

# Public Document Pack

## Southend-on-Sea Borough Council

Civic Centre  
Southend-on-Sea

9 April 2018

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, **Thursday, 19th April, 2018 at 7.00pm** for the transaction of the following business.

A Griffin  
Chief Executive & Town Clerk

### **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 22nd February 2018 (Pages 1 - 30)**  
Minutes attached.
- 7 Minutes of the meeting of Cabinet Committee held Tuesday, 20 February 2018 (Pages 31 - 32)**  
Minutes attached.
- 8 Minutes of the meeting of Development Control Committee held Wednesday, 7 March 2018 (Pages 33 - 46)**  
Minutes attached.
- 9 Minutes of the meeting of Cabinet Committee held Thursday, 8 March 2018 (Pages 47 - 52)**  
Minutes attached.
- 10 Minutes of the meeting of Cabinet held Tuesday, 13 March 2018 (Pages 53 - 62)**  
Minutes attached.

- 11 Minutes of the meeting of Appeals Committee A held Friday, 16 March 2018 (Pages 63 - 64)**  
Minutes attached.
- 12 Minutes of the meeting of Licensing Sub-Committee A held Tuesday, 20 March 2018 (Pages 65 - 66)**  
Minutes attached.
- 13 Minutes of the meeting of Health & Wellbeing Board held Wednesday, 21 March 2018 (Pages 67 - 70)**  
Minutes attached.
- 14 Minutes of the meeting of Appointments and Disciplinary Committee held Monday, 26 March 2018 (Pages 71 - 72)**  
Minutes attached.
- 15 Minutes of the meeting of General Purposes Committee held Thursday, 29 March 2018 (Pages 73 - 74)**  
Minutes attached.
- 16 Minutes of the meeting of Development Control Committee held Wednesday, 4 April 2018 (Pages 75 - 98)**  
Minutes attached.
- 17 Minutes of the meeting of Licensing Sub Committee B held Friday, 5th January 2018 (Pages 99 - 100)**  
Minutes attached.
- 18 Minutes of the meeting of Place Scrutiny Committee held Monday, 9th April 2018**  
Minutes to follow
- 19 Minutes of the meeting of People Scrutiny Committee held Tuesday, 10th April 2018**  
Minutes to follow
- 20 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday 12th April 2018**  
Minutes to follow
- 21 Notice of Motion - Jewish Manifesto (Pages 101 - 102)**  
Notice of Motion attached.
- 22 Opposition Business: Violent and Sexual Crime Crisis levels in Southend**

**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of The Council**

**Date: Thursday, 22nd February, 2018**  
**Place: Council Chamber - Civic Suite**

**6**

**Present:** Councillor F Evans (Chair)  
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, A Chalk, J Courtenay, T Cox, M Davidson,  
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 Mulroney, C Nevin, D Norman MBE, G Phillips, K Robinson,  
L Salter, M Stafford, M Terry, N Ward, J Ware-Lane, C Walker,  
F Waterworth, P Wexham, C Willis, R Woodley

**Start/End Time:** 6.30 pm - 1.10 am

**752 Apologies for Absence**

Apologies for absence were received from Councillor Davies and Van Looy.

**753 Declarations of Interest**

- **Councillor Arscott**

**Development Control Cttee – 13<sup>th</sup> December 2017**

Minute 579 (17/01306/FULM) – St Thomas More High School, Kennilworth Gardens – Non-pecuniary interest: Governor of partner school;

**People Scrutiny Committee – 30th January 2018**

Minute 692 - School Admissions for Community Schools – non-pecuniary – lives within Darlington School catchment area;

Minute 694 - Schools Progress report – non pecuniary – Governor at Our Lady of Lourdes Catholic Primary School;

- **Councillor Ayling**

**Development Control Committee – 7th February 2018**

Minute 724 - (17/01495/FULM - Rear of 1 Shoebury Avenue, Shoeburyness, Southend-on-Sea, Essex) – Disqualifying non-pecuniary interest: Knows the site owner and purchases coal from the yard (withdrew);

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Borton**

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 691 (STP Report) – non-pecuniary – daughter is nurse at Rochford Hospital;

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 694 - Schools Progress report – non pecuniary – Governor at Milton Hall School;

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

**Health & Wellbeing Board – 24<sup>th</sup> January 2018**

Minute 658 – Mid and South Essex STP – non-pecuniary interest – daughter is nurse at Rochford Hospital;

**Cabinet – 29<sup>th</sup> January 2018**

Minute 662 – Mid and South Essex STP – non-pecuniary interest – daughter is nurse at Rochford Hospital;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – daughter is nurse at Rochford Hospital;

- **Councillor Boyd**

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 692 - School Admission Arrangements for Community Schools – non pecuniary – owns a property in Leigh-on-Sea;

Minute 694 - School Progress report – non-pecuniary – Governor at Westcliff High School for Girls and South East Essex Academy Trust, south east Essex Teaching School Alliance;

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote

- **Councillor Bright**

**Place Scrutiny Committee – 29<sup>th</sup> January 2018**

Minute 675 (Adoption of SCAAP) – Non-pecuniary interest: Lives in the area affected by the SCAAP;

- **Councillor Buckley**

**Policy and Resources Scrutiny Committee – 31<sup>st</sup> January 2018**

Councillor Buckley - agenda item relating to Standing Order 46 (item 2.1) – non-pecuniary – sat on Licensing Committee hearing in relation to La petite Petanque at Alexandra Bowling Green Café, SS1 2EY;

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site and mother-in-law resides in a Churchill Apartment;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 6 – Members Question 7 – Non-pecuniary interest – lives in High Street;

- **Councillor Burzotta**

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8 – Council Budget (Amendment 1) – Disclosable Pecuniary Interest – family own a business in the High Street – general dispensation regarding the budget/setting of the Council Tax;

- **Councillor Butler**

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 719 - (17/01489/FUL - Highlands Surgery, 1643-1645 London Road, Leigh on Sea, Essex, SS9 2SQ) – Non-pecuniary interest: Patient at the surgery;

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

- **Councillor Byford**

**Health & Wellbeing Board – 24<sup>th</sup> January 2018**

Minute 658 – Mid and South Essex STP – non-pecuniary interest – volunteer at Southend Hospital;

**Cabinet – 29<sup>th</sup> January 2018**

Minute 662 – Mid and South Essex STP – non-pecuniary interest – volunteer at Southend Hospital;

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 691 – Mid and South Essex STP – non-pecuniary interest - volunteer at Southend Hospital;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – volunteer at Southend Hospital;

- **Councillor Cox**

**Cabinet – 29<sup>th</sup> January 2018**

Minute 664 (0-5 Service – Contract Extension) – Non-pecuniary interest: Wife and Daughter use the service;

**Place Scrutiny Committee – 29<sup>th</sup> January 2018**

(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;

- **Councillor Callaghan**

**Place Scrutiny Committee – 29<sup>th</sup> January 2018**

Minute 678 (Notice of Motion – UBER Licensing) – Non-pecuniary interest: Has been a Hackney Carriage driver;

**Development Control Committee – 7th February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

- **Councillor Chalk**

**People Scrutiny Committee – 30th January 2018**

Minute 692 - School Admission Arrangements for Community Schools – non pecuniary – Governor at Bournes Green School;

**People Scrutiny Committee – 30th January 2018**

Minute 694 - Schools Progress report – non-pecuniary – Governor at Bournes Green Infants School;

**Development Control Committee – 7th February 2018**

Minute 720 (17/01973/AMDT - Former East Beach Café, Rampart Terrace, Shoeburyness) – Non-pecuniary interest: Lives in the vicinity and knows residents affected by the proposals;

Minute 724 (17/01495/FULM - Rear of 1 Shoebury Avenue, Shoeburyness, Southend-on-Sea, Essex) – Non-pecuniary interest: Lives in the vicinity and knows residents affected by the proposals;

- **Councillor Courtenay**

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

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

- **Councillor Cox**

- **Special Place Scrutiny Committee – 14<sup>th</sup> February 2018**

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

- **Councillor Davidson**

- **Policy & Resources Scrutiny Committee – 31st January 2018**

- Minute 702 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting – non-pecuniary – non-Executive Director South Essex Homes;

- **Health & Wellbeing Board – 24<sup>th</sup> January 2018**

- Minute 658 – Mid and South Essex STP – non-pecuniary interest – Council appointed Governor of Southend Hospital;

- **Cabinet – 29<sup>th</sup> January 2018**

- Minute 662 – Mid and South Essex STP – non-pecuniary interest – Council appointed Governor of Southend Hospital;

- **People Scrutiny Committee – 30<sup>th</sup> January 2018**

- Minute 691 – Mid and South Essex STP – non-pecuniary interest – Council appointed Governor of Southend Hospital;

- **Council – 22<sup>nd</sup> February 2018**

- Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – Council appointed Governor of Southend Hospital;

- **Councillor Evans**

- **Council – 22<sup>nd</sup> February 2018**

- Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Flewitt**

- **Cabinet – 9<sup>th</sup> January 2018**

- Minute 611 - Notice of Motion - UBER Licensing) Non-pecuniary interest: Ward resident case (withdrew);

- Minute 612 - Notice of Motion - Traveller Community – Non-pecuniary interest: Written about traveller issues;

- Minute 616 - Housing Strategy – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;

- Minute 622 (Council Procedure Rule 46) and 624 (Council Procedure Rule 46 - Confidential Sheet) – Non-pecuniary interest: Lives in the vicinity;

### **Cabinet – 18<sup>th</sup> January 2018**

Minute 645 (Council Tax Base and National Non Domestic Rating Base 2018/19), Minute 646 (Draft Housing Revenue Account Budget 2018/19 and Rent Setting), Minute 647 (Draft Capital Programme 2018/19 to 2021/22), Minute 648 (Draft Fees and Charges 2018/19) and 649 (Draft General Fund Revenue Budget 2018/19) – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;

### **Place Scrutiny Committee – 29<sup>th</sup> January 2018**

(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;

### **Place Scrutiny Committee – 29<sup>th</sup> January 2018**

Minute 678 (Notice of Motion – UBER Licensing) – Non-pecuniary interest: Ward resident case (withdrew);

### **Policy & Resources Scrutiny Committee – 31st January 2018**

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

### **Policy & Resources Scrutiny Committee – 31st January 2018**

Minute 701 - Council Tax Base and National Non Domestic Rating Base 2018/19; Minute 702 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting; Minute 703 - Draft Capital Programme 2018/19 to 2021/22); Minute 704 - Draft Fees and Charges 2018/19; Minute 705 - Draft General Fund Revenue Budget 2018/19 – Non-pecuniary interest: Friends and family are tenants of South Essex Homes; Minute 707 - Housing Strategy – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;

### **Cabinet – 13th February 2018**

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

- **Councillor Folkard**

### **People Scrutiny Committee – 30th January 2018**

Minute 691 (STP Report) – non-pecuniary – relation works at Broomfield Hospital; Ambassador for fund raising team at Southend Hospital;

### **Development Control Committee – 7th February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

- **Councillor D Garston**

### **Development Control Committee – 7th February 2018**

Minute 719 (17/01489/FUL - Highlands Surgery, 1643-1645 London Road, Leigh on Sea, Essex, SS9 2SQ) – Non-pecuniary interest: Patient at the surgery;



**Development Control Committee – 7th February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8 – Council Budget 2018/19 – non-pecuniary interest – Trustee of Trust which owns a rented property in town but has no beneficial interest;

- **Councillor J Garston**

**Place Scrutiny Committee – 29<sup>th</sup> January 2018**

Minute 675 (Adoption of SCAAP) – Non-pecuniary interest: Lives in the area affected by the SCAAP;

**Policy and Resources Scrutiny Committee – 31st January 2018**

Minute 706 - MPR; Minute 707 - Housing Strategy – non-pecuniary - HARP mentioned during discussions - Council appointed representative to the Board of HARP and member of Rotary Club which raises funds for the Charity;

Minute 710 - Grants Strategy Working Party Minutes – disqualifying non-pecuniary - Council appointed representative to the Board of HARP and member of Rotary Club which raises funds for the Charity (withdrew).

**Development Control Committee – 7th February 2018**

Minute 719 (17/01489/FUL - Highlands Surgery, 1643-1645 London Road, Leigh on Sea, Essex, SS9 2SQ) – Non-pecuniary interest: Family member is a patient at the surgery;

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Habermel**

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

**Health & Wellbeing Board – 24<sup>th</sup> January 2018**

Minute 658 – Mid and South Essex STP – non-pecuniary interest – brother works for Ambulance Service and daughter works at Southend Hospital;

**Cabinet – 29<sup>th</sup> January 2018**

Minute 662 – Mid and South Essex STP – non-pecuniary interest – brother works for Ambulance Service and daughter works at Southend Hospital;

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 691 – Mid and South Essex STP – non-pecuniary interest – brother works for Ambulance Service and daughter works at Southend Hospital;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – brother works for Ambulance Service and daughter works at Southend Hospital;

- **Councillor Hadley**

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 724 (17/01495/FULM - Rear of 1 Shoebury Avenue, Shoeburyness, Southend-on-Sea, Essex) – Disclosable pecuniary interest: Owns property backing on to the development (withdrew);

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote;

- **Councillor Holland**

**Cabinet – 9<sup>th</sup> January 2018**

Minute 616 (Housing Strategy) – Non-pecuniary interest: Son is working on the housing vision (withdrew);

Minute 619 (Passenger Transport - Policy Changes) and Minute 620 (Passenger Transport - Operating Model and Procurement Process) – Non-pecuniary interest: President of Southend Stroke Club which uses the Council's Passenger Transport Service.

**Cabinet – 18<sup>th</sup> January 2018**

Minute 646 (Draft Housing Revenue Account Budget 2018/19 and Rent Setting) and Minute 647 (Draft Capital Programme 2018/19 to 2021/22) – Non-pecuniary interest: Son might be involved with housing projects;

**Place Scrutiny Committee – 29<sup>th</sup> January 2018**

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

### **Policy & Resources Scrutiny Committee – 31st January 2018**

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

Minute 702 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting and Minute 703 - Draft Capital Programme 2018/19 to 2021/22

– Non-pecuniary interest: Son might be involved with housing projects;

Minute 708 - Passenger Transport Operating Model and procurement Process - Non-pecuniary interest: President of Southend Stroke Club which uses the Council's Passenger Transport Service;

### **Cabinet – 13th February 2018**

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

### **Special Place Scrutiny Committee – 14<sup>th</sup> February 2018**

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

- **Councillor Jones**

### **People Scrutiny Committee – 30th January 2018**

Minute 694 - Schools Progress report – non-pecuniary – parent of child attending school and governor and is known to Diocesan Education Director;

### **Development Control Committee – 7th February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

- **Councillor Lamb**

### **Cabinet – 29<sup>th</sup> January 2018**

Minute 662 (Mid and South Essex Sustainability and Transformation Partnership) – Non-pecuniary interest: Appointed by SAVS as a Governor of Southend Hospital;

Minute 663 (School Admission Arrangements) – Non-pecuniary interest: Lives in West Leigh Catchment Area and governor of West Leigh Junior School;

Minute 665 (Minutes of the meeting of the Grants Strategy Working Party held on Thursday 25<sup>th</sup> January 2018) – Non-pecuniary interest: Governor of SAVS;

### **Place Scrutiny Committee – 29<sup>th</sup> January 2018**

(Executive Councillor) – 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;

### **People Scrutiny Committee – 30<sup>th</sup> January 2018**

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

Minute 692 - School Admission Arrangements for Community Schools – non pecuniary - Lives in West Leigh Catchment Area and Governor of West Leigh Junior School;

Minute 691 – Mid and South Essex STP – non-pecuniary interest – Appointed by SAVS as a Governor of Southend Hospital;

### **Policy & Resources Scrutiny Committee – 31st January 2018**

(Executive Councillors) - 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;

### **Health & Wellbeing Board – 24<sup>th</sup> January 2018**

Minute 658 – Mid and South Essex STP – non-pecuniary interest - Appointed by SAVS as a Governor of Southend Hospital;

### **Council – 22<sup>nd</sup> February 2018**

Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – Appointed by SAVS as a Governor of Southend Hospital;

- **Councillor McGlone**

### **Policy & Resources Scrutiny Committee – 31st January 2018**

Minute 702 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting – non-pecuniary - non-Executive Director South Essex Homes;

Minute 709 - Standing Order 46 (item 2.1) – non-pecuniary – sat on Licensing Committee hearing in relation to La petite Petanque at Alexandra Bowling Green Café, SS1 2EY;

- **Councillor McMahon**

### **Place Scrutiny Committee – 29<sup>th</sup> January 2018**

Minute 677 – Caged Peafowl Notice of Motion – non-pecuniary interest – member of CCAW (Conservative Concern for Animal Welfare);

### **Policy and Resources Scrutiny Committee – 31st January 2018**

Minute 702 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting; Minute 705 - Draft General Fund Revenue Budget; MPR; Minute 707 - Housing Strategy – non-pecuniary – co-founder of homeless provisions in Southend

### **Health & Wellbeing Board – 24<sup>th</sup> January 2018**

Minute 658 – Mid and South Essex STP – non-pecuniary interest – former 1<sup>st</sup> level registered nurse in the NHS and now employed to work with EPUT patients;

### **Cabinet – 29<sup>th</sup> January 2018**

Minute 662 – Mid and South Essex STP – non-pecuniary interest – former 1<sup>st</sup> level registered nurse in the NHS and now employed to work with EPUT patients;

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 691 – Mid and South Essex STP – non-pecuniary interest – former 1<sup>st</sup> level registered nurse in the NHS and now employed to work with EPUT patients;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – former 1<sup>st</sup> level registered nurse in the NHS and now employed to work with EPUT patients;

- **Councillor Moring**

**Policy & Resources Scrutiny Committee – 31<sup>st</sup> January 2018**

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

- **Councillor Moyies**

**Audit Committee – 17<sup>th</sup> January 2018**

Minute 641 - Internal Audit, Quarterly Performance Report – Non-pecuniary interest: Governor of Essex Partnership University NHS Foundation Trust;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8 – Council Budget 2018/19 Budget Amendment 2 – non-pecuniary interest - Appointed Governor for EPUT; and Budget Amendment 5 – non-pecuniary interest – previously consulted an HR company based in Rochford;

- **Councillor Mulroney**

**Development Control Committee – 13<sup>th</sup> December 2017**

Minute 584 - 17/01430/FUL – Haydon House, 10 Underwood Square, Leigh-on-Sea, Essex, SS9 3PB) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

Minute 585 - 17/01708/AMDT - 22A Woodfield Gardens, Leigh-on-Sea, Essex, SS9 1EW) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning) and an objector is known to her;

Minute 586 - 17/01730/FULH - 71 Marine Parade, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning) and the applicant is known to her but not in connection with the application;

Minute 587 - 17/01857/FULH - 34 Oakleigh Park Drive, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 687 - Draft General Fund Revenue Budget - non-pecuniary – member of Leigh Town Council;

**Development Control – 10<sup>th</sup> January 2018**

Minute 629 - 17/01708/AMDT - 22A Woodfield Gardens, Leigh on Sea – Non-pecuniary interest: Member of the objector's family is known to her.

**Cabinet – 18<sup>th</sup> January 2018**

Minute 645 (Council Tax Base and National Non Domestic Rating Base 2018/19) and Minute 649 (Draft General Fund Revenue Budget 2018/19) – Non-pecuniary interest: Member of Leigh Town Council.

**Cabinet – 29<sup>th</sup> January 2018**

Minute 663 (School Admission Arrangements) – Non-pecuniary interest: Lives in North Street Junior School Catchment area;

**Place Scrutiny Committee – 29<sup>th</sup> January 2018**

Minute 687 – Draft General Revenue Fund – non-pecuniary interest – Member of Leigh Town Council;

Minute 682 – Schools Admission Arrangements – non-pecuniary interest – Living within the North Street Catchment Area;

**People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 692 - School Admission Arrangements for Community Schools – non-pecuniary – lives in North Street Junior School catchment area;

**Policy & Resources Scrutiny Committee – 31<sup>st</sup> January 2018**

Minute 701 – Council Tax Base – non-pecuniary interest – Member of Leigh Town Council;

Minute 705 – Draft General Revenue Fund – non-pecuniary interest – Member of Leigh Town Council;

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 721 (16/00231/UNAU\_B - 3 New Road, Leigh on Sea, Essex. SS9 2EA) and 722 (17/00063/UNAU\_B - 7 Canvey Road, Leigh on Sea, Essex. SS9 2NN) – Non-pecuniary interest: Member of Leigh Society;

Minute 735 (17/00860/FUL, 17/00861/LBC, 17/00862/FUL, 17/00863/LBC & 17/00864/FUL – Herschell House, 87 Leigh Hill, Leigh-on-Sea, Essex), 13 (17/01648/FUL - Billet Wharf, High Street, Leigh-on-Sea) and 17 (17/02092/FULH - 36 Leigh Hill, Leigh-on-Sea, Essex, SS9 2DN) – Non-pecuniary interest: Member of Leigh Society and Leigh Town Council (non-participant in planning);

Minute 728 (17/01946/FUL - 1053 London Road, Leigh-on-Sea) and 732 (17/02115/FULH - 34 Percy Road, Leigh-on-Sea, Essex, SS9 2LA) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

**Development Control Committee – 7<sup>th</sup> February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site and mother lives in Churchill Retirement Lodge Truro and has promoted Churchill retirement in Truro/Cornwall but took no part in this decision;

Minute 729 (17/02056/OUT) – Land adjacent 5 Shorefields Gardens – non-pecuniary interest – Executive interest as applicant is Southend Borough Council;

**Cabinet – 13th February 2018**

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

**Special Cabinet – 13th February 2018**

Minute 743 (Better Queensway) – non-pecuniary interest – Council appointee to the South Essex Homes Board.

**Council – 22nd February 2018**

Agenda Item 8 – Council Budget 2018/19 – non-pecuniary interest – in relation to Housing and HRA – friends and family are tenants of South Essex Homes;

Agenda Item 24 – Notice of Motion: Plastic Pollution – non-pecuniary interest – have commented on social media about plastic pollution;

- **Councillor Nevin**

**Health & Wellbeing Board – 24th January 2018**

Minute 658 - Sustainability and Transformation Partnership (STP) – non-pecuniary – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

**People Scrutiny Committee – 30th January 2018**

Minute 691 (STP report) - 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;

**People Scrutiny Committee – 30th January 2018**

Minute 692 - School Admission Arrangements for Community Schools – disclosable pecuniary interest - withdrew from meeting during consideration of this item (Councillor Davies took Chair for this agenda item).

**Health & Wellbeing Board – 24th January 2018**

Minute 658 – 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;;

**Cabinet – 29th January 2018**

Minute 662 – 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;

**Council – 22nd February 2018**

Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – 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 – 13<sup>th</sup> December 2017**

Minute 579 - 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 which was referred to in the debate.

**Policy & Resources Scrutiny Committee – 31st January 2018**

Minute 702 - Draft Housing Revenue Account Budget 2018/19 and Rent Setting – non-pecuniary – Council elected Representative on South Essex Homes;

Minute 709 - Standing Order 46 (item 2.1) – non-pecuniary – sat on Licensing Committee hearing in relation to La petite Petanque at Alexandra Bowling Green Café, SS1 2EY;

**Development Control Committee – 7th February 2018**

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

- **Councillor Phillips**

**People Scrutiny Committee – 30th January 2018**

Minute 692 - School Admission Arrangements for Community Schools – disclosable pecuniary interest – withdrew from meeting during consideration of this item;

- **Councillor Robinson**

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8 – Council Budget 2018/19 (Amendment 2) – non-pecuniary interest – employed by EPUT;

- **Councillor Salter**

**Health & Wellbeing Board – 24<sup>th</sup> January 2018**

Minute 655 – HWB Strategy refresh and Minute 658 - Sustainability and Transformation Partnership (STP) – non-pecuniary – 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 – 29<sup>th</sup> January 2018**

Minute 662 (Mid and South Essex Sustainability and Transformation Partnership) – Non-pecuniary interest: Husband is a consultant at Southend Hospital, Daughter is a doctor at Broomfield Hospital and son in law is a GP in the Borough of Southend;

Minute 663 (School Admission Arrangements) – Non-pecuniary interest: Lives in Chalkwell Hall School Catchment area.



### **People Scrutiny Committee – 30<sup>th</sup> January 2018**

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

Minute 687 (Draft General Fund Revenue Budget; Minute 691 (STP report) – 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;

Minute 692 - School Admission Arrangements for Community Schools – non pecuniary - Lives in Chalkwell Hall School Catchment area;

### **Council – 22<sup>nd</sup> February 2018**

Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote

- **Councillor Terry**

#### **Audit Committee – 17<sup>th</sup> January 2018**

Minute 637 (BDO: Grant Claim and Returns Certification Report) and Minute 639 (BDO: Progress Report to those charged with governance) – Non-pecuniary interest: Wife is teacher (teacher pension fund);

#### **Health & Wellbeing Board – 24<sup>th</sup> January 2018**

Minute 658 – Mid and South Essex STP – non-pecuniary interest – niece works as a midwife at Southend Hospital;

#### **Cabinet – 29<sup>th</sup> January 2018**

Minute 662 – Mid and South Essex STP – non-pecuniary interest – niece works as a midwife at Southend Hospital;

#### **People Scrutiny Committee – 30<sup>th</sup> January 2018**

Minute 691 – Mid and South Essex STP – non-pecuniary interest – niece works as a midwife at Southend Hospital;

#### **Council – 22<sup>nd</sup> February 2018**

Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – niece works as a midwife at Southend Hospital;

- **Councillor Van Looy**

#### **Development Control Committee – 7<sup>th</sup> February 2018**

Minute 724 (17/01495/FULM - Rear of 1 Shoebury Avenue, Shoeburyness, Southend-on-Sea, Essex) – Non-pecuniary interest: People near to the site are known to him (withdrew);

Minute 719 (17/01489/FUL - Highlands Surgery, 1643-1645 London Road, Leigh on Sea, Essex, SS9 2SQ) and Minute 720 (17/01973/AMDT - Former East Beach Café, Rampart Terrace, Shoeburyness) – Non-pecuniary interest: People near to application site are known to him;

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

- **Councillor Walker**

- **Development Control Committee – 7th February 2018**

- Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site;

- **Health & Wellbeing Board – 24th January 2018**

- Minute 658 – Mid and South Essex STP – non-pecuniary interest – daughter has completed her training at Southend Hospital;

- **Cabinet – 29th January 2018**

- Minute 662 – Mid and South Essex STP – non-pecuniary interest – daughter has completed her training at Southend Hospital;

- **People Scrutiny Committee – 30th January 2018**

- Minute 691 – Mid and South Essex STP – non-pecuniary interest - daughter has completed her training at Southend Hospital;

- **Council – 22nd February 2018**

- Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – daughter has completed her training at Southend Hospital

- **Councillor Ware-Lane**

- **Place Scrutiny Committee – 29th January 2018**

- Minute 673 (Draft Fees & Charges 2018/19) – Non-pecuniary interest: Daughter is a Social Worker at Southend Borough Council;

- **Health & Wellbeing Board – 24th January 2018**

- Minute 658 – Mid and South Essex STP – non-pecuniary interest – a number of relatives work for the NHS across Essex and other areas;

- **Cabinet – 29th January 2018**

- Minute 662 – Mid and South Essex STP – non-pecuniary interest – a number of relatives work for the NHS across Essex and other areas;

- **People Scrutiny Committee – 30th January 2018**

- Minute 691 – Mid and South Essex STP – non-pecuniary interest – a number of relatives work for the NHS across Essex and other areas;

- **Council – 22nd February 2018**

- Agenda Item 29 – Opposition Business: Hospital Mergers and STP Consultation – non-pecuniary interest – a number of relatives work for the NHS across Essex and other areas;

- **Councillor Ward**

- **Development Control Committee – 7th February 2018**

- Minute 725 (17/00860/FUL, 17/00861/LBC, 17/00862/FUL, 17/00863/LBC & 17/00864/FUL - Herschell House, 87 Leigh Hill, Leigh-on-Sea, Essex) – Disqualifying non-pecuniary interest: Knows the person through work (withdrew);

- Minute 727 (17/01648/FUL - Billet Wharf, High Street, Leigh-on-Sea) – Non-pecuniary interest: Applicant is known to him;

Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site;

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8 – Council Budget 2018/19 (Budget Amendment 4) – Disclosable Pecuniary interest as a residential landlord – General dispensation when dealing with the budget/Council Tax;

- **Councillor Waterworth**

**Development Control Committee – 7th February 2018**

Councillor D Garston, B Ayling, Borton, Boyd, Buckley, Bulter, Callaghan, Folkard, j Garsrton, Hadley, Jones, Mulroney, D Nomrman, Van Looy, Walker, Ward – Minute 718 (17/01738/FULM - 193 Thorpe Hall Avenue, Thorpe Bay, Essex, SS1 3AP) - non-pecuniary interest - on the grounds that a fellow Councillor lived in close proximity to the application site.

**Council – 22<sup>nd</sup> February 2018**

Agenda Item 8: Council Budget 2018/19 - disclosable pecuniary interest as residential landlord – attended pursuant to dispensation agreed by the Standards Committee on 21<sup>st</sup> November 2017, under S.33 of the Localism Act 2011 to participate in the debate and vote

- **Councillor Wexham**

**Development Control Committee – 7th February 2018**

Minute 731 (17/02092/FULH - 36 Leigh Hill, Leigh-on-Sea, Essex, SS9 2DN) – Non-pecuniary interest: Owner of the property is known to him in the fishing industry.

- **Councillor Woodley**

**Place Scrutiny Committee – 29<sup>th</sup> January 2018**

Minute 672 (Draft Capital Programme 2018/19 to 2021/22) – Non-pecuniary interest: Daughter is a pilot at Southend Airport which was mentioned in the debate in relation to the Parking Strategy.

**754 Communications**

The Council stood for a one minute silence as a mark of respect to former Councillors, Mr Ron Kennedy and Mr Ray Davy who passed away recently.

**755 Petition: Traffic Calming and Speed limit Implementation in Oakwood Avenue**

Councillor Butler presented a petition on behalf of local residents requesting the Council to introduce traffic calming and speed limit restrictions in Oakwood Avenue.

Resolved:

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

**756 Questions from Members of the Public**

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

**757 Questions from Members of the Council**

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

**758 Minutes of the Council Meeting held on Thursday, 14th December 2017**

Resolved:-

That the Minutes of the Meeting held on Thursday 14<sup>th</sup> December 2017 be confirmed as a correct record and signed.

**759 Council Budget 2018/19**

The Council considered a report of the Corporate Management Team which presented the Cabinet's revenue budget and Council Tax for 2018/19 financial year, together with Minutes 645 to 649 of Cabinet held 18th January 2018 and Minutes 736 to 740 of Cabinet held on 13th February 2018, and Scrutiny Minutes 672-674, 685-697 and 701-705.

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

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

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

Amendment 1: Enforcement Service/Fees and Charges/Tables and Chairs Licensing Fees

For the amendment:

Ayling, Borton, Callaghan, Chalk, Endersby, Gilbert, Jones, Kenyon, McDonald, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Ward, Ware-Lane, Wexham, Willis and Woodley (20).

Against the amendment:

Arscott, Aylen, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, McMahon, Moring, Moyies, Phillips, Salter, Walker, Waterworth and Evans (29)

Absent:

Davies and Van Looy (2)

## Amendment 2: Commercial Property Investment

For the amendment:

Ayling, Borton, Callaghan, Chalk, Endersby, Gilbert, Jones, Kenyon, McDonald, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Ward, Ware-Lane, Wexham, Willis and Woodley (20).

Against the amendment:

Arcott, Aylen, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, McMahon, Moring, Moyies, Phillips, Salter, Walker, Waterworth and Evans (29)

Absent:

Davies and Van Looy (2)

## Amendment 3: Extra Care Home

For the amendment:

Ayling, Borton, Callaghan, Chalk, Endersby, Gilbert, Jones, Kenyon, McDonald, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Ward, Ware-Lane, Wexham, Willis and Woodley (20).

Against the amendment:

Arcott, Aylen, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, McMahon, Moring, Moyies, Phillips, Salter, Walker, Waterworth and Evans (29)

Absent:

Davies and Van Looy (2)

## Amendment 4: Licensing

For the amendment:

Ayling, Borton, Callaghan, Chalk, Endersby, Gilbert, Jones, Kenyon, McDonald, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Ware-Lane, Wexham, Willis, and Woodley (19)

Against the amendment:

Arcott, Aylen, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Flewitt, Folkard, D Garston, Holland, Jarvis, Lamb, McGlone, McMahon, Moring, Moyies, Phillips, Salter, Walker, Waterworth, Evans (26)

Abstentions:

J Garston, Habermel, Hadley, Ward (4)

Absent:

Davies and Van Looy (2)

## Amendment 5: Recruitment Service

For the amendment:

Ayling, Borton, Callaghan, Chalk, Endersby, Gilbert, Jones, Kenyon, McDonald, Mulrone, Nevin, Norman, Robinson, Stafford, Terry, Ward, Ware-Lane, Wexham, Willis and Woodley (20).

Against the amendment:

Arcott, Aylen, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, McMahon, Moring, Moyies, Phillips, Salter, Walker, Waterworth and Evans (29)

Absent:

Davies and Van Looy (2)

The amendments to the budget were not carried.

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

For the budget:

Arcott, Aylen, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Flewitt, Folkard, D Garston, J Garston, Habermel, Hadley, Holland, Jarvis, Lamb, McGlone, McMahon, Moring, Moyies, Phillips, Salter, Walker, Waterworth, Evans (29)

Against:

Ayling, Borton, Callaghan, Chalk, Endersby, Gilbert, Jones, Kenyon, McDonald, Mulrone, Nevin, Norman, Robinson, Stafford, Ware-Lane, Wexham, Willis (17)

Abstentions:

Terry, Ward and Woodley (3)

Absent:

Davies and Van Looy (2)

The Council Budget 2018/19 proposals were carried, as set out below:

Resolved:

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

1. That a rent reduction of 1% on secure tenancies, as required by the Welfare Reform and Work Act 2016, be approved.
2. That an average rent increase of 6.04% on shared ownership properties, be approved.
3. That the proposed rent changes in 1 and 2 above be effective from 2<sup>nd</sup> April 2018.

4. That the increases in other charges as set out in Section 5 of the submitted report to Cabinet on 13<sup>th</sup> February 2018, be approved.
5. That the management fee and the increases in service charges and heating charges by South Essex Homes, as set out in Section 6 of the report to Cabinet on 14<sup>th</sup> February 2017, be approved.
6. That the appropriations to the Repairs Contract Pensions earmarked reserve and the HRA Capital Investment earmarked reserve, as set out in Section 8 of the report to Cabinet on 13<sup>th</sup> February 2018, be approved.
7. That subject to 1-6 above, the HRA budget as set out in Appendix 1 to the Cabinet report, be approved.
8. That the value of the Council's capital allowance for 2018/19 be declared as £23.197M, as determined in accordance with regulation 16 of the Local Authorities (Capital Finance and Accounting) (England) Regulations.

With regard to the Capital Programme 2018/19 to 2021/22:

9. That the current approved Programme for 2018/19 to 2021/22 of £166.5m, as set out in appendix 1 to the Cabinet report on 13<sup>th</sup> February 2018, be noted.
10. That the changes to the approved Programme as set out in Appendix 2 to the Cabinet report, be noted.
11. That the proposed new schemes and additions to the Capital Programme for 2018/19 to 2019/20 totalling £20.1m, as set out in Appendices 6 and 7 to the Cabinet report, be approved.
12. That the proposed schemes, subject to external funding approval, for the period 2018/19 to 2021/22 totalling 19.0m, as set out in Appendices 2 and 7 to the Cabinet report, be approved.
13. That it be noted that the proposed new schemes and additions, as set out in Appendices 6 and 7 to the Cabinet report, and other adjustments as set out in Appendix 2, will result in a proposed capital programme of £192.0m for 2018/19 to 2021/22, as set out in Appendix 8.
14. That it be noted that of the total programme of £192.0m for the period 2018/19 to 2021/22, the level of external funding supporting this programme is £75.0m, as set out in paragraph 9.1 of the Cabinet report.
15. That it be noted that a final review has been undertaken on the 2017/18 projected outturn and that the results have been included in the Cabinet report.
16. That the proposed Capital Programme for 2017/18 to 2021/22, as set out in appendix 8 to the Cabinet report, be approved.

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

With regard to Treasury Management and Prudential Indicators 2018/19:

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

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

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

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

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

23. That the operational boundary and authorised limits for borrowing for 2018/19 be set at £285m and £295m respectively as set out in Appendix 1 to the Cabinet report.

With regard to Fees and Charges 2017/18:

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

With regard to the General Fund Revenue Budget 2018/19:

In respect of 2017/18:

25. That the forecast outturn of £123.153 million, be noted.

26. That the appropriation of the sums to earmarked reserves totalling £9.868 million, as set out in detail in Appendix 16 to the Cabinet report, be approved.

27. That the appropriation of the sums from earmarked reserves totalling £19.069 million, as set out in detail in Appendix 16 to the Cabinet report, be approved.

In respect of 2018/19 and later years:

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

29. That a General Fund net revenue budget for 2018/19 of £122.989 million, set out in Appendix 3 to the Cabinet report, and any required commencement of consultation, statutory or otherwise, be approved.



30. That a Council Tax increase of 4.49% for the Southend-on-Sea element of the Council Tax for 2018/19, being 2.99% for general use and 1.5% for Adult Social Care, be approved.

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

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

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

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

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

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

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

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

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

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

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

With regard to the Council Tax 2017/18:

41. That it be noted that on 18<sup>th</sup> January 2018 the Cabinet calculated the Council Tax Base 2018/19 as follows:

- (a) For the whole Council area as 57,611.55;
- (b) for dwellings in those parts of its area to which a Parish precept relates (Leigh Town Council) as 8,779.95.

42. That the Council Tax requirements for the Council's own purposes for 2018/19 (excluding town/parish precepts) be determined as £76,209,711.

43. That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) £374,682,692 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it be town/parish councils;

(b) -£298,061,289 – Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;

(c) £76,621,403 – Being the amount by which the aggregated at 43(a) above exceeds the aggregate at 43(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (including town/parish precepts);

(d) £1,329.97 – Being the amount at 43(c) above, divided by the Council Tax Base shown at 41(a) above, as the basic amount of its Council Tax for the year (including town/parish precepts);

(e) £411,692 – Being the aggregate amount of all special items (town/parish precepts) referred to in Section 34(1) of the Act as set out below:

Band A: 31.26; Band B: 36.47; Band C: 41.68; Band D: 46.89; Band E: 57.31; Band F: 67.73; Band G: 78.15; Band H: 93.78.

(f) £1,322.82 – Being the amount at 43(d) above less the result given by dividing the amount at 43(e) above by the Council Tax Base shown at 41(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Town/Parish precept relates.

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

Essex Police: Band A: 112.68; Band B: 131.46; Band C: 150.24; Band D: 169.02; Band E: 206.58; Band F: 244.14; Band G: 281.70; Band H: 338.04.

Essex Fire Authority: Band A: 46.92; Band B: 54.74; Band C: 62.56; Band D: 70.38; Band E: 86.02; Band F: 101.66; Band G: 117.30; Band H: 140.76.

45. That the Council, in accordance with Sections 30 and 36 of the Act, hereby sets the aggregate amounts shown below as the amounts of Council Tax for 2018/19 for each part of its area and for each of the categories of dwellings:

Band A: 1,041.48; Band B: 1,215.06; Band C: 1,388.64; Band D: 1,562.22; Band E: 1,909.38; Band F: 2,256.54; Band G: 2,603.70; Band H: 3,124.44.

46. That the Council's basic amount of Council Tax for 2018/19 be determined as not excessive in accordance with the principles approved under Section 52ZB of the Act, and as shown in the calculation below:

(a) Percentage increase defined by the Secretary of State as constituting an excessive increase for 2018/19: 6.0%;

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

2016/17 amount: £1,265.94;  
2017/18 amount: £1,322.82

Percentage increase: 4.49%

The figure at 46(b) is less than the figure at 46(a) above and therefore the Council's basic amount of Council Tax for 2018/19 is not excessive and no referendum is required.

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

Unparished Area: Band A: 1,041.48; Band B: 1,215.06; Band C: 1,388.64; Band D: 1,562.22; Band E: 1,909.38; Band F: 2,256.54; Band G: 2,603.70; Band H: 3,124.44.

Parished Area: Band A: 1,072.74; Band B: 1,251.53; Band C: 1,430.32; Band D: 1,609.11; Band E: 1,966.69; Band F: 2,324.27; Band G: 2,681.85; Band H: 3,218.22.

**760 Minutes of the meeting of Development Control Committee held Wednesday, 13 December 2017**

Resolved:

That the minutes of this meeting be noted.

**761 Minutes of the meeting of Appeals Committee B held on Thursday, 21 December 2017**

Resolved:

That the minutes of this meeting be noted.

**762 Minutes of the Cabinet Committee held on Monday 8th January 2018**

Resolved:

That the minutes of this meeting be noted.

**763 Minutes of the meeting of Cabinet held Tuesday, 9 January 2018**

Resolved:

That the minutes of this meeting be noted.

**764 Minutes of the meeting of Development Control Committee held Wednesday, 10 January 2018**

Resolved:

That the minutes of this meeting be noted.

**765 Minutes of the meeting of Audit Committee held Wednesday, 17 January 2018**

Resolved:

That the minutes of this meeting be noted.

**766 Minutes of the meeting of Cabinet held Thursday, 18 January 2018**

Resolved:

That the minutes of this meeting be noted.

**767 Minutes of the meeting of Health & Wellbeing Board held Wednesday, 24 January 2018**

Resolved:

That the minutes of this meeting be noted.

**768 Minutes of the meeting of Special Cabinet held Monday, 29 January 2018**

Resolved:

That the minutes of this meeting be noted.

**769 Minutes of the meeting of Place Scrutiny Committee held Monday, 29 January 2018**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 675 (Adoption of SCAAP) be approved.

**770 Minutes of the meeting of People Scrutiny Committee held Tuesday 30 January 2018**

During consideration of Minute 690 (Passenger Transport Policy Changes) the hour of 11.00pm had been reached and in accordance with Council Procedure Rule 1.7 the remaining business on the agenda was proceeded with.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 691 (STP and Transformation Partnership) be approved.

**771 Minutes of the meeting of Policy and Resources Scrutiny Committee held Wednesday, 31 January 2018**

Resolved:

That the minutes of this meeting be noted.

**772 Minutes of the meeting of Development Control Committee held Wednesday, 7 February 2018**

Resolved:

That the minutes of this meeting be noted.

**773 Minutes of the meeting of Cabinet held Tuesday 13 February 2018**

Resolved:

That the minutes of this meeting be noted.

**774 Minutes of the meeting of Special Cabinet held Tuesday 13th February 2018**

Resolved:

That the minutes of this meeting be noted.

**775 Minutes of the meeting of Special Place Scrutiny Committee held Wednesday 14 February 2018**

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 749 (Better Queensway) be approved.

**776 Notice of Motion: Drinking Water/Plastic Pollution**

Resolved:

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

**‘Drinking Water / Plastic Pollution**

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

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

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

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

Proposed: Cllr Ian Gilbert

Seconded: Cllr Helen McDonald’

**777 Notice of Motion: Parking for Veterans and Armed Forces Personnel**

Resolved:

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

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

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

**Motion To Council:**

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

Proposed – Cllr David Burzotta

Seconded – Cllr Nigel Folkard’

**778 Pay Policy Statement**

The Council considered a report of the Director of Transformation presenting the Pay Policy Statement 2018/19 in the context of the Council's overall Reward Strategy.

Resolved:

That the Pay Policy Statement as recommended by the Senior Manager Pay Panel, be approved.

**779 Changes to the Constitution**

The Council considered a report of the Director of Legal & Democratic Services presenting minor changes to the constitution.

Resolved:

1. That amendments be made to the terms of reference of the Housing Working Party and the Licensing Sub-Committee, and to the delegations to the Deputy Chief Executive (Place) and/or the Director of Public Protection as set out in Appendix 1 to the submitted report and that Schedules 2 and 3 of Part 3 of the Constitution be amended accordingly.

2. That amendments be made to Contracts Procedure Rules as set out in appendix 2 and that Part 4g of the Constitution be amended accordingly.

**780 Draft Calendar of Meetings 2018/19**

Resolved:

That the draft Calendar of Meetings for 2018/19 be noted and that the final calendar will be submitted to the Annual Council in May.

**781 Opposition Business: The Merger of Southend, Basildon and Broomfield Hospitals and the STP Consultation**

In accordance with Council Procedure Rule 19 the Independent Group has requested that merger of Southend, Basildon and Broomfield Hospitals and the STP Consultation be debated this evening.

Councillor Woodley proposed and Councillor Gilbert seconded the following proposal:

*'In light of the recent decision to merge Southend, Basildon and Broomfield Hospitals, in the midst of the STP consultation, thereby undermining fundamental democratic principles of the consultation, the overwhelming impression by observers and the media is that the STP is now viewed as a foregone conclusion. The residents and users of Southend Hospital will see the reduction and removal of many critical clinical services, leaving Southend's resident's much worse off should the STP proceed.'*

*Accordingly the Council should send a message to the three Hospital Trusts expressing concern and dissatisfaction with their decision to implement a merger of the Hospitals while the STP consultation is in progress since it completely undermines that consultation process.'*

In accordance with Council Procedure Rule 12.1 a named vote was taken on the proposal, as follows:

*For the proposal:*

Aylen, Ayling, Borton, Callaghan, Chalk, Endersby, Gilbert, Jones, Kenyon, McDonald, Mulronev, Nevin, Robinson, Stafford, Terry, Wexham, Willis, Woodley (18)

*Against the proposal:*

Arcott, Bright, Boyd, Buckley, Burzotta, Butler, Byford, Courtenay, Cox, Davidson, Flewitt, Folkard, Hadley, Holland, Jarvis, Lamb, Moring, Moyies, Phillips, Salter, Waterworth (24)

Abstentions:

Evans (1)

Absent:

Davies, D Garston, J Garston, Habermel, McMahon, Norman, Van Looy, Walker, Ward, Ware-Lane (10)

The proposals were not carried.

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



# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet Committee

**Date: Tuesday, 20th February, 2018**  
**Place: Committee Room 1 - Civic Suite**

# 7

- Present:** Councillor T Cox (Chair)  
Councillors T Byford (Vice-Chair) and M Flewitt
- In Attendance:** Councillors B Arscott, M Borton, T Callaghan, J Garston and  
D Kenyon  
P Geraghty, C Hindle-Terry, T Row and B Frost
- Start/End Time:** 6.00 p.m. - 8.45 p.m.

### 782 Apologies for Absence

There were no apologies for absence.

### 783 Declarations of Interest

No interests were declared at the meeting.

### 784 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.

### 785 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 the following applications be refused:

Application Ref. No. 17/00280  
Application Ref. No. 18/00010

Application Ref. No. 17/00112  
Application Ref. No. 17/00191  
Application Ref. No. 17/00220  
Application Ref. No. 17/00303  
Application Ref. No. 17/00317  
Application Ref. No. 17/00157  
Application Ref. No. 17/00217

2. That 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 determine the PVX exceptional circumstance Application Ref. No. 17/00313..

3. That consideration of Application Ref. No.17/00117 be deferred pending the outcome of any appeal against the refusal of planning permission.

4. That Application Ref. No. 17/00287 be refused but that the applicants be informed that an extension of the existing PVX at his location to a maximum width of 4.88m would be acceptable.

#### 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:** \_\_\_\_\_

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 7th March, 2018**  
**Place: Committee Room 1 - Civic Suite**

8

**Present:** Councillor F Waterworth (Chair)  
Councillors B Arscott, B Ayling, M Borton, H Boyd, M Butler\*,  
T Callaghan, N Folkard, J Garston, R Hadley, A Jones\*, D McGlone\*,  
C Mulrone, D Norman MBE, P Van Looy, C Walker and N Ward  
\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillor C Willis  
P Geraghty, M Smith, K Waters, P Keyes, C Galforg, C White and  
T Row

**Start/End Time:** 2.00 p.m. - 3.25 p.m.

#### 786 Apologies for Absence

Apologies for absence were received from Councillors Buckley (Substitute: Cllr McGlone), D Garston (Substitute: Cllr Butler) and McDonald (Substitute: Cllr Jones).

In the absence of Councillor D Garston, Councillor Arscott was appointed Vice-Chairman for the meeting.

#### 787 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Borton – Agenda Item No. 7 (17/01017/FULM – Chalkwell Lodge, 35-41 Grosvenor Road, Westcliff on Sea) – Non-pecuniary interest: Governor at Milton Hall School, which is mentioned in the report;

(b) Councillor Jones – Agenda Item No. 7 (17/01017/FULM – Chalkwell Lodge, 35-41 Grosvenor Road, Westcliff on Sea) – Non-pecuniary interest: Governor at Milton Hall School, which is mentioned in the report;

(c) Councillor Mulrone – Agenda Item No. 15 (17/02042/FULH – 14 Leigh Park Road, Leigh on Sea) and Agenda Item No. 16 (17/02146/FUL – Car Wash 120 Broadway, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

(d) Councillor Norman MBE – Agenda Item No. 16 (17/02146/FUL – Car Wash 120 Broadway, Leigh on Sea) – Non-pecuniary interest: Had used the cash wash facility;

(e) Councillor Van Looy – Agenda Item No. 12 (17/00050/UCOU\_B – 164 Southbourne Grove, Westcliff on Sea) Non-pecuniary interest: Son lives in the same street;

(f) Councillor Walker – Agenda Item No. 15 (17/02042/FULH – 14 Leigh Park Road, Leigh on Sea) – Non-pecuniary interest: Neighbour of the application site is known to him;

(g) Councillor Ward – Agenda Item No. 12 (17/00050/UCOU\_B – 164 Southbourne Grove, Westcliff on Sea) Non-pecuniary interest: Owns a guest house; and

(h) Councillor Ward – Agenda item No. 14 (17/02218/FULH – 168 The Fairway, Leigh on Sea) – Non-pecuniary interest: Applicant is known to him.

**788 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.

**789 Minutes of the meeting held on Wednesday 13th December 2017**

Resolved:-

That the Minutes of the meeting held on Wednesday, 13<sup>th</sup> December 2017 be received, confirmed as a correct record and signed.

**790 Minutes of the meeting held on Wednesday 10th January 2018**

Resolved:-

That the Minutes of the meeting held on Wednesday, 10<sup>th</sup> January 2018 be received, confirmed as a correct record and signed.

**791 Minutes of the Meeting held on Wednesday 7th February 2018**

Resolved:-

That the Minutes of the Meeting held on Wednesday, 7<sup>th</sup> February 2018 be received, confirmed as a correct record and signed.

**792 17/02056/OUT - Land Adjacent to 5 Shorefield Gardens, Westcliff-on-Sea (Milton Ward)**

**Proposal: Erect building comprising three self-contained flats with terraces to front and Juliette balconies to rear at first and second floor level with layout parking to front**

**Applicant: Southend-on-Sea Borough Council**

**Agent: SKArchitects**

Application WITHDRAWN

**793 17/01017/FULM - Chalkwell Lodge, 35-41 Grosvenor Road, Westcliff-on-Sea (Chalkwell Ward)**

**Proposal: Demolish existing buildings and erect three storey building comprising of 16 self-contained flats with balconies/terraces, undercroft parking at ground floor level, layout cycle and bin stores with communal amenity space**

**Applicant: Sanctuary Group**

**Agent: MEPK Architects**

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 a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to secure the provision of:

- A minimum of 4 units of affordable housing units including:  
2 x 1 bedroom (2 person) dwellings      Affordable Rent  
1 x 2 bedroom (3 person) dwellings      Affordable Rent  
1 x 1 bedroom (2 person) dwellings      Shared Ownership
- A financial contribution towards secondary education provision of £5,087 (index-linked), specifically providing increased capacity at Chase High School.
- If on the date of Practical Completion both the Affordable Housing Units and all of the Market Housing Units are made ready for Occupation for Affordable Housing then the Education Contribution will no longer be required to be paid.

(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: 1667\_SLP-01, 17204\_001, 17204\_002, 17204\_003, 17204\_004, 1667\_P-01, 1667\_P-02-A, 1667\_P-03-A, 1667\_P-04-A, 1667\_P-05-A, 1667\_P-06-A, 1667\_P-08, 1667\_P-09-A, 1667\_P-10-A

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening and 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 before it is occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the BLP and policies DM1 and DM3 of the Development Management Document 2015

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

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and policies DM1 and DM3 of the Development Management DPD 2015.

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

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

06 No part of the development shall be occupied until space has been laid out within the site in accordance with drawing 1667 P-02 A for 16 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 shall be permanently retained thereafter for the parking of occupiers to the development and their visitors.

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

07 No part of the development shall be occupied until details of refuse and recycling facilities, a waste management plan and service plan have been submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities, waste management and servicing of the development shall thereafter be implemented in accordance with the approved details before

first occupation of any of the development and shall be permanently maintained 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.

08 No part of the development shall be occupied until details of the secure, covered cycle parking spaces to serve the residential development and cycle parking spaces have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to first occupation of the development and shall be permanently maintained thereafter.

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

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

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

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

10 No development shall take place, other than demolition works, 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 (and thereafter managed) in accordance with the approved details before any of the development is first occupied and brought into use and be maintained as such thereafter. Those details shall include:

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

guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;

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

iii) a timetable for its implementation; and

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

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

11 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 first occupation of any part 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 and Development Management Document policy DM2.

12 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 DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

13 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 2 of the flats hereby approved comply with the Building Regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 14 flats comply with the Building Regulation part M4(2) 'accessible and adaptable dwellings' standard.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy)



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

14 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the dwellings hereby granted consent shall not be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of all privacy screens to be fixed to the proposed building. Before any of the building hereby approved is first occupied the development shall be implemented in full accordance with the agreed details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To safeguard character and appearance of surrounding area and the amenities of neighbouring occupiers 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.

15 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such 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 (NPPF), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and The Design and Townscape Guide (2009).

(c) In the event that the planning obligation referred to in part (a) above has not been completed before the 9th March 2018 or an extension of this time as may be agreed by the Director of Planning and Transport or Group Manager (Planning & Building Control) authority is delegated to the Director of Planning and Transport or the Group Manager (Planning and Building Control) to refuse planning permission for the application on the grounds that the development will not secure the necessary contributions to affordable housing or education provision. As such, the proposal would be contrary to Policies KP2, KP3, CP6, CP8 and DM7 of the development plan.

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

## Informatives

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

- 794 17/02047/FUL - 30-32 The Leas, Westcliff-on-Sea (Chalkwell Ward)**  
**Proposal: Demolish existing buildings, erect part three/part four storey building comprising of 9 self-contained flats, layout lower ground parking and cycle store and form vehicular access onto The Leas**  
**Applicant: Elmore Homes Limited**  
**Agent: APS Design Associates Ltd**

Application WITHDRAWN

- 795 17/02009/FUL - 2A Portland Avenue, Southend-on-Sea (Milton Ward)**  
**Proposal: Replace existing external staircase (Partially retrospective)**  
**Applicant: Mr William Price**  
**Agent: Tony Merry**

Resolved:-

1. 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: 91336 01, 91336 02 revision C, 91336 03.

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

03 The proposed additional balustrade, planter and screen shown on approved plan 91336 02 revision C shall be installed in full, in accordance with the approved plan within eight weeks of the date of the grant of this permission, and shall be retained in perpetuity thereafter as such.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015), and guidance contained within the Design and Townscape Guide (2009).

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

Informatives:

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

02 For the avoidance of doubt should this development not be implemented in full accordance with the terms of this consent the Local Planning Authority will need to consider whether or not it is appropriate to take enforcement action against the current structure.

2 . That, in the event that the development is not completed within 3 months from the date of the decision, the Deputy Chief Executive (Place), Director of Planning and Transport or the Group Manager for Development and Building Control be authorised to commence enforcement action to secure the removal of the existing structure.

- 796 **17/02159/FULM - 25 Roots Hall Avenue, Southend-on-Sea (Prittlewell Ward)**  
**Proposal: Demolish existing building and erect 4 storey block comprising of 18 self-contained flats with associated car parking and amenity space and refuse and cycle stores and vehicular access onto Roots Hall Avenue.**  
**Applicant: Icon ECDB Ltd**  
**Agent: RD Architecture**

Application WITHDRAWN

- 797 **18/00045/ADV - Unit 4 Greyhound Trading Park, Southend-on-Sea (Victoria Ward)**  
**Proposal: Install 1 x internally illuminated Totem Sign, 2 x internally illuminated single faced logo disk signs, 2 x internally illuminated double sided high directional signs, 1 x high single sided directional sign, 1 x illuminated LED lettering sign, 1 x illuminated building directional sign and vinyl graphics**  
**Applicant: 23.5 Degrees Limited**  
**Agent: 23.5 Degrees Limited**

Resolved:-

That consideration of the application be DEFERRED.

- 798 **17/00050/UCOU\_B - 164 Southbourne Grove, Westcliff-on-Sea (Westborough Ward)**  
**Breach of Control: Without planning permission, the change of use from a dwelling to a hotel.**

Resolved:-

That consideration of the application be DEFERRED for at least 2 months following which the matter to be reported back to Development Control Committee subject to the outcome of pre-application discussion with the owner.

- 799 **17/00299/UNAU\_B - 194 Leigh Road, Leigh-on-Sea (Leigh Ward)**  
**Breaches of Control: Without planning permission, the installation of a raised platform and pergola roof the rear**

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED to secure (a) the removal of the external raised platform and roof structure, (b) the removal of all wood, 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 Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 4 weeks is considered reasonable for the removal of the unauthorised structures.

**800 17/02218/FULH - 168 The Fairway, Leigh-on-Sea (Belfairs Ward)**  
**Proposal: Form roof extension, erect dormer to side and alter front elevation (Amended Proposal)**  
**Applicant: Mr And Mrs Upton**  
**Agent: DK Building Designs Ltd - Danny Knott**

Mr Ward, a local resident spoke as an objector to the application. Mr Upton, the applicant, responded.

Resolved:-

That planning permission be REFUSED for the following reason:

1. The proposed development, by reason of its bulk, would result in an overbearing form of development upon the amenities of the neighbouring occupiers of 164 The Fairway, contrary to The National Planning Policy Framework (NPPF), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the guidance contained within the Design and Townscape Guide (2009).

**801 17/02042/FULH - 14 Leigh Park Road, Leigh-on-Sea (Leigh Ward)**  
**Proposal: Install bi-folding doors to rear, raised decking to rear and render dwellinghouse. Install cladding and roof lantern to single storey side extension. New boundary fencing, landscaping and changes to land levels. Form additional parking area to front (retrospective)**  
**Applicant: Ms Law**  
**Agent: DK Building Designs Ltd**

Resolved:-

1. That planning permission be REFUSED for the following reason:

The cladding and roof lantern to the side extension and the garden boundary treatments by reason of their unduly stark contemporary design and appearance result in incongruous and obtrusive features in the streetscene and garden setting which cause material harm to the character and appearance of the host dwelling and the Leigh Conservation Area. Whilst this material harm is less than substantial, no public benefits have been identified to outweigh this harm. The development is therefore unacceptable and contrary to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM5 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009) and the Leigh Conservation Area Appraisal (2010).

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

## Informative

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

2. That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the harmful unauthorised development on the grounds that it harms the appearance of the property and the streetscene by reason of the unsympathetic materials, inappropriate style to the extent that it is detrimental to the character and appearance of the Leigh Conservation Area contrary to the National Planning Policy Framework, Policies CP4 and KP2 of the Southend-on-Sea Core Strategy, Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document and the advice contained within the Council's Design and Townscape Guide.

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

When serving an Enforcement Notice, the local planning authority must ensure a reasonable time for compliance. In this case, the necessary research and quotes have already been undertaken and any time delay in manufacture and installation is likely to be dictated by the suppliers lead time. It is considered that a compliance period of 3 months is deemed reasonable.

- 802 17/02146/FUL - Car Wash 120 Broadway, Leigh-on-Sea (Leigh Ward)**  
**Proposal: Demolish existing buildings, erect four storey building comprising nine self-contained flats with balconies, terraces and commercial (Class A1) at ground floor, associated landscaping, layout parking and install vehicular access onto Victor Drive**  
**Applicant: Mr L. Panormo, Plaistow Broadway Filling Stations**  
**Agent: Mr M. Calder, Phase 2 Planning and Development**

Resolved:-

That planning permission be REFUSED for the following reason:

01 The proposal by reason of the design approach proposed results in a significant under provision in the total number of new dwellings within the development compared with that which could reasonably be achieved on this brownfield site in Leigh Broadway having regard to adopted planning policy. The under provision of dwellings fails to contribute appropriately both to the Borough's housing needs and also creates a contrived ability for the proposal to sit beneath the policy threshold for making a potential contribution towards affordable housing. The proposal therefore constitutes a materially inefficient and ineffective use of the brownfield site. The proposal would therefore not represent sustainable development and is thus contrary to the objectives of the National Planning Policy Framework (2012), Policies KP1, KP2, CP4 and CP8 of the Core

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

#### Informatives

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

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

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

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# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet Committee

**Date: Thursday, 8th March, 2018**  
**Place: Committee Room 1 - Civic Suite**

# 9

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

**In Attendance:** Councillors M Borton, A Bright, M Butler, M Davidson, R Hadley, D Kenyon, D McGlone, G Phillips, M Terry, C Walker, N Ward, J Ware-Lane, P Wexham and R Woodley  
Z Ali, C Hindle-Terry and T Row

**Start/End Time:** 6.00 p.m. - 10.25 p.m.

### 803 Apologies for Absence

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

### 804 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Borton – Agenda Item No. 5 (Members Requests List – Ref No. 17/31 - Reduce speeds in roads surrounding Earls Hall School) – Non-pecuniary interest: Lives in Rochester Drive);

(b) Councillor Ware-Lane – Agenda Item No. 5 (Members Requests List – Ref No. 17/36 - Introduce permit parking controls – Area west of North Road) – Non-pecuniary interest: Lives in the vicinity;

(c) Councillor Woodley – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Lives in Tyrone Road; and

(d) Councillor Woodley – Agenda Item No. 5 (Members Requests List – Ref No. 17/43 - Eastwoodbury Lane – Waiting restrictions between Bristol Road and Vickers Road) – Non-pecuniary interest: Daughter is a pilot at London Southend Airport.

### 805 Minutes of the Meeting held on Monday 8th January 2018

Resolved:-

That the Minutes of the Meeting held on Monday, 8<sup>th</sup> January 2018 be received, confirmed as a correct record and signed.

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

With reference to the proposals for Tyrone Road and Fermoy Road, the Cabinet Committee noted the recommendations of the Traffic & Parking Working Party to proceed with the restrictions but felt that, in view of the comments from the doctor's surgery, no further action should be taken in this regard.

Resolved:

1. That no further action be taken in respect of the Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones)(Consolidation) Order 2016 (Amendment No. 1) Order 2018.

2. That no further action be taken in respect of the Southend-on-Sea Borough Council (Various Roads) (Consolidation of Moving Traffic and Speed Limit) Order 2006 (as amended) (Amendment No 2) Order 2018.

3. That the Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones)(Consolidation) Order 2016 (Amendment No. 3) Order 2018 as advertised, subject to the following amendments so as to reduce the effect of the Order:

(a) Rayleigh Road – remove proposed waiting restrictions on the north side from its junction with Eastwood Park Drive westwards to approximately the western boundary of No. 274 Rayleigh Road; and

(b) The Rodings – reduce the length of proposed waiting restrictions on the west side from its junction with Rayleigh Road to the entrance of the No 15 The Rodings

4. That the Deputy Chief Executive (Place) be authorised to confirm the Borough of Southend-on-Sea (Off-Street Parking Places) Consolidation Order 2005 (As amended) (Amendment No. 1) Order 2018 as advertised.

Reason for Decision

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

## Other Options

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

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

### 807 **Members Requests List**

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

Resolved:

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

(i) Request Reference No. 17/32 – Provide pedestrian refuge at the junction of Southbourne Grove, Bridgwater Drive and Carlton Avenue;

(ii) Request Reference No. 17/33 – Provide measures to prevent reduced visibility at junction of Shakespeare Drive and West Road;

(iii) Request Reference No. 17/37 – Reposition of pedestrian refuge in Leigh Broadway at junction with Leigh Hill;

(iv) Request Reference No. 17/39 – Provision of ambulance bay at the Health Centre, London Road near junction of Marguerite Drive;

(v) Request Reference No. 17/42 – Introduce alternate month parking restrictions on the bend in North Crescent in the vicinity of No. 168;

(vi) Request Reference No. 17/43 – Introduce waiting restrictions in Eastwoodbury Lane between Bristol Road and Vickers Road (to be incorporated with Request Reference No. 16/01);

(vii) Request Reference No. 17.44 – Introduce waiting restrictions in Warner's Gardens to prevent long term parking close to the entrance of the allotments (to be incorporated with Request Reference No. 16/01);

(viii) Request Reference No. 17/45 – Extension of existing waiting restrictions at the entrance of the allotments on the north side of Manchester Drive westwards;

(ix) Request Reference No. 16/04 – Harden verges in Silversea Drive;

(xi) Request Reference No. 17/06 – Introduce waiting restrictions in Teigngrace to deter residents in neighbouring street parking.

2. That the Deputy Chief Executive (Place) be authorised to publish the statutory notices and undertake the necessary consultation for the relevant traffic regulation order(s) in respect of the following requests and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented:

(i) Request Reference No. 17/30 – Introduction of limited waiting restrictions in Southchurch Boulevard adjacent to the Church, the timing of which to be in consultation with the Ward Councillors;

(ii) Request Reference No. 17/40 – Introduce waiting restrictions for one hour on the newly created bays in Riviera Drive, the timing of which to be determined by officers, in consultation with the Ward Councillors;

(iii) Request Reference No. 17/41 – The reduction of the terminal hour of the operational time of the Queensway East PMS from 9.00 p.m. to 6.00 p.m.;

(iv) Request Reference No. 17/47 – Introduce waiting restrictions on the south-east kerbline of Hinguar Street outside Saxon Court;

(v) Request Reference No. 16/04 – Introduce a “clearway” restriction in Campfield Road; and

(vi) Request Reference No. 17/05 – Extend waiting restrictions in Elm Road, Shoeburyness at its junction with Wakering Road;

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

(i) Request Reference No. 17/46 – Introduction of one hour waiting restrictions in Thames Close to deter commuter parking;

(ii) Request Reference No. 16/01 – Introduction of waiting restrictions to deter parking in Rochford Road Service Road; and

(iii) Request Reference No. 17/402 – Harden verges in Mansell Close.

4. That, in respect of Request Reference No. 17/31, the Deputy Chief Executive (Place) be authorised to undertake the necessary consultation for the introduction of a 20mph zone in the area around Earls Hall School comprising Colemans Avenue, Midhurst Avenue and Henleys Crescent, with the exclusion of the use of speed cushions.

5. That, in respect of Request Reference No. 17/34, regarding the introduction of measures to prevent accidents at the junction of Prince Avenue with Westbourne Grove, the performance of the recently installed skid resistant surfacing be monitored.

6. That, in respect of Request Reference No. 17/36, the Deputy Chief Executive (Place) be authorised to commence the formal consultation process for the introduction of permit parking controls in the area west of North Road, Westcliff on Sea.

7. That, in respect of Request Reference No. 17/36, the Deputy Chief Executive (Place) be requested to investigate the introduction of traffic calming measures in Marine Parade, Leigh on Sea.

8. That consideration of Request Reference No. 17/35 for the introduction of accident prevent measures in Ness Road at its junction with Maya Close be deferred to enable further solutions to be investigated..

#### Reasons for Decision

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

#### Other Options

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

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

### **808 Requests for Traffic Restrictions**

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

Resolved:

That the Deputy Chief Executive (Place) be authorised to publish the relevant statutory notice and undertake the necessary consultation for a traffic regulation order(s) for the following requests and, subject to there being no objections following statutory advertisement, to arrange for the order to be sealed and the proposals implemented:

- (i) Alexandra Street – relocation of the Ambulance Bay;
  - (ii) Strand Wharf – Introduce prohibition of driving except for authorised access;
- and

(iii) Whittingham Avenue – Extend junction protection by a further 5m in Poynings Avenue from its junction with Whittingham Avenue.

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

**809 Petition requesting Parking Controls in Brighton Avenue**

The Cabinet Committee received a report of the Deputy Chief Executive (Place) that appraised Members of a petition comprising 47 signatures from the residents of Brighton Avenue, requesting the introduction of parking controls to provide priority for residents. Having considered the views of the Traffic & Parking Working Party it was:

Resolved:

1. That the petitioner for be thanked for taking the time to compile the petition.
2. That no further action at this time.

Reason for Decision

To reflect a previous decision by this Committee.

Other Options

As set out in the submitted report.

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

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

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Cabinet

**Date: Tuesday, 13th March, 2018**  
**Place: Committee Room 1 - Civic Suite**

# 10

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

**In Attendance:** A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle, C Gamble, A Griffin, E Cooney, A Keating, B Martin and C Robinson, N Hoskins and L White

**Start/End Time:** 2.00 - 3.05 pm

### **810 Apologies for Absence**

Apologies for absence were received from Councillors Cox, Flewitt and Moring.

### **811 Declarations of Interest**

The following Member declared an interest as indicated:

Councillor Byford – Agenda Item 9 (Notice of Motion: Parking Provision for Remembrance Day Services) – non-pecuniary interest – son is a Commanding Officer of 1312 Squadron.

### **812 Minutes of the Meeting held on 9th January 2018**

Resolved:-

That the Minutes of the Meeting held on Tuesday 9<sup>th</sup> January 2018 be confirmed as a correct record and signed.

### **813 Minutes of the meeting held 18th January 2018**

Resolved:

That the minutes of the meeting held on 18<sup>th</sup> January 2018 be confirmed as a correct record and signed.

### **814 Minutes of the Special Meeting held 29th January 2018**

Resolved:

That the minutes of the special meeting held on 29<sup>th</sup> January 2018 be confirmed as a correct record and signed.

### **815 Minutes of the meeting held 13th February 2018**

Resolved:

That the minutes of the meeting held on 13<sup>th</sup> February 2018 be confirmed as a correct record and signed.

**816 Minutes of the special meeting held 13th February 2018**

Resolved:

That the minutes of the special meeting held on 13<sup>th</sup> February 2018 be confirmed as a correct record and signed.

**817 Notice of Motion - Drinking Water Motion (Council, 22nd February 2018)**

At the meeting of Council held on 22<sup>nd</sup> February 2018, Members received a notice of motion calling on the Council to work in partnership to promote the availability of water refill points in Southend and to give consideration to ways that the public can access drinking water, in order to reduce the use and disposal of plastics in the town.

This had been proposed by Councillor Gilbert and seconded by Councillor McDonald.

Resolved:

1. That officers be requested to investigate the provision of a tap to the outside of the toilet block at City Beach, one of the Borough's busiest areas, and to renew any taps that may need improvements.

2. That officers be requested to improve signposting for drinking water taps, as some are out of sight (the information can be added to the website, tourist information centre, and associated material on safety in the hot weather).

3. That the campaign generally be supported (via the Media team), whilst acknowledging the Council's current activities.

Reasons for Decision:

To respond to the notice of motion.

Other Options:

None

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Cox

**818 Notice of Motion: Parking Provision for Remembrance Day Services (Council, 22nd February 2018)**

At the meeting of Council held on 22<sup>nd</sup> February 2018, Members received a notice of motion calling on the Council to implement free parking provision for veterans in respect of Remembrance Day Services within the Borough.

Resolved:

That the existing arrangements in respect of Remembrance Sunday be formalised and continued and that similar car parking concessions be extended to Armistice Day.



Reasons for Decision:

To respond to the notice of motion.

Other Options:

None

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Cox

## **819 Fire Safety Report**

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the interim results of the Council's Fire Safety Review, which was established following the Grenfell Tower fire on the 14<sup>th</sup> June 2017.

Resolved:

1. That the work undertaken by the Council and South Essex Homes in respect to Fire Safety, be noted and endorsed.
2. That a further update be submitted to a future meeting of the Cabinet.

Reasons for Decision:

As a result of the Grenfell Tower Fire the Council undertook a fundamental review of its fire safety policies and procedures and put in place appropriate resources to ensure it maintains its buildings in a safe condition whilst upgrading them where this is appropriate and practicable.

Other Options:

The Council could decide to maintain all operational properties in their current condition with fire improvement works and, where practicable, to bring them up to the requirements of the latest Building Regulations when they next undergo major alterations and/or extension. All operational buildings would still meet statutory requirements although it could be argued that the Council would not be meeting the section of the Regulatory Reform (Fire Safety) Order 2005 that requires Employers to 'put in place, and maintain, appropriate fire safety measures'. This option has, therefore been discounted.

The Council could commit to bringing all operational buildings up to current Building Regulation requirements. However, this will not always be practicable due to the construction and/or age of the building; the building may be listed on the National Heritage List for England, which could limit what works could be undertaken; or changes could be financially unviable. This option has, therefore been discounted.

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Flewitt

**Called in to:- Place Scrutiny Committee**

## 820 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**

## 821 Treasury Management Report

The Cabinet considered a report of the Chief Executive covering the treasury management activity and compliance with the treasury management strategy for both quarter three and the period from April to December 2017.

Resolved:

1. That the Quarter Three Treasury Management Report for 2017/18, be approved.

2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to December 2017.

3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.

4. That it be noted that an average of £47.4m of investments were managed in-house. These earned £0.157m of interest during this nine month period at an average rate of 0.44%. This is 0.27% over the average 7 day LIBID and 0.14% over the average bank base rate.

5. That it be noted that an average of £5.0m was managed by an enhanced cash fund manager. This earned £0.023m during this nine month period at an average rate of 0.62%.

6. That it be noted that an average of £15.2m was managed by two short dated bond fund managers. This earned £0.176m during this nine month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 1.54%.

7. That it be noted that an average of £16.3m was managed by two property fund managers. This earned £1.353m during this nine month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 11.01%.

8. That it be noted that the level of borrowing from the Public Works Loan Board (PWLb) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m; GF: £150.8m) during the period from April to December 2017.

9. That it be noted that the level of financing for 'invest to save' capital schemes increased from £7.90m to £8.80m during the period from April to December 2017.

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 set 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 an Executive Function.

Eligible for call-in to: Policy & Resources Scrutiny Committee

Executive Councillor: Cllr Moring

## **822 Shoreline Strategy**

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the draft Southend Shoreline Strategy.

Resolved:

1. That the Southend Shoreline Strategy document for managing the Borough's coastal defences into the future, subject to approval by the Environment Agency, be adopted.
2. That the Deputy Chief Executive (Place), in consultation with the Executive Councillor for Transport, Waste and Regulatory Services, be authorised to approve the final strategy, following Environment Agency approval.
3. That it be noted that the total value of the Strategy at £410m (Present Value £134m) over a 100 year period, of which part will need to be funded from the Council's Capital Programme whilst other funding may include Flood Defence Grant-in-Aid and other external sources.
4. That the Strategy will be supported by an appropriate governance process, as set out in Paragraph 6 of the submitted report.
5. That the submission of the Strategy to the EA Large Project Review Group (LPRG) in June 2018, be approved.

Reasons for Decision:

There is a need to develop sub-regional elements of the Shoreline Management Plan into a more in-depth strategy for the Borough.

Adopting a comprehensive strategy and submitting it to the EA Large Project Review Group will enable the Council to maximise access to supporting funds.

Other options:

None.

Note: This is an Executive Function

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Cox

**\*Called-in to:- Place Scrutiny Committee**

### **823 Sex Establishment Premises**

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out a Sex Establishments draft Statement of Licensing Policy as a basis for formal consultation.

Recommended:

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

Reasons for Decision:

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

Other options:

Not to publish a revised policy and keep the existing one which is now outdated.

Note: This is a Council function.

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Cox

**\*Called-in to:- Place Scrutiny Committee**

### **824 Forum 2**

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the core accommodation requirements for the development of Forum 2, which the Council is taking forward in partnership with South Essex College and provided an update on the South East Local Enterprise Partnership (SELEP) funding bid to support the scheme.

Resolved:

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

Reasons for Decision:

To establish an agreed design brief position from which the Council, in partnership with the College, may progress the project alongside a formal project governance and management framework providing a solid foundation for the successful delivery of the project.

Other options:

As set out in the submitted report.

Note: This is an Executive Function.

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Holland

**\*Called-in to:- Place Scrutiny Committee**

## **825      Message and Special Treatment**

The Cabinet considered a report of the Deputy Chief Executive (Place) updating the standard conditions used to grant and renew the licences for persons carrying on establishments for massage or special treatments under the Essex Act 1987 and proposing the adoption of best practice Codes of Practice specific to the different treatments being offered.

Recommended:

1. That the Council specifies in each Massage or Special Treatment Licence the updated Conditions and the Codes of Practice relevant to each type of operation. In doing so, the Council is thereby approving the appropriate Code of Practice for each type of licence.
2. That the Codes of Practice continue to be updated in line with best practice and emerging new treatments.

Reasons for decisions:

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

Other options:

To continue with the existing conditions in these establishments.

Note: This is a Council Function.

Eligible for call-in to: Place Scrutiny Committee

Executive Councillor: Cllr Cox

**\*Called-in to:- Place Scrutiny Committee**

## **826 Annual Procurement Plan**

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the Council's Annual Procurement Plan for 2018/19.

Resolved:

That the Annual Procurement Plan 2018/19 set out in Appendix 1 to the submitted report, be approved.

Reasons for Decision:

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

Other Options:

None.

Note: This is an Executive Function

Eligible for call-in to: Policy & Resources Scrutiny Committee

Executive Councillor: Cllr Moring

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

## **827 Annual Education Report**

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the Annual Education Report (AER) on the retrospective performance of Southend Schools for the academic year 2016/17.

Resolved:

1. That the new format of the Annual Education Report be noted.

2. That the Annual Education Report, recognising the very positive outcomes for learners across all Key Stages, be approved.

Reasons for Decision:

Recognition of the very strong performance of Southend Schools should be celebrated and the new AER will allow more people to access their achievements.

Other Options:

None.

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Executive Councillor: Cllr Courtenay

**\*Called-in to:- People Scrutiny Committee**

## **828 Secondary School Places**

The Cabinet considered a report of the Deputy Chief Executive (People) providing an update on the current position regarding the future provision for Secondary School places across the Borough from 2018-2020 and beyond.

Resolved:

1. That the position regarding the provision of sufficient secondary school places, be noted.
2. That the decision to pursue a Free School option be reversed in favour of the expansion in existing secondary schools.

Reasons for Decision:

The decision to revert to an expansion as opposed to a free school has been taken for a number of reasons as set out in the submitted report.

Other options:

The decision previously taken by Cabinet was in effect the alternative option.

Note: This is an Executive Function.

Eligible for call-in to: People Scrutiny Committee

Executive Councillor: Cllr Courtenay

**\*Called-in to:- People Scrutiny Committee**

## **829 School Term Dates**

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the guideline school term and holiday dates for the academic year 2019/20.

Resolved:

That the school term and holiday dates for 2019/20 as set out in Appendix 1 of the submitted report, as a guide to schools, be approved.

Reasons for Decision:

As set out in the report.

Other Options:

None.

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

**830 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:- Policy & Resources Scrutiny Committee**

**831 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.

**832 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:- Policy & Resources Scrutiny Committee**

**833 Councillor Holland - Thanks**

The Leader of the Council informed Members that this was Councillor Holland's last meeting as a Cabinet Member and he thanked her for her sterling work.

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



# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Appeals Committee A

Date: Friday, 16th March, 2018  
Place: Committee Room 3 - Civic Suite

# 11

**Present:** Councillor C Walker (Chair)  
Councillors S Habermel (Vice-Chair), \*G Phillips, M Butler, R Hadley  
and A Jones

\*Substitute in accordance with Council Procedure Rule 31.

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

**Start/End Time:** 9.30 am - 7.00 pm

### 834 Apologies for Absence

Apologies for absence were received from Councillors Ayling (no substitute) and Buckley (substitute:Cllr Phillips).

### 835 Declarations of Interest

There were no declarations of interest at this meeting.

### 836 Minutes of the Meeting held on Tuesday 14th November 2017

Resolved:-

That the Minutes of the Meeting held on Tuesday 14<sup>th</sup> November 2017 be confirmed as a correct record and signed.

### 837 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.

### 838 Secondary School Transport Appeal - Pupil HC

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

**839 Secondary School Transport Appeal - Pupil GM**

The Committee considered a report of the Deputy Chief Executive (People) together with supporting correspondence from the parent of pupil GM in connection with an application for home to school transport assistance.

Resolved:-

That the appeal for home to school transport assistance be granted.

**840 Appeal Against Dismissal - Employee TM**

The Committee considered an appeal against dismissal submitted by employee TM. The Council's case was presented by JL, supported by LF. 3 witnesses were called by the Council and responded to questions. The appellant, TM was in attendance, supported by TR (union representative), and presented their case. 2 witnesses were called by the appellant and responded to questions.

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

Resolved:-

That the decision to dismiss employee TM on the grounds of gross misconduct, be upheld.

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

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Licensing Sub-Committee A

**Date:** Tuesday, 20th March, 2018  
**Place:** Committee Room 1 - Civic Suite

# 12

**Present:** Councillor R Hadley (Chairman)  
Councillors N Folkard and D Jarvis

**In Attendance:** A Brown, M Newton, T Byrne and T Row

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

#### 841 **Apologies for Absence**

There were no apologies for absence.

#### 842 **Declarations of Interest**

No interests were declared at the meeting.

#### 843 **B.U.S. Premier Ltd, 71-73 Southchurch Road, Southend-on-Sea, SS1 2NL - Application for Review of Premises Licence**

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Essex Police for the review of the premises licence at B.U.S. Premier Ltd, 71-73 Southchurch Road, Essex, SS1 2NL.

The application was presented by Mr S Sparrow of the Essex Police Licensing Unit. Ms J Mason and Mr G Ashford of the Police Licensing Unit were also in attendance. Mr Sivasaravnan, owner of the property, together with Ms R Shaiju (Designated Premises Supervisor) and Mr P West (licensing consultant), the respondent's representative, were in attendance at the hearing.

The application had been made on the grounds of crime and disorder, in particular, the employment of a person who is disqualified from work by reason of their immigration status.

At the outset of the hearing, the respondent's licensing consultant expressed concern that two other persons would be attending the hearing on behalf of the applicants without having given prior notice. The sub-committee concluded that, on the basis that no new evidence was being introduced, it would not be prejudicial to the respondent's case to have these other people take part. Mr West, the respondent's representative, accepted this position.

The sub-committee heard that, on 7th November 2017, representatives of the police licensing unit attended the premises as a result of an alleged breach of licensing conditions, in particular, the display of alcohol for sale and the sale of alcohol outside of the permitted hours. As a result of this visit, Mr Sinnathurai, a person who is disqualified to work in the UK by reason of his immigration status, was witnessed working behind the counter. Mr. Sivasaravnan explained

that Mr Sinnathurai was his friend and had asked him to open the premises on this one occasion as both he and his wife, in addition to the designated premises supervisor, were unable do so.

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 regarded this situation as serious and took the view that the licence holder has failed in his duty to comply with the conditions on the premises licence and the licensing legislation.

The sub-committee therefore:

Resolved:-

That the premises licence in respect of B.U.S. Premier Ltd, 71-73 Southchurch Road, Essex, SS1 2NL. Be suspended for a period of 28 days.

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

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Health & Wellbeing Board

Date: Wednesday, 21st March, 2018

Place: Darwin Room - Tickfield

# 13

**Present:** Councillor L Salter (Chair)  
Dr J Garcia-Lobera (Vice-Chair)  
Councillors Davidson, Moyies, Willis and Woodley  
Mr S Leftley, Ms A Griffin, Mr S Dolling, Mr Freeston, Ms J Broadbent, Ms M Hathaway, Ms E Chidgey, Ms A Semmence, Mr N Rothnie

**In Attendance:** Mr I Ambrose, Mr R Harris, Mr I Diley and Mr L Watson

**Start/End Time:** 5.00 - 5.45 pm

#### 844 Apologies for Absence

Apologies for absence were received from Councillor Lamb (no substitute), Yvonne Blucher (substitute: Neil Rothnie), Clare Panniker (no substitute) and Councillor Nevin (observer – Chair of People Scrutiny Committee).

#### 845 Declarations of Interest

The following declarations of interest were made at the meeting:-

(a) Councillor Salter – Minute 849 (Sustainability and Transformation Partnership) – non-pecuniary interest – husband is consultant surgeon at Southend Hospital and holds senior posts at the hospital; son-in-law is a GP; daughter is a doctor at Broomfield Hospital;

(b) Dr J Garcia-Lobera – Minute 849 (Sustainability and Transformation Partnership) – non-pecuniary interest – GP in the Borough;

(c) Councillor Moyies – Minute 849 (Sustainability and Transformation Partnership) and Minute 853 (EPUT) – non-pecuniary interest – Council appointed Governor at EPUT.

#### 846 Questions from Members of the Public

The Chair responded to a written question received from Mr Ali.

#### 847 Minutes of the Meeting held on Wednesday 24th January 2018

Resolved:-

That the Minutes of the Meeting held on Wednesday 24<sup>th</sup> January 2018, be confirmed as a correct record and signed.

#### 848 Better Care Fund Section 75

The Board considered a report of the Director of Finance and Resources setting out the operation of the Better Care Fund Pool during 2017/18 and 2018/19.

The Board sought clarification regarding the slippage to the Carer's Break scheme. Officers advised that work had been undertaken but no scheme expenditure was incurred and the scheme will begin operation in 2018/19.

Resolved:

1. That the variation to the 2017/18 Better Care Fund to allow the reallocation of the funds associated with the jointly commissioned Carer's Break scheme back to the respective parties for reinvestment back into their other Better Care Fund schemes, be approved.
2. That the financial flows of the 2018/19 Better Care Fund, be noted.
3. That the updated S75 Agreement between Southend-on-Sea Borough Council and NHS Southend Clinical Commissioning Group, be noted.

#### **849 Response submitted to STP Public Consultation**

The Board considered a report of the Integration Programme Manager providing an update on the draft proposed report to be presented to the Mid and South Essex Sustainability and Transformation Partnership (STP) regarding the formal public consultation on the STP proposals which ends on 23<sup>rd</sup> March 2018.

Resolved:

1. That the report be noted and the proposed points set out in Section 4, on which the report to be presented to the Mid and South Essex STP public consultation will be formed, be endorsed.
2. That the response be submitted by 23<sup>rd</sup> March 2018.
3. That delegated powers be granted to the Chair and Vice-Chair of Southend HWB to agree the report and, on behalf of the HWB, submit the response to the STP.

#### **850 Physical Activity**

The Board considered a report of the Deputy Chief Executive (People) which updated the Board on progress to date with the implementation of the Southend-on-Sea Physical Activity Strategy 2016-2021 and the refreshed action plan, including successes, challenges and future opportunities.

The Board was also informed that a survey was currently taking place to find out what people aged 16 and over think about physical activity in the Borough. The survey closes on 4<sup>th</sup> April 2018. More details on the survey can be accessed via the Council's website [www.southend.gov.uk](http://www.southend.gov.uk).

Resolved:

That the report, including successes, challenges and future opportunities and the infographics attached at Appendix 1, be noted.

**851 A Better Start Southend Update**

The Board considered a report of the acting Programme Director providing an update on the A Better Start Southend Programme.

The Board welcomed the layout, format and content of the report as it provided a much clearer focus than previous versions. The report also provided the correct level of detail and enables the Board to fulfil its role at the top of the ABSS governance structure.

Resolved:

That the report be noted.

**852 Localities**

The Board considered a report of the Integration Programme Manager providing a brief update regarding the formation of Localities for health and social care in the Borough.

A further report would be presented to the Board in June 2018.

Resolved:

That the progress towards developing Localities in Southend-on-Sea, be noted.

**853 EPUT**

The Chair agreed that EPUT be considered at this meeting as an urgent item.

In response to a question from a member of HWB regarding the BBC Radio 4 'File on Four' programme broadcast on the evening of 20<sup>th</sup> March 2018 the CCG Lead officer made a brief statement.

The programme featured a number of allegations about the care provided by EPUT mental health staff and the two former NHS Trusts. The CCG lead officer confirmed that EPUT were a key partner in Southend delivering a multitude of health services across the Borough. The CCG Lead Officer further confirmed that The Chief Executive of EPUT had made it very clear to the CCG that EPUT was working hard to fully address the allegations. They had implemented a number of measures for affected families and staff and were conducting an ongoing investigation.

The CCG Lead Officer highlighted that any further information made available by EPUT would be shared with HWB members and that an update would be provided in due course.

**854 Vote of Thanks to the Chair**

The Board took the opportunity to thank the Chair for the able way in which she had conducted the meetings over the last municipal year.

**855 Provisional dates and times of Meetings 2018/19**

Wednesday 20<sup>th</sup> June 2018 at 5pm;  
Wednesday 19<sup>th</sup> September 2018 at 5pm;  
Wednesday 5<sup>th</sup> December 2018 at 5pm;  
Wednesday 23<sup>rd</sup> January 2019 at 5pm;  
Wednesday 20<sup>th</sup> March 2019 at 5pm.

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



**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Appointments and Disciplinary Committee**

**Date: Monday, 26th March, 2018**  
**Place: Executive Boardroom - Civic Suite**

**14**

**Present:** Councillor J Lamb (Chair)  
Councillors \*T Cox, N Folkard, I Gilbert, L Salter, M Terry and  
R Woodley

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** A Griffin and J Ruffle

**Start/End Time:** 9.00 - 11.00 am

**855 Apologies for Absence**

Apologies for absence were received from Councillor Holland (substitute: Cllr Cox).

**856 Declarations of Interest**

There were no declarations of interest at this meeting.

**857 Exclusion of the Public**

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**858 Appointment of Director of Public Protection - Interviews**

The Committee interviewed the short-listed candidate for the post of Director of Public Protection.

Resolved:

1. That, subject to the provisions of the Local Authorities Standing Orders (England) Regulations 2001, as incorporated in paragraph 5 of the Council's Officer Employment Procedure Rules, the post of Director of Public Protection be offered to Mr Carl Robinson.

2. That the Chief Executive & Town Clerk be authorised to offer the post outlined in 1 above to the candidate upon confirmation by the Leader that neither he nor any Member of the Cabinet has any objection to the making of such an offer.

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

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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of General Purposes Committee**

**Date: Thursday, 29th March, 2018**

**Place: Committee Room 2 - Civic Suite**

**15**

**Present:** Councillor A Bright (Chair)  
Councillors J Garston (Vice-Chair), J McMahon, G Phillips,  
K Robinson and C Walker

**In Attendance:** Mr R Harris

**Start/End Time:** 6.30 - 6.45 pm

**859 Apologies for Absence**

Apologies for absence were received from Councillors Endersby, Kenyon and Moyies (no substitutes).

**860 Declarations of Interest**

Councillors Bright, J Garston, McMahon, Phillips, Robinson and Walker – non-pecuniary interest - Nominees for Honorary Alderman were known to them.

**861 Minutes of the Meeting held on Tuesday 4th April 2017**

Resolved:-

That the Minutes of the Meeting held on Tuesday 4<sup>th</sup> April 2017, be confirmed as a correct record and signed.

**862 Exclusion of the Public**

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**863 Honorary Aldermen/Alderwomen Nominations**

The Committee considered a report from the Chief Executive and Town Clerk relating to the Honorary Alderman/Alderwoman nominations received from the Group Leaders.

Resolved:

1. That, pursuant to Section 249(1) of the Local Government Act 1972, the Council be recommended to confer the title of Honorary Alderman on the past Members listed below at a Special meeting of the Council convened for this purpose on 19<sup>th</sup> April 2018, immediately prior to the ordinary Council meeting taking place on that same day.

Mr Howard Briggs  
Mr Charles Latham  
Mr Graham Longley

2. That, as a small token of appreciation, the Council be recommended to give all Honorary Alderman and Honorary Alderwoman a permit to enable them to park in any of the Council's car parks free of charge.

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

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 4th April, 2018**  
**Place: Committee Room 1 - Civic Suite**

# 16

**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:** Councillor S Habermel  
P Geraghty, M Smith, K Waters, P Keyes, C Galforg, C White, M Warren and T Row

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

#### **864 Apologies for Absence**

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

#### **865 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Callaghan – Agenda Item No. 9 (17/01115/FULM - Prospects House, 10 Fairfax Drive, Westcliff-on-Sea, Essex, SS0 9AG) – Disqualifying non-pecuniary: Had predetermined the application (withdrew);

(b) Councillor D Garston – Agenda Item No. 4 (17/02179/FULM - Crowstone Preparatory School, 121-123 Crowstone Road, Westcliff-on-Sea, Essex, SS0 8LH) – Non-pecuniary interest: Some of the objectors are known to him; and

(c) Councillor Mulroney – Agenda Item No. 6 (17/02280/FUL - Scout Hall 52 High Street, Leigh-on-Sea, Essex SS9 2EP) and Agenda Item No. 8 (18/00084/FUL - 76A Herschell Road, Leigh-on-Sea, Essex, SS9 2PU) – Non-pecuniary interests: Member of Leigh Town Council and Leigh Sociaty (non-participant in planning).

#### **866 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.

**867 17/02179/FULM - Crowstone Preparatory School, 121-123 Crowstone Road, Westcliff-on-Sea, Essex, SS0 8LH (Chalkwell Ward)**  
**Proposal: Demolish existing buildings, including 6 Crosby Road, erect three storey building comprising 20 self-contained flats, 6 no dwelling houses, layout parking, hard and soft landscaping and extend existing vehicular access on to Crosby Road.**  
**Applicant: BESB Contracts Ltd**  
**Agent: Phase 2 Planning**

Resolved:-

That planning permission be REFUSED for the following reasons:

01 The south-western part of the application site constitutes designated protected green space which would be lost as a result of this development. The application has failed to clearly demonstrate that the open space is surplus to requirements or that it will be replaced and the development does not provide an alternative sport or recreation facility to replace the space lost. The development is therefore unacceptable and contrary to the National Planning Policy Framework and Policies KP2 and CP7 of the Core Strategy (2007).

02 The proposal would, by reason of its size, scale, bulk, mass, siting beyond the established building line and detailed design, constitute a cramped, contrived and incongruous development that would be harmful to the character and appearance of the site and the surrounding area. This is unacceptable and contrary to National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

03 By virtue of the design, layout and siting of the car parking and access road proposed within the site, the development would result in unacceptable levels of noise and disturbance to the detriment of the amenities of the occupiers of the neighbouring dwelling at No.125 Crowstone Road. The development is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

04 A number of the proposed flats would provide unacceptable levels of amenities for their future occupiers by virtue of their inadequate size in terms of internal floorspace and bedroom size, the insufficient outside amenity areas proposed and the poor levels of light and outlook provided to habitable rooms. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

05 The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area. The submission also lacks a formal undertaking to secure a contribution to the delivery of education facilities to meet the need for such infrastructure generated by the development. In the absence of these

undertakings the application is unacceptable and contrary to the National Planning Policy Framework, Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of the Development Management Policies Document (2015).

06 The submission does not clearly demonstrate that the proposal would provide a development that is appropriately accessible and adaptable for all members of the community in accordance with the requirements of the M4(2) accessibility standards. This is unacceptable and contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM8 of the Development Management Document (2015).

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

Informative

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

**868 18/00076/FUL - 423-425 Sutton Road, Southend-on-Sea, Essex (Victoria Ward)**

**Proposal: Demolish existing buildings and erect nine dwellings comprising of six terraced houses, two semi-detached houses and one detached house, layout 9 parking spaces, cycle store to rear, layout bin stores to front and install vehicular access on to Sutton Road (Amended Proposal).**

**Applicant: Trafalgar Traditional Homes**

**Agent: Knight Gratrix Architects**

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: Location Plan; Site Location Plan; 020 Revision E; 021; 022 Revision E; 023 Revision F; 024 Revision D; 025 Revision B; 026 Revision B.

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site including facing materials, roof detail, windows, doors, balustrading, fascia, soffits, pergola canopy detail and forecourt area have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials and drawings before any of the dwellings hereby approved are first occupied.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009). Given the nature of the development propose, the details sought and the objectives of the condition it is fundamental that information required is provided prior to the commencement of any development.

04 No site clearance, preparatory work or development of any kind shall take place until a scheme for the protection of the trees adjacent to the site in Sutton Road and an Arboricultural method statement for the protection of the trees in accordance with British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority.

The approved protection measures shall be fully installed before the commencement of works and maintained during construction. The development shall be implemented in full accordance with the approved statement, measures and methods.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of tree protection, pursuant to Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

05 No development shall commence unless and until measures to secure the provision of two appropriate (in terms of size, species and location) new street trees have been submitted to the local planning authority and approved in writing. The dwellings hereby approved shall not be occupied until the two new street trees have been provided in accordance with the measures approved under this condition.

Reason: A pre commencement condition is need in the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).



06 Notwithstanding the details shown on the plans submitted no development shall take place other than demolition ground and site preparation works until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification, the staking of trees and removal of the stakes once the trees are established; details of measures to enhance biodiversity within the site; details of the treatment of all hard and soft surfaces (including any earthworks to be carried out) and all means of enclosing and subdividing the site.

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, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

07 All planting in the approved landscaping scheme shall be carried out within the first available planting season following first occupation of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority. Hard landscaping and means of enclosure shall be implemented in full accordance with the approved scheme prior to occupation of any of the new dwellings.

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

08 The development shall not be occupied until 9 on site car parking spaces have been provided in full accordance with drawing 022 E, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter solely for the parking of occupiers of and visitors to the development.

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

09 Prior to the first occupation of any of the dwellinghouses hereby approved, cycle and refuse and general storage shall be provided and made available for use in accordance with the details shown on plan 022 E and shall be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM3, DM8 and DM15 of Development Management Document (2015).

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

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

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

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

Reason: To safeguard the design and appearance of the proposed development in the interest of visual amenities of the locality in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

13 The development hereby approved shall be carried out in a manner to ensure compliance with Building Regulation part M4 (2) 'accessible and adaptable dwellings', before it is brought in to use or occupied.

Reason: To ensure the residential units hereby approved provide 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).

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

Reason: In order to protect the amenities of 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).

15 The rear flat roof projections of the dwellings hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other similar

purpose. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

16 Prior to occupation of any part of the development, details of an acoustic fence, to be erected along the southern boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried only in accordance with the agreed details prior to occupation of the dwellings and shall be permanently maintained as such thereafter.

Reason: To protect the environment of future occupiers, in accordance with the National Planning Policy Framework (2012), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

17 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of 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, development shall stop and 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 Core Strategy (2007) Policies KP2 and CP4 and Policies DM1 and DM14 of the Development Management Document (2015).

## Informatives

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

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](http://www.southend)

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

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.

**869 17/02280/FUL - Scout Hall 52 High Street, Leigh-on-Sea, Essex SS9 2EP (Leigh Ward)**  
**Proposal: Change of use from scout hall/gym (class D2) to restaurant (class A3), install extract flue to rear, refuse area to west side and alter front elevation**  
**Applicant: Paul Alston**  
**Agent: WJS-Survey & Design**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years of 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 17-Clarendon-01B, 17-Clarendon-02A, 17-Clarendon-03B, 17-Clarendon – 04A

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

03 No development shall take place until details of the materials to be used on the external elevations including a sample of the natural state, details of the materials for the dormer cheeks and any new guttering, product details for the staining of the existing weatherboarding, materials including glazing for the new dormer windows and doors, materials for the balustrading and any new flooring to the terrace and any other new external materials including boundary materials have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of the historic building and the surrounding Leigh Old Town Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

04 Prior to the commencement of development, detailed design drawings of the new doors, new dormer windows and terrace balustrades/railings 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 be carried out in accordance with the approved details before it is brought into use.

Reason: A pre commencement condition is needed to safeguard character and appearance of the historic building and the surrounding Leigh Old Town Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

05 Prior to the first occupation of the building for A3 purposes details of the proposed waste storage and an associated waste management plan shall be submitted to and approved by the local planning authority. The development shall only be implemented in accordance with the approved details from first occupation for the proposed use and be maintained as such 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 conservation area, in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1, DM5 and DM15 of the Development Management Document (2015).

06 Prior to the first occupation of the building for A3 purposes details of the staff cycle storage shall be submitted to and approved by the local planning authority. The development shall be implemented in accordance with the approved details before it is first occupied for the approved use.

Reason: To ensure the provision of adequate cycle parking in accordance with policies DM8 and DM15 of The Development Management Document (2015).

07 Prior to the commencement of the development the design details and materials of the proposed extraction flue chimney and fresh air grille at scales of 1:20, 1:10 or 1:1 as appropriate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: A pre commencement condition is needed in order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the conservation area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM6 of the Development Management Document 2015.

08 Prior to commencement of the proposed use details of the proposed extraction and ventilation equipment together with a report detailing any mitigation measures proposed in respect of noise and odour impacts shall be submitted to, and approved by, the Local Planning Authority. The installation of extraction equipment shall be carried out in full accordance with the approved details and any noise and odour mitigation measures undertaken in association with the agreed details before the use hereby approved is commenced. With reference to BS4142 the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor facades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character. The rating level of noise for all activities (including amplified and unamplified music and human voices) shall be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises.

Reason: In order to protect the amenities of the 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).

09 The class A3 (restaurant) use hereby permitted shall not be open to customers outside the following times: 09:00 until 24:00 hours on Monday to Sundays including Bank Holidays from May through to and including September and 12:00 until 24:00 hours Mondays to Sundays including bank holidays from October through to and including April.

Reason: In order to protect the amenities of occupiers of 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).

10 The entire raised terrace area shall not be use by customers for the consumption of food or drink or for smoking from 22:00 hours until the close of business on all days.

Reason: In order to protect the amenities of 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).

11 No deliveries or refuse collection shall be taken at or despatched from the A3 use hereby permitted outside the hours of 07:00 to 18:00hours Mondays to Fridays and 08:00 to 13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

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

12 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 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).

13 The use hereby approved shall operate solely as a restaurant falling within Class A3 of the Town and Country Planning Use Classes Order 1987 (as amended) for the consumption of food on the premises. The use shall not provide take away facilities of any kind for customers.

Reason: In order to protect the amenities of occupiers of surrounding occupiers and highway safety in accordance with policies KP2, CP3and CP4 of the Core Strategy (2007) and Policies DM1,DM3 and DM15 of the Development Management Document (2015).

14 No tables,chairs, other furniture or permanent or temporary means of enclosure shall at any time be placed on the area at ground floor (public footway) level to the front of the premises..

Reason: In order to protect amenity and for the safe and efficient use of the adjacent public highway including the safe and convenient movement of pedestrians in accordance with policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015)

#### Informatives

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](http://www.southend.gov.uk/cil) for further details about CIL.

02 The applicant is advised that 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 assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics. For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from [www.DEFRA.Gov.UK](http://www.DEFRA.Gov.UK)

03 The applicant is advised that according to this Department's record, asbestos containing materials may be present within the structure of walls at 52 High Street, Leigh-on-Sea, Essex. An asbestos survey at this address should therefore be carried out by a suitably qualified person before any structural work being carried out at the premises. Any asbestos containing material (ACM) must be removed and disposed off site to a facility licenced by the Environment Agency. A waste transfer certificate should be made available for inspection by authorised officer from this Authority on request.

04 The applicant is advised that 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

05 The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2014 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG The applicant is advised that any waste food collection must be undertaken by a licenced operator

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



- 870 **1. 17/02074/FUL and 2. 17/02075/LBC - 138 - 140 Hamlet Court Road, Westcliff-on-Sea, Essex SS0 7LN (Milton)**  
**Proposals:** 1. Change of use of ground floor shop (Class A1) to community hub for age concern (Class D1), change of use of first floor from shop (Class A1) to Assembly and Leisure use (Class D2) and replace external staircase to rear, infill window to rear, install 2 rooflights and 2 roof lanterns to single storey flat roof to rear.
2. Various internal changes to ground, first and second floor, reinstate two letters to the signage on the front elevation, replace external staircase to rear, infill window to rear and install 2 rooflights and 2 roof lanterns to single storey flat roof to rear (Listed Building Consent)

**Applicant: Age Concern Southend CIO**  
**Agent: Metson Architects Ltd**

Resolved:-

That consideration of these applications be DEFERRED.

- 871 **18/00084/FUL - 76A Herschell Road, Leigh-on-Sea, Essex, SS9 2PU (West Leigh Ward)**  
**Proposal:** Demolish existing timber workshop, erect enlarged timber workshop, alter elevations of existing oak framed gazebo to create enclosed summerhouse and install Juliette balcony to rear of dwellinghouse  
**Applicant: Mr Oliver Beacham**  
**Agent: N/A**

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

Resolved:-

That planning permission be REFUSED for the following reason:

01 The proposed workshop outbuilding would, by reason of its design, siting, height and depth of rearward projection, result in an excessively large and intrusive structure which would create an unduly overbearing relationship, an increased sense of visual enclosure and a material loss of light and outlook to 76 Herschell Road, to the detriment of the residential amenities of the occupiers of this property. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and the advice contained within the Southend-on-Sea Design and Townscape guide (2009).

Informative

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

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

**872 17/01115/FULM - Prospects House, 10 Fairfax Drive, Westcliff-on-Sea, Essex, SS0 9AG (Prittlewell Ward)**

**Proposal: Demolish existing buildings, erect three blocks of three, four and five storeys comprising of 92 self-contained flats with balconies, basement parking and parking at ground floor level, landscaping, amenity space, associated works including highway alterations and alteration of existing access onto Fairfax Drive**

**Applicant: Weston Homes PLC**

**Agent: Weston Homes PLC**

Resolved:-

(a) That, had the planning application not been appealed on the grounds of non-determination, planning permission would have been GRANTED subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) to seek the following:

- A minimum of 28 units of affordable housing units, of which 17 (10 x 1 bed, 4 x 2 bed and 3 x 3 bed) shall be for affordable rent or social rent and 11 (8 x 1 bed and 3 x 2 bed) shall comprise shared ownership dwellings
- Contribution of £46,154 towards secondary education
- Traffic Regulation Order contribution of £4,000

(b) That, upon completion of the obligation, planning permission would have been GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of the original permission (7th March 2018).

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

02 The development shall be carried solely out in accordance with the approved plans: AP234: P001 Rev D (Landscape and semi basement), P002 Rev D (Ground and Upper Ground Floor), P003 Rev D (First Floor), P004 Rev D (Second Floor), P005 Rev D (Third Floor), P006 Rev D (Fourth Floor), P007 Rev D (Roof Plan/ Street Elevation), P008 Rev D (Elevations Sheet 1), P009 Rev D (Elevations Sheet 2), P0010 Rev D ( Elevations Sheet 3), AP 234 P201- P240 (Flat types 1 to 40).

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the lower 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 balconies, balustrades, screening and fenestration, have been submitted to and approved in writing by the local planning authority. Development shall only 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 BLP and policies DM1 and DM3 of the Development Management DPD 2015.

04 No construction works above the lower ground floor (parking) floor slab level shall take place until full details of both hard and soft landscape works to be carried out in accordance with this permission have been submitted to and approved in writing by the Local Planning Authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The hard landscaping shall be completed prior to first occupation of the development and soft landscaping/planting shall be completed within the planting season following first occupation of the development. (or within any other time limit agreed in writing with the local planning authority). If any trees are removed or found to be dying, severely damaged or diseased within 5 years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority.

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

05 The development hereby approved shall be carried in accordance with drawing AP234-P0002 Revision D dated 20/12/17 Ground and Upper Floor Plan in relation to the highways works and new access road shown for the development in accordance with a timescale that has been submitted to the local planning authority and approved in writing before the development is first occupied.

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

06 The development shall not be occupied until 92 car parking spaces, of which 10 shall be for disabled users, have been provided at the site in accordance with drawings AP234-P001 Revision D (dated 20/12/17) Landscape and Semi-Basement Parking and AP234-P0002 Revision D (dated 20/12/17) Ground and Upper Floor Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

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

07 The development shall not be occupied until details of all balcony and terrace areas within the development and how they will be served by privacy screens have been submitted to and approved in writing by the Local Planning Authority. The screens, as approved, shall be erected prior to first occupation of those balconies/ terrace areas, and retained thereafter in perpetuity. No flat roof areas within the development shall be used for the purposes of a sitting out, balcony or amenity area unless it has been specifically approved as part of the above details.

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

08 The development shall not be occupied until a waste management plan for the dwellings 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 solely in accordance with the approved details including the provision of all refuse storage facilities which shall be maintained 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 DPD1 and Policy DM15 of the Development Management DPD 2015.

09 The development shall not be occupied until the secure, covered cycle parking spaces to serve the development as shown on drawings AP234-P001 Revision D (dated 20/12/17) Landscape and Semi-Basement Parking and AP234-P0002 Revision D (dated 20/12/17) Ground and Upper Floor Plan have been provided at the site in full accordance with the approved plans. The approved scheme shall be permanently maintained thereafter.

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

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

throughout the construction period. The Statement shall provide, amongst other things, for:

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

Reason: A pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

11 No development, other than demolition and site clearance works, shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works incorporating Sustainable Urban Drainage (SUDS) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is occupied and brought into use and be managed and 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 features should be included where infiltration rates allow;
- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
- iii) a timetable for its implementation; and
- iv) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

12 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 and Development Management Document policy DM2.

13 Before the development is occupied or brought into use, the dwellings in blocks C and D/E hereby approved shall be carried out in a manner to ensure that the development complies with building regulation M4 (2).

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

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

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

15 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the development hereby granted consent shall not be occupied or brought into use unless and until plans are submitted to the Local Planning Authority and approved in writing which clearly specify all the windows and other openings in the development that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented. The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter. The windows included within such agreed scheme shall be glazed in obscure glass which is at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority. Top hung lights agreed within such scheme 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 in accordance with the agreed details in perpetuity thereafter.

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

16 a) Prior to development (including site clearance; construction; demolition etc.) commencing, detailed intrusive investigation must be undertaken on the site and the result, in the form of a Phase II contaminated land assessment report submitted to the LPA for approval. The investigation must include detailed soil sampling for a suite of hydrocarbons (including PAHs and TPHs); heavy metals and asbestos. The investigation must be undertaken by a competent person as stipulated in the National Planning Policy Framework, Annex 2 and in accordance with BS10175:2011 (Investigation of potentially contaminated sites – Code of Practice) and the Environment Agency/DEFRA 'Model Procedures for the Management of Land Contamination - CLR 11.

b) If any contaminant is found on the site to be above the relevant standard, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Due to the potential for ground gas migration from the former nearby sand pit, gas monitoring must be undertaken in accordance with the methodology outlined in the Tier 1 Contaminated Land Study Report in order to assess the risk of ground gas at the site. Where elevated levels of gas are detected on the site, adequate gas protection measures must be undertaken to prevent gas ingress into the building(s).

d) All underground fuel storage tanks present on the site must be removed and disposed off-site. The waste transfer certificate must be included in the validation report.

e) All approved remediation works must be implemented in their entirety prior to development commencing unless otherwise agreed in writing by the LPA.

f) Unless otherwise agreed in writing by the LPA, a validation report shall be submitted to the LPA prior to development commencing. The report shall contain details of the works carried out to make the site suitable for the intended development and a demonstration of the effectiveness of the remediation works undertaken.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can

be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015)

17 All the noise mitigation measures outlined in the Environmental Noise Assessment Report No. ENV1-SOUT-040 version 1 of 7 July 2017 to protect future residents of the building from the impact of vehicular noise along Fairfax Drive and noise from football stadium activity must be implemented in their entirety prior to occupation of the buildings hereby approved to achieve an internal noise level of no greater than 30dB and the approved measures implemented shall be maintained in perpetuity.

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

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

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

19 With reference to British Standard 4142, the noise rating level arising from all plant and extraction/ventilation equipment installed at this site in accordance with this consent shall be at least 5dB(A) below the prevailing background noise level at 3.5 metres from ground floor façades and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

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

20 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved the development shall not to commence unless and until details of the levels of the proposed building, footpaths and other landscaped areas relative to adjoining land and any other changes proposed in the levels of the site associated with the works permitted by this permission have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use.

Reason: A pre-commencement condition is needed to ensure that the development is carried out at suitable levels in relation to adjoining land and the highway having regard to drainage and the amenities of the area and neighbouring occupiers.



21 Before the development hereby approved is occupied bird and bat boxes shall be installed at the site in accordance with the Page 16 recommendations on Page 16 of the Phase 1 Habitats Survey (extended) by Wildlife Matters dated 15 June 2017 submitted with this application. The installed boxes shall be permanently maintained thereafter.

Reason: To ensure that the development contributes to local ecology in accordance with the national Planning Policy Framework, Policy KP2 and CP4 of the Council's Core Strategy (2007)

22 No development shall commence unless and until details of the works to provide access to the site and associated alterations to the public highway consistent with Drawing No AP234-P0002 have been submitted to and approved in writing by the Local planning Authority. The approved works shall be implemented in full accordance with the approved details before any of the dwellings hereby approved is first occupied.

Reason: To ensure that traffic flow generated by the approved development does not prejudice the free flow and safety of traffic movement outside the site in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

23 Before the development is occupied or brought into use, and notwithstanding details shown on the plans hereby approved, units B1, B2 and B3 on the ground floor of Block B shall be undertaken as wheelchair accessible to ensure compliance with building regulation M4(3) in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure the development includes units suitably accessible for people using wheelchairs in accordance with the National Planning Policy Framework, the Core Strategy (2007) Policy KP2, Policy DM8 of the Development Management Document (2015) and the Council's Design and Townscape Guide.

24 The development shall not be occupied until a scheme of highway signage both for the internal roadway within the site and outside the site in the vicinity of the site access/ egress, such scheme to incorporate signage to inform drivers about prohibited right turn movements into and from Fairfax Drive, has been submitted to and approved in writing by the Local Planning Authority and which will also form part of the Section 278 Highways Agreement. All the approved signage shall be implemented in full accordance with those approved details, prior to occupation of any of the development and shall be permanently maintained thereafter.

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

## 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](http://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 You are advised that a Highways Licence/Agreement needs to be in place before any works are carried out to the public highway and any works to public transport infrastructure (e.g. bus stops) will need to be carried out by a Council approved contractor.

04 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.

05 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.

06 In relation to condition 06 above, the works to existing highway will require a Section 278 agreement or Highways Licence.

**873 18/00045/ADV - Unit 4, Greyhound Trading Park, Greyhound Way, Southend-on-Sea, Essex, SS2 5PY (Victoria Ward)**  
**Proposal: Install 1 x internally illuminated Totem Sign, 2 x internally illuminated single faced logo disk signs, 2 x internally illuminated double sided high directional signs, 1 x high single sided directional sign, 1 x illuminated LED lettering sign, 1 x illuminated building directional sign and vinyl graphics**  
**Applicant: 23.5 Degrees Limited**  
**Agent: 23.5 Degrees Limited**

Resolved:-

That advertisement consent is GRANTED subject to the following conditions:

01 This consent is granted for a period of 5 years beginning from the date of this consent.

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

02 The advertisements shall be displayed in accordance with the approved plans: Siteplans Revision A 01; A-1001 Architectural Site Plan; A-2001 External Elevations Revision A 14.02.2018; A-2002-External Elevations Revision A 14.02.2018; Signage Details-Southend Greyhound RP Revision A 14.02.2018.

Reason: To ensure that the advertisements are displayed in accordance with the policies outlined in the development plan.

03 (a) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(c) Where any advertisement is required under the Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including coastal waters) or aerodrome (civil or military).

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

04 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

05 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

06 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

07 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 2007.

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.

#### **874 Vote of Thanks**

The Committee thanked the Chairman for the able way in which he had conducted the business of the meetings over the past Municipal Year.

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

**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Licensing Sub-Committee B**

**Date: Friday, 5th January, 2018**  
**Place: Committee Room 1 - Civic Suite**

**17**

**Present:** Councillor R Hadley (Chairman)  
Councillors D McGlone (Vice-Chair) and D Kenyon

**In Attendance:** T Row and M Newton

**Start/End Time:** 11.00 am - 2.10 pm.

**875 Apologies for Absence**

There were no apologies for absence.

**876 Declarations of Interest**

No interests were declared at the meeting.

**877 Damak, 80 Leigh Road, Leigh on Sea, SS9 1BZ - Application to Review Premises Licence**

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Essex Police for the review of the premises licence at Damak, 80 Leigh Road, Leigh on Sea, Essex SS9 1BZ.

The application was presented by Mr G Ashford of the Police Licensing Unit. Ms J Mason of the Police Licensing Unit, was also in attendance and gave evidence. The respondent, Mr Mermut (owner of the business and designated premises supervisor), together with his wife and Ms B Tzivelek (licensing consultant), the respondent's representative, were in attendance at the hearing and also gave evidence.

The application had been made on the grounds of crime and disorder, in particular, the employment of a person who is disqualified from work by reason of their immigration status and that employees were not in receipt of the minimum wage.

Immediately prior to the hearing, both the respondent and applicant submitted additional documentation to support their cases. The sub-committee agreed to accept the submission of this late documentation and delayed the commencement of the hearing until 11.00 a.m. to enable all parties to consider this evidence.

The sub-committee noted the respondent's claims that he had been provided with some false documentation by the illegal workers found at the premises at the time of the operation undertaken by the Home Office Immigration Compliance and Enforcement Team and the Police. The respondent also stated that he had also repeatedly requested the relevant documentation

required to enable him to complete the necessary checks on appropriate identity and employment status.

The sub-committee also noted from the respondent that he was regretful that he had failed in his responsibilities as an employer in respect of this matter and he had not attempted to deceive any of the authorities as alleged by the Police.

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 took the view that the licence holder had failed in his duty to comply with the conditions on the premises licence and the licensing legislation. Due to the gravity of the situation and taking into account the promotion of the crime prevention objective, including acting as a deterrent, in accordance with the Licensing Act 2003, the sub-committee believed the imposition of further or amended conditions or a suspension of the licence would be ineffective in the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community. It therefore:

Resolved:

That the premises licence be revoked.

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

**Council – 19<sup>th</sup> April 2018**

**Notice of Motion**

**Jewish Manifesto for Local Government**

**Council Motion:**

Southend-On-Sea Borough Council fully supports the launch of the Jewish Manifesto for local Government published by the Board of Deputies, the Security Council, for British Jews. Anti-Semitic crime is a huge concern and Southend has to play its part to stamp this out.

By showing full commitment to this Manifesto it shows our Jewish Community the support they have in Southend on Sea.

This Manifesto also seeks to stamp out Anti Muslim hatred and all types of Racism.

I hope all members can support this.

Proposed by Cllr Jonathan Gaston  
Seconded By Cllr Nigel Folkard

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