

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

11 July 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 July, 2018 at 6.30pm** for the transaction of the following business.

Alison Griffin
Chief Executive

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Petition - Parking Restrictions Earls Hall Avenue (Pages 1 - 2) - Petition attached.**
- 7 Minutes of the Special Council meeting held on Thursday 19th April 2018 (Pages 3 - 4) - Minutes attached.**
- 8 Minutes of the Council meeting held on Thursday, 19th April 2018 – Minutes attached**
- 9 Minutes of the Annual Council meeting held on Thursday 10th May 2018 (Pages 17 - 18) - Minutes attached**
- 10 Minutes of the Appointments Council held Thursday 17th May 2018 (Pages 19 - 22) - Minutes attached.**
- 11 Minutes of the meeting of Licensing Sub-Committee B held Friday, 13 April 2018 (Pages 23 - 24) - Minutes attached**
- 12 Minutes of the meeting of Licensing Sub-Committee C held Wednesday, 25 April 2018 (Pages 25 - 26) - Minutes attached.**

- 13 Minutes of the meeting of Audit Committee held Wednesday, 25 April 2018 (Pages 27 - 30) - Minutes attached.**
- 14 Minutes of the meeting of Licensing Sub-Committee A held Thursday, 26 April 2018 (Pages 31 - 34)**
- 15 Minutes of the meeting of Development Control Committee held Wednesday, 6th June 2018 (Pages 35 - 82) - Minutes attached**
- 16 Minutes of the meeting of Cabinet held Tuesday, 19th June 2018 (Pages 83 - 96) - Minutes attached**
- 17 Minutes of the meeting of Licensing Sub Committee A held Wednesday, 20th June 2018 (Pages 97 - 100) - Minutes attached.**
- 18 Minutes of the meeting of the Health & Wellbeing Board held Wednesday, 20th June 2018 (Pages 101 - 104) - Minutes attached**
- 19 Minutes of the meeting of Cabinet Committee held Thursday, 21st June 2018 (Pages 105 - 108) - Minutes attached.**
- 20 Minutes of the meeting of Development Control Committee held Wednesday, 4th July 2018 - Minutes to follow**
- 21 Minutes of the meeting of Cabinet Committee (PVX) held Thursday, 5th July 2018 - Minutes to follow**
- 22 Minutes of the meeting of Place Scrutiny Committee held Monday, 9th July 2018 - Minutes to follow**
- 23 Minutes of the meeting of Licensing Committee held Tuesday, 10th July 2018 - Minutes to follow**
- 24 Minutes of the meeting of People Scrutiny Committee held Tuesday, 10th July 2018 - Minutes to follow**
- 25 Minutes of the meeting of Policy & Resources Scrutiny Committee held Thursday, 12th July 2018 - Minutes to follow**
- 26 Minutes of the People Scrutiny Committee held Thursday, 19th July 2018 - Minutes to follow**
- 27 Notice of Motion - Motor Neurone Disease Charter - Notice of Motion attached**
- 28 Changes to Calendar of Meetings 2018/19
Report of the Director of Legal & Democratic Services**
- 29 Opposition Business: Latest Developments in the Mid & South Essex STP and related healthcare matters**

Southend-on-Sea Borough Council

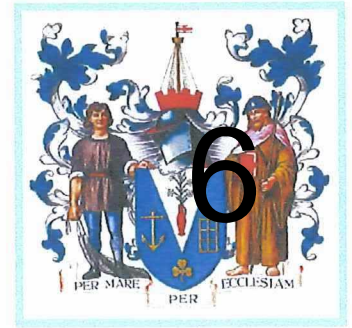
From Councillor: Meg Davidson

Address: Members Office, Civic Centre, Victoria Avenue
Southend-on-Sea, Essex SS2 6ER

Telephone: 01702 212351

E-mail: cllrdavidson@southend.gov.uk

Date: 31st March 2018



Colin Gamble
Group Manager
Democratic Services

Dear Colin

Residents' petition to Council

Please find enclosed a petition totalling 102 signatures from residents of Earls Hall Avenue, Mayfield Avenue and elsewhere. The residents are requesting that the Council introduces a double yellow line parking restriction on the blind bend on the south side of Earls Hall Avenue, extending from the edge of the emergency access gates to Southend High School for Boys (opposite 25 Earls Hall Avenue) to the edge of the driveway of 46 Earls Hall Avenue.

The petition organiser is Mr Arthur Smith of 39 Earls Hall Avenue, Southend SS2 6PB.

Yours sincerely

Meg Davidson

Meg Davidson

Councillor for Prittlewell Ward

RESIDENTS' PETITION – EARLS HALL AVENUE

We, the undersigned, request Southend-on-Sea Borough Council to introduce a double yellow line parking restriction on the blind bend on the south side of Earls Hall Avenue, extending from the edge of the emergency access gates to Southend High School for Boys (opposite 25 Earls Hall Avenue) to the edge of the driveway of 46 Earls Hall Avenue.

Earls Hall Avenue is a residential road which runs from Victoria Avenue to Hopleythick Lane/Bell junction via Mayfield Avenue. There are double yellow lines at each intersection and at the sharp bend near the rear entrance to Southend High School for Boys. Most of the road has unrestricted parking.

Mayfield Avenue, which adjoins Earls Hall Avenue, has a similar blind bend. This is covered by a double yellow line parking restriction, so there is a precedent in the vicinity for a parking restriction on a bend in a residential street.

We are requesting a double yellow line parking restriction on this short stretch of Earls Hall Avenue for the following reasons:

1) To ease the worst pinch point on Earls Hall Avenue

When there are vehicles parked on both sides of the road on this bend, as is often the case during the day, this is the worst pinch point in the road. Large vehicles, especially refuse lorries have difficulty driving through. There has been at least one incident when a fire engine on an emergency call had to turn around and go another route because the gap between parked cars at this point on Earls Hall Avenue was too narrow to get through.

2) To improve visibility and safety for drivers

Drivers approaching the blind bend from either direction often have to overtake a long line of parked cars. This is a hazardous manoeuvre as the bend in the road makes it impossible to see oncoming traffic. *(Right: view of bend for vehicles travelling west from Victoria Avenue)*



3) To prevent traffic gridlock at busy times.

Earls Hall Avenue is adjacent to Southend High School for Boys and there is a high volume of traffic at the start and end of the school day. At busy times it is very difficult for drivers to reverse out of the way should they meet oncoming traffic at this bend, especially with a queue of traffic behind them.

31.3.18

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 19th April, 2018
Place: Council Chamber - Civic Suite

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Present: Councillor F Evans (Chair)
Councillors D Jarvis (Deputy Chair), B Arscott, S Aylen, 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, L Davies, C Endersby, M Flewitt, N Folkard, D Garston, J Garston, I Gilbert, S Habermel, A Holland, A Jones, D Kenyon, J Lamb, H McDonald, D McGlone, J McMahan, A Moring, J Moyies, C Mulrone, C Nevin, D Norman MBE, G Phillips, K Robinson, L Salter, M Terry, P Van Looy, N Ward, J Ware-Lane, C Walker, F Waterworth, P Wexham, C Willis and R Woodley

Start/End Time: 6.30 - 6.50 pm

912 Apologies for Absence

Apologies for absence were received from Councillors Hadley and Stafford.

913 Declarations of Interest

All Members of the Council – Minute 863 (Honorary Alderman Nominations) – Non-pecuniary interest – in so far as they may know or have served on the Council with one or more of the recipients for Honorary Alderman.

914 Minutes of the meeting of General Purposes Committee held Thursday 29th March 2018

Minute 863(2) would be dealt with at the ordinary meeting of the Council at 7.00pm this evening.

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 863(1), be approved.

915 Honorary Alderman Nominations

Resolved:

That, pursuant to Section 249(1) of the Local Government Act 1972, the title of Honorary Alderman/Alderwoman be conferred upon the past Members listed below in recognition of their eminent services to the Council:

Mr Charles Latham
Mr Howard Briggs
Mr Graham Longley

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 19th April, 2018
Place: Council Chamber - Civic Suite

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Present: Councillor F Evans (Chair)
Councillors D Jarvis (Deputy Chair), B Arscott, S Aylen, 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, L Davies, C Endersby, M Flewitt, N Folkard, D Garston, J Garston, I Gilbert, S Habermel, A Holland, A Jones, D Kenyon, J Lamb, H McDonald, D McGlone, J McMahan, A Moring, J Moyies, C Mulroney, C Nevin, D Norman MBE, G Phillips, K Robinson, L Salter, M Terry, P Van Looy, N Ward, J Ware-Lane, C Walker, F Waterworth, P Wexham, C Willis and R Woodley

Start/End Time: 7.00 - 9.15 pm

916 Apologies for Absence

Apologies for absence were received from Councillors Hadley and Stafford.

917 Declarations of Interest

- **Councillor Arscott**

- People Scrutiny Committee – 10th April 2018**

- Minute 989 (Schools Progress report) – non-pecuniary – Governor at Our Lady of Lourdes Catholic Primary School;

- **Councillor Borton**

- Development Control Committee – 7th March 2018**

- Minute 793 (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;

- Cabinet Committee - 8th March 2018**

- Minute 807 (Members Requests List – Ref No. 17/31 - Reduce speeds in roads surrounding Earls Hall School) – Non-pecuniary interest: Lives in Rochester Drive);

- People Scrutiny Committee – 10th April 2018**

- Minute 898 (Schools Progress report) – non-pecuniary interest– Governor at Milton Hall School;
 - Minute 899 (Scrutiny Committee updates) – non-pecuniary interest – EPUT mentioned in report – daughter is nurse at Rochford Hospital;

- **Councillor Boyd**

People Scrutiny Committee – 10th April 2018

Minute 896 (Annual Education Report); Minute 897 (Secondary Places report) and Minute 989 (School Progress report) – non-pecuniary interest - Governor at Westcliff High School for Girls and South East Essex Academy Trust, south east Essex Teaching School Alliance;

- **Councillor Bright**

General Purposes Committee – 29th March 2018

Minute 863 (Honorary Alderman Nominations) – non-pecuniary interest – nominees were known to them.

Place Scrutiny Committee – 9th April 2018

Minute 885 (Shoreline Strategy) – Non-pecuniary interest: Employer is the Minister for flooding at DEFRA;

- **Councillor Buckley**

Cabinet Committee – 8th March 2018

Minute 806 (Objections to Traffic Regulation Orders – 3a Rayleigh Road) – non-pecuniary interest – mother lives in Eastwood Park Drive;

Minute 807 (Members request list reference No 17/43, No.17/44 and 16/01) – non-pecuniary interest – has lobbied for various highway changes incorporated into 16/01;

General Purposes Committee – 29th March 2018

Minute 863 (Hon. Alderman/Alderwoman Nominations) – non-pecuniary interest – Nominees are known to him and Mr Longley lives in the vicinity of his home;

- **Councillor Byford**

Cabinet – 13th March 2018

Minute 818 (Notice of Motion: Parking Provision for Remembrance Day Services) – non-pecuniary interest – son is a Commanding Officer of 1312 Squadron.

- **Councillor Callaghan**

Development Control Committee – 4th April 2018

Minute 872 (17/01115/FULM - Prospects House, 10 Fairfax Drive, Westcliff-on-Sea, Essex, SS0 9AG) – Disqualifying non-pecuniary: Had predetermined the application (withdrew);

- **Councillor Courtenay**

People Scrutiny Committee – 10th April 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;

- **Councillor Cox**

- **Place Scrutiny Committee – 9th April 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;
Minute 884 (Fire Safety Report) – Non-pecuniary interest: Part of the response in conjunction with his employer (London Borough of Barking and Dagenham to Grenfell Tower);

- **Councillor Flewitt**

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

- Minute 792 (17/02056/OUT: Land adj 5 Shorefield Gardens) – Non-pecuniary interest – has discussed the nature of the application with Cllr Norman but took no part in the decision;

- **Cabinet Committee – 8th March 2018**

- Minute 806 (Objections to Traffic Regulations – 3a Rayleigh Road) – Non-pecuniary interest – mother-in-law lives in Eastwood Park Drive;
Minute 807 (Members Request List – 1(vi), 1(vii) and 3(ii)) – Non-pecuniary interest – lobbied for various highway changes incorporated into 16/01.

- **General Purposes Committee – 29th March 2018**

- Minute 863 (Hon. Alderman/Alderwoman Nominations) – Non-pecuniary interest – Nominees are known to him and lives in the vicinity of Mr Longley;

- **Development Control Committee – 4th April 2018**

- Minute 870 (17/02074/FUL & 17/02075/LBC – 138-140 Hamlet Court Road) – Non-pecuniary interest – Discussed implications with senior officers as to the Conservation Working Party;

- **Place Scrutiny Committee – 9th April 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;
Minute 884 (Fire Safety Report) – Non-pecuniary interest: Friends and family are tenants of South Essex Homes;

- **Policy & Resources Scrutiny Committee – 12th April 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;

- **Policy & Resources Scrutiny Committee – 12th April 2018**

- Minute 905 (MPR) – non-pecuniary interest – friends and family tenants of SEH;

- **Councillor D Garston**

Development Control Committee – 4th April 2018

Minute 867 (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;

- **Councillor J Garston**

General Purposes Committee – 29th March 2018

Minute 863 (Honorary Alderman Nominations) – non-pecuniary interest – nominees were known to them.

Place Scrutiny Committee – 9th April 2018

Minute 884 (Fire Safety Report) – Non-pecuniary interest: Family member lives in one of the properties mentioned;

Place Scrutiny Committee – 9th April 2018

Minute 884 – Fire Safety Report – Non-Pecuniary interest – former Board member of Turning Tides;

- **Councillor Habermel**

Place Scrutiny Committee – 9th April 2018

Minute 886 (Sex Establishment Premises) and Minute 888 (Massage and Special Treatment) – Non-pecuniary interest: Vice-Chair of Licensing Sub Committee C and Member of the Licensing Committee;

- **Councillor Holland**

Place Scrutiny Committee – 9th April 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;

- **Councillor Jarvis**

Place Scrutiny Committee – 9th April 2018

Minute 886 (Sex Establishment Premises) and Minute 888 (Massage and Special Treatment) – Non-pecuniary interest: Member of Licensing Sub Committee C and Member of the Licensing Committee;

- **Councillor Jones**

Development Control Committee – 7th March 2018

Minute 793 (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;

Place Scrutiny Committee – 9th April 2018

Minute 884 – Fire Safety Report – Non-Pecuniary interest – former Board member of Turning Tides;

People Scrutiny Committee – 10th April 2018

Minute 897 (Secondary Places Report) – non-pecuniary interest– parent of child attending St Bernards School;

Minute 898 (Schools Progress report) – non-pecuniary interest – Governor at Milton Hall School; known to Diocesan Director of Education;

- **Councillor Lamb**

Place Scrutiny Committee – 9th April 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;

- **Councillor McGlone**

Place Scrutiny Committee – 9th April 2018

Minute 886(Sex Establishment Premises) and Minute 888 (Massage and Special Treatment) – Non-pecuniary interest: Vice-Chair of Licensing Committee;

- **Councillor McDonald**

Place Scrutiny Committee – 9th April 2018

Minute 886 (Sex Establishment Premises) – Non-pecuniary interest: Employed by a charity who also support women in the sex industry; Trustee of Essex Feminist Collective who campaign against sex industry; On the management committee of Nordic Model Now! Who campaign for changes to the law around prostitution and the sex industry; and women’s officer for UNISON Essex and on UNISON’s regional women’s committee which both campaign against the sex industry;

Council – 19th April 2018

Minute 937 (Opposition Business) – Non-pecuniary interest - Employed by a charity who also support women in the sex industry; Trustee of Essex Feminist Collective who campaign against sex industry; On the management committee of Nordic Model Now! Who campaign for changes to the law around prostitution and the sex industry; and women’s officer for UNISON Essex and on UNISON’s regional women’s committee which both campaign against the sex industry;

- **Councillor McMahon**

General Purposes Committee – 29th March 2018

Minute 863 (Honorary Alderman Nominations) – non-pecuniary interest – nominees were known to them;

Place Scrutiny Committee – 9th April 2018

Minute 884 – Fire Safety Report – Non-Pecuniary interest – former Board member of Turning Tides;

- **Councillor Moring**

- **Policy & Resources Scrutiny Committee – 12th April 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;

- **Councillor Moyies**

- **Health & Wellbeing Board – 21st March 2018**

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

- **Councillor Mulroney**

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

- Minute 801 (17/02042/FULH – 14 Leigh Park Road, Leigh on Sea) and Minute 802 (17/02146/FUL – Car Wash 120 Broadway, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

- **Development Control Committee – 4th April 2018**

- Minute 869 (17/02280/FUL - Scout Hall 52 High Street, Leigh-on-Sea, Essex SS9 2EP) and Minute 871 (18/00084/FUL - 76A Herschell Road, Leigh-on-Sea, Essex, SS9 2PU) – Non-pecuniary interests: Member of Leigh Town Council and Leigh Society (non-participant in planning).

- **Councillor Nevin**

- **People Scrutiny Committee – 10th April 2018**

- Minute 899 (Scrutiny Committee updates) – non-pecuniary interest – 2 children work at MEHT; step sister works at Basildon Hospital; previous association at Southend and MEHT Hospitals; NHS employee in Trust outside area;

- **Councillor Norman MBE**

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

- Minute 802 (17/02146/FUL – Car Wash 120 Broadway, Leigh on Sea) – Non-pecuniary interest: Had used the cash wash facility;

- **Councillor Robinson**

- **Health & Wellbeing Board – 21st March 2018**

- Minute 853 (EPUT) – Non-pecuniary interest – employer is mentioned in the minute;

- **Councillor Phillips**

- **General Purposes Committee – 29th March 2018**

- Minute 863 (Honorary Alderman Nominations) – non-pecuniary interest – nominees were known to them.

- **Councillor Salter**

- **Health & Wellbeing Board – 21st March 2018**

- 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;

- **General Purposes Committee – 29th March 2018**

- Minute 863 (Honorary Alderman Nominations) – non-pecuniary interest – nominees were known to them.

- **People Scrutiny Committee – 10th April 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;

- Minute 899 (Scrutiny Committee updates) – non-pecuniary interest – husband is Consultant Surgeon at Southend Hospital and holds senior posts at the Hospital; son-in-law is GP; daughter is a doctor at Broomfield Hospital;

- **Councillor Van Looy**

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

- Minute 798 (17/00050/UCOU_B – 164 Southbourne Grove, Westcliff on Sea) Non-pecuniary interest: Son lives in the same street;

- **Councillor Walker**

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

- Minute 801 (17/02042/FULH – 14 Leigh Park Road, Leigh on Sea) – Non-pecuniary interest: Neighbour of the application site is known to him;

- **General Purposes Committee – 29th March 2018**

- Minute 863 (Honorary Alderman Nominations) – non-pecuniary interest – nominees were known to them.

- **People Scrutiny Committee – 10th April 2018**

- Minute 898 (Schools Progress report) – non-pecuniary interest – wife teaches at West Leigh schools;

- **Councillor Ware-Lane**

- **Cabinet Committee 8th March 2018**

- Minute 807 (Members Requests List – Ref No. 17/36 - Introduce permit parking controls – Area west of North Road) – Non-pecuniary interest: Lives in the area;

- **Councillor Ward**

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

- Minute 798 (17/00050/UCOU_B – 164 Southbourne Grove, Westcliff on Sea) Non-pecuniary interest: Owns a guest house;

- Minute 800 (17/02218/FULH – 168 The Fairway, Leigh on Sea) – Non-pecuniary interest: Applicant is known to him;

- **Councillor Wexham**

Place Scrutiny Committee – 9th April 2018

Minute 884 – Fire Safety Report – Non-Pecuniary interest – son works for Essex Fire and Rescue Service;

- **Councillor Woodley**

Cabinet Committee 8th March 2018

Minute 806 (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Lives in Tyrone Road;

Minute 807 (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.

Place Scrutiny Committee – 9th April 2018

Minute 889 (Objections to Traffic Regulation Orders – Tyrone Road and Fermoy Road) – Non-pecuniary interest: Lives in Tyrone Road.

918 Communications

(a) Minutes Silence

The Council stood for a one minute silence as a mark of respect to Mr Douglas Moulson who passed away on 3rd April 2018. Mr Moulson was the Council's Chief Executive from 1st June 1988 until he retired in the autumn of 1997 and before this he had been the Council's Director of Finance.

(b) Childcare Works Awards 2018

The Worshipful the Mayor informed Members that the Council had won 'The 30 Hours Team Award' at the recent Childcare Works Awards 2018. This award recognises the strong and committed work across a wide range of teams/services.

On behalf of the Council, the Mayor congratulated all officers involved.

(c) Local Council Award Scheme

The Worshipful the Mayor informed Members that at the recent Local Council Award Scheme the Leigh Town Council had achieved the Quality Award in recognition of their good practice in governance, community engagement and Council improvements.

On behalf of the Council, The Mayor congratulated Leigh Town Council for this prestigious award.

(d) Non-Voting Co-opted Member on People Scrutiny Committee

The Council noted the appointment of Jean Broadbent as a non-voting co-opted member representing Healthwatch Southend to the membership of the People Scrutiny Committee.

919 Questions from Members of the Public

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

920 Questions from Members of the Council

The relevant Executive Councillor responded to two written questions received from Councillor Ayles.

921 Minutes of the meeting of Council held on Thursday 22nd February 2018

Resolved:-

That the Minutes of the Meeting held on Thursday, 22nd February 2018 be confirmed as a correct record and signed.

922 Minutes of the meeting of Cabinet Committee held Tuesday, 20 February 2018

Resolved:

That the minutes of this meeting be noted.

923 Minutes of the meeting of Development Control Committee held Wednesday, 7 March 2018

Resolved:

That the minutes of this meeting be noted.

924 Minutes of the meeting of Cabinet Committee held Thursday, 8 March 2018

Resolved:

That the minutes of this meeting be noted.

925 Minutes of the meeting of Cabinet held Tuesday, 13 March 2018

Resolved:

That the minutes of this meeting be noted.

926 Minutes of the meeting of Appeals Committee A held Friday, 16 March 2018

Resolved:

That the minutes of this meeting be noted.

927 Minutes of the meeting of Licensing Sub-Committee A held Tuesday, 20 March 2018

Resolved:

That the minutes of this meeting be noted.

928 Minutes of the meeting of Health & Wellbeing Board held Wednesday, 21 March 2018

Resolved:

That the minutes of this meeting be noted.

929 Minutes of the meeting of Appointments and Disciplinary Committee held Monday, 26 March 2018

Resolved:

That the minutes of this meeting be noted.

930 Minutes of the meeting of General Purposes Committee held Thursday, 29 March 2018

Minute 863(1) was dealt with at the Special meeting of the Council held earlier this evening.

Resolved:

That the minutes of this meeting be noted and the recommendation in Minute 863(2), be approved.

931 Minutes of the meeting of Development Control Committee held Wednesday, 4 April 2018

Resolved:

That the minutes of this meeting be noted.

932 Minutes of the meeting of Licensing Sub Committee B held Friday, 5th January 2018

Resolved:

That the minutes of this meeting be noted.

933 Minutes of the meeting of Place Scrutiny Committee held Monday, 9th April 2018

Resolved:

That the minutes of this meeting be noted and the recommendations contained in Minute 886 (Sex Establishment Premises) and Minute 888 (Massage and Special Treatment), be approved.

934 Minutes of the meeting of People Scrutiny Committee held Tuesday, 10th April 2018

Resolved:

That the minutes of this meeting be noted.

935 Minutes of the meeting of Policy and Resources Scrutiny Committee held Thursday 12th April 2018

Resolved:

That the minutes of this meeting be noted.

936 Notice of Motion - Jewish Manifesto

Resolved:

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

‘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

937 Opposition Business: Violent and Sexual Crime Crisis levels in Southend

In accordance with Council Procedure Rule 19 the Independent Group has requested that violent crime crisis levels in Southend-on-Sea, be debated this evening.

Prior to the debate, an agreed position was reached between all the political Group Leaders on a motion to be put before the Council for consideration.

Resolved:

That the following motion be adopted:

'Following a recent period of 3 violent attacks in 4 days involving knives, which is a theme borne out by the publication of statistics proving Southend-on-Sea has the highest violent crime rates in the County of Essex, this Council believes that the level of crime in Southend-on-Sea is damaging community safety and community relations throughout the town, and specifically harming the confidence of local businesses and the town centre Business Improvement District.

'The Council recognises and welcomes the recent increase in the Policing Precept but feels that the allocation of 12 uniformed officers into the Southend Local Policing Teams is inadequate, after subtraction of rest days, holidays and sickness leave; this will amount to only 4 additional officers on the front line.

As a matter of urgency this Council calls upon the offices of the PCFC, The Chief Constable and the Home Secretary to authorise the allocation of additional resources for more uniformed front-line officers in Southend-on-Sea, as a matter of urgency including the re-establishment of the Town Centre Beat Team recently removed under government cuts, to police the demands of the towns 7 million visitors a year over and above the normal population of the town.'

938 Retiring Councillors

The Worshipful the Mayor extended her thanks and appreciation on behalf of the Council to Councillors Butler, Davies and Endersby who were not standing for re-election on 3rd May 2018 and to those Members who were standing but may not be returned.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

9

Date: Thursday, 10th May, 2018
Place: Council Chamber - Civic Suite

Present: Councillor F Evans (Chair)
Councillors D Jarvis (Deputy Chair), B Arscott, S Aylen, B Ayling, M Borton, H Boyd, A Bright, K Buck, S Buckley, D Burzotta, T Byford, A Chalk, J Courtenay, T Cox, M Davidson, A Dear, M Dent, M Flewitt, N Folkard, D Garne, D Garston, J Garston, I Gilbert, S Habermel, R Hadley, T Harp, A Holland, A Jones, J Lamb, H McDonald, D McGlone, J McMahan, A Moring, C Mulroney, D Nelson, C Nevin, D Norman MBE, G Phillips, L Salter, M Stafford, M Terry, N Ward, J Ware-Lane, P Wexham, C Willis and R Woodley

Start/End Time: 3.30 - 5.00 pm

1 Apologies for Absence

Apologies for absence were received from Councillors Burton, Robinson, Van Looy and Walker.

2 Introduction of New Members

The Worshipful the Mayor welcomed to the meeting newly elected and returned Members who were elected at the Local Elections on 3rd May 2018.

3 Election of Mayor for Municipal Year 2018/2019

On the nomination of Councillor Tony Cox, seconded by Councillor Alex Bright, and with the unanimous support of the Council:-

Resolved:

That Councillor Derek Jarvis be appointed to the Office of Mayor of the Borough of Southend-on-Sea for the Municipal Year 2018/19.

4 Appointment of Mayor's Chaplain

The Worshipful the Mayor announced that he will be supported by Reverend Louise Williams during his year of office.

5 The Worshipful the Mayor's Charity

The Worshipful the Mayor announced that the Mayoral Charity for his year of office would be The Blind Association.

6 Appreciation of Outgoing Mayor

Councillor Lesley Salter proposed and Councillor John Lamb seconded and the motion having been supported by other speakers, it was unanimously:

Resolved:

That the best thanks of the Council be tendered to Councillor Faye Evans for the efficient and dignified manner in which she has performed the duties of the Office of Mayor during the past year, and for the ability and courtesy with which she has presided over the deliberations of this Council, and that as a token of the Council's appreciation of such service she be presented with a Past Mayor's Badge suitably inscribed and a Mayoral Album.

7 Election of Deputy Mayor for Municipal year 2018/19

On the nomination of Councillor David Garston, seconded by Councillor Roger Hadley, and with the unanimous support of the Council:

Resolved:

That Councillor Ann Holland be appointed to the Office of Deputy Mayor of the Borough of Southend-on-Sea for the Municipal Year 2018/19.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

Date: Thursday, 17th May, 2018
Place: Council Chamber - Civic Suite

10

Present: Councillor D Jarvis (Chairman)
Councillors A Holland (Vice-Chair), B Arscott, S Ayles, B Ayles, M Borton, H Boyd, A Bright, K Buck, S Buckley, L Burton, D Burzotta, T Byford, A Chalk, J Courtenay, T Cox, M Davidson, A Dear, M Dent, F Evans, M Flewitt, N Folkard, D Garne, D Garston, J Garston, I Gilbert, S Habermel, R Hadley, T Harp, A Jones, J Lamb, H McDonald, D McGlone, J McMahon, A Moring, C Mulroney, D Nelson, C Nevin, D Norman MBE, G Phillips, K Robinson, L Salter, M Stafford, M Terry, P Van Looy, N Ward, J Ware-Lane, C Walker, P Wexham, C Willis and R Woodley

Start/End Time: 6.30 - 6.55 pm

8 Apologies for Absence

There were no apologies for absence at this meeting.

9 Declarations of Interest

There were no declarations of interest at this meeting.

10 Appointments to Cabinet, Cabinet Committee and Changes to the Constitution

The Council considered two reports of the Director of Legal & Democratic Services:

(a) Setting out the appointments to the Cabinet and Cabinet Committee and several suggested changes to the Constitution;

(b) Proposed changes to the Constitution, primarily to ensure that Council meetings operate in a more efficient way.

Resolved:

1. That it be noted that, following the Local Elections on 3rd May 2018, the make-up of the Council is as follows:

- Conservative Group – 29
- Labour Group – 11
- Independent Group – 8
- Liberal Democrat Group – 2
- Unaligned Independent (Councillor Ayles) – 1

2. That the changes to the titles and responsibilities of portfolios which have been confirmed by the Leader of the Council as set out in Appendix 1 to the submitted report, be noted and that these changes be reflected in an amendment to Part 3 Schedule 1(a) of the Constitution.
3. That the appointments to the Cabinet (and substitutes) made by the Leader of the Council (including the arrangements for the Deputy Leader) as set out in List A, be noted.
4. That the appointments to the Cabinet Committee (and substitutes) made by the Leader of the Council as set out in List B, be noted.
5. That the following minor changes to the Constitution, be approved:
 - (a) The quorum of the Cabinet be reduced from 5 to 3 Members;
 - (b) To reduce the size of Working Parties, Forums and Panels (listed in Part 3, Schedule 2 of the Constitution) which currently have a membership of 9 to 8 Members, while retaining the convention that political proportionality shall apply;
 - (c) That minor amendments be made to the Terms of Reference of the Health & Wellbeing Board as set out in Appendix 2 to the submitted report and that Schedule 2 of Part 3 of the Constitution be amended accordingly.
 - (d) That minor amendments be made to the Terms of Reference of the Place Scrutiny Committee and Scrutiny Procedure Rule 15(d)(iii) as set out in Appendix 3 to the report and that Schedule 2 of Part 3 of the Constitution be amended accordingly.
 - (e) That a minor amendment be made to paragraph 5.1(b)(iii) of the Terms of Reference of the People Scrutiny Committee in Part 3, Schedule 2, with the deletion of the following text – *‘through election amongst voluntary organisations in the Town)’*;
 - (f) That the requirement that the Council nominee(s) to four specific outside bodies shall submit summary reports to the Policy & Resources Scrutiny Committee be deleted and that Article 4.02(3)(e) in Part 2 of the Constitution be amended accordingly.
 - (g) That amendments be made to Contracts Procedure Rules as set out in Appendix 4 to the report and that Part 4g be amended accordingly.
6. That the Council’s Constitution, including the Scheme of Delegation in Part 3, Schedule 3, be approved.
7. That the changes to the Constitution set out in Section 4 of the report titled ‘Speeding Up Council Meetings’ be approved.
8. That authority be delegated to the Director of Legal & Democratic Services to draft the detailed amendments and additions to the Constitution to achieve the objectives set out in the report titled ‘Speeding Up Council Meetings.’

11 Appointment of Members and Substitutes to Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee

Resolved:

That the Members set out in List C, as circulated at the meeting, be appointed as members and substitutes of Regulatory and Scrutiny Committees, Licensing Sub-Committee C, Standards Committee and Audit Committee for the Municipal Year 2018/19.

12 Appointment of Chairmen and Vice-Chairmen to Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee

Resolved:

That the Members set out in List C be appointed as Chairmen and Vice-Chairmen of Regulatory and Scrutiny Committees, Licensing Sub Committee C, Standards Committee and Audit Committee for the Municipal Year 2018/19.

13 Appointment of Members and Substitutes to Working Parties, Panels, Forums, etc

Resolved:

That the Members set out in List D, as circulated at the meeting, be appointed as members and substitutes of Working Parties, Panels, Forums, etc for the Municipal Year 2018/19.

14 Appointment of Chairmen and Vice-Chairmen of Working Parties, Panels, Forums, etc (save for Cabinet Working Parties, where the Chairmen are appointed by the Leader)

That the Members set out in List D be appointed as Chairmen and Vice-Chairmen of Working Parties, Panels, Forums, etc for the Municipal Year 2018/19.

15 Appointments to Outside Bodies

The Worshipful the Mayor advised Members that there had been more nominations than there were positions on the Essex Outward Bound Association, Homeless Action Resource Project, South Essex Homes Board and the Southend-on-Sea Arts Council. A vote on each position was taken in accordance with Council Procedure Rule 13.

Resolved:

That the Members indicated in List E, as circulated at the meeting, be appointed to the outside bodies for the Municipal Year 2018/19 with the exception of the bodies listed in (a) – (b) below, to which the following Members be appointed:

- (a) Essex Outward Bound Association – Councillor D Nelson;
- (b) Homeless Action Resource Project – Councillor J Garston
- (c) South Essex Homes Board – Councillors Mr Davidson, D McGlone and R Woodley;
- (d) Southend-on-Sea Arts Council – Councillors D Burzotta, M Davidson and J McMahon.

16 Calendar of Meetings 2018/19

Resolved:

That the revised calendar of meetings for the Municipal Year 2018/19, be approved.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee B

Date: Friday, 13th April, 2018
Place: Committee Room 1 - Civic Suite

11

Present: Councillor R Hadley (Chairman)
Councillors M Borton and S Habermel

In Attendance: Mr R Harris, Mr M Newton and Mr T Byrne.

Start/End Time: 10.00 am - 11.20 am

939 Apologies for Absence

There were no apologies for absence at this meeting.

940 Declarations of Interest

There were no declarations of interest at this meeting.

941 Oktoberfest, Priory Park, Victoria Avenue, Southend-on-Sea, SS2 6ND - Application for the Grant of Premises Licence

The Sub-Committee received a report of the Deputy Chief Executive (Place) concerning an application by Mutiny in the Park Limited for the grant of a Premises Licence in respect to Oktoberfest, Priory Park, Victoria Avenue, Southend-on-Sea.

The application was presented by the applicant's Operations Manager, Mr N. Roberts. In response to questions from the sub-committee the Operations Manager agreed that the overall numbers would not exceed 2924 and also agreed to provide residents' within the immediate area of Priory Park with a leaflet/letter containing a telephone number to contact if they have any concerns during this event and future Oktoberfest events.

The Sub-Committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, although measures had been agreed between the applicant, the Licensing Authority and the Council's Environmental Protection Team should the application be granted. These were set out in Appendix 2 to the report of the Deputy Chief Executive (Place).

One representation had however been received from a local resident. The objector did not attend the hearing. The resident's concerns mainly related to one of the Licensing Objectives, namely the prevention of public nuisance, in particular noise nuisance, as Priory Park was located near a residential area.

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

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

Resolved:

That the application be granted subject to:

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

(ii) The amended/additional conditions agreed by the Environmental Protection Team and the Licensing Authority, set out in Appendix 2 to the report.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee C

Date: Wednesday, 25th April, 2018
Place: Committee Room 1 - Civic Suite

12

Present: Councillor R Hadley (Chair)
Councillors S Habermel (Vice-Chair), M Borton, S Buckley,
N Folkard, A Jones* and D Kenyon
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor McDonald
T Row and A Penn

Start/End Time: 2.00 pm - 3.25 pm

942 Apologies for Absence

Apologies for absence were received from Councillors Ware-Lane (substitute: Councillor Jones), Butler (no substitute) and Callaghan (no substitute).

943 Declarations of Interest

The following interest was declared at the meeting:

(a) Councillor McDonald – Agenda Item No. 3 (Application for the Renewal of a Sexual Entertainment Venue Licence – Sunset, The Stables, Lucy Road, Southend-on-Sea, Essex SS1 2AU) – Non-pecuniary interest: Member of the Council’s Licensing Committee.

944 Application for the Renewal of a Sexual Entertainment Venue Licence - Sunset, The Stables, Lucy Road, Southend-on-Sea, Essex, SS1 2AU

The Sub-Committee received a report of the Deputy Chief Executive (Place) concerning an application that had been made by Anna Rita Grech for a Sexual Entertainment Venue Licence in respect of Sunset, The Stables, Lucy Road, Southend on Sea, Essex SS1 2AU.

The application was presented by Mr Murrell (Applicant’s Solicitor). Ms Grech (applicant) was also in attendance.

The Sub-Committee noted that there had been no objections from the Police, Licensing Authority or any other regulatory body to this application, nor any incidents of concern since the granting of an Sex Entertainment Venue licence to this applicant at this premises.

A letter of objection had however, been received from one interested person who attended the hearing and gave evidence. The objector’s principal concerns were the locality and suitability for a Sex Entertainment Venue and issues relating to the health and well-being of performers and the public sector equality duty.

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

Resolved:

That the application for the renewal of a Sexual Entertainment Venue Licence in respect of Sunset, The Stables, Lucy Road, Southend on Sea, Essex SS1 2AU, be granted, subject to the relevant standard operating conditions to the current licence set out in Appendix 1 to the report of the Deputy Chief Executive (Place) and the following additional conditions:

- The licensee shall submit to the Licensing Authority within a reasonable period, a new plan of the premises showing the internal and external doors, all room layouts and the new location of the glass wash facility in the bar area.
- The bar shall only be restocked outside of usual trading hours.
- The licensee shall signpost performers and staff to suitable support services when requested or as appropriate.
- The Licensee shall ensure that an incident log is maintained on the premises to record any incidents or occurrences relating to crime or disorder issues. The incident book shall be made available for inspection to Police or the Licensing Authority upon request.

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 25th April, 2018
Place: Committee Room 1 - Civic Suite

13

Present: Councillor M Davidson (Chair)
Councillors H Boyd (Vice-Chair), B Ayling, A Bright, J Moyies,
G Phillips, C Willis and K Pandya

In Attendance: Mr J Chesterton, R Harris and L Everard, Ms K Lynch, Ms S
Houlden, Ms R Gill, Mr D Kleinbery and Mr G Bhambra.

Start/End Time: 6.30 - 8.20 pm

945 Apologies for Absence

Apologies for absence were received from Councillors Terry and Ware-Lane (no substitutes).

946 Minutes of the Meeting held on Wednesday, 17th January 2018

Resolved:-

That the Minutes of the Meeting held on Wednesday 17th January 2018, be confirmed as a correct record and signed.

947 Declarations of Interest

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

948 Update on Progress with Housing Allocations

The Committee considered a report of the Deputy Chief Executive (People) providing an update on progress following the audit report for Housing Allocations issued in November 2017, with a completion date of April 2017.

Members expressed concerns that little or no progress had been made against the management actions outstanding from the previous audit.

The Committee asked a number of questions which were responded to by officers. In reference to the Developer costs for the Abris system the Director of Social Care and Housing agreed to provide the figures to the Committee.

Resolved:

That the report be noted.

949 BDO Audit Plan 2018-19

The Committee considered a report of the BDO External Auditor presenting the External Auditor's Audit Plan for 2017/18.

The Committee asked a number of questions which were responded to by the BDO External Auditor and officers. In relation to an immaterial fraud investigation the officers advised that the outcome would be reported to a future meeting of the Committee.

In reference to the Use of Resources section the Committee commented that the budget gap/savings figures need to be articulated more clearly in the report.

Resolved:

That the External Auditor's Audit Plan for 2017/18, be noted.

950 BDO Progress Report

The Committee considered a report of the BDO External Auditor on progress in delivering the 2017/18 Annual Audit Plan.

Resolved:

That the progress made in delivering the Annual Audit Plan for 2017/18, be noted.

951 Counter Fraud Investigation Department Quarterly Status Report

The Committee considered a report of the Chief Executive on the progress made by the Counter Fraud & Investigation Directorate (CFID) in delivering the Counter Fraud Strategy and Work Programme for 2017/18.

The Committee asked a number of questions which were responded to by officers. The Committee asked officers to include a summary of trends related to fraud for future reports and in reference to the policies and procedures the officers reported that the revisions were at an advanced stage and would be concluded in time for presentation to the next meeting of the Committee.

Resolved:

That the performance of the Counter Fraud and Investigation Directorate to date, be noted.

952 Internal Audit Quarterly Performance Report

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

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

Resolved:

1. That the progress made in delivering the 2017/18 Internal Audit Strategy, be noted.
2. That the amendments to the Audit Plan, be approved.

953 Internal Audit Charter Strategy and Audit Plan 2018-19

The Committee considered a report of the Chief Executive presenting the Internal Audit Charter with the supporting Strategy and Audit Plan 2018/19.

Resolved:

That the Internal Audit Charter, Strategy and Audit Plan for 2018/19, be approved.

954 Vote of Thanks

Members of the Committee thanked the Chair for the able way in which she had conducted meetings during the Municipal Year.

The Chair, on behalf of the Committee, also extended her thanks and appreciation to Linda Everard, Head of Internal Audit, for her hard work and advice over the years and wished her all the best for the future.

955 Information Items

The Committee received and noted the following information items:

- Audit Committee Update – Helping Audit Committees to be Effective, Issue 24, February 2018 and Issue 25, March 2018;
- Annual Fraud Indicator 2017 – Identifying the cost of fraud to the UK economy.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Thursday, 26th April, 2018
Place: Committee Room 1 - Civic Suite

14

Present: Councillor R Hadley (Chair)
Councillors B Ayling and C Mulroney

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

Start/End Time: 10.00 am - 12.15 pm

956 Apologies for Absence

There were no apologies for absence.

957 Declarations of Interest

No interests were declared at the meeting.

958 Application for the Grant of Premises Licence - 60-62 Milton Road, Westcliff-on-Sea SS0 7JX

The sub-committee received a report of the Deputy Chief Executive (Place) concerning an application by Mr Stavros Skaperos for the grant of a premises licence in respect of 60-62 Milton Road, Westcliff-on-Sea SS0 7JX.

The application was presented by Mr West, the applicant's representative. Mr S Skaperos (applicant), together with his nephew, were in attendance at the hearing.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities, although conditions had been agreed between the applicant, the Police, the Council's Environmental Protection Team and the Licensing Authority should the application be granted.

One objection had however, been received to the application from Mr Paul, a local resident. Mr Paul attended the hearing and gave evidence. His concerns mainly related to two of the Licensing Objectives, namely the prevention of crime and disorder and prevention of public nuisance, as the premises was located in a residential area.

At the hearing, the applicant offered additional conditions to address these concerns.

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

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

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

Resolved:

That the application for a premises licence in respect of 60-62 Milton Road, Westcliff-on-Sea SS0 7JX be granted, subject to the following:-

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

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

Condition 1 to now read:

1. Alcohol (on sales) may only be consumed with food and, with the exception of the "special occasions" specified in Condition 2 below, shall only be served to persons who are seated at tables.

Condition 2 to now read:

2. There shall be a minimum of 20 covers on the ground floor and 50 on the first floor laid out at all times save for on 'Special Occasions'. These Special Occasions may only take place on the first floor of the premises and shall not exceed 12 occasions a year which may be used for celebratory private events. Special Occasions shall be notified by email to The Licensing Authority and Essex Police at least 14 days in advance and a written record shall also be kept on the premises. The written record shall include the date of the event, the name and address of party who made the booking and the anticipated number of persons attending. 'Special Occasions' are defined as one trading day.

(iii) The following additional conditions:

- The licensee shall submit to the Licensing Authority within 28 days of this decision, a new updated plan of the premises showing the internal and external doors, all room layouts including the new layout of the toilets and the area designated for the performance of live music on the first floor.
- The Licensee shall ensure that signage is displayed advising customers to leave the premises in a respectful manner and to close their car doors as quietly as possible.
- A contact telephone number shall be clearly displayed at the premises, should a member of the public wish to discuss any matter relating to the premises.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 6th June, 2018
Place: Committee Room 1 - Civic Suite

15

Present: Councillor D Garston (Chair)
Councillors B Arscott (Vice-Chair), B Ayling*, M Borton, S Buckley,
A Chalk, A Dear, D Garne, J Garston, S Habermel, R Hadley,
H McDonald, D Norman MBE, C Walker, N Ward and P Wexham*
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor D Nelson
J K Williams, P Geraghty, K Waters, C Galforg, P Keyes, J Rowley,
M Warren, A Rogers and T Row

Start/End Time: 2.00 p.m. - 5.35 p.m.

17 Apologies for Absence

Apologies for absence were received from Councillors Evans (no substitute), Mulroney (Substitute: Councillor Wexham) and Van Looy (Substitute: Councillor Ayling).

18 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Personnel/volunteers of Age Concern are known to him;

(b) Councillor Arscott – Agenda Item No. 27 (18/00579/FULH – 27 Glenbervie Drive, Leigh on Sea) – Disqualifying non-pecuniary interest: Lives in Glenbervie Drive (withdrew);

(c) Councillor Ayling – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Council representative on Age Concern a few years ago;

(d) Councillor Chalk – Agenda Item No. 8 (18/00669/FULM - St Bernard's High School, Milton Road, Westcliff on Sea) – Non-pecuniary interest: Had previously worked at the school for 11 years;

(e) Councillor Dear – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Council appointed representative to Age Concern but has no involvement to date;

(f) Councillor J Garston – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: People involved with the application are known to him;

(g) Councillor J Garston – Agenda Item No. 18 (16/01723/DOV5 - Marine Plaza, Land between Southchurch Avenue and Pleasant Road fronting Marine Parade, Southend on Sea) – Non-pecuniary interest: Owns a property in the vicinity;

(h) Councillor D Garston – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: People involved with the application are known to him;

(i) Councillor D Garston – Agenda Item No. 19 (18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea) – Non-pecuniary interest: One of the objectors (public speaker) is known to him;

(j) Councillor Habermel – Agenda Item Nos. 19 (18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea), 20 (17/01574/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) and 21 (17/01716/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) – Non-pecuniary interest: Knows the architect/agent who has undertaken some work for him in the past;

(k) Councillor Walker – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Personnel/volunteers of Age Concern are known to him;

(l) Councillor Wexham – Agenda Item Nos. 19 (18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea), 20 (17/01574/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) and 21 (17/01716/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) – Non-pecuniary interest: Knows the architect/agent as a former officer of the Council.

(Note: In view of the comments made when calling application no. 16/01723/DOV5 - Marine Plaza, Land between Southchurch Avenue and Pleasant Road fronting Marine Parade, Southend on Sea (Agenda item No. 18), Councillor Walker withdrew from the meeting whilst the application was considered on the basis of pre-determination.

19 Minutes of the Meeting held on Wednesday 7th March 2018

Resolved:

That the Minutes of the meeting held on Wednesday 7th March 2018 be received, confirmed as a correct record and signed.

20 Minutes of the Meeting held on Wednesday 4th April 2018

Resolved:-

That the Minutes of the Meeting held on Wednesday 4th April 2018 be received, confirmed as a correct record and signed.

21 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.

22 18/00634/BC3M - Land at Former Esplanade House (Kursaal Ward)
Proposal: Use vacant site as temporary car park (for a period of five years) and widen existing entrance onto Eastern Esplanade, changes to hard and soft landscaping, boundary treatments and associated works
Applicant: Southend Borough Council
Agent: Southend Borough Council

Resolved: That TEMPORARY planning permission be GRANTED subject to the following conditions:

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

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

02 The permission hereby approved is for a temporary period of 5 years from the date of the permission only. After 5 years from the date of the granting of this permission, the use hereby approved shall permanently cease.

Reason: For the avoidance of doubt and in accordance with the National Planning Policy Framework and Policies KP1 and KP2 of the Core Strategy (2007).

03 The development hereby permitted shall be carried out in accordance with the following approved plans: C10913/17/P/008, C10913/3000/39/001, C10913/SUR01-1/B, SWEPT PATH PLAN.

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

04 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved hard and soft landscaping works have been implemented in full in accordance with the approved details. The details submitted shall include:

- i. proposed finished levels or contours;
- ii. hard surfacing materials and means of enclosing the site (including elevations of all boundary treatments);
- iii. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and details of the management of the landscaping site.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of neighbouring occupiers in accordance with Policies DM1, DM3 and DM5 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

05 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the pay and display machines, electric charging equipment and 'variable message sign' to be installed have been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the pay and display machines, electric charging equipment and variable message sign have been provided on site in full accordance with the approved details.

Reason: To safeguard the character and appearance of the surrounding area and to ensure suitable facilities are provided in accordance with Policies DM1, DM3 and DM15 of the Development Management Document (2015) and Policies KP2, CP3 and CP4 of the Core Strategy (2007)

06 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the drainage infrastructure to be provided at the site have been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved drainage works have been undertaken in accordance with the approved details.

Reason: To ensure satisfactory drainage of the site in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM14.

07 The development hereby permitted shall not be carried out except in complete accordance with the approved Flood Risk Assessment undertaken by BdR, reference 18-0073 dated 28th February 2018, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development is safe and to ensure compliance with the National Planning Policy Framework (NPPF) and Core Strategy Policies KP1 and KP2.

08 The development hereby permitted shall not be carried out except in complete accordance with the approved Geo-environmental Investigations undertaken by Ground and Environmental Services Limited, reference 11691-1 dated January 2018 unless otherwise previously agreed in writing by the local planning authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009)

09 Prior to the installation of any geotextile membrane on the site, details of the material to be used, including full manufacturer's specifications shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details only and thereafter permanently retained as such in perpetuity.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009)

10 Any external lighting installed shall be directed, sited and screened away from the adjoining and nearby residential properties and retained as such in perpetuity.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

11 The development hereby approved shall only be undertaken between 8am and 6pm Monday to Friday and 8am to 1pm Saturdays and at no other time whatsoever.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Design and Townscape Guide (2009).

12 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented in full as approved before further development is carried out.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009)

13 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site and no development involving the breaking of ground shall be undertaken until a scheme that includes the following components to deal with

the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

(1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The approved scheme shall be implemented in full as approved.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009).

14 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until a verification report demonstrating completion of works set out in the approved remediation strategy under condition 13 of this consent and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009).

15 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and provision of reports to the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2, CP4 and CP8, Development Management Document (2015) Policies DM1, DM3 and DM8, Design and Townscape Guide (2009).

16 No closed circuit television (CCTV) shall be installed until full details of the CCTV have been submitted to and approved in writing by the local planning authority. The CCTV shall be implemented in accordance with the approved details.

Reason: In the interests of the visual amenity of the surrounding area and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

17 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until a plan setting out in full the management arrangements for the car park hereby approved, including the hours of operation, has been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved management plan is implemented in accordance with the approved details.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

18 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the Eastern Esplanade access alterations have been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved access alterations have been undertaken in accordance with the approved details.

Reason: In the interests of highway safety and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policy CP3, Development Management Document (2015) policy DM15 and The Design and Townscape Guide (2009).

19 The rear access gate on Burnaby Road shall only be use in an emergency and at no other times whatsoever.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and 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 for further details about CIL.

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.

03 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.

- 23 17/02196/FULM - Tylers Avenue, Southend on Sea (Milton Ward)**
Proposal: Erect seven storey building comprising 21 self-contained flats with balconies and terraces and retain ground floor commercial unit (Flexible use Classes A1/A2/A3)
Applicant: Sky Eagle Properties Limited
Agent: Phase 2 Planning

WITHDRAWN

24 17/01319/FULM - Empire Theatre, Alexandra Street, Southend on Sea (Milton Ward)

Proposal: Erect four storey building comprising 24 self-contained flats with balconies and terraces, associated amenity space, form parking, form commercial units (Use Classes A1, A2 and A3) and a non-residential institution unit (Class D1) fronting Clarence Street at ground floor level

Applicant: Sky Eagle Properties Limited

Agent: Phase 2 Planning

Resolved:

(a) That the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager of Planning & Building Control be 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:

- 5 affordable units comprising 3 affordable rent units and 2 shared ownership units. The mix to include 3 x 1 bedroom and 2 x 2 bedroom flats.
- a financial contribution towards secondary education provision of £9042.42 (index-linked), specifically for Eastwood Academy, which is payable prior commencement to the development

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

01 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: 1267-01 Revision B; 1267-09; 1267-10 Revision J; 1267-11; 1267-12; 1267-13; 1267-14; 1267-15; 1267-24 Revision H; 1267-25 Revision G; 1267-03 Revision M; 1267-04 Revision L; 1267-05 Revision H; 1267-06 Revision H; 1267-27 Revision A; 1267-50 Revision C.

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, including fire doors to the stairwells and commercial units, balustrading, fascia, soffits, balconies, balustrades, screening, fascia's, shopfronts and forecourt area have been submitted to and approved in writing by

the local planning authority. The works must then be carried out in full accordance with the approved materials, details and specifications before the dwellings or non-residential units 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 Notwithstanding the details shown on the plans hereby approved 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 for the site. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification, 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 and/or any amenity areas.

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).

05 All planting in the approved landscaping scheme shall be carried out within the first available planting season following first occupation of any of the residential or commercial units within the development. Any 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 part of the development hereby approved.

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).

06 The development shall not be occupied until 8 on site car parking spaces have been provided and made available for use in full accordance with drawing 1267-03 Revision M, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently maintained 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).

07 The development shall not be occupied until the secure, covered cycle parking spaces to serve the development as shown on drawing 1267-03 Revision

M have been provided at the site and made available for use for occupiers of the development in full accordance with the approved plans. The approved facility shall be permanently maintained thereafter.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

08 Prior to the occupation of any of the residential units within the development hereby approved, each dwelling shall be provided with a Residential Travel Information Pack, containing information on public transport services within the area, which has been previously submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainability and highways efficiency in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP1, KP2, KP3 and CP3 and Development Management Document (2015) Policy DM15.

09 No part of the mixed use development hereby approved shall be occupied until a waste management plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out solely in accordance with the approved details which shall include details of refuse storage facilities and waste servicing arrangements.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

10 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the building 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: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

11 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the building 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 the size, design,

materials and location of all privacy screens to be fixed to the proposed buildings. 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: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

12 No extraction and ventilation equipment for the proposed non-residential uses shall be installed until and unless full details of its location, design and technical specifications and a report detailing any mitigation measures proposed in respect of noise and odour impacts has been submitted to, and approved in writing by, the Local Planning Authority. The installation of extraction equipment shall be carried out in full accordance with the approved details and specifications and any noise and odour mitigation measures undertaken in association with the agreed details before the extraction and ventilation equipment is brought into use. With reference to British Standards 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.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

13 The noise mitigation measures outlined in the Environmental Noise Assessment Report No. dB/Phase2/91064Noise/ML/001 dated 26th June 2017 to protect future residents of the building from the impact of vehicular noise along Alexandra Street and Clarence Street and noise from surrounding commercial activity including glazing and ventilation measures shall be implemented in their entirety prior to occupation of the dwellings hereby approved and shall be maintained in perpetuity thereafter.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

14 The non-residential units hereby approved shall not be open for customers outside the following hours: - 0700 hours to 2300 hours on any day.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Core Strategy (2007), Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

15 The development shall not be occupied until a waste management plan and service delivery plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development

shall thereafter be carried out only in accordance with the approved details in perpetuity.

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

16 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).

17 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 22 flats comply with 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, (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

18 Details of the external lighting to be installed in the development hereby approved including for the public right of way within the application site shall be submitted to and approved in writing by the local planning authority before any part of the development is first occupied or brought into use. Development shall

be carried out in accordance with those approved details before the development is occupied or brought into use.

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

19 Prior to occupation of the development hereby approved 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 any part of the development. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

20 Prior to occupation any part 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 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).

21 The drainage infrastructure associated with the development hereby approved shall be carried out in accordance with the Sustainable Urban Assessment carried out by Cannon Consulting Engineers reference CCE/U641/SWA-01 dated June 2017 before it is occupied. The sustainable drainage system shall be installed before occupation of the building and managed and maintained thereafter in perpetuity in accordance with the agreed drainage measures contained within the assessment.

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

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

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

Reason: A pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

23 The outdoor seating area for the non-residential uses as shown on drawing 1267-03 Revision M hereby approved shall not be open for customers outside the following hours: - 0700 hours to 1900 hours on any day.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

24 Prior to occupation of the residential development hereby approved the D1 (community use) unit fronting Clarence Street as shown on drawing 1267-03 Revision M shall be fitted out and made fully available for future occupiers in accordance with details which shall have been previously submitted to the Local Planning Authority and agreed in writing.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the community use within the Borough, in accordance with Policy PA6 of the Southend Central Area Action Plan (2018), Policies KP2, CP4 and CP6 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

25 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).

26 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or adaptation of these orders which for the time being maybe in force, the use class D1 unit hereby approved fronting Clarence Street designed for occupation for Class D1 Community purposes, as shown on drawing 1267-03 Revision M shall solely be used for purposes as an art gallery, museum or hall and for no other purpose without the receipt of express planning permission from the Local Planning Authority.

Reason: To ensure the unit is maintained in community uses to comply with Policy CP6 of the Core Strategy (2007) and Policy PA6 of the Southend Central Area Action Plan (2018).

27 The rating level of noise for internal activities (including amplified and unamplified music and human voices) at the site shall be at least 10dB(A) below the background noise level (with no tonal elements) to ensure inaudibility in noise sensitive premises. 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 shall be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 29th June 2018 or an extension of this time as may be agreed, the Director of Planning and Transport or Group Manager Planning & Building Control be authorised to refuse planning permission for the application on the grounds that the development would not provide for affordable housing or education provision and that as such the proposal would be unacceptable and contrary to Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007).

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

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 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.

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 As part of the Residential Information Pack required under condition 8 future occupiers' attention should be drawn to the low level of on-site car parking included within the development.

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.

25 18/00669/FULM - St Bernards High School, Milton Road, Westcliff on Sea (Milton Ward)

Proposal: Demolish existing temporary classroom and garage/store, erect three storey extension to form 8 additional classrooms, erect lean to store, form hardstanding, layout parking and install new boundary gate

Applicant: St. Bernard's High School

Agent: Ingleton Wood LLP

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 hereby permitted shall be carried out in accordance with the approved plans SBHSCE-IW-XX-00-DR-A-1000 Revision P2; 1/001 Topographical Survey; SBHSCE-IW-XX-00-DR-A-1200; SBHSCE-IW-XX-00-DR-A-1100; SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3; SBHSCE-IW-XX-01-DR-A-2401_D5 Revision P3; SBHSCE-IW-XX-00-DR-A-2500_D5 Revision P2; SBHSCE-IW-XX-00-DR-A-2501_D5 Revision P1; SBHSCE-IW-XX-01-DR-A-2502_D5_P1.

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

03 The development shall only be carried out in accordance with the details of materials as detailed on the materials schedule and supporting information entitled "Ingleton Wood St Bernard's High School" dated 30th April 2018 and drawing SBHSCE-IW-XX-00-DR-A-2500_D5 Revision P2 and SBHSCE-IW-XX-XX-DR-A-2502_D5 Revision P1 including Bower Buff Multi brickwork to the external elevations, aluminium windows and doors Comar Architectural Aluminium Systems, Marley Eternit Slate Tiles to the roof, Canopy-Aluminium frame, concrete flagstones and parking areas to be porous tarmac, Harling Security Gates black 4.1m, Bower Buff Multi brickwork boundary wall detail to match existing received 10th May 2018.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management 2015 and the advice contained within the Design and Townscape Guide 2009.

04 Planting of a Virginia Creeper Plant and two Crataegus Prunifolia Trees in accordance with the approved drawing SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3 shall be carried out within the first planting season following first occupation of the development.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity 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).

05 Prior to first occupation of the development hereby approved, a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to school, details of local resident involvement in the adoption and implementation of the travel plan, identifying sustainable transport modes including cycling and modes of public transport and measures to reduce car usage shall be submitted to and agreed in writing by the local planning authority. The approved Travel Plan shall be fully implemented prior to first use of the development hereby approved and be maintained thereafter in perpetuity. For the first three years at the end of each academic year a document setting out the monitoring of the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified issues and timescales for doing so must be submitted to and approved in writing by the local planning authority. The agreed adjustments shall be implemented in accordance with the agreed conclusions and recommendations.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

06 The 50 cycle spaces to serve the development shall be implemented in accordance with drawings SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3, Bike Dock Solutions Two Tier Customer Drawing and Hammersmith Shelter Customer Drawing received 14th May 2018 prior to first occupation of the development hereby approved and shall be permanently maintained thereafter.

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

07 On site renewable energy provision shall be implemented at the development in accordance with the Energy Strategy Statement dated 10th May 2018 carried out by Ingleton Wood and drawing SBHSCE-IW-XX-01-DR-A-2401_D5 Revision P3, shall be prior to occupation of the development hereby approved. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2012), Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

Development shall be implemented in full accordance with the mitigation measures and recommendations as set out in the Archaeological Desk Based Assessment carried out by Allen Archaeology dated April 2018. If during the course of the development, any archaeological remains are found which have not been identified previously, the developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority.

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

09 Construction and demolition shall only take place between 0800 and 1800 Monday to Friday 0800 and 1300 Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environment quality in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

10 No plant or equipment shall be installed on the external elevations or roof of the approved development unless and until details of its location, design and specifications have first been agreed in writing with the Local Planning Authority.

Reason: To control the visual and noise impact and the consequent effect on local amenity in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

11 The development shall not be occupied until 7 on site car parking spaces have been provided and made available for use in full accordance with drawing SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently maintained thereafter solely for the users 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).

Informative

01 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use.

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.

03 You are recommended to contact Cadent's Gas Plant Protection Team for approval before carrying out any works on site email plantprotection@cadentgas.com or telephone 0800688588

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.

- 26 **18/00480/FUL - 241 Carlton Avenue, Westcliff on Sea (Prittlewell Ward)**
Proposal: Change of use from existing dwellinghouse (Class C3) to a seven bedroom HMO (Sui Generis), erect single storey rear extension, dormers to front and rear and convert loft into habitable accommodation, alterations to front and side elevations, layout parking, cycle and bin stores to rear and install wheelchair ramps to front, side and rear.
Applicant: Mr Hughes
Agent: RD architecture Ltd.

WITHDRAWN

27 **17/02074/FUL - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea (Milton Ward)**

Proposal: 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.

Applicant: Age Concern Southend CIO

Agent: Metson Architects Ltd

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 TP-X01B, TP-X02, TP-01D, TP-02, TP-03

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

03 The proposed roof lights; lantern and replacement external staircase to the rear roof shall be constructed of glass and black painted metal.

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

04 The infilling of the window to the first floor rear shall only be carried out using reclaimed brick and lime mortar to match the existing building.

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

05 The development hereby approved shall not be occupied or brought into use until refuse and recycling storage facilities are provided in full at the site in accordance with those shown on approved drawing reference TP-03. The refuse and recycling facilities shall be permanently maintained as such thereafter.

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

06 The development hereby approved shall not be occupied or brought into use until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter only be carried out in accordance with the approved details and 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 (2007) and Policy DM15 of the Development Management Document (2015).

07 Details of all extraction and ventilation equipment to be installed at the site together with a noise assessment including any necessary mitigation measures shall be submitted to, and approved by, the Local Planning Authority before the use hereby approved is commenced. The installation of extraction equipment shall then be carried out in accordance with the approved details before the use hereby approved is commenced. With reference to British Standard 4142 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.

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

08 The uses hereby permitted shall not be open to customers outside the following times: 09:00 to 20:00 on Mondays to Sundays including bank holidays.

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

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

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

10 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 surrounding occupiers and to protect the character 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).

11 Before the development hereby permitted is brought into use a scheme detailing the provisions to be made to achieve inclusive access for all members of the community into and around the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the scheme approved under this condition prior to the first occupation of the development and thereafter be maintained and managed in accordance with the approved scheme.

Reason: To ensure that the development is accessible for all members of the community and to comply with development plan policy.

12 The only toilets to be installed in the development hereby approved shall be dual flush (6 to 4 litres) toilets and all taps fitted in the development shall be spray or flow restricted taps.

Reason: To encourage the efficient use of water in accordance with development plan policy.

Informatives

01 The applicant is advised that any new signage is also likely to require Advertisement Consent and Listed Building Consent.

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.

28 **17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea (Milton Ward)**

Proposal: 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.

Applicant: Age Concern Southend CIO

Agent: Metson Architects Ltd

Resolved: That listed building consent be GRANTED subject to the following conditions:

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

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

02 The development hereby permitted shall be carried out in accordance with the following approved plans TP-X01B, TP-X02, TP-01D, TP-02, TP-03, TP-04, TP-05D, TP-07, TP-08, TP-09, TP-10A, TP-11A, TP-12A, TP-13, TP-14, TP-15A

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

03 The proposed roof lights, lantern and replacement external staircase to the rear roof shall be constructed of glass and black painted metal.

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

04 The infilling of the window to the first floor rear shall only be carried out using reclaimed brick and lime mortar to match the existing building.

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

05 No works approved by this consent shall take place until detailed drawings and details of materials to be used for the ground floor reception counter and the server counters at ground and first floor levels at scales of 1:20, 1:10 or 1:1 as appropriate have been submitted to and agreed in writing by the local planning authority. The works shall only be carried out in accordance with the approved details.

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

06 No works approved by this consent shall take place until detailed drawings and details of materials, including ironmongery, for the new internal door and door surrounds to the ground floor access to single storey section, all the doors to the first floor office/computer/darts area and the new door to the 2nd floor staircase lobby area at scales of 1:20, 1:10 or 1:1 as appropriate have been submitted to and agreed in writing by the local planning authority. The works shall only be carried out and in accordance with the approved details.

Reason: To safeguard significance of the listed building in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

07 No works approved by this consent shall take place until details of the proposed air conditioning units within the new ground floor partitioned space and any ventilation and extraction equipment to be installed at the site have been submitted to and agreed in writing by the local planning authority. The development shall only be carried out and in accordance with the approved details.

Reason: To safeguard significance of the listed building in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

08 No works approved by this consent shall take place until details of the proposed water connections and light fittings for the new ground floor facilities within the partitioned space including public health, hairdressing, meeting rooms, bereavement, advocacy, and chiropody, have been submitted to and agreed in writing by the local planning authority. The works shall only be carried out and in accordance with the approved details.

Reason: To safeguard significance of the listed building in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

Informatives

01 The applicant is advised that it will be required to reuse the existing doors and ironmongery at first floor as appropriate.

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.

29 18/00382/FUL - 117 -119 Hamstel Road, Southend on Sea (Southchurch Ward)

Proposal: Convert ground floor shop (Class A1) and vacant first floor accommodation into a 10 bedroom HMO (Sui Generis), erect two storey rear extension, alter front and side elevations and layout parking to rear (amended proposal)

Applicant: Higgins Property Investments Limited

Agent: BGA Architects

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

01 The proposed development by reason of its design, scale and the proposed intensity of the use with 10 bedrooms, 5 car parking spaces and up to 18 residents living in the building, would result in material harm to the residential amenity of the adjoining residents in terms of noise and disturbance. The development is therefore 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).

02 The proposed development by reason of the extremely limited internal communal living accommodation being provided, the limited size and poor quality of the external amenity space provided, the inconveniently located refuse facilities and as a result of the ground floor rooms being materially overlooked and providing lack of privacy, would provide substandard living conditions for the future occupiers of the site and a poor quality residential environment. 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).

03 The proposal would provide insufficient parking facilities to meet the needs of the development, resulting in an increase in on-street parking to the material detriment of highway safety and the free flow of traffic. The development is therefore unacceptable and contrary to the National Planning Policy Framework, Policy CP3 of the Core Strategy (2007) and Policy DM15 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

Informatives

01 A large HMO falls outside of Use Classes C3 and C4 and constitutes a sui generis use. However, the use is residential in character and therefore the change of use from a dwellinghouse to a large HMO would not represent a CIL liable change of use.

- 30 18/00341/OUTM - 9 Elmer Approach, Southend on Sea (Milton Ward)**
Proposal: Erect additional three floors forming 108 room hotel on top of an existing 10-storey building, alterations to elevations and extension to lift shaft and staircase (outline)
Applicant: Southend Point Ltd
Agent: Mr Patel

Resolved: That outline planning permission be GRANTED subject to the following conditions:

01 In as far as they relate to the scale, layout and appearance of the development hereby approved, the development shall be carried out in accordance with the approved plans: 01 (22.09.2017), 02 (29.04.2018), 08 (18.03.2018), 09 (18.03.2018), 10 (02.08.2017), 11 (18.03.2018), 12 (09.05.2018), 13 (09.05.2018), 14 (09.05.2018), 15 (09.05.2018), 17 (09.05.2018).

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

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

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development shall be undertaken until samples and full details of all materials to be used on the external elevations including full details of the cladding (including exact colours specifications), windows, box features and window reveals have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is first brought into use.

Reason: This pre-commencement condition is required in the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the

National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development shall be undertaken until full details of the secure, covered cycle parking for no less than 140 cycles and the refuse and recycling storage for the development have been submitted to and approved in writing by the local planning authority. The approved cycle parking and refuse storage facilities shall be provided in full and made available for use for the development prior to the first use of the development hereby approved and be retained as such in perpetuity.

Reason: This pre-commencement condition is required to ensure that satisfactory secure off-street bicycle parking is provided and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and the guidance contained in the Design and Townscape Guide (2009).

05 The development hereby approved shall not be brought into use until a scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the hotel hereby approved. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007), Development Management Document (2015) Policy DM2 and the Design and Townscape Guide (2009).

06 The development hereby approved shall not be first used until full details of the water efficient design measures including for taps, toilets and showers have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the hotel. This provision shall be made for the lifetime of the development.

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

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the overall height of the building as extended, including any aerials, plant or other structures must not exceed 56.45 Above Ordnance Datum.

Reason: In the interests of aircraft safety and the safe operation of London Southend Airport in accordance with the National Planning Policy Framework and Policy DM4 of the Development Management Document (2015).

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no structures including but not limited to plant,

satellite, radio antennae or telecommunications equipment shall be installed on the building or on the external elevations or roof of the development hereby approved unless and until express permission has been obtained beforehand from the local planning authority.

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

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

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

10 The development hereby approved shall not be first used until a travel plan which promotes sustainable transport for all staff has been submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented in full prior to the first use of the development hereby approved and shall thereafter be maintained in perpetuity.

Reason: In the interests of sustainable travel in accordance with the National Planning Policy Framework, Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development management Document (2015).

11 The development hereby approved shall not be first used until a waste management plan has been submitted to and approved in writing by the Local Planning Authority. The waste management plan for the site shall be carried out in accordance with the approved details from the first commencement of the use.

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

12 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development shall be undertaken until noise mitigation measures have been submitted to an approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details before the development is brought into first use.

Reason: This pre-commencement condition is required in the interests of the amenity of nearby residents. This is as set out in the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

13 No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be fully adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

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

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), the use of the 10th, 11th and 12th floors hereby approved shall be used as a hotel only and for no other purposes.

Reason: Required in the interests of the amenity of nearby residents as set out in the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

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

Informatives

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

02 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded by London Southend Airport separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority. Any crane application should be directed to sam.petrie@southendairport.com / 01702 538521.

03 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.

04 For the avoidance of doubt this permission does not provide any consent for the advertisements shown on the approved plans. Separate advertisement consent is required for the advertisements shown on the approved plans.

05 In relation to condition 3 and for the avoidance of doubt the applicant is hereby advised that the garish brand colouring shown on the submitted plans is unacceptable and must be reconsidered in any applications for future approval of details to discharge condition 3.

- 31 18/00579/FULH - 27 Glenbervie Drive, Leigh on Sea (Blenheim Park Ward)**
Proposal: Erect first floor extension to form two storey dwellinghouse, first floor extension to existing rear extension and alter elevations
Applicant: Mr and Mrs Kantor
Agent: A9 Architecture

Resolved: That planning permission be GRANTED subject tot 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 – 1097 00, 01A, 06F, 07F, 08F, 011F

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

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

Reason: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (2012), Core Strategy (2007) Policy CP4, Policy DM1 of Development Management Document (2015) and Design and Townscape Guide (2009).

04 The proposed windows at first and second floor to the western side elevation shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the Local Planning Authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished 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.

Reason: To protect the privacy and environment of people in neighbouring residential properties, 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).

Informatives

01 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.

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

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.

- 32 **17/00009/UNAC_B - 74 Undercliff Gardens, Leigh on Sea (Leigh Ward)**
Breach of Control: The installation of clear glazed side panels to balconies & non installation of obscure glazed panels to ground floor north aspect in breach of condition 3 of planning approval 15/01606/AMDT granted under appeal Ref APP/D1590/W/16/3144896

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the installation of permanent obscure glazing to the north and south balconies in accordance with approved plan b500 and condition 3 of appeal decision APP/D1590/W/16/3144896 dated 18th May 2016.

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

When serving an Enforcement or Breach of Condition Notice the local planning authority must ensure a reasonable time for compliance. In this case a

compliance period of 8 weeks is considered reasonable for the installation of suitable obscured glass.

Taking enforcement action in this case may amount to an interference with the owners' and/or occupiers' Human Rights. However, it is necessary for the local planning authority to balance the rights of the owners and/or occupiers against its legitimate aims to regulate and control land within its area. In this particular case it is considered reasonable, expedient, and proportionate and in the public interest to pursue enforcement action on the grounds set out in the formal recommendation.

- 33 18/00484/FULM - Riley's, 258 Leigh Road, Leigh on Sea (Leigh Ward)**
Proposal: Demolish existing building and erect 5 storey building incorporating 21 self-contained flats with balconies/terraces, layout parking and cycle stores at basement level, refuse store and amenity space (Amended Proposal)
Applicant: Property Generation Services Limited
Agent: Pomery Planning Consultants

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 financial contribution for affordable housing of £192,760.61 (index-linked) in lieu of on-site provision, which is payable prior to occupation of the 7th dwelling
- a financial contribution towards secondary education provision of £35,039.39 (index-linked), to be used towards the expansion of St Bernard's High School which is payable prior to occupation of the 7th dwelling

(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: 2408 01, 2408 02, 24087 03, 2408 04, 05, 06, 07, 08, 09, 10, 2408Doc 01, 2408DoC 02

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. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the surrounding area in accordance with policy DM1 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, 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 proposed for the site, including any green walls or green roof, 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 approved hard landscaping works shall be carried out prior to first occupation of the development hereby approved and the soft landscaping works within the first planting season following first occupation of the development.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

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 the occupation of the development. The landscaping of the site shall be managed in accordance with the approved plan in perpetuity.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

06 The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 2408 03 for 22 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 solely for the parking of occupiers and visitors to the development.

Reason: To ensure the adequate provision of parking at the site in accordance with policy DM15 of the Development Management Document (2015).

07 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the building 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 the size, design, materials and location of all privacy screens to be fixed to the proposed buildings. 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: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Design and Townscape Guide (2009).

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

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

09 Prior to the first occupation of the dwellings hereby approved, the cycle parking facilities shall be provided as shown in drawing numbers 2408 03 and 2408DoC 01 and thereafter be permanently retained for cycle parking to serve the occupiers of the development.

Reason: To ensure that satisfactory cycle parking facilities are provided at the site in the interest of sustainability and amenity in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policy KP2, Policies DM1 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

10 The development hereby approved shall be undertaken in strict accordance with the approved Health and Safety Plan undertaken by Franklin Demolition Ltd dated 6/11/17.

Reason: In the interests of the amenities of the adjoining occupiers and to ensure highway safety pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

11 Prior to occupation of the development hereby approved 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 installed in the development hereby approved and be retained in perpetuity thereafter.

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

Reason: In the interests 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 (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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

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

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

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

15 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 comply with building regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 19 flats comply with building regulation part M4(2) 'accessible and adaptable dwellings' standard.

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 National Planning Policy Framework, Core Strategy (2007) Policy KP2, and Development Management Document (2015) Policy DM2 and the Design and Townscape Guide (2009).

16 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development 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), Development Management Document (2015) Policy DM2 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 by 4th July 2018 or an extension of this time as may be agreed by the Director of Planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not provide for affordable housing or education provision. As such, the proposal would be unacceptable and contrary to Policies KP1, KP2, KP3, CP6 and CP8.

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

Informatives

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

02 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 a financial contribution towards affordable housing and secondary education.

04 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded by London Southend Airport separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority. Any crane application should be directed to sam.petrie@southendairport.com / 01702 538521.

05 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.

06 For the avoidance of doubt the artificial green wall proposed is unacceptable and is not permitted by this approval.

- 34 17/02183/RESM - 939 London Road, Leigh on Sea (Blenheim Park Ward)**
Proposal: Approval of reserved matters including details of appearance, landscaping pursuant to outline planning permission 17/00563/OUTM dated 26.10.2017 to demolish existing building and erect two blocks part 2, part 3, part 4 storey comprising of 30 flats, 1 commercial unit on ground floor lay out parking, refuse and cycle stores
Applicant: Emex International
Agent: Third Dimension Arch. Design Ltd

Resolved: That the reserved matters be APPROVED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with plans 100, 200A, 201C, 250B, 251B, 252A First Floor, 252B Second Floor, 254 Third Floor, 255B, 256B; 257B, 258, 259, 601A, 262A, 260, 261, 263, 264, 265, 266.

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

02 The development shall be carried out solely in accordance with the material schedule received on the 2nd May 2018, drawings 201c, 260, 261, 262a, 263, 264, 265 and 601A including Sika-Trocal to the roof; Marley Equitone (natura) Cladding in Classic Grey, Soft Grey , Chalk Grey and Pale Mist; Facing brickwork- Ibstock Arden Red (main façade), Ibstock Arden Grey (recessed areas); windows and doors SAPA Aluminium windows and doors (Grey RAL 7012), Balustrades and Balconies Q Railing (Stainless Steel); Parapet Capping- Metal capping (RAL 7012), Tarmacadam, 'Silver Grey' concrete setts, timber decking, Marshalls 600mm x 600mm 'Monopave', Marshalls 145mm x 255mm conservation kerb in 'Silver Grey' and 50mm blue slate chippings (nominal grade

30mm-50mm) to finish front planting beds prior to occupation of any development hereby approved.

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.

03 The hard and soft landscaping shall be undertaken in accordance with the approved details as shown on drawing 601a. The approved hard landscaping works shall be fully completed prior to first occupation of the development hereby approved and the soft landscaping works shall be completed within the first planting season following first occupation of the development and maintained in perpetuity thereafter.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM8 of the Development Management Document (2015).

04 A 1.5m high obscure glazed privacy screen to the edge of the communal terrace as shown on drawing 252B adjacent to number 24 Darlington Grove shall be installed prior to the first occupation of the residential flats hereby approved, unless otherwise agreed in writing by the local planning authority. The privacy screen shall be permanently retained thereafter.

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

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

02 The applicant is reminded the outline permission 17/00563/OUTM is governed by a legal agreement between the applicant and Southend Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to: 1. Affordable housing, 2. Education, together with the conditions detailed on the decision notice.

03 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.

- 35 16/01723/DOV5 - Marine Plaza, Land between Southchurch Avenue and Pleasant Road fronting Marine Parade, Southend on Sea (Kursaal Ward)**
Proposal: Modification of planning obligation (Section 106 agreement) dated 22nd July 2015 pursuant to application 14/01462/FULM to reduce the requirement to provide affordable housing
Applicant: Inner London Group
Agent: Christopher Wickham of Christopher Wickham Associates

Resolved: That the MODIFICATION OF THE PLANNING OBLIGATION dated 22nd July 2015, pursuant to planning application 14/01462/FULM to provide a financial contribution for affordable housing of £300,000 (index-linked) in lieu of on-site provision, be REFUSED for the following reason:

01 Council policies require residential development proposals to make sustainable use of land and resources, and are expected to contribute to local housing needs including affordable housing provision. The proposed modification fails to make optimum and sustainable use of the land, which would have a significantly detrimental effect in terms of the delivery of affordable housing, for which there is a recognised need in the Borough. This is unacceptable and contrary to the National Planning Policy Framework (March 2012) and the objectives of policy KP2, KP3, and CP8 of the Council's Core Strategy (December 2007).

36 18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea (Chalkwell Ward)
Proposal: Form new vehicular access onto The Leas
Applicant: Westbrook Properties
Agent: SKArchitects

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

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

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

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

02 With the exception of the overall width of the crossover which shall not exceed 4.8m, the development hereby permitted shall be carried out in accordance with the approved plan 411-01-17-L01A.

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan and to ensure that the development is completed in the interests of highway safety, in accordance with policies CP3 and CP4 of the Core Strategy (2007), policy DM1 and DM15 of the Development Management Document (2015) and guidance contained within the Vehicle Crossing Policy & Application Guidance (2014).

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 alterations to your property do not result in new floorspace and the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

02 It should be noted that the applicant will be required to contribute to the traffic regulation order to amend the parking spaces to the front of the site to ensure that on-street parking is not lost as a result of the proposal. For more information please contact Southend Borough Council's Highways Department on 01702 215003.

03 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.

37 17/01574/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea (Chalkwell Ward)

Proposal: Form additional self-contained flat to sixth floor with terrace

Applicant: Westbrook Properties

Agent: SKArchitects

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 411-01-17 P10, 411-01-17 P11/A, SK100 revision 1, 411-01-17 P20, 411-01-17 P21, 411-01-17 P30, 411-01-17 P40, 411-01-17 P41, 411-01-17 P50, 411-01-17 P51, 411-01-17 P60, 411-01-17 P70, 411-01-17 P71

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

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

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

04 Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

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

05 Before the dwelling hereby approved is occupied, one parking space identified as currently unallocated within the existing on site car park as shown on drawing SK100 revision 1 shall be allocated to the occupier/s of the development hereby approved. The parking space identified shall be permanently retained thereafter for occupiers and visitors to that dwelling only.

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 2015.

06 Prior to commencement of development, details of the terrace privacy screen shall be submitted to and approved by the Local Planning Authority. The screen shall be installed in accordance with the approved details prior to first use of the balcony and shall be permanently retained 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.

07 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 to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.

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

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development.

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

2. 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.

38 17/01716/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea (Chalkwell Ward)

Proposal: Form additional self-contained flat to eighth floor with terrace

Applicant: Westbrook Properties

Agent: SKArchitects

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 411-01-17 P10, 411-01-17 P11/A, SK100 Rev 1, 411-01-17 P21, 411-01-17 P22, 411-01-17 P30, 411-01-17 P41, 411-01-17 P42, 411-01-17 P52, 411-01-17 P53, 411-01-17 P61, 411-01-17 P72, 411-01-17 P73

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

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

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

04 Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme,

including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

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

05 Before the dwelling hereby approved is occupied, one parking space identified as currently unallocated within the existing on site car park as shown on drawing SK100 revision 1 shall be allocated to the occupier/s of the development hereby approved. The parking space identified shall be permanently retained thereafter for occupiers and visitors to that dwelling only.

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 2015.

06 Prior to commencement of development, details of the terrace privacy screen shall be submitted to and approved by the Local Planning Authority. The screen shall be installed in accordance with the approved details prior to first use of the balcony and shall be permanently retained 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.

07 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 to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.

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

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

2. 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 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.

- 39 18/00329/ADV - Street Record, London Road, Southend on Sea (Victoria Ward)**
Proposal: Install non illuminated fascia signs to seven existing highways planters on London Road between Ashburnham Road and Brighton Road
Applicant: Southend Borough Council

Resolved: That advertisement consent be 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: Location Plan, Proposed Planter Sign Plan and Elevations, Sign Detail

Reason: To ensure that the advertisements are displayed in accordance with the policies 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.

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

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

Date: Tuesday, 19th June, 2018
Place: Committee Room 1 - Civic Suite

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Present: Councillor J Lamb (Chair)
Councillors H Boyd, M Flewitt, A Moring and L Salter

In Attendance: Councillors B Ayling, D Garne, A Jones and C Mulroney
A Griffin, J K Williams, S Leftley, A Lewis, J Chesterton, J Ruffle,
C Gamble, A Butteriss, E Cooney, Mr G Halksworth, S Houlden,
A Keating, T MacGregor, B Martin, J O'Loughlin, C Robinson and
Mr M Sheppard

Start/End Time: 2.00 - 3.15 pm.

40 Apologies for Absence

Apologies for absence were received from Councillors Courtenay and Cox.

41 Declarations of Interest

The following Members declared an interest as indicated:

(a) Councillor Mulroney – Agenda Item 13 (Wheeled Sports Facility) – Non-pecuniary interest – member of Development Control Committee;

(b) Councillor Jones – Agenda Item 5 (Development Plan Review) in relation to all transport matters – Non-pecuniary interest – son works for C2C;

(c) Councillor Flewitt – Agenda Item 15 (Provision of Syrian Vulnerable Person Resettlement Programme) – Non-pecuniary interest – has been lobbied on this matter by residents;

(d) Councillor Lamb – Agenda Item 6 (Social Value Policy) – Non-pecuniary interest - Trustee of SAVS;

42 Minutes of the Meeting held on Tuesday 13th March 2018

Resolved:

That the Minutes of the meeting held on Tuesday 13th March 2018 be confirmed and signed as a correct record.

43 Community Safety Resources

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the recommendations of the 2017/18 Scrutiny Review of the Council's

enforcement services and structures and sought approval to fund the proposal for additional resources to support the Community Safety Team.

Resolved:

1. That the findings and conclusions from the Scrutiny review, be noted.
2. That the additional resources and funding of £250,000 p.a. as detailed in sections 4 and 7.2 of the submitted report, be approved.
3. That the new staff be positioned in the Council's Community Safety Unit.

Reasons for Decision:

To enhance the Community Safety Team's capacity through additional funding to enable it to respond to the local partnership tasking requirements and to support delivery of the community safety partnership's strategic priorities particularly around violence and vulnerability.

Other Options:

Not to invest additional resources within the financial year and wait for the proposal to be considered as part of the annual budget cycle. However, doing this would not enable the Council to respond to some immediate and pressing safety concerns.

Note: This is an Executive Function
Eligible for call-in to: Place Scrutiny Committee
Cabinet Member: Cllr Flewitt

44 Southend Development Plan Review: Comprising South Essex Joint Strategic Plan and Southend New Local Plan

The Cabinet considered a report of the Deputy Chief Executive (Place) outlining the proposed changes to national planning policy. The report set out a new approach to reviewing the Development Plan for Southend-on-Sea, including the preparation of a South Essex Joint Strategic Plan (JSP) in partnership with other South Essex local authorities and Essex County Council to provide a statutory framework to guide the preparation of South Essex local plans including a new local plan for Southend (the Southend New Local Plan (SNLP)).

Recommended:

1. That the preparation of a South Essex Joint Strategic Plan and the Southend New Local Plan (SNLP) to provide a positive planning framework to manage and guide regeneration and development in the sub-region and Southend over a twenty year period, be approved.
2. That as part of the preparation of a South Essex Joint Strategic Plan the following documents be approved:
 - A JSP Memorandum of Understanding (set out in Appendix 1 to the submitted report);

- The JSP Preparation timetable (set out in Appendix 3 to the report);
- A Statement of Common Ground (set out in Appendix 2 to the report);
- A Joint Statement of Community Involvement (set out in Appendix 4 to the report) for a six week consultation period, subject to agreement of the Association of South Essex Local Authorities.

3. That as part of the preparation of a Southend New Local Plan the following documents be approved:

- The Local Plan preparation timetable (set out in Appendix 3);
- The Southend Statement of Community Involvement for a six week consultation period, as appropriate (set out in Appendix 5); and
- The production of a number of key evidence base documents to support the preparation of the local plan.

4. That it be noted that the JSP and Southend New Local Plan will replace, once adopted, existing Southend Development Plan documents and other associated documents.

5. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth (and any other relevant Cabinet Member) to agree and make amendments to the items described in recommendations 2 and 3 above.

6. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth, in conjunction with the Local Development Framework Working Party, to agree and consult on preparatory drafts of the JSP and Southend New Local Plan and associated documentation under Regulation 18 of the Town and Country Planning (Local Planning) (England) 2012.

7. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth to amend the Local Development Scheme as set out in Appendix 3, to ensure the described key milestones of the JSP and Southend New Local Plan preparation remain up-to-date.

8. That authority be delegated to the Deputy Chief Executive (Place) in consultation with the Cabinet Member for Growth to agree updates to the South Essex Statement of Common Ground as set out in Appendix 2.

9. That it be noted that the total funding required for this project is £1.466 million, as set out in Appendix 7, and that the funding of £341,000 in 2018/19 be approved, such funding to be met from the Business Transformation Reserve.

10. That it be noted that the remaining funding required of £1.125 million will be considered as part of the 2019/20 budget setting process.

Reasons for Decision:

To ensure the expeditious production of a Joint Strategic Plan for South Essex and a New Local Plan for Southend and associated evidence base to manage and guide future growth and development in the South Essex sub-region and

Southend in a positive and timely manner, where the Council has control of decision making in the public interest as representatives of the local community.

Other Options:

None

Note: This is a Council Function

Called-in to: Place Scrutiny Committee

Cabinet Member: Cllr Courtenay

45 Social Value Policy

The Cabinet considered a report of the Chief Executive setting out the proposed Social Value Policy to be applied across all Council procurement activities from June 2018.

Resolved:

1. That the Council's Social Value Policy from June 2018, as set out in Appendix 1 to the submitted report, be adopted.
2. That the aims, objectives and principles stated in the Policy, be approved.

Reasons for Decision:

To respond to the Public Services (Social Value) Act 2012.

Other Options:

Not to adopt the Policy.

Note: This is an Executive Function

Called-in to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Lamb

46 Annual Report and 2017/18 Year End Performance Report

The Cabinet considered a report of the Chief Executive setting out the approach to the Council's Annual Report and the end of year position of the Council's corporate performance for 2017/18 and 2018/19 targets.

Resolved:

1. That the suggested approach to the Council's Annual Report, set out in Appendix 2 to the submitted report and draft design set out in Appendix 3 to the report, be approved.
2. That the 2017/18 end of year performance report and targets for 2018/19, be noted.

Reasons for Decision:

To ensure the Annual Report reflects key achievements of the Council over the last year and signals the direction of travel for the forthcoming year.

Other Options:

There is no requirement to have an Annual Report but it enables the Council to set out its key achievements in one document.

Note: This is an Executive Function

Called-in to: All three Scrutiny Committee

Cabinet Member: as appropriate for the item.

47 Corporate Risk Register 2018/19

The Cabinet considered a report of the Chief Executive presenting the revised 2018/19 Corporate Risk Register.

Resolved:

That the risks identified by the Corporate Management Team (CMT) be included in the 2018/19 Corporate Risk Register (these will be presented to the Audit Committee on 25th July 2018).

Reasons for Decision:

The Corporate Risk Register has been refreshed to reflect the challenges for 2018/19.

Other Options:

None

Note: This is an Executive Function

Called-in to: People and Policy & Resources Scrutiny Committees

Cabinet Member: Cllr Lamb

48 Modern Slavery Statement 2018/19

The Cabinet considered a report of the Chief Executive setting out the proposed Modern Slavery Statement and the further action being undertaken to support work in this area.

Resolved:

That the Council's 2018/19 Modern Slavery Statement (MSS), as set out in Appendix 1 to the submitted report, be approved.

Reasons for Decision:

To respond to the rapidly increasing crime of modern slavery.

Other Options:

Not to publish a MSS. This would result in an unclear and uncoordinated approach to MSHT.

Note: This is an Executive Function

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

Cabinet Member: Cllr Lamb

49 Air Quality

The Cabinet considered a report of the Deputy Chief Executive (Place) proposing the adoption of the Air Quality Action Plan (AQAP) which details the measures to try to improve air quality within Southend-on-Sea and meet the Council's statutory duty to develop an AQAP.

Resolved:

That the statutory duty of the Borough Council as described in the Environment Act 1995 be discharged by accepting and adopting the Air Quality Action Plan for the Air Quality Management Area (Southend-on-Sea Borough Council) (No 1) Order 2016.

Reasons for Decision:

To comply with the statutory duty to try and improve air quality in the Borough through the development of an AQAP

Other Options:

None.

Note: This is an Executive Function

Called-in to: Place Scrutiny Committee

Cabinet Member: Cllr Flewitt

50 Ambition Southend: Skills and Labour Market Strategy

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the development of a Skills and Labour Market Strategy for Southend-on-Sea 2018-2022.

Resolved:

That the Ambition Southend: Skills and Labour Market Strategy for Southend-on-Sea, be adopted.

Reasons for Decision:

To improve the Southend skills support landscape, raise ambition and skills levels, increase employment opportunities in local jobs and enable economic growth.

Other options:

Not to pursue the development of a Strategy and allow the market to continue as it is.

Note: This is an Executive Function

Called-in to: Place Scrutiny Committee

Cabinet Member: Cllr Courtenay

51 Gambling Policy Review

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the legal obligations on the Council, acting as the Licensing Authority, and the timetable for the review in respect of the Gambling Licensing Policy.

Recommended:

That the draft revised Gambling Licensing Policy, be approved to enable formal consultation to commence.

Reasons for Decision:

To enable the Council to comply with its statutory duty under Section 349 of The Gambling Act 2005.

Other Options:

None.

Note: This is a Council Function

Eligible for call-in to: Place Scrutiny Committee

Cabinet Member: Cllr Flewitt

52 Wheeled Sports Facility

The Cabinet considered a report of the Deputy Chief Executive (Place) setting out the results of the consultation on the sites for a wheeled sports facility in the central area of the town. The report sought approval to allocate a minimum of 500m² of the former Warrior Square Swim Centre site for the installation of a wheeled sports facility and to progress the project.

Resolved:

1. That the results of the consultation as set out in Appendix 1 to the submitted report be noted and the use of the most popular location, an area of the former Warrior Square Swim Centre site, for a wheeled sports facility, be approved.
2. That a minimum of 500m² of the former Warrior Square Swim Centre site be allocated for the installation of a wheeled sports facility.
3. That it be acknowledged that the creation of a wheeled sports facility in this location will reduce the amount of space available for future development.

4. That the project be progressed by way of the submission of a planning application, the works being put out to tender and the appointment of a contractor to construct a wheeled sports facility.

5. That it be noted that the full £250,000 capital budget may need to be re-profiled in 2018/19 if the delivery programme is ahead of schedule.

Reasons for Decision:

To develop the wheeled sports facility on the former Warrior Square Swim Centre site.

Other Options:

Not to install a wheeled sports facility in a town centre location or install the facility at the second choice location or a location outside of the central area.

Note: This is an Executive Function

Called-in to: Place Scrutiny Committee

Cabinet Member: Cllr Courtenay

53 Joint Targeted Area Inspection

The Cabinet considered a report of the Deputy Chief Executive (People) summarising the Joint Targeted Area Inspection findings and set out the action being taken in relation to the findings.

Resolved:

1. That the report be noted.

2. That the progress against the action plan be reported to Cabinet for assurance in the journey of the Child Annual Report.

Reasons for Decision:

Safeguarding children is a statutory duty of the Council and Members need to be assured that progress is being made against the action plan in order to discharge this duty. The progress against the action plan will be brought back to Cabinet in February 2019.

Other Options:

None.

Note: This is an Executive Function

Called-in to: People Scrutiny Committee

Cabinet Member: Cllr Boyd

54 Research, findings and recommendations on current and future provision of the Syrian Vulnerable Person Resettlement Programme

The Cabinet considered a report of the Deputy Chief Executive (People) proposing the extension of the Syrian Vulnerable Person Resettlement (SVPR) Programme to enable more families to settle in Southend-on-Sea.

Resolved:

1. That the progress on the current SVPR Programme in Southend-on-Sea, as set out in Section 3 of the submitted report, be noted.
2. That the Programme be extended, in order that more families can settle in Southend-on-Sea, comprising an additional 30 individuals by 2020.
3. That the Director of Adult Services and Housing, be authorised to:
 - Reach agreement with the EELGA, Home Office and other relevant bodies in order to bring 30 additional individuals to Southend, reporting on progress at the Corporate Management Team and Cabinet at regular intervals;
 - Reach agreement with local partners in order to identify the local resource to welcome future families;
 - Research and commission effective ways of delivering support services in order to achieve economies of scale.

Reason for Decision:

This is a key national issue that needs to be addressed by the Council

Other Options:

That no commitment is given to settle further families within the Borough.

Note: This is an Executive Function

Called-in to: People Scrutiny Committee

Cabinet Member: Cllr Salter

55 Consultation on St Mary's Prittlewell CofE Primary School Permanent Expansion following a period of Temporary Expansion

The Cabinet considered a report of the Deputy Chief Executive (People) seeking agreement to go out to formal consultation to change the current temporary expansion of pupil admission numbers at St Mary's Prittlewell CofE Primary School to a permanent arrangement.

Resolved:

That a formal consultation process to gauge stakeholder and public opinion on making the current temporary expansion at St Mary's Prittlewell CofE Primary School permanent by setting their admission number at 90 per year group, be approved.

Reasons for Decision:

To consult with stakeholders and obtain public opinion on making the temporary expansion permanent at St Mary's Prittlewell CofE Primary School.

Other Options:

The school could return to an admission number of 60 or increase to a higher admission number of 120. The latter option would require capital investment to increase the school's accommodation.

Note: This is an Executive Function
Eligible for call-in to: People Scrutiny Committee
Cabinet Member: Cllr Boyd

56 Annual Public Health Report

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the 2017 Annual Report of the Director of Public Health.

Resolved:

That the content and recommendations of the 2017 Annual Report of the Director of Public Health, be noted.

Reasons for Decision:

The Health and Social Care Act 2012 requires Directors of Public Health to prepare an annual report on the health of the local population.

Other Options:

None.

Note: This is an Executive Function
Called-in to: People Scrutiny Committee
Cabinet Member: Cllr Salter

57 Annual Treasury Management Report 2017/18

The Cabinet considered a report of the Chief Executive detailing the treasury activity for the period from April 2017 to March 2018 and reviewed performance against the Prudential Indicators for 2017/18.

Recommended:

1. That the Annual Treasury Management Report for 2017/18 and the outturn Prudential Indicators for 2017/18, be approved.
2. That it be noted that the financing of 2017/18 capital expenditure of £60.996m has been funded in accordance with the schedule set out in Table 1 of section 4 of the submitted report.

3. That it be noted that the Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2017/18.

4. That, in respect of the return on investment and borrowing, the following be noted:

- The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk;
- £2.05m of interest was earned during the whole of 2017/18 at an average rate of 2.49%. This is 2.27% over the benchmark of the average 7 day LIBID (London Interbank Bid Rate) and 2.14% over the average bank base rate;
- The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, General Fund (GF): £150.8m) throughout 2017/18.
- The level of financing for 'invest to save' schemes increased from £7.90m to 8.74m by the end of 2017/18.

Reasons for Decision:

To comply with the CIPFA Code of Practice for Treasury Management in the public sector and the CIPFA Prudential Code.

Other options:

None.

Note: This is a Council Function

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

Cabinet Member: Cllr Lamb

58 Provisional Capital Outturn Report 2017/18

The Cabinet considered a report of the Chief Executive outlining the capital programme outturn for 2017/18 and sought approval for the relevant budget carry forwards and accelerated delivery requests and in-year amendments for the current approved programme.

Recommended:

1. That it be noted that the expenditure on the capital programme for 2017/18 totalled £60.996m against a budget of £64.324m, a delivery of 94.8%.

2. That the relevant budget carry forwards and accelerated delivery requests totalling a net £4.206m moving into 2018/19, as set out in Appendices 1 and 2 to the submitted report, be approved.

3. That the virements, reprofiles and amendments and new external funding for schemes, as detailed in Appendices 3, 4 and 5 of the report, be noted.

4. That the relevant changes to the budget identified since the approved capital programme was set at Council on 22nd February 2018, as detailed in Appendix 6 to the report, be approved.

5. That it be noted that the above changes will result in an amended Capital Programme of £214.971m for the period 2018/19 to 2021/22, as detailed in Appendix 7 to the report.

6. That the content of the Community Infrastructure Levy (CIL) Annual Financial Report 2017/18 (included in Appendix 8 to the report), be noted and that the CIL Main Fund receipts from 2017/18 and previous financial years be carried forward until spending plans are reviewed in early 2019/20.

7. That authority be delegated to the Deputy Chief Executive (People) in consultation with Ward Members and the Cabinet Member for Growth to agree how the Ward Neighbourhood Allocations received up until 31st March 2018 (excluding allocation to Leigh Town Council) are to be spent.

Reasons for Decision:

To inform Members of the activity in 2017/18.

Other options:

None.

Note: This is a Council Function

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

Cabinet Member: Cllr Lamb

59 Revenue Outturn Report 2017/18

The Cabinet considered a report of the Chief Executive on the revenue outturn for 2017/18.

Recommended:

1. That the revenue outturn for the General Fund and HRA for 2017/18, be noted.

2. That the appropriation of revenue funds to and from earmarked reserves, as set out in paragraph 4.6 (General Fund) and paragraph 5.4 (HRA) of the submitted report, be approved.

Reason for Decision:

To advise Members of the financial position of the Council and to approve the appropriation of funds to and from earmarked reserves.

Other options:

None.

Note: This is a Council Function

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

Cabinet Member: Cllr Lamb

60 Council Debt Position

The Cabinet considered a report of the Chief Executive informing Members of the current outstanding debt to the Council as of 31st March 2018 and debts that had been or are recommended for write-off in the current financial year.

Resolved:

1. That the current outstanding debt position as at 31st March 2018 and the position of debts written off to 31st March 2018, as set out in Appendices A and B to the submitted report, be noted.
2. That the write-offs greater than £25,000, as detailed in Appendix B to the report, be approved.

Reasons for Decision:

All reasonable steps to recover the debt have been taken and therefore where write off is recommended it is the only course of action available.

Other Options:

None.

Note: This is an Executive Function

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

Cabinet Member: Cllr Lamb

61 Notice of Motion - Jewish Manifesto for Local Government

At the meeting of Council held on 19th April 2018, Members received a Notice of Motion proposing that the Council supports the launch of the Jewish Manifesto for Local Government published by the Board of Deputies, the Security Council for British Jews.

Resolved:

That the Notice of Motion proposing the launch of the Jewish Manifesto for Local Government, be adopted.

Reasons for Decision:

To respond to the Notice of Motion.

Other options:

None.

Note: This is an Executive Function

Called-in to: Policy & Resources Scrutiny Committee

Cabinet Member: Cllr Salter

62 Council Procedure Rule 46

Resolved:

That the submitted report be noted.

Note: This is an Executive Function

Called-in to: Policy & Resources Scrutiny Committee

Cabinet Member: as appropriate for the item

Chairman: _____

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Wednesday, 20th June, 2018
Place: Committee Room 4 - Civic Suite

17

Present: Councillor R Hadley (Chairman)
Councillors D McGlone and S Buckley

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

Start/End Time: 9.30 am - 12.20 pm

63 Apologies for Absence

There were no apologies for absence.

64 Declarations of Interest

No interests were declared at the meeting.

65 136 Broadway, Leigh-on-Sea, SS9 1AA - Application for the Variation of Premises Licence

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

(a) The sale of alcohol on and off the premises and the provision of regulated entertainment comprising recorded music on Monday to Thursdays from 08:00 to 23:00. Sundays from 09:00 to 23:00. All other hours and activities remain unchanged;

(b) To be open to the public on Mondays to Thursdays from 08:00 to 23:30. Sundays from 09:00 to 23:30. All other opening times remain unchanged; and

(c) To remove all existing non-mandatory licence conditions and replace them with a revised set. These are set out in Appendix 2. This includes a reduction in the permitted capacity of the premises to a minimum of 66 covers laid out at all times as follows: Internally 38, externally 9 (when the external area is trading), 20 to the side aspect and 8 to the front. At the hearing, it was confirmed that the capacity of 68 people would remain at all times, even when the external area was not in use.

The application was presented by Mr West, the applicant's representative. Mr Walsh, the manager and designated premises supervisor, was also in attendance.

The sub-committee noted that no letters of objection to this application had been received from any of the Responsible Authorities although amendment to existing

conditions and the introduction of additional measures had been agreed between the applicant and Essex Police, the Licensing Authority and the Council's Environmental Protection Team as set out in Appendix 3 to the report of the Deputy Chief Executive (Place) should the application be granted.

Representations had however, been received from three residents and one of the owners of the flats above the premises. Three of those, namely Ms Fitzgerald, Ms Bailey and Mr Thomason attended the hearing and gave evidence.

The residents' concerns related to two of the licensing objectives, the prevention of public nuisance and public safety. The issues of concern included noise nuisance from patrons leaving the premises, music emanating from the premises above ambient levels, noise from refuse collections and smells from refuse in the bins located in the car park area. These were particularly problematic as the premises is located in a residential area with residential flats above.

The sub-committee noted that a "communication group" had been established between the manager and the residents above, to report and negotiate any issues that may have arisen as a result of the operation of the premises. Some, but not all, of the issues raised by the residents have been addressed by the management of the premises.

At the hearing, the licensing consultant, on behalf of the applicant, offered an additional condition restricting the collection of refuse from the premises between 08.00 hrs to 21.00 hrs to satisfy the residents' concerns.

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.

The sub-committee felt that the conditions proposed would be sufficient to address the majority of the residents' concerns. However, the sub-committee felt that the noise of patrons leaving the premises at the terminal hour sought would not be acceptable.

On the basis of the evidence presented to it, the sub-committee therefore:

Resolved:

That the application for the variation of the premises licence should be granted as follows:

(a) the sale of alcohol on and off the premises and the provision of regulated entertainment comprising recorded music on Monday to Thursdays from 08:00 to 22:30. Sundays from 09:00 to 22:30. All other hours and activities remain unchanged.

(b) To be open to the public on Mondays to Thursdays from 08:00 to 23:00. Sundays from 09:00 to 23:00. All other opening times remain unchanged.

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

(d) The revised conditions set out in Appendix 2 to the report of the Deputy Chief Executive (Place).

(e) The following additional condition:

“No refuse collection shall take place from the premises between the hours of 21.00 and 08.00 (the following morning) on any day.”

Chairman: _____

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Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 20th June, 2018
Place: Committee Room 4 - Civic Suite

18

Present: Councillor L Salter (Chair)
Dr J Garcia (Deputy Chair – SCCG), Dr K Chaturvedi (SCCG), Ms M Hathaway (SCCG), Cllr F Evans (SBC), Cllr C Willis (SBC), Cllr M Davidson (SBC), Ms A Griffin (SBC), Mr S Leftley (SBC), Mr K Ramkhelawon (SBC), Ms M Longley (SAVS), Mr A Brogan (EPUT – non-voting), Mr A Khaldi (ABSS – non-voting), Ms C Burns (SUFHTnon-voting) and Ms J Cripps (STP – non-voting)

In Attendance: Mr R Harris, J O'Loughlin, N Faint and Mr S Ford (SBC), Ms C Skinner (STP) and Ms C Hankey (STP).

Start/End Time: 5.00 - 7.00 pm

66 Apologies for Absence

Apologies for absence were received from Yvonne Blucher, Scott Dolling, Sally Morris, Councillor Lamb, Councillor Woodley, Elizabeth Chidgey, Alison Semmence and Claire Panniker.

67 Declarations of Interest

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

(a) Councillor Salter – Minute 70 (STP Update) – 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.

68 Questions from Members of the Public

There were no questions from members of the public at this meeting.

69 Minutes of the Meeting held on Wednesday 21st March 2018

Resolved:-

That the Minutes of the Meeting held on Wednesday 21st March 2018, be confirmed as a correct record and signed.

70 STP Update

The Board received a PowerPoint presentation from the STP Programme Director, Chief Medical Officer and the STP Director of Communications and Engagement on the outcome of the consultation and the next steps in the STP programme.

The Board asked a number of questions covering a number of aspects of the STP (i.e. consultation response rates, family and carer transport and the provision of stroke services at Southend hospital which were responded to by the STP representatives.

Resolved:

That the STP representatives be thanked for the feedback on the outcomes and next steps for the STP Programme.

71 Localities Update

The Board considered a joint report of the Integration Programme Manager, SBC and Interim Programme Director for Southend, Castle Point and Rochford CCGs.

The Board noted that a significant amount of work had taken place across partners at both the strategic and operational level. The next steps were highlighted which included the development of a business case for each locality.

The Board asked a number of questions which were responded to by the Integration Programme Manager, SBC.

Resolved:

That the progress made towards developing localities in Southend, be noted.

72 Outcome from the JTAI Inspection

The Board considered a report of the Director of Children's Service Transformation providing a background summary of the Joint Targeted Area Inspection findings and setting out the action being taken in relation to the findings. The Board was informed that there the Inspectors were highly complementary towards the role and involvement of GPs.

The Board extended its thanks and appreciation to all agencies and personnel involved.

Resolved:

1. That the report be noted.
2. That the progress against the action plan be reported to the Board for assurance purposes in the Journey of the Child Annual Report.

73 Partnership - Violence and Vulnerability: How Community Safety Partnership, Safeguarding and HWB all connect

The Board received a PowerPoint presentation from the Group Manager for community safety and crime reduction covering the proposed joined up approach by the Community Safety Partnership, Health & Wellbeing Board and the safeguarding boards (LSCB and SAB) to tackle violent crime and support/protect the vulnerable people in Southend.

The Board asked a number of questions which were responded to by officers. The Board recognised that 'violence and vulnerability' was a key priority and a whole partnership approach was essential.

Resolved:

That the Group Manager for Community Safety and Crime Reduction be thanked for his valuable presentation and that 'violence and vulnerability' be a key priority going forward.

74 CCG Annual Report

The Board considered a report of the Interim Accountable Officer, Southend CCG, presenting the Southend CCG's Annual Report and Accounts for 2017/18.

Resolved:

That the Southend CCG's Annual Report and Accounts 2017/18, be noted.

75 A Better Start Southend Update

The Board considered a report of the Director ABSS providing an update on the A Better Start Southend (ABSS) Programme covering governance, Big Lottery Annual Review, programme budget, etc.

The Board noted that the feedback from the Big Lottery Fund annual review had been extremely positive with all performance measures rated green or amber on the RAG rating.

Resolved:

That the report be noted.

76 Update from EPUT

The Board received an update on the progress in respect to a number of allegations about the care provided by EPUT mental health staff which were highlighted on the BBC Radio 4 'File on Four' programme broadcast on 20th March 2018. The Board was informed that following an individual investigation a report with a number of recommendations and an action plan was presented to the Executive Team.

The findings from the investigation found that there was not a systematic problem with drugs and staff were not involved in supplying drugs to patients but there was a level of complacency amongst some staff which has been addressed. Other measures have been put in place which included enhanced security.

Chairman: _____

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SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Thursday, 21st June, 2018
Place: Committee Room 1 - Civic Suite

19

Present: Councillor A Moring (Chair)
Councillors *L Salter and M Flewitt

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors S Aylen, S Buckley, A Chalk, A Dear, D Garne, R Hadley, D McGlone, P Van Looy, J Ware-Lane and C Willis
C Hindle-Terry and T Row

Start/End Time: 6.00 - 7.00 pm

77 Apologies for Absence

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

78 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Aylen – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Belfairs Park Drive) – Non-pecuniary interest: Friends live in the area;

(b) Councillor Chalk – Agenda Item No. 5 (Requests for Traffic Restrictions – Gunners Road, Shoeburyness) – Non-pecuniary interest: Lives in the vicinity;

(c) Councillor Dear – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Belfairs Park Drive) – Non-pecuniary interest: Friends live in the neighbouring roads;

(d) Councillor Flewitt – Agenda Item No. 5 (Requests for Traffic Restrictions - Eastwoodbury Crescent) – Non-pecuniary interest: Has been lobbied in respect of this matter;

(e) Councillor Van Looy – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Ambleside Drive) – Friends and relatives live in the area; and

(f) Councillor Ware-Lane – Agenda Item No. 4 (Objections to Traffic Regulation Orders – Windsor Road and Osborne Road) – Non-pecuniary interest: Lives in the area.

79 Minutes of the Special Meeting held on Tuesday 20th February 2018

Resolved:

That the Minutes of the Special Meeting held on Tuesday 20th February 2018 be received, confirmed as a correct record and signed.

80 Minutes of the Meeting held on Thursday, 8th March, 2018

Resolved:-

That the Minutes of the Meeting held on Thursday 8th March 2018, be confirmed as a correct record and signed.

81 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. These included:

- (i) the introduction of junction protection in the roads adjoining Ambleside Drive
- (ii) the introduction of one-way traffic flows and the removal of alternate monthly parking in Windsor Road and Osborne Road;
- (iii) the introduction of a prohibition of waiting on Mondays to Fridays 10.00 a.m. to 12.00 noon in Belfairs Park Drive.

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 relating to Windsor Roads and Osborne Road, it was noted that the possible introduction of a residents parking permit scheme was being investigated.

1. That 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. 5) Order 2018, subject to the reduction of the restrictions from 10 metres to 5 metres in the following sections of the roads:

Kensington Road – From its junction with Ambleside Drive southwards
Brunswick Road – From its junction with Ambleside Drive southwards
Sandringham Road – From its junction with Ambleside Drive southwards
Marlborough Road – From its junction with Ambleside Drive southwards
Huntingdon Road – From its junction with Ambleside Drive southwards
Rutland Avenue – From its junction with Ambleside Drive southwards
Honiton Road – From its junction with Ambleside Drive southwards
Cheltenham Road – From its junction with Ambleside Drive southwards
Leamington Road – From its junction with Ambleside Drive southwards

2 That Deputy Chief Executive (Place) be authorised to confirm the Southend-on-Sea Borough Council (Various Roads) (Consolidation of Moving Traffic and Speed Limit) Order 2006 (as amended) (Amendment No 3) Order 2018 as advertised.

3. That no further action be taken in respect of the proposed revocation of the alternative monthly waiting restrictions in Osborne Road and Windsor Road.

4. That the Southend-on-Sea Borough Council (Various Roads) (Stopping, Waiting, Loading and Unloading Prohibitions and Restrictions, Parking Places and Permit Parking Zones)(Consolidation) Order 2016 (Amendment No. 6) Order 2018 not be confirmed and the proposals not be implemented.

Reason for Decision

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

Other 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

Cabinet Member: Councillor Moring

82 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) Gunners Road, Shoeburyness – Amend existing limited waiting bays to 1 hour no return in 4 hours;
- (ii) Eastwoodbury Crescent Service Road – Introduce permit parking; and
- (iii) Chancellor Road – the revocation of the prohibition of a right turn manoeuvre from Chancellor Road into Church Road.

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:

Cabinet Member: Councillor Moring

Chairman: _____

Notice of Motion for Full Council – 19th July 2018

Motor Neurone Disease (MND) Charter

27

That this Council adopts the Motor Neurone Disease (MND) charter and thereby supports achieving quality of life, dignity and respect for people with MND and their carers.

Council notes that over 60 councils across the country have signed up to the Motor Neurone Disease (MND) Charter

The Charter is made up of 5 points:

1. People with MND have the right to an early diagnosis and information
2. People with MND have the right to access quality care and treatments
3. People with MND have the right to be treated as individuals and with dignity and respect
4. People with MND have the right to maximise their quality of life
5. Carers of people with MND have the right to be valued, respected, listened to and well supported

Motion to be moved by Councillor Julian Ware-Lane
Seconded by Councillor Tony Cox

Background:

The Motor Neurone Disease (MND) Association, five-point MND Charter sets out the rights of people with MND and their carers and the pillars of good care and support. Five people a day die in the UK from MND. It is a rapidly progressive, fatal disease that can affect any adult at any time. The disease leaves people unable to walk, talk or feed themselves. The cause of MND is unknown and there is no cure.

** MND is a fatal, neurological disease for which there is no effective treatment and no cure.*

** MND kills five people in the UK every day.*

** Today there are 5,000 people living with MND in the UK. Life expectancy from diagnosis is two to five years*

** It can affect any adult at any age. Imagine being trapped inside a body that can't move.*

** MND attacks the nerves that control movement; people with MND can still think and feel, but their muscles refuse to work. As these nerves die, the muscles weaken and waste, leaving people locked in a failing body, unable to move, walk or talk.*

Why should councils adopt the charter?

Many decisions about services used by people with MND, such as social care, housing adaptations and support for carers, are made at the local level by councillors. Currently, there are significant differences in the quality of services available to people with MND locally, depending on where they happen to live. As

such, it is important that councillors, and all those working for and with the council, understand the needs of people with MND and their carers. While councils aren't responsible for everything outlined in the MND Charter, they are a significant part of the jigsaw. When services such as social care and housing are provided in a timely person-centred way, this has a huge impact on the person with MND and their family. MND is a devastating, complex disease and particularly difficult to manage. If a council can get it right for MND, it can get it right for residents with other neurological conditions and disabilities too.

** The MND Association is the only national charity in England, Wales and Northern Ireland that funds and promotes global research into the disease and provides care and support for people affected by MND.*