Mayor and Y Bey, Deputy Youth Mayor to their first meeting.

506 Declarations of Interest

The following interests were declared at the meeting:-

- (a) Councillors Salter and Courtenay - 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;
- (b) Councillor Salter – agenda item relating to Scrutiny Committee – updates - non pecuniary - 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;
- (c) Councillor Salter - agenda item relating to Local Account – non-pecuniary – Chair of Health & Wellbeing Board which was referred to during discussion;
- (d) Councillor Nevin - agenda item relating to Scrutiny Committee – updates – 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 Schools Progress report – non-pecuniary – 1 child attends West Leigh School and 2 children attend Southend High School for Boys;

- (f) Councillor Boyd - agenda item relating to School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, South East Essex Teaching School Alliance;
- (g) Councillor Arscott - agenda item relating to Schools Progress report – non-pecuniary – Governor at Our lady of Lourdes Catholic Primary School;
- (h) Councillor Borton - agenda item relating to Schools Progress report – non-pecuniary – Governor at Milton Hall School;
- (i) Councillor Walker – agenda item relating to Schools progress report – non-pecuniary – wife teachers part time at West Leigh Schools;
- (j) Councillor Terry - agenda item relating to Schools Progress report – non-pecuniary – partner is a teacher at a school locally;
- (k) Councillor Chalk - agenda item relating to Schools Progress report – non-pecuniary – Governor at Bournes Green Infants School.

507 Questions from Members of the Public

Councillor Courtenay, the Executive Councillor for Children & Learning responded to a written question from Mr Webb and Councillor Salter, the Executive Councillor for Health and Adult Social Care responded to a written question from Mr Webb.

508 Minutes of the Special Meeting held on Monday, 18th September, 2017

Resolved:-

That the Minutes of the Special Meeting held on Monday, 18th September, 2017 be confirmed as a correct record and signed.

509 Minutes of Meeting held on Tuesday, 10th October, 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday, 10th October, 2017 be confirmed as a correct record and signed.

510 Minutes of the Special Meeting held on Wednesday, 18th October, 2017

Resolved:-

That the Minutes of the Special Meeting held on Wednesday, 18th October, 2017 be confirmed as a correct record and signed.

511 Monthly Performance Report

The Committee considered Minute 439 of Cabinet held on 7th November, 2017 which had been referred direct by Cabinet, together with the Monthly Performance Report covering the period to September 2017, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.
Executive Councillor:- As appropriate to the item.

512 Comments, Compliments and Complaints

The Committee considered Minute 440 of the meeting of Cabinet held on 7th November 2017, which had been referred direct by Cabinet to all 3 scrutiny committees and called in to Scrutiny, together with a report of the Chief Executive which presented the annual report on compliments and complaints received throughout the Council for 2016/17. This incorporated separate sections on Adult Social Care Services, Children's Social Care and a report from the Monitoring Officer on decisions by the Local Government & Social Care Ombudsman.

With regard to the section on Adult Social Care Services, set out in Appendix A to the report, the Committee asked questions about monitoring processes of missed calls for domiciliary care and residential care, using 'CM2000' and how this data could be reflected in the MPR for 2018 / 19. The Deputy Chief Executive said that this would be a decision for Cabinet and the Councillor will need to raise it with Cabinet at the appropriate time.

Resolved:-

That the following decision of Cabinet be noted:-

"That the Council's performance in respect of compliments, comments and complaints for 2016-17 be noted, including the summary of decisions by the Local Government & Social Care Ombudsman."

Note:- This is an Executive Function
Executive Councillors: Courtenay, Cox, Lamb and Salter

513 Mid-Year Adoption Report & RAA Update

The Committee considered Minute 450 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People). This outlined the activities of the Southend Adoption Service between April and September 2017.

A number of questions were raised at the meeting on behalf a Councillor who was unable to be present (around recruitment of adopters for example) and the Director of Children's Services agreed to provide a written response.

Resolved:-

That the following decision of Cabinet be noted:-

"That the submitted report be noted."

Note:- This is an Executive Function
Executive Councillor: Courtenay

514 Corporate Parenting Annual Report

The Committee considered Minute 451 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People). This presented the annual report on the work of the Corporate Parenting Group (CPG) regarding the progress and outcomes of children who are looked after by the Council.

In response to a question from Councillor Nevin regarding workforce challenges and recruitment and retention in Children's Services, the Director of Children's Services outlined the work being undertaken and the reduction in agency staff and advised that he would prepare a report setting out the present position.

Resolved:-

That the following decisions of Cabinet be noted:-

"1. That the annual report set out at Appendix 1 to the submitted report, be noted.

2. That the overarching priorities set for 2017/18 set out at Appendix 2 to the report, be approved.

3. That the Corporate Parenting Strategy for Looked After Children 2017/18 set out at Appendix 3 to the report, be approved."

Note:- This is an Executive Function
Executive Councillor: Courtenay

515 Local Account

The Committee considered Minute 452 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People). This presented the Local Account of Adult Social Care services in 2016-17, including the priorities and plans for 2017-18.

Resolved:-

That the following decision of Cabinet be noted:-

"That the Local Account of Adult Social Care services in 2016-17 be noted as the Council's self-assessment for these services."

Note:- This is an Executive Function
Executive Councillor:- Salter

516 Annual Report of Implementation of SEN Strategy

The Committee considered Minute 453 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with a report of the Deputy Chief Executive (People). This set out the progress of the first year (financial year April 2016-March 2017) of the implementation plan.

A number of questions were raised at the meeting on behalf a Councillor who was unable to be present (budget etc.) and the Executive Councillor agreed to provide a written response.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the progress and areas that require further improvement as indicated in the submitted report for the first year of “Working together to improve outcomes”, be noted.

2. That a full review of the provision for SEND area and refresh of the current strategy, with a view to presenting the updated version to Cabinet by the end of the current financial year, be approved.

Note:- This is an Executive Function
Executive Councillor:- Courtenay

517 Schools Progress Report

The Committee received a report of the Deputy Chief Executive (People) which informed Members of the current position with regard to the performance of all schools, including those causing concern and updated on known Academy developments.

Resolved:-

That the report and the overall performance of schools be noted.

Note:- This is an Executive Function.
Executive Councillor:- Courtenay

518 Scrutiny Committee - updates

The Committee received a report of the Chief Executive which updated Members on a number of scrutiny matters.

Referring to section 5.1 of the report regarding St Luke’s Primary Care Development, officers were asked to clarify when the contract was awarded to Virgin Care and also asked to find out some further information on the stakeholder group (when meets, if papers are available etc.).

Referring to section 5.4 of the report, the Scrutiny Officer clarified that the briefing for members by EPUT on the new clinical model for mental health services across the county, will be held on the evening of Monday 11th December 2017.

Resolved:-

That the report and actions taken be noted.

Note:- This is a Scrutiny Function

519 Minutes of Chairmen's Scrutiny Forum held Monday 20th November 2017

Resolved:-

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Monday, 20th November 2017 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 30th November, 2017

Place: Committee Room 1 - Civic Suite

17

Present: Councillor B Ayling (Chair)
Councillors C Mulroney*, D Burzotta, M Davidson, N Folkard,
D Garston, I Gilbert, R Hadley, D Jarvis*, D McGlone, J McMahon,
D Norman MBE, G Phillips, M Terry*, C Walker, C Willis and
R Woodley*

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors J Lamb, M Flewitt and A Moring (Executive Councillors)
Councillor S Aylen
J K Williams, F Abbott, J Chesterton and S Houlden

Start/End Time: 6.30 - 9.20 pm

520 Apologies for Absence

Apologies for absence were received from Councillor B Arscott (substitute Cllr D Jarvis), Councillor D Kenyon (substitute Cllr M Terry), Councillor M Stafford (substitute Cllr R Woodley) and Councillor P Wexham (substitute Cllr C Mulroney).

In the absence of the Vice Chairman, Councillor Mulroney acted as Vice Chair at the meeting.

521 Declarations of Interest

The following interests were made at the meeting:-

- (a) Councillors Lamb, Flewitt and Moring (Executive Councillors) - interest in the called in items / referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011;
- (b) Councillor Ayling – disclosable pecuniary interest in agenda item relating to Compulsory Licensing Scheme and Rents Control – attended pursuant to dispensation agreed by the Standards Committee on 21st November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;
- (c) Councillor Hadley – disclosable pecuniary interest in agenda item relating to Compulsory Licensing Scheme and Rents Control – attended pursuant to dispensation agreed by the Standards Committee on 21st November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote. However, Councillor Hadley confirmed that he would not be exercising his dispensation in terms of voting and would limit his contribution to speaking only;
- (d) Councillor Flewitt - interest in agenda item relating to Compulsory Licensing Scheme and Rents Control – non-pecuniary – family & friends are tenants of South Essex Homes;

- (e) Councillor D Garston - interest in agenda item relating to Compulsory Licensing Scheme and Rents Control – non-pecuniary – Trustee of Trust which owns a rented property in town but has no beneficial interest;
- (f) Councillor McMahon - interest in agenda item relating to Compulsory Licensing Scheme and Rents Control – non-pecuniary – co founder HARP, mentioned in debate; mental health advocate – professional role;
- (g) Councillor McMahon – interest in agenda item relating to Capital Monitoring Report – non-pecuniary – founder member, Fellow of the Saxon King Fellowship, mentioned during debate;
- (h) Councillor Ayling - interest in agenda item relating to Capital Monitoring Report – non-pecuniary – member of Fellowship of Saxon King, mentioned during debate;
- (i) Councillor Mulronee - interest in agenda item relating to Capital Monitoring Report – non-pecuniary – member of Fellowship of Saxon King, mentioned during debate;
- (j) Councillor Phillips – interest in agenda item relating to Council Procedure Rule 46 (item 2.1 refers) – non-pecuniary – son is an assistant leader at 3rd Chalkwell Bay Clubs (sailing etc).

522 Questions from Members of the Public

Two written questions had been received from Mr Webb for the meeting. Mr Webb was not at the meeting so the responses will be circulated to him.

523 Minutes of the Meeting held on Thursday, 12th October, 2017

Resolved:-

That the Minutes of the meeting held on Thursday, 12th October, 2017 be confirmed as a correct record and signed.

524 Reference from Council, Thursday 19th October 2017 - Compulsory Licensing Scheme and Rent Control

The Committee considered Minute 438 of Cabinet held on 7th November 2017 which had been referred direct by Cabinet and also called in to Scrutiny, together with a report of the Deputy Chief Executive (People), requesting consideration of the resolutions of Council (19th October 2017) regarding the introduction of a compulsory licensing scheme and rent controls on private sector landlords.

With regard to Resolution 1 of the Cabinet Minute, the Executive Councillor advised that the report to be considered by way of pre-Cabinet scrutiny is in the process of being drafted and will be brought to the next meeting of the Scrutiny Committee.

With regard to Resolution 2 of the Cabinet Minute the Committee received a copy of the draft letter which it is proposed to send to the Secretary of State for Communities & Local Government in connection with rent controls on private sector landlords. The Executive Councillor agreed to amend the draft letter to clarify some of the figures and ensure the table was to scale.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the proposal to introduce a compulsory licensing scheme be referred to the Policy & Resources Scrutiny Committee for consideration by way of pre-Cabinet scrutiny.

2. That the Deputy Chief Executive (People) be requested to write to the Secretary of State for Communities and Local Government to ascertain the Government’s view on the introduction of rent controls on private sector landlords letting properties to tenants.”

Note: This is an Executive Function
Executive Councillor: Flewitt

525 Monthly Performance Report

The Committee considered Minute 439 of Cabinet held on 7th November, 2017 which had been referred direct by Cabinet, together with the Monthly Performance Report covering the period to September 2017, which had been circulated recently.

Resolved:-

That the report be noted.

Note:- This is an Executive Function.
Executive Councillor:- As appropriate to the item.

526 Comments, Compliments and Complaints

The Committee considered Minute 440 of the meeting of Cabinet held on 7th November 2017, which had been referred direct by Cabinet to all 3 scrutiny committees and called in to Scrutiny, together with a report of the Chief Executive which presented the annual report on compliments and complaints received throughout the Council for 2016/17. This incorporated separate sections on Adult Social Care Services, Children’s Social Care and a report from the Monitoring Officer on decisions by the Local Government & Social Care Ombudsman.

Resolved:-

That the following decision of Cabinet be noted:-

“That the Council’s performance in respect of compliments, comments and complaints for 2016-17 be noted, including the summary of decisions by the Local Government & Social Care Ombudsman.”

Note:- This is an Executive Function
Executive Councillors: Courtenay, Cox, Lamb and Salter

527 Alternative Delivery Models - Governance Arrangements

The Committee considered Minute 442 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny together with a report of the Chief Executive presenting a range of alternative delivery vehicles that the Council controls, the current governance arrangements and proposals on potential ways forward.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the current group structure of the Council Companies, Joint Ventures and Charitable Trusts and associated governance arrangements, be noted.

2. That a new advisory forum reporting to Cabinet be established to be called “The Shareholder Board” to provide an effective means of Council governance of the Council Companies and this shall replace the existing Member Advisory Forum (re: Trading Companies).

3. That the terms of reference of the Shareholder Board shall be added as a new section 4.6 in Schedule 2 of Part 3 to the Constitution, as set out in Appendix 3 to the submitted report, with a membership that is politically proportional (5 Conservatives, 2 Independent, 2 Labour) and that includes the following members of Cabinet:

- The Leader
- The Deputy Leader
- Executive Councillor for Corporate & Community Support Services
- One other Executive Councillor

4. That Cabinet receive an annual report on the operation of the Council’s Joint Ventures and Charitable Trusts.”

Note: This is a Council Function
Executive Councillor: Moring

528 Capital Monitoring for 2017/18 and Revised Capital

The Committee considered Minute 443 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny together with a report of the Chief Executive setting out the capital expenditure as at 30th September 2017 and recommending in-year amendments to the approved Capital Programme for 2017/18 to 2020/21.

Resolved:-

That the following recommendations of Cabinet be noted:-

“1. That the actual capital expenditure position as at 30th September 2017 of £27.790 million as shown in Section 4 and Appendix 1 of the submitted report, be noted.

2. That the financial position of the Capital Programme as at 30th September 2017, as set out in Section 5 of the report, be noted.

3. That the proposed changes to the Capital Programme as set out in Appendix 6 to the report, be approved.

4. That the revised Capital Programme for 2017/18 to 2020/21 resulting from these changes, as set out in Appendix 7 to the report, be approved.”

Note:-This is a Council Function

Executive Councillor:- Lamb

529 Corporate Debt Management Policy

The Committee considered Minute 445 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny together with a report of the Chief Executive proposing the adoption of the revised “Debt Collection and Recovery Policy.”

Resolved:

That the following decision of Cabinet be noted:-

“That the revised “Debt Collection and Recovery Policy” set out at appendix A to the submitted report, be approved.”

Note: This is an Executive Function.

Executive Councillor: Moring

530 Discretionary Relief Policy

The Committee considered Minute 446 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny together with a report of the Chief Executive setting out the required changes to the current Business Rates Discretionary Relief Policy to reflect the new rate reductions announced by the Chancellor in the 2016 Autumn Statement and 2017 Spring Budget.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the award of Public House Relief of up to £1,000 to qualifying businesses in occupation of Public Houses which have a rateable value of £100,000 or less in accordance with Discretionary Rate Relief powers for the financial year 1st April 2017 to 31st March 2018 only, subject to State Aid limits, be approved.

2. That it be noted that the businesses to qualify for the relief must be a ‘Public House’ as detailed in paragraph 4.4 of the submitted report.

3. That it be noted that where a ratepayer demonstrates their entitlement to the Public House Relief, the Revenues Manager has the authority to award the relief.

4. That the award of Local Newspaper Relief of up to £1,500 for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for the financial years 1st April 2017 to 31st March 2018 and 1st April 2018 to 31st March 2019, subject to State Aid limits, be approved.

5. That it be noted that where a ratepayer demonstrates their entitlement to the Local Newspaper Relief, the Revenues Manager has the authority to award the relief.

6. That the award of Supporting Small Business Relief (SSBR) to businesses who as a result of the change in their rateable value at the 2017 revaluation lost some or all of their small business relief, in accordance with guidance given by the Department for Communities and Local Government for the financial years 1st April 2017 to 31st March 2018 to 1st April 2021 to 31st March 2022, subject to State Aid limits, be approved.

7. That the scheme and amount of Discretionary Business Rate Relief, in accordance with Section 7 and Appendix G of the revised policy, subject to State Aid limits, be approved.

8. That it be noted that the Council, through the National Non-Domestic Rate return process, will seek full reimbursement of the cost of this relief from Central Government.

9. That the amended Business Rates Discretionary Relief Policy set out at Appendix A to the submitted report, be approved.”

Note: This is an Executive Function.
Executive Councillor: Moring

531 Transport Review (Policy)

The Committee considered Minute 447 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny together with a report of the Deputy Chief Executive (People) setting out proposed changes to policies which were recommended as part of the transport review.

The Committee had a number of issues concerning impact on vulnerable people; changes to Dial-a-Ride service and operating times and was concerned that the matter had not been considered by the People Scrutiny Committee. The Executive Councillor for Corporate & Community Support Services said that he was happy for the matter to be referred back and that this would be on the basis that the decision of Cabinet would then be open to scrutiny by the People Scrutiny and the Policy & Resources Scrutiny Committees.

Resolved:-

With the concurrence of the Executive Councillor, the matter be referred back to Cabinet for reconsideration and, following such reconsideration, the matter will be eligible for call in to People and Policy & Resources Scrutiny Committees.

Note: This is an Executive Function

Executive Councillors: Salter, Moring and Courtenay.

532 Transport Review (Delivery Models)

The Committee considered Minute 448 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny together with a report of the Deputy Chief Executive (People) setting out the potential operating models for the delivery of passenger transport services and sought approval to progress the preferred option to procurement stage to identify a preferred partner.

Resolved:-

That the following decisions of Cabinet be noted:-

“1. That the following key elements to enable procurement activities to commence around this passenger transport review, in parallel with completing the policy consultation with users, be approved:

(a) Procure a partner to develop a ‘For Profit’ JV partnership as the recommended operating model for providing all its passenger transport services;

(b) Use a full procurement procedure (either competitive dialogue or open procedure) to procure a partner to develop a ‘For Profit’ JV partnership as opposed to contracting directly with a local authority owned company under Regulation 12 (the old teckal arrangements);

(c) Implement the new service from 1st August 2019 based on the time table set out in paragraph 6.2 of the submitted report;

(d) Grant a tender exemption to extend existing contracts, based on the understanding that market conditions and potential legislative changes have hindered the Council’s ability to procure a partner to develop other types of JV partnership.

2. That a further report be presented to Cabinet in January 2018 that will provide details of the confirmed procurement procedure to procure a partner to develop the JV partnership.”

Note: This is an Executive Function
Executive Councillor: Moring

533 Council Procedure Rule 46

The Committee considered Minute 457 of the meeting of Cabinet held on 7th November 2017, which had been called in the Scrutiny, together with a report which summarised the actions taken in accordance with Council Procedure Rule 46.

Resolved:-

That the submitted report be noted.

Note: This is an Executive Function

Executive Councillor: as appropriate for the item.

534 Summary Report to Scrutiny Committee

Resolved:-

That the Summary Report update from Councillor Lamb on the Kent & Essex Inshore Fisheries and Conservation Authority, deferred to the next meeting.

535 In depth scrutiny project - 'Additional enforcement resources for Southend' - update

The Committee received an oral update on the progress made in respect of the agreed in depth scrutiny project for 2017/18 – 'additional enforcement resources for Southend'. A further meeting of the Member project team will be held on Monday 11th December 2017.

Resolved:-

That the update be noted.

Note: This is a Scrutiny Function

536 Minutes of Chairmen's Scrutiny Forum held Monday 20th November 2017

Resolved:-

That the Minutes of the meeting of Chairmen's Scrutiny Forum held on Monday, 20th November 2017 be received and noted and the recommendations therein endorsed.

Note: This is a Scrutiny Function.

537 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.

538 Council Procedure Rule 46 - Confidential Sheet

The Committee considered Minute 462 of the meeting of Cabinet held on 7th November 2017, which had been called in to Scrutiny, together with a report which summarised the actions taken in accordance with Council Procedure Rule 46.

Resolved:-

That the submitted report be noted.

Note: This is an Executive Function
Executive Councillor: As appropriate to the item

Chairman: _____

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NOTICE OF MOTION: Caged Peafowl Birds

There are a number of peafowl caged at Chalkwell Park. These large birds are usually seen roaming free on large estates and zoological gardens, and I cannot recall another example where these birds are caged.

The cage at Chalkwell Park is not nearly large enough, and as the photo shows, when the peacock displays his magnificent plumage there really is barely enough room for him to do so. These birds roam large estates and parks normally; there is no room for flight at all, and these birds can fly.

Aside from the smallness of their present enclosure, this is a sparsely decorated cage that is often dirty, and certainly gives every impression of neglect. These birds are often tormented by visitors and their pets, as if them being caged gives permission to this poor behaviour.

Earlier this summer two chicks were hatched. The peahen was trying to protect them, a difficult job in a small enclosure. One was killed by its sibling. The bowls for feeding and drinking are designed for adult birds, and are too high for chicks; how were the chicks meant to feed and drink?

A resident informed the Council about the chicks, and the dead one was removed. However, since the Council were unaware up to that point that there were chicks then clearly accusations of neglect are appropriate.

This cage is the last vestige of the menagerie that once housed many animals such as bears and chimpanzees. Nowadays this would not be allowed. This is a throwback to an era when animals were not treated with respect. That peafowl are still caged is a disgrace to the town, a town that prides itself as being cultured.

Motion to Council:

We call upon the Council to uphold the highest standards with regards to animal rights.

To this end we want the four peafowl housed in the Chalkwell Park menagerie to be moved to somewhere more suitable.

There has been offers of new homes, and we call upon the Council to fully investigate these.

We urge the Council to expedite a move to a more humane home for the peafowl with utmost speed to end this example of animal cruelty.

*Proposed by: Cllr Julian Ware-Lane
seconded by: Cllr Charles Willis*

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NOTICE OF MOTION:

UBER Licensing

Whilst this Council recognises the innovation of companies in the gig-economy like UBER, this Council, supports TFL in not re-licensing UBER's private hire license on public safety grounds. Uber have been found to have a number regulatory challenges in the administration of its business model, inadequate DBS checks, the non-reporting of a number of alleged sexual assaults and other offences committed by its drivers. It is known that drivers, who have previously had their licenses revoked by this Council, have subsequently be issued licenses by TfL to work for UBER in this town even though UBER do not have an operator's license to operate in Southend.

Even though it is a legal requirement for TFL and other regulators to be able to examine records and information held by UBER, the current 'greyball' technology used by UBER, prevents regulators from carrying out their duties.

This Council is also very concerned that a number of TFL licensed UBER drivers are currently operating around the Borough of Southend on Sea without having an operators license. When UBER drivers, licenced by TFL, are working in Southend, they do not fall under the control of Southend Enforcement Officers and are unable to look into customer complaints and are unable to monitor vehicle or driving standards. We also acknowledge that local private hire driver standards are at a higher standard than those of TfL.

This Council also calls on the Government to update Taxi and Private Hire legislation so driver standards are uniformed across the country and Enforcement Officers are able to inspect all vehicles irrespective of what borough they have been licensed in. This Council also supports the introduction of national databases so authorities can check if a driver or operator has ever been refused or had a license revoked in another borough for failing the 'fit and proper' test.

Proposed: Cllr Terry

Seconded: Cllr Cox

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Council – 14th December 2017**Notice of Motion: Traveller Community**

The traveller community often visits the borough, and the local authority's immediate reaction is to seek police assistance to have them moved on.

Little attempt has been made to find somewhere where the travellers can stay within the borough.

Finding travellers a place to temporarily stay would stop the problem of them pitching up in public parks and other unsuitable open spaces. This may entail, of course, dialogue with our neighbouring local authorities and residents.

We condemn all bad behaviour and law-breaking and this should be punished as appropriate. However, we should not pre-judge.

The traveller community has also been the subject of some very unsavoury comments by some councillors.

This Council therefore:

1. Condemns any language that stigmatises or labels the traveller community.
2. Condemns every instance of race hate language, or support for race hate language.
3. Should encourage greater understanding and tolerance of all minority groups.
4. Welcomes all visitors to the borough. This borough aim is increase visitor numbers, to be a bigger tourist magnet. This local authority should not discriminate at all, nor should it pre-judge the motives of any visitor.
- 5, Should attempt to find somewhere for travellers to temporarily de-camp when they visit, thus ending the sight of caravans in our parks and open spaces.

(The traveller community includes a variety of peoples who prefer a nomadic lifestyle.)

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Notice of Motion: The effect of development on services in Leigh

All members are aware of the rapid growth in development in Leigh, especially in flatted development. These problems are spreading in the Borough, particularly to areas close to the C2C railway stations.

Members will also be aware of the current serious issues in Leigh relating to the school catchment areas, serious parking issues and strain on other services which spreads to other areas as well.

With this Government's push for housing this is set to continue. It is accepted that more housing is needed and more affordable housing but there comes a time when we have to think whether we can cope with any more.

In particular in Leigh:-

- Parking resulting from more development and the popularity as a shopping destination.
- The growing popularity of Leigh south of London Road (i.e. including parts of West Leigh and Chalkwell) for families with children. This reflects not only the popularity of the three primary schools, but also the ease of commuting to Docklands and the City.
- Doctors' surgeries. Waiting time for GP appointments is a national problem but it is particularly acute around Leigh because of the inward population drift associated with new flat developments.
- Bus services
- Pressure on utilities

Many of these will be familiar to other wards. This is not an anti-planning motion but a proper planning one, but we accept that each planning application must be treated on its merits in accordance with the rules and policy. But that does not mean that as a Council we cannot express our concern and seek help from Government to overcome this situation.

We believe Government should urgently consider ways of ensuring that communities are not lost or their cohesiveness impaired through overdevelopment and stress on services.

MOTION:

That this Council seeks advice from the Local Government Association and information from other Councils who may be suffering similar stresses, with a view to influencing Government to take a more pragmatic approach to development which directs housing development to where it can be assimilated and serviced properly without placing undue stress on local services and thereby inherently protecting areas which are becoming overdeveloped and over stressed.

Cllr Carole Mulroney
Cllr Peter Wexham

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Notice of Motion: Scrap the Cap

Southend Borough Council notes that:

- For most workers in local government and schools, pay and other terms and conditions are determined by the National Joint Council (NJC) for local government services
- On average, across the country, NJC basic pay has fallen by 21% in real terms since 2010
- NJC workers had a three-year pay freeze from 2010-2012 and have received only 1% pay increase annually since then
- NJC pay is the lowest in the public sector
- Differentials in pay grades are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased Statutory National Living Wage
- The likelihood of rising inflation following the vote to leave the European Union will worsen the current public sector pay inequality.

This council therefore supports the NJC pay claim for 2018, submitted by Unite, UNISON and the GMB on behalf of council and school workers and calls for the immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector.

This council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements.

Council further notes the drastic ongoing cuts to local government funding and calls on the Government to provide all additional resources to ensure local authorities can fund a decent pay rise for NJC employees and the pay spine review.

This council resolves to:

- Write to the LGA asking it to make urgent representations to Government to fund the NJC claim and the pay spine review;
- Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking the additional resources needed to fund a decent pay rise and the pay spine review;
- Write to local NJC union representatives to convey support for the pay claim
- and the pay spine review.

Proposed Cllr Cheryl Nevin

Seconded Cllr Margaret Borton

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Southend-on-Sea Borough Council

Agenda
Item No.

25

Report of Chief Executive

To
Council
on

14 December 2017

Report prepared by: Veronica Dewsbury
Group Manager Benefits

Local Council Tax Support Scheme 2018/19

Policy & Resources Scrutiny Committee
Executive Councillor: Councillor Moring

1. Purpose of Report

To adopt the Local Council Tax Support Scheme for 2018/19.

2. Recommendations;

- 2.1 That the proposed changes to the current Local Council Tax Support Scheme be adopted for 2018/19;
- 2.2 That the administration changes be adopted for 2018/19.

3. Background

- 3.1 For each financial year, each billing authority must consider whether to revise its Local Council Tax Support Scheme (LCTSS) or to replace it with another scheme. The design of the LCTSS must be finalised by 31 January each year at the very latest. Failure to provide a scheme by this date would trigger the imposition of the Government's default scheme. The Government default scheme would require the Council to revert back to the level of support that would have been provided under the national Council Tax Benefit arrangements: This would mean that the Council would have to find in the region of circa £1.5 million from elsewhere in its annual budget.
- 3.2 The Council designed a scheme for 2013/14 which passed the reduction in funding received onto working age claimants, making it a cost neutral scheme.
- 3.3 The scheme has been re-adopted each year since. It has proved to be a robust scheme with no legal challenges and good rates of increasing collection. However, Southend has been live with universal credit since July 2017 which has some impacts on the LCTSS around claim dates and treatment of income.
- 3.4 As the scheme impacts on the Council Tax base, a key component in estimating the resources available to the Council, it is deemed prudent to

confirm the scheme in December allowing Cabinet to agree a Council Tax base in January 2018.

4. Current Scheme

4.1 Local Council Tax Support replaced Council Tax Benefit with effect from 1 April 2013. People of pension age continue to be protected from adverse changes by the Government but for people of working age, the Council has adopted a scheme which has the following key elements:

- The calculation of support is based on 75% of the Council Tax liability rather than 100%;
- The calculation of support is based on a maximum of a band D property. This means that anyone of working age that lives in a property with a Council Tax band of E, F, G or H, has their support calculated as if their property was a band D;
- The capital limit is £6,000 so those with capital exceeding £6,000 are required to make full payment of their Council Tax liability;
- The introduction of an exceptional hardship scheme which is intended to help people whose individual circumstances mean that the increased Council Tax bill is causing them exceptional hardship.

4.2 As Members will be aware people with disabilities that have had their property adapted can apply for a reduction in their Council Tax liability. Within the Council Tax Support Scheme disability benefits are disregarded when calculating the amount of support given and additional allowances for living expenses are applied.

4.3 The scheme was designed to take into account the ability to pay and the collectability of the resultant Council Tax liability. The amount of Council Tax due from working age recipients of LCTSS collected in year has been as follows:-

Year	% collected in year
2013/14	73.6
2014/15	76.2
2015/16	77.8
2016/17	80.6
2017/18 (to end of Nov)	60.4

4.4 Although pensioners only account for 41% of the caseload, they account for 50% of the total cost. This is a consequence of the Government's requirement that the LCTSS must leave pensioners entitlement to assistance unaltered from the previous Council Tax Benefit arrangements, with any reduction in entitlements only affecting those of working age.

4.5 There have been relatively few complaints about the criteria of the scheme and the majority of people affected have accepted that they need to pay something.

Council Tax officers continue to offer flexible payment arrangements to those on differential incomes and they can use the exceptional hardship fund for those who absolutely cannot pay.

5. Current developments

5.1 The Department for Work & Pensions (DWP) have implemented full service universal credit from 18 July 2017. From this date all new claims for Job Seekers Allowance, Employment and Support Allowance, tax credits or housing benefit will be transferred to a universal credit claim. The introduction of full service universal credit has seen a significant change in approach of authorities in their administration of the changes. By definition, LCTSS is a discount; it is self-funding and not subject to the constraints placed upon the authority by DWP as with housing benefit.

The main issues arising in full service sites are as follows:

- Universal credit claimants seem unwilling to claim LCTS or delay claiming leading to larger sums payable and a negative effect on collection;
 - The DWP send information to the authority on all changes to a claimants' universal credit award however minor. The impact of this large number of minimal changes having to be implemented through LCTSS has a “knock on” effect to both billing and recovery of Council Tax especially where multiple changes to universal credit generate multiple Council Tax demands, the re-profiling of instalments and the inhibition of recovery.
- 5.2 The administration funding for LCTSS continues to reduce year on year. This will become challenging as the housing benefit caseload, and administration funding, continue to reduce following the roll out of universal credit.
- 5.3 The current LCTSS will need to be simplified over the coming years to maintain sustainability as funding reduces, however it must include robust fraud and error safeguards. The simplification will need to be introduced over 2 or 3 years due to software development requirements.
- 5.4 For 2018/19 it is proposed to make adjustments to the administration of LCTSS and simplify the treatment of non-dependants within the scheme and introduce a minimum income floor for self-employed claimants after the first year of trading.
- 5.5 The proposed changes to the scheme are:
- The introduction of a minimum income floor for self-employed people, this applies to the equivalent of the minimum wage. Whilst we do not have large numbers of self-employed claimants, roughly 350, there is currently no mechanism to assume a minimum income. Often claimants declare extremely low profits year on year and claim the maximum LCTSS. Applying this rule would enable the Council to reduce the award after the first year of trading. Other authorities in Essex adopted this rule in earlier years and have not experienced any legal challenge. The adoption of this

approach will reduce the time needed to calculate an income from cash books and receipts where often the outcome is a negative income.

- The introduction of a simplified deduction for non-dependants. Currently we have 5 income bands which determine what level of deduction is made dependant on their income. This means that we must gather detailed evidence of all the income for each non dependant and input this on the system individually. By introducing a flat rate deduction for all non-dependants regardless of income this process would be negated. The system would automatically apply the flat rate deduction for each non dependant.

5.6 The proposed changes to the administration processes are:

- The removal of the requirement to complete a claim form and to take the notification from the Department for Work and Pensions as an intent to claim. We will contact the claimant at this point to investigate their circumstances and make an interim assessment. They can then commence their payments against the reduced liability avoiding the build-up of arrears which inhibit future collection.
- To save administration costs we will not take action to reassess LCTSS if the claimant's income variation is less than £10 a month. This will avoid recalculation of the award for small changes, which lead to a new liability and Council Tax Demand. Each time a new liability is calculated the legislation states that the recovery stage must return to "billing" meaning that multiple changes prevent the debt reaching summons stage. The intention of the legislation is to allow bill payers a fresh start to the debt following liability changes, however in these circumstances it prevents efficient debt recovery.

6. Reasons for Recommendations

- 6.1 The Southend job centre are now live with full service universal credit. Lessons learned from the pilot sites show negative impacts on Council Tax recovery for universal credit recipients due to late claims and multiple changes.
- 6.2 Currently self-employed claimants are claiming maximum LCTSS year on year, declaring extremely low incomes but continuing in the same trade. The introduction of a minimum income floor after the first year of trading will stop this trend.
- 6.3 The current banded system for non-dependants means the authority has to gather full income details for every non dependant to calculate the rate of deduction. By having a standard deduction for all non-dependants regardless of income will reduce the administration required for these claims.

7. Corporate implications

7.1 Contribution to Council's Vision & Corporate Priorities

The maintenance of a cost neutral LCTSS will assist with maintaining a robust budget. It will also provide work incentives to residents who have been long term unemployed. The scheme will protect pensioners to ensure a decent living standard and it also confirms the disregard of disability benefits.

7.2 Financial Implications

The changes proposed start to reduce administration costs in line with grant reductions.

Were the Council to revert to the default scheme (the old council tax benefit scheme), the financial impact would be in the region of £1.5million.

7.3 Legal Implications

The Local Government Finance Act 2012 provided for the introduction of the localisation of Council Tax support by making changes to the Local Government Finance Act 1992. These require that:

- For each financial year, each billing authority must consider whether to revise its scheme or replace it with another scheme
- The authority must make any revision to its scheme, or any replacement scheme, no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect

A detailed exceptional hardship discount policy has been written under section 13a of the Council Tax legislation.

7.4 People Implications

Residents affected by the changes in their liability to pay Council Tax are actively engaged by Housing Benefit and Council Tax staff to assist them in meeting their Council Tax liabilities.

7.5 Property Implications

There are no specific property implications.

7.6 Consultation

Before final approval of local schemes, Councils are required to consult:

- Major precepting authorities (Police and Fire)
- The public
- Relevant stakeholder groups e.g. Citizens Advice Bureau, voluntary bodies

Full consultation was undertaken with these groups in 2012 prior to proposing the current scheme. As there have been no changes to the scheme no further consultation was undertaken up to 2015.

This year we have consulted with the precepting authorities through the Essex Group of which they are a part. We have also consulted with the public on the scheme and potential changes. The results of the consultation across Essex and Southend-on-Sea indicated acceptance of the proposed changes.

7.7 Equalities and Diversity Implications

An equality impact assessment was undertaken as part of the original adoption of the scheme and can be found attached to the Council report at that time.

7.8 Risk Assessment

A full risk assessment was carried out as part of the original LCTSS scheme. The risks remain unaltered.

7.9 Value for Money

The recommendations in this report will pass the Government funding reductions onto benefit claimants and not contribute to an increase in Council Tax generally.

7.10 Community Safety Implications

There are no specific community safety issues identified.

7.11 Environmental Impact

There are no specific environmental impacts identified.

8 Background Papers

None

9 Appendices

None